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The Effectiveness of Marriage Registration in Ensuring Legal Certainty for Families: An Empirical Study in Kuripan Village, Bogor Regency, Indonesia

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Abstract: Marriage registration plays a pivotal role in establishing legal certainty and safeguarding the rights of family members. Despite its legal significance, the practice of unregistered marriage (nikah siri) continues to occur in Kuripan Village, Ciseeng District, Bogor Regency. This research seeks to evaluate the effectiveness of marriage registration, explore the determinants of community compliance, and assess the legal as well as social consequences arising from unregistered marriages. An empirical legal research design incorporating a socio-legal perspective was employed in this study. Data were gathered through in-depth interviews, direct field observations, and documentary review involving officials from the Office of Religious Affairs (Kantor Urusan Agama), village administrators, religious figures, and local residents. The collected data were examined using qualitative analysis to understand the implementation of marriage registration and the factors shaping its effectiveness. The findings indicate a positive trend in marriage registration rates in Kuripan Village between 2022 and 2024, accompanied by a reduction in the incidence of unregistered marriages. Nevertheless, the effectiveness of marriage registration remains constrained by several factors, including economic limitations, inadequate legal awareness, administrative complexities, and prevailing socio-cultural influences. Unregistered marriages generate various adverse consequences, such as legal ambiguity, insufficient protection of women's and children's rights, obstacles in obtaining civil documentation, and limited access to public services. To address these challenges, efforts should focus on strengthening legal literacy programs, enhancing the accessibility and quality of public services, simplifying administrative requirements, and fostering cooperation among governmental agencies, religious leaders, and community stakeholders. The study concludes that the successful implementation of marriage

registration is determined not only by the existence of legal provisions but also by the level of public legal consciousness and the effectiveness of service delivery mechanisms.

Keywords: Marriage Registration, Legal Effectiveness, Unregistered Marriage (Nikah Siri), Legal Awareness, Public Services.

INTRODUCTION

Marriage constitutes a fundamental social and legal institution that plays a pivotal role in human life, serving as the cornerstone for the establishment of the family as the basic unit of society (Cherlin, 2020). Across diverse legal systems, marriage is recognized not merely as a personal union between two individuals but also as a juridical act that gives rise to a range of legal rights and responsibilities for the spouses. The institution of marriage facilitates the formation of a family, which functions as a primary mechanism for social organization and societal continuity. Within the family setting, individuals undergo early socialization processes, acquire educational and moral values, develop personal character, and receive social and emotional support. Given these essential functions, ensuring the stability and legal protection of family relationships remains a significant concern within contemporary legal frameworks.

Within the Indonesian legal and socio-cultural landscape, marriage constitutes a multifaceted institution shaped by the dynamic interplay of statutory regulations, religious doctrines, and prevailing social values (Cammack, 2015). As a country whose constitutional and philosophical foundations are rooted in Pancasila, particularly the principle of Belief in the One and Only God, Indonesia recognizes marriage as an institution that carries both religious significance and legal legitimacy. This dual character is embodied in Law Number 1 of 1974 on Marriage, as subsequently revised through Law Number 16 of 2019, which defines marriage as a lawful union between a man and a woman, established through both physical and spiritual commitment, with the objective of creating a harmonious, enduring, and prosperous family life founded upon faith in Almighty God.

Within the Indonesian legal framework, marriage is not solely perceived as a civil agreement between two parties. Rather, it is recognized as a social institution encompassing legal, ethical, and religious dimensions that contribute to the stability of family and society. Consequently, the state assumes a regulatory role in ensuring that marital unions are established and maintained in accordance with prevailing legal norms. To uphold legal certainty and provide formal recognition of marital status, the government requires the official registration of marriages as a fundamental legal mechanism.

Marriage registration constitutes a fundamental legal mechanism for establishing legal certainty, safeguarding the rights and interests of women and children, and ensuring official state recognition of familial relationships arising from a lawful marriage (Bedner & Huis, 2010). In the Indonesian legal framework, Article 2 paragraph (2) of Law Number 1 of 1974 stipulates that every marriage must be formally recorded in accordance with the applicable legal provisions. This requirement underscores that marriage registration is not merely an administrative procedure but a mandatory legal obligation for all individuals entering into a marital union. For Muslim citizens, the registration process is administered through the Office of Religious Affairs (Kantor Urusan Agama/KUA), whereas adherents of other religions are required to register their marriages with the civil registration authority in compliance with prevailing statutory regulations.

Marriage registration constitutes a fundamental legal requirement that fulfills several strategic functions within the family law system. The registration process serves as official and legally recognized evidence of the existence of a marital union. By obtaining a marriage

certificate or other state-issued registration document, spouses acquire formal legal recognition from the government, thereby strengthening the legitimacy of their marital status and facilitating the implementation of their respective rights and obligations under the law (Mikkelsen et al., 2015). Furthermore, marriage registration records play a crucial role in supporting a wide range of legal and administrative procedures, such as the issuance of birth certificates for children, the settlement of marital property disputes, the administration of inheritance claims, divorce proceedings, and access to various public services provided by governmental institutions.

From an administrative law perspective, marriage registration constitutes an integral component of Indonesia's population administration framework. Law Number 24 of 2013 on Population Administration requires citizens to report all significant life events to the relevant authorities to ensure the accuracy and orderliness of demographic records. As a legally recognized vital event, marriage must be officially recorded because it results in changes to an individual's legal status within the national administrative system. The degree to which individuals comply with legal obligations is often shaped by their perception of the legitimacy of legal norms and the fairness of procedures implemented by public institutions (Tyler, 2003). Consequently, marriage registration extends beyond its function within family law and serves as an essential instrument for strengthening administrative accountability, legal certainty, and effective public governance.

Within the framework of sustainable development, marriage registration has evolved beyond its traditional function as a mechanism of family law administration. It is increasingly recognized as a strategic instrument that contributes to the realization of the Sustainable Development Goals (SDGs), particularly those concerning social inclusion, gender equality, child protection, institutional effectiveness, and universal access to legal identity. Official marriage registration establishes a legally recognized status that enables individuals and families to access a wide range of public services, including education, healthcare, social welfare programs, government assistance schemes, and formal financial institutions. Moreover, the legal acknowledgment of marital relationships serves as an essential safeguard for the protection of women's rights within the household and broader social context (Merry, 2006). Consequently, the extent to which communities comply with marriage registration requirements may be regarded as an important indicator of the quality of local governance and the effectiveness of public service delivery.

Legal certainty regarding family status plays a significant role in strengthening household economic resilience by facilitating access to productive assets, formal financial services, and social protection programs (World Bank, 2022). Within the broader framework of national economic development, families function as the fundamental socio-economic unit that supports community welfare and sustainable growth. A legally recognized family status provides greater assurance concerning property rights, eligibility for formal financing mechanisms, legal safeguards for entrepreneurial activities, and participation in government-sponsored economic empowerment initiatives. In contrast, marriages that are not formally registered may generate legal and administrative barriers, limiting families' ability to manage assets effectively, obtain financial resources, and secure legal protection for their economic endeavors. As a result, such conditions can weaken the capacity of households to achieve long-term economic stability and prosperity.

The significance of marriage registration extends beyond legal and administrative considerations. Legal certainty regarding family status contributes to social stability, strengthens family resilience, and facilitates access to various public services and legal protections. Accordingly, marriage registration should be understood not merely as a mechanism for ensuring legal protection within the family sphere, but also as an important instrument for supporting inclusive and sustainable social development, both of which

constitute key pillars of the national development agenda. A substantial proportion of business actors within these sectors operate as micro-scale and family-owned enterprises whose economic activities are closely intertwined with household structures. In the Indonesian context, the governance of family law reflects a dynamic interaction among state regulations, religious norms, and prevailing social practices (Bowen, 2003). Consequently, legal certainty concerning marital and family status plays a vital role in fostering business continuity, facilitating formal business recognition, supporting halal certification processes, improving access to Islamic financial services, and safeguarding the economic rights of family members. Accordingly, marriage registration should be understood not merely as a mechanism for ensuring legal protection within the family sphere, but also as a strategic instrument that contributes to inclusive, sustainable, and legally grounded economic development.

Despite the implementation of various public awareness initiatives and administrative reforms by the government, the occurrence of unregistered marriages remains evident within certain segments of Indonesian society. This situation suggests that policy interventions have not yet fully achieved the expected level of compliance. In the context of public administration, the quality of public services is widely recognized as a significant determinant of citizens' adherence to government regulations and administrative requirements (Osborne, 2010). Existing scholarship has predominantly concentrated on the legal and normative dimensions of marriage registration, including issues related to the legal status of unregistered marriages as well as the protection of women's and children's rights from both legal and Islamic perspectives. However, limited attention has been given to investigating marriage registration from a broader socio-economic perspective that integrates legal awareness, service quality, family resilience, and local economic development outcomes. This gap in the literature highlights the need for a more comprehensive analysis to better understand how marriage registration contributes not only to legal certainty but also to wider social and economic development within communities.

Given these circumstances, examining the effectiveness of marriage registration practices in Kuripan Village is highly significant. The village offers a distinctive setting characterized by ongoing social and economic changes, making it an appropriate case for investigating how the implementation of family law interacts with legal awareness among community members, the quality of public services, and efforts to strengthen family resilience. Furthermore, this context provides valuable insights into the contribution of these factors to the advancement of the creative economy and the development of family-oriented halal industries.

Previous research has consistently indicated that unregistered marriages heighten the legal vulnerability of women and children by limiting the certainty and protection of their rights, particularly concerning inheritance, financial support, legal identity, and access to public services. Women involved in unregistered marital unions frequently encounter challenges in securing legal remedies when facing divorce, abandonment, or disputes related to marital assets. Similarly, children born from such unions may experience difficulties in obtaining civil registration documents and accessing various administrative and social services. These circumstances underscore the pivotal role of marriage registration as a legal mechanism for safeguarding citizens' constitutional rights while promoting effective population administration. Recent scholarly discussions further highlight that marriage registration serves as a fundamental instrument for strengthening family protection and enhancing social welfare, both within the framework of Islamic jurisprudence and the national legal system.

Kuripan Village, situated within Ciseeng District of Bogor Regency, provides a relevant context for examining the implementation of marriage registration practices. As an area undergoing a transition from predominantly rural characteristics toward a more urbanized social environment, the village has experienced notable socioeconomic and administrative transformations. Improvements in public administration systems, coupled with the growing

necessity for official population documents, have increased community awareness of the importance of legally registering marriages. Possession of a recognized legal identity through the civil registration system constitutes a fundamental requirement for obtaining various civil rights and accessing public services (Harbitz & Tamargo, 2009). Despite these developments, the occurrence of unregistered marriages remains evident. This situation is influenced by several interconnected factors, including economic constraints, insufficient legal literacy, limited understanding of administrative procedures, and the continued prominence of cultural and religious considerations that shape community perceptions of marital legitimacy.

Previous scholarship has extensively examined the issue of marriage registration from various perspectives. Existing studies predominantly address the legal consequences of unregistered marriages, the significance of marriage registration within the framework of Islamic law, and the protection of the rights of women and children arising from unregistered marital unions. Other researchers have concentrated on legal reforms concerning marriage registration as well as institutional developments within the Office of Religious Affairs (Kantor Urusan Agama) aimed at enhancing the quality of public service delivery. Nevertheless, empirical investigations that assess the effectiveness of marriage registration at the village level through a comprehensive approach encompassing legal effectiveness, community legal awareness, and the quality of public services remain relatively scarce. Consequently, this area warrants further scholarly attention to provide a more holistic understanding of the factors influencing the implementation of marriage registration at the local level.

The distinctive contribution of this research is reflected in its adoption of a socio-legal framework that combines Soerjono Soekanto's legal effectiveness theory, Lawrence M. Friedman's legal system theory, legal awareness theory, and public service theory. Through this integrated perspective, the study evaluates the implementation of marriage registration at the village level from multiple dimensions. Rather than focusing solely on statutory and regulatory provisions, the analysis encompasses broader social, cultural, institutional, and administrative service contexts that shape community compliance with marriage registration requirements. This comprehensive approach provides a deeper understanding of the factors influencing the effectiveness of marriage registration practices within local communities.

Building upon the issues outlined above, this research seeks to evaluate the implementation of marriage registration practices in Kuripan Village, Ciseeng District, Bogor Regency. In addition, the study investigates the underlying factors that contribute to the continued occurrence of unregistered marriages and examines the legal as well as social consequences arising from such practices. The results of this research are expected to enrich the discourse on Islamic family law, particularly in relation to the practical enforcement of marriage registration regulations at the community level. Furthermore, the findings may serve as a valuable reference for policymakers, the Office of Religious Affairs, and other relevant stakeholders in formulating strategies to enhance public awareness and compliance with marriage registration requirements, thereby promoting legal certainty, safeguarding family rights, and strengthening the realization of justice within society.

METHOD

This research adopted an empirical legal methodology grounded in a socio-juridical perspective. The selection of this approach was based on the need to examine not only the normative legal framework regulating marriage registration but also its practical implementation within the community. Through this perspective, the study evaluates the extent to which legal provisions correspond with social realities and practices. Particular attention is given to assessing the effectiveness of marriage registration practices in Kuripan Village, Ciseeng District, Bogor Regency, as well as identifying the factors that influence their implementation.

Kuripan Village was selected as the research site due to the continued occurrence of unregistered marriages despite the accessibility of official marriage registration services provided by the Office of Religious Affairs (Kantor Urusan Agama/KUA) of Ciseeng District. This phenomenon highlights a gap between the availability of legal administrative mechanisms and their utilization by community members. Consequently, Kuripan Village offers a relevant empirical context for investigating the determinants of marriage registration effectiveness and assessing its contribution to ensuring legal protection and certainty for families within the local community.

The research employed both primary and secondary sources of data. Primary data were gathered through semi-structured, in-depth interviews involving key informants, including the Head of the Office of Religious Affairs (Kantor Urusan Agama/KUA) of Ciseeng District, marriage registration officers, village government representatives, religious figures, community leaders, and married couples whose unions had been either formally registered or remained unregistered. To complement the interview findings, direct field observations were undertaken to capture empirical evidence concerning public legal awareness, the implementation of marriage registration services, and the challenges encountered by community members throughout the registration process.

Secondary data were obtained through an extensive review of legal and scholarly literature relevant to the subject under investigation. These sources comprised primary, secondary, and tertiary legal materials. Primary legal materials included statutory regulations governing marriage and population administration, such as Law Number 1 of 1974 on Marriage as amended by Law Number 16 of 2019, Law Number 24 of 2013 concerning Population Administration, the Compilation of Islamic Law, and other implementing regulations related to marriage registration. Secondary legal materials encompassed academic books, peer-reviewed journal articles, previous research studies, and official institutional documents that provided additional theoretical and empirical support for the analysis conducted in this study.

Data were collected through three primary techniques, namely interviews, direct observation, and document analysis. Interviews were employed to gather comprehensive insights into community adherence to marriage registration requirements, the underlying factors contributing to the continued practice of unregistered marriages (*nikah siri*), and the initiatives undertaken by governmental institutions and the Office of Religious Affairs (*Kantor Urusan Agama*) to enhance public legal awareness. Direct observation was conducted to obtain a contextual understanding of the social environment and to examine the implementation of marriage registration services within the study area. In addition, document analysis was utilized to compile relevant information from marriage statistics, administrative records, and other official documents associated with the implementation of marriage registration policies at the research site.

Purposive sampling was utilized to identify and recruit participants with substantial knowledge, expertise, and direct experience related to the research topic, thereby ensuring their capacity to provide detailed and meaningful insights (Palinkas et al., 2015). The selection of informants through this approach was intended to enhance the relevance, richness, and quality of the data obtained, while supporting an in-depth exploration and comprehensive understanding of the phenomenon being investigated.

The research employed the interactive data analysis framework developed by Miles et al. (2014), which views data analysis as a cyclical and interconnected process involving data condensation, data presentation, and conclusion formulation accompanied by continuous verification. In the initial phase, data obtained from interviews, observations, and documentary sources were systematically screened, organized, and condensed in accordance with the objectives and focus of the study. The processed data were then presented through descriptive explanations and tabular formats to enhance clarity and facilitate interpretation. Finally,

conclusions were generated through an iterative verification process to ensure the credibility, consistency, and scientific rigor of the research findings.

To enhance the trustworthiness and credibility of the findings, this research employed three forms of triangulation: source, method, and theoretical triangulation. Source triangulation was carried out by cross-checking information gathered from different participants to ensure consistency and accuracy. Method triangulation involved integrating evidence derived from interviews, direct observations, and documentary analysis, thereby enabling a more robust interpretation of the data. Furthermore, theoretical triangulation was undertaken by utilizing several complementary analytical perspectives, namely Lawrence M. Friedman's Legal System Theory, Soerjono Soekanto's Theory of Legal Effectiveness, and Legal Awareness Theory. These theoretical lenses were applied to interpret and contextualize the empirical findings comprehensively. Through the application of these triangulation strategies, the study seeks to generate a deeper and more holistic understanding of the implementation of marriage registration in Kuripan Village, including the determinants that support its effectiveness as well as the obstacles that influence its realization within the local community.

RESULTS AND DISCUSSION

Effectiveness of Marriage Registration in Kuripan Village, Ciseeng District, Bogor Regency

The results demonstrate a positive trend in public adherence to marriage registration requirements in Kuripan Village. Evidence gathered from records maintained by the village administration and the Office of Religious Affairs (KUA) of Ciseeng District reveals a consistent increase in the number of officially registered marriages over the past three years. Due to the limited availability of annual statistical records, the analysis focuses on the documented number of registered and unregistered marriages obtained from village administrative records and interviews with officials of the Office of Religious Affairs (KUA) of Ciseeng District. Therefore, percentage calculations were not employed, and the findings are presented descriptively to reflect observable trends in marriage registration practices. These findings suggest a growing level of legal awareness and compliance among community members regarding the importance of formal marriage registration.

These data show that the percentage of registered marriages increased from 86.15% in 2022 to 92.41% in 2024. Conversely, the percentage of unregistered marriages declined from 13.85% to 7.59%. This indicates that the implementation of the marriage registration policy in Kuripan Village has been relatively effective, although it has not yet reached an ideal condition because unregistered marriages still occur.

The observed rise in marriage registration rates indicates a significant shift in community legal awareness and compliance. Drawing upon Soerjono Soekanto's concept of legal effectiveness, a legal norm can be regarded as effective when it successfully shapes societal conduct in line with the objectives envisioned by the law. The results of this study suggest that public perceptions regarding marriage registration have evolved, with individuals increasingly recognizing it not only as an administrative requirement but also as a fundamental legal mechanism that safeguards the rights and interests of family members.

Nevertheless, the effectiveness remains at a moderate level because some members of the community still prioritize religious legitimacy over state legality (Yilmaz & Barry, 2022). This phenomenon reveals a gap between normative legal awareness and actual legal behavior. Further analysis indicates that the increase in marriage registration rates in Kuripan Village is influenced not only by the existence of regulations mandating registration but also by the growing need for various population administration documents. In recent years, people have increasingly realized that possessing a marriage certificate is an essential requirement for obtaining family cards, birth certificates, national health insurance, government social

assistance, and access to educational services. These findings reinforce previous studies indicating that legal identity and civil registration are fundamental prerequisites for access to public services and social protection provided by the state (Mikkelsen et al., 2015). Thus, compliance with marriage registration obligations is driven not only by legal awareness but also by practical needs related to access to public services.

The findings indicate that the effectiveness of legal regulations is strongly associated with the practical advantages recognized by community members. Viewed through the lens of utilitarian legal theory, individuals are more inclined to adhere to legal provisions when such regulations generate meaningful and observable benefits in their daily lives. In this context, the growing level of marriage registration in Kuripan Village reflects a rational societal response to contemporary administrative requirements. This trend demonstrates the community's adaptation to an increasingly integrated public service framework, where access to various administrative and legal services is closely connected to population registration systems.

Furthermore, the study reveals that digital transformation in public administrative services has contributed to increasing public compliance with marriage registration. This finding is consistent with public administration literature emphasizing that service quality, procedural simplicity, and information system integration influence the level of compliance with state administrative obligations (Osborne, 2010). The integration of population data through administrative information systems has made marital status an important variable in various public service processes. This strengthens the role of marriage registration as both a legal instrument and an administrative tool supporting effective and accountable governance.

Despite ongoing efforts to strengthen the implementation of marriage registration, the continued prevalence of *nikah siri* demonstrates that the acceptance and internalization of formal legal norms remain uneven across different segments of society. For many individuals, religious recognition continues to hold greater significance than state acknowledgment in determining the legitimacy of a marital union. This condition illustrates the enduring influence of legal pluralism within the Indonesian legal landscape, where state regulations, Islamic legal principles, and prevailing social values interact and collectively shape community behavior (Sumner, 2023). Consequently, the effectiveness of marriage registration should not be understood solely in terms of legal compliance; rather, it must also be viewed as a dynamic process involving negotiation, adaptation, and reconciliation between religious convictions and state-imposed legal requirements.

The findings further reveal that religious leaders exert a substantial influence on community legal behavior. In many cases, individuals are inclined to align their actions with the guidance and interpretations provided by religious figures who are regarded as possessing strong moral credibility and religious legitimacy. As a result, initiatives designed to enhance marriage registration rates are more likely to be effective when religious leaders actively participate in disseminating information and raising public awareness regarding the legal and social importance of marriage registration as a mechanism for protecting family welfare.

From the perspective of *maqashid al-shariah*, marriage registration may be viewed as a legal instrument that contributes to the protection of lineage (*hifz al-nasl*), the preservation of property rights (*hifz al-mal*), and the safeguarding of individual rights within the family structure (Rofiq, 2021). Accordingly, the requirement to officially register marriages should not be perceived as inconsistent with Islamic legal principles; rather, it functions as a regulatory measure intended to promote legal certainty and advance the broader objectives of public welfare (*maslahah*).

From the perspective of legal development, these findings suggest that persuasive and educational approaches are more effective than repressive measures. Enhancing legal awareness is more likely to be achieved through legal education, administrative assistance, and the empowerment of religious and community leaders than through the mere imposition of

administrative sanctions. This participatory approach aligns with the paradigm of modern legal development, which positions society as the primary actor in the implementation of law.

Furthermore, this research contributes to the advancement of socio-legal studies by highlighting that the effectiveness of family law implementation depends not solely on the adequacy of legal provisions, but also on the dynamic interplay between legal institutions, societal legal values, and the quality of public service delivery. The findings reinforce Lawrence M. Friedman's legal system theory, which emphasizes the pivotal role of legal culture in shaping the effectiveness of law in practice. Accordingly, efforts to reform family law in Indonesia should extend beyond regulatory amendments and encompass strategies aimed at strengthening legal awareness, fostering public trust, and cultivating a culture of sustained legal compliance.

Factor Influencing the Effectiveness of Marriage Registration

Community Legal Awareness Factor

The findings derived from the interviews reveal that a substantial proportion of community members are aware that marriages should be officially registered with the Office of Religious Affairs (Kantor Urusan Agama). Nevertheless, their understanding of the legal implications arising from unregistered marriages remains limited. Many participants emphasized that the primary concern is the religious validity of the marriage, while formal registration is often perceived as an administrative procedure rather than a legal necessity. This situation suggests that public legal awareness has largely reached the level of legal knowledge but has not yet progressed into deeper dimensions of legal attitudes and compliance-oriented legal behavior. Consequently, although individuals recognize the existence of legal regulations concerning marriage registration, such awareness has not been fully translated into consistent legal practices within everyday life (Butt, 2021).

The findings of this study corroborate the argument advanced by Achmad Ali (2015), who posits that awareness of legal provisions alone is insufficient to ensure legal compliance. Adherence to legal norms tends to emerge when individuals understand both the practical benefits and the broader social objectives underlying those regulations. In the context of marriage registration, inadequate understanding of its legal consequences, particularly regarding the protection of spouses' and children's rights, contributes to the perception among certain community members that registration is not an essential or immediate requirement. The findings of this study corroborate the argument advanced by Achmad Ali (2015), who posits that awareness of legal provisions alone is insufficient to ensure legal compliance. Adherence to legal norms tends to emerge when individuals understand both the practical benefits and the broader social objectives underlying those regulations. In the context of marriage registration, inadequate understanding of its legal consequences, particularly regarding the protection of spouses' and children's rights, contributes to the perception among certain community members that registration is not an essential or immediate requirement.

Previous research by Nurlaelawati (2010) indicates that the persistence of unregistered marriages in Indonesia is closely associated with religious interpretations that prioritize the fulfillment of Islamic legal requirements as the principal determinant of marital validity, while formal state registration is often viewed as a complementary administrative matter. Consequently, a number of individuals continue to engage in *nikah siri* despite their awareness of the legal requirement to register marriages with the relevant authorities. In a similar vein, Sumner (2023) argues that patterns of legal compliance are shaped more substantially by prevailing legal culture and societal values than by the existence of statutory regulations alone.

Bedner and Van Huis (2010) argue that inadequate public understanding of the significance of marriage registration contributes to limited legal protection for women and children. Insufficient awareness of the legal consequences associated with unregistered

marriages—particularly concerning inheritance entitlements, maintenance obligations, the legal recognition of children, and access to various public services—often results in low levels of compliance with registration requirements. Consequently, strengthening legal awareness requires comprehensive educational initiatives that not only emphasize the normative obligation to register marriages but also communicate the practical and long-term benefits that marriage registration provides for individuals, families, and future generations.

Drawing on Lawrence M. Friedman’s theory of legal culture, the effectiveness of legal norms is not determined solely by the existence of formal regulations, but is also shaped by the values, beliefs, and attitudes that members of society develop toward the legal system. In this context, efforts to enhance the effectiveness of marriage registration should extend beyond legislative or regulatory improvements. Greater emphasis must be placed on fostering a supportive legal culture through sustained legal literacy initiatives, family-based educational programs, and the active participation of religious figures and community leaders in promoting public understanding of the legal significance and benefits of marriage registration.

Economic Factors

Economic considerations continue to play a significant role in the persistence of unregistered marriages (*nikah siri*) in Kuripan Village. Despite the fact that marriage registration services at the Office of Religious Affairs (KUA) are generally affordable and can be accessed without charge during regular office hours, a portion of the community still associates the registration process with substantial incidental costs. This perception is particularly prevalent among households with limited financial resources, who often prefer informal marriage arrangements due to their perceived convenience, efficiency, and lower financial burden. These findings suggest that misconceptions regarding the costs associated with public administrative services remain a key challenge in promoting compliance with marriage registration regulations and in enhancing public participation in formal legal procedures.

The results of this study corroborate the findings of Bedner and Van Huis (2010), who argue that economic constraints play a significant role in shaping individuals’ decisions regarding marriage registration. This situation is particularly evident among lower-income populations, whose access to formal administrative services provided by the state is often limited. In addition, studies on legal identity in Indonesia indicate that economically disadvantaged households generally exhibit lower levels of ownership of legal documentation compared to more financially secure groups, including marriage certificates and other forms of civil registration (Kusumaningrum & Sumner, 2014). These observations imply that marriage registration should not be viewed solely as a legal or administrative matter. Rather, it is closely intertwined with broader socio-economic circumstances that influence individuals’ ability to obtain legal recognition and access public services.

Furthermore, a study conducted by UNFPA Indonesia found that individuals who do not possess marriage documents generally come from rural communities, have lower levels of education, and occupy more vulnerable socio-economic positions. Economic limitations create barriers for these individuals in fulfilling the administrative requirements necessary to obtain legal recognition from the state. As a result, some people choose informal marriage arrangements that are perceived as cheaper and more accessible, despite the potential legal risks they may face in the future.

The findings reported by Husain and Junus (2025) indicate that economic considerations remain among the most influential determinants of unregistered marriages in Indonesia. Factors such as administrative fees, transportation costs associated with accessing services at the Office of Religious Affairs (KUA), and limited household financial capacity were identified as significant barriers to marriage registration. These observations are consistent with the results

of the current study, which suggest that financial affordability and perceptions regarding the cost of public services continue to play a crucial role in shaping individuals' decisions regarding the formal registration of their marriages.

From the standpoint of public service provision, legal identity documentation represents an essential entitlement that should be accessible to all citizens. Limited access to family legal documents among economically vulnerable populations may lead to social marginalization and hinder their ability to benefit from a wide range of public services, including social welfare programs, educational opportunities, healthcare services, and legal safeguards. Consequently, efforts to enhance the effectiveness of marriage registration must be complemented by policies that address financial and administrative obstacles. Such measures may include streamlining registration procedures, strengthening outreach initiatives, providing administrative support for disadvantaged communities, and increasing public awareness regarding the official fees and requirements associated with marriage registration.

Administrative Factors

The findings reveal that administrative challenges extend beyond the mere availability of civil registration documents and encompass bureaucratic complexity as well as limited access to public administrative services. Data obtained from informants indicate that discrepancies in personal identity records, the absence of essential civil documentation, and obstacles in meeting administrative requirements frequently contribute to delays in marriage registration and, in some cases, prevent the registration process from being completed. These results corroborate the findings of Mikkelsen et al. (2015), who argue that weaknesses in civil registration and population administration systems constitute significant barriers to the formal recording of vital events, including marriage. Furthermore, inadequate integration among administrative institutions may restrict individuals' ability to obtain formal legal recognition of their civil status, thereby reducing access to legal protection and administrative rights.

Furthermore, Mikkelsen et al. (2015) emphasize that the effectiveness of a civil registration system is strongly influenced by the simplicity of procedures, service quality, and data integration among government institutions. The more accessible and user-friendly an administrative service is, the higher the level of public participation in official registration processes. Conversely, complicated procedures that require numerous administrative requirements tend to encourage people to seek alternatives outside the formal system.

AbouZahr et al. (2015) emphasize that a well-functioning civil registration system constitutes a critical foundation for safeguarding individuals' legal identity. Official records issued through such systems provide essential legal recognition, enabling citizens to obtain access to education, healthcare, social welfare programs, and other public services. Consequently, obstacles encountered in the marriage registration process extend beyond questions of marital legality; they may also limit the ability of individuals and families to exercise a broad spectrum of social and economic entitlements that are formally protected by the state.

The findings derived from the case of Kuripan Village indicate that enhancing the effectiveness of marriage registration necessitates comprehensive administrative improvements. These improvements should prioritize greater accessibility to public services, stronger integration among population administration databases, increased procedural transparency, and the provision of administrative support for individuals facing difficulties in obtaining civil registration documents. Accordingly, marriage registration should not be viewed solely as a statutory requirement; rather, it should be recognized as a strategic

mechanism for fostering a more inclusive, reliable, and accountable population administration system.

Cultural and Religious Factors

The influence of culture and religion on marriage registration practices indicates that public compliance with state law is often shaped by prevailing social norms and religious beliefs within society. In many cases, communities place greater emphasis on fulfilling the religious requirements and pillars of marriage than on complying with the administrative requirements established by the state (Darmawan et al., 2024). This condition reflects the interaction between *living law* and *state law*, which influences people's legal behavior in the implementation of marriage.

Recent studies demonstrate that the practice of unregistered marriages continues to persist due to the existence of social, cultural, and religious legitimacy that is considered sufficient to validate a marriage. From the perspective of certain communities, marriage registration is not viewed as a primary necessity but rather as an administrative complement to be completed after the marriage contract (*akad nikah*) has been conducted (Andrizal et al., 2026).

Furthermore, Indonesia's complex legal pluralism has created a situation in which certain segments of society tend to rely more heavily on customary practices and religious authorities than on formal state administrative provisions. This condition indicates that effective law enforcement is determined not merely by the formulation and quality of legal frameworks, but also by the government's capacity to foster legal consciousness and compliance that align with the socio-cultural and religious values embedded within the community.

Legal and Social Impacts of Unregistered Marriages

The results of this study are consistent with earlier findings that indicate unregistered marriages often generate legal uncertainty within the family sphere, particularly affecting women and children. Without an officially recognized marriage certificate as valid legal documentation, spouses may encounter significant obstacles in asserting their rights related to financial support, inheritance, joint marital assets, and legal protection when facing marital disputes or divorce proceedings. These circumstances highlight the strategic role of marriage registration as a legal mechanism that safeguards civil rights while promoting legal certainty and protection for all members of the family (Aprinelita & Nelli, 2026).

Moreover, children resulting from marriages that have not been officially registered often encounter difficulties in securing legal identity and obtaining formal acknowledgment of their civil relationship with their biological father. Although Constitutional Court Decision No. 46/PUU-VIII/2010 has strengthened legal safeguards for children born outside legally registered marriages, its implementation remains constrained by a range of administrative challenges. In practice, these obstacles frequently arise in the process of obtaining essential civil documents, including birth certificates and family registration cards, as well as in accessing various public services provided by the state.

From a sociological standpoint, the practice of unregistered marriage can heighten the risk of discrimination and social exclusion experienced by women. The absence of formal legal recognition frequently weakens women's position within the household, limiting their influence in family economic decisions and reducing their access to legal safeguards related to reproductive rights and the well-being of children (Sonu et al., 2025). These circumstances indicate that marriage registration should be understood not only as an administrative requirement imposed by the state but also as a crucial mechanism for protecting fundamental rights and advancing gender equality and justice within family life.

Within the framework of sustainable development, the registration of marriages plays a strategic role in supporting the attainment of the Sustainable Development Goals (SDGs). Its contribution is particularly evident in promoting gender equality, reducing social disparities, ensuring access to legal identity for all individuals, and reinforcing the effectiveness of public institutions. Consequently, strengthening community adherence to marriage registration regulations not only improves the quality of civil administration systems but also fosters a more inclusive, equitable, and sustainable pattern of social development.

Analysis of Effectiveness Based on Friedman's Legal System Theory

The research findings underscore that societal perceptions and adherence to legal norms play an important role in determining the level of confidence that citizens place in government institutions. Communities with a high level of trust in government institutions tend to exhibit better compliance with legal administrative obligations, including marriage registration. Conversely, low trust in public institutions may encourage people to choose informal mechanisms that are perceived as more aligned with their social and cultural needs. Tyler (2006) explains that legal compliance is not merely based on the threat of sanctions but is more strongly influenced by perceptions of legitimacy and procedural justice implemented by legal institutions.

In the context of marriage registration, legal legitimacy is crucial because people are more likely to accept administrative obligations when they understand that such regulations provide tangible benefits for family protection (Gubhaju, 2009). The study demonstrates that the necessity to obtain population administration documents, secure access to social welfare benefits, healthcare, education, and legal safeguards has increasingly encouraged communities to legalize and officially record their marriages. These findings corroborate the perspective of Setel et al. (2007), who argued that effective civil registration and vital statistics systems are indispensable instruments for ensuring the recognition of citizens' rights and promoting equitable development outcomes.

The persistence of unregistered marriages (*nikah siri*) demonstrates that the enforcement of marriage regulations in Indonesia is closely intertwined with the country's pluralistic legal environment. According to Benda-Beckmann (2006), individuals frequently navigate and adhere to multiple legal frameworks at the same time, including state law, religious norms, and customary regulations. As a consequence, the effectiveness of legal compliance is often determined by the extent to which formal legal provisions align with the cultural and social values embraced by the community. In the context of Kuripan Village, religious recognition continues to be viewed by some residents as the principal determinant of marital validity. This perception contributes to a limited awareness of the importance of marriage registration, leading many individuals to regard administrative registration as a secondary rather than essential legal requirement.

Moreover, Jones and Gubhaju (2009) found that low levels of marriage registration in many developing countries are generally associated with limited access to administrative services, low educational attainment, economic constraints, and strong local traditions. These findings are consistent with the conditions observed in Kuripan Village, where economic and cultural factors remain the primary obstacles to increasing public compliance with marriage registration requirements.

From a governance perspective, the effectiveness of marriage registration also reflects the quality of public services provided by the state to its citizens. Osborne (2010) argues that the successful implementation of public policies is highly dependent on the ability of government institutions to establish collaborative relationships with communities as service users. Therefore, improving the effectiveness of marriage registration requires not only administrative measures but also participatory approaches involving village governments,

Religious Affairs Offices, religious leaders, community leaders, and social organizations in promoting legal awareness among the public.

The results of this research support Friedman's perspective that legal culture constitutes a fundamental determinant in the effectiveness of legal implementation. The existence of comprehensive legal provisions and well-established institutional structures alone is insufficient to ensure compliance when societal attitudes, values, and awareness of the law remain weak. Consequently, the advancement of family law in Indonesia should prioritize the enhancement of legal literacy among citizens, the improvement of accessible and responsive public services, and the harmonization of religious principles with the broader goals of family legal protection. Such efforts are essential for cultivating a legal culture that encourages consistent and long-term compliance with legal norms.

Discussion

The results of this research indicate that the effectiveness of marriage registration policies is influenced not only by the presence of legally binding regulations but also by the extent to which these regulations are accepted and understood by the community. Despite the increasing tendency of marriage registration practices in Kuripan Village, the persistence of unregistered marriages (nikah siri) suggests that the objectives of legal implementation have not been fully realized. This condition reflects that the achievement of legal effectiveness requires not only formal regulatory frameworks but also broader societal compliance and awareness regarding the importance of marriage registration.

Within the context of Kuripan Village, enhancing the effectiveness of marriage registration requires a comprehensive approach that emphasizes increasing public awareness of legal regulations, streamlining administrative procedures, strengthening the involvement of religious figures, and broadening the scope of premarital counseling programs provided by the Office of Religious Affairs (Kantor Urusan Agama). Furthermore, community-oriented and participatory strategies are likely to generate more sustainable compliance and legal awareness than approaches that rely primarily on coercive or punitive measures.

Furthermore, the findings underscore the significance of marriage registration as a cornerstone of the legal identity framework, facilitating the recognition, protection, and realization of citizens' civil rights under the law. According to the World Bank (2022), possession of valid legal documents enables individuals and families to gain broader access to public services, social protection programs, formal financial services, and various economic empowerment initiatives. In the context of Kuripan Village, the increasing rate of marriage registration indicates that the community is becoming more aware of the relationship between the legal recognition of family status and the ease of obtaining civil registration documents and accessing various government services. This condition demonstrates that marriage registration serves a strategic function not only as an instrument of family law but also as a tool for social and economic development.

The results of this study provide empirical support for the procedural justice framework proposed by Tyler (2003), which emphasizes that individuals' willingness to comply with legal regulations is closely associated with their perceptions of institutional legitimacy and the fairness of administrative procedures. In the context of Kuripan Village, community members demonstrate a greater tendency to fulfill marriage registration obligations when the services delivered by the Office of Religious Affairs are viewed as transparent, easily accessible, and capable of meeting their needs. These findings indicate that strengthening the quality of public service delivery may constitute a strategic mechanism for fostering legal compliance, as it encourages voluntary adherence to legal norms rather than depending primarily on coercive measures or punitive sanctions.

From the standpoint of Islamic family law, the results of this study indicate that marriage registration reflects the implementation of *maqāṣid al-sharī'ah*, which emphasizes the realization of public benefit (*maslahah*) and the prevention of potential harm. The formal recording of marriages plays a significant role in preserving lineage (*hifz al-nasl*), securing property rights (*hifz al-mal*), and ensuring the legal protection of women and children within family relations. These findings corroborate the argument advanced by Bedner and Van Huis (2010), who contend that marriage registration among Indonesian Muslims serves as a crucial legal instrument for enhancing protection and legal certainty in a context characterized by legal pluralism. Accordingly, marriage registration should be understood not as an intrusion of state authority into religious matters, but as a regulatory mechanism that facilitates the achievement of the broader objectives of Islamic law and strengthens the protection of family rights.

Moreover, this study shows that unregistered marriages may generate broader economic consequences for families. Unclear family legal status can hinder access to formal financing, asset ownership, social protection, and government economic empowerment programs. The present findings corroborate the evidence reported by the *Women, Business and the Law* study, which argues that formal legal recognition of family status serves as an important mechanism for enhancing household economic welfare and ensuring stronger legal and social protection for vulnerable individuals, notably women and children (World Bank, 2022). Therefore, increasing compliance with marriage registration requirements contributes not only to orderly population administration but also to strengthening family economic resilience.

Therefore, the effectiveness of marriage registration can be understood as a multidimensional legal issue that goes beyond administrative procedures, reflecting the state's ability to uphold legal certainty and protect family institutions as the fundamental building blocks of society.

CONCLUSION

The findings of this research indicate that the implementation of marriage registration in Kuripan Village, Ciseeng District, Bogor Regency, has achieved a relatively satisfactory level of effectiveness. This is reflected in the consistent increase in the number of marriages officially recorded by the relevant authorities over the observed period. Empirical data reveal that registered marriages rose from 112 couples in 2022 to 134 couples in 2024. Conversely, the incidence of unregistered marriages (*nikah siri*) showed a declining trend, decreasing from 18 cases in 2022 to 11 cases in 2024. These developments suggest a growing awareness among community members of the legal significance of marriage registration, particularly in ensuring legal certainty and safeguarding the rights and obligations of family members.

Despite the existence of a comprehensive legal framework governing marriage registration, its implementation has not yet achieved the desired level of effectiveness. A number of interconnected factors continue to contribute to the persistence of unregistered marriages within certain segments of society. Although a comprehensive legal framework governing marriage registration is already in place, its effectiveness remains constrained by a combination of interconnected factors, namely economic limitations, inadequate legal awareness and understanding of legal obligations, administrative barriers, socio-cultural and religious influences, the persistence of customary practices, and relatively low educational attainment, all of which continue to affect community compliance with marriage registration requirements. This condition indicates that the effectiveness of legal enforcement cannot be assessed solely on the basis of formal regulations. Rather, it is also shaped by broader social and cultural dynamics as well as the degree of legal awareness among community members. Such findings are consistent with Soerjono Soekanto's concept of legal effectiveness and Lawrence M. Friedman's legal system theory, both of which emphasize that the successful

operation of law depends on the interaction between legal norms, institutional structures, and societal legal culture.

This study also found that unregistered marriages generate significant legal and social consequences. These consequences include weak legal protection for wives, difficulties in obtaining civil rights, uncertainty regarding the legal status of children, obstacles in obtaining population administration documents, limited access to educational and healthcare services, and increased vulnerability of women and children to various forms of social injustice. In addition to harming individuals and families, the practice of *nikah siri* may also disrupt the orderly administration of population records and reduce the accuracy of government data.

Improving the implementation of marriage registration requires a comprehensive and coordinated approach. Such efforts may include strengthening public legal awareness through continuous education, streamlining administrative procedures related to marriage registration, enhancing the quality and accessibility of services provided by the Office of Religious Affairs (Kantor Urusan Agama), and reinforcing the involvement of village authorities and religious leaders in promoting compliance with legal requirements. In addition, legal facilitation should be made available for couples whose marriages have not been officially registered, particularly through the mechanism of *itsbat nikah* as a judicial process for obtaining legal recognition of the marriage. Effective collaboration among government agencies, religious institutions, and community stakeholders plays a vital role in encouraging adherence to marriage-registration regulations. Through such collective efforts, the objectives of marriage registration in ensuring legal protection, legal certainty, and the welfare of families can be realized more effectively..

Marriage registration should be understood not solely as an administrative requirement imposed by the state, but as a fundamental legal mechanism that protects citizens' rights, enhances family stability, and supports the development of an orderly legal system and effective population governance in Indonesia.

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