



Siri Polygamy from the Perspective of Islamic Law Versus State Law: A Study of Sociology and Legal Pluralism

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Abstract

This study examines siri polygamy in Indonesia through the analytical lens of sociology and legal pluralism by exploring the interaction between Islamic law and state law in the construction of marital legitimacy and dispute resolution. The research employs a non empirical legal method based on normative legal analysis and a socio legal approach. Data were derived from constitutional provisions, marriage legislation, the Compilation of Islamic Law, judicial decisions, and relevant academic literature. The findings indicate that siri polygamy operates within a field of competing normative authorities where religious validity may coexist with limited state recognition. This condition generates legal uncertainty concerning marital status, child protection, inheritance rights, and access to justice. Judicial practice demonstrates a tendency to accommodate social realities through legalization mechanisms rather than relying exclusively on criminal sanctions. The study further reveals that women and children remain the most vulnerable parties within unregistered polygamous relationships. From a criminal law policy perspective, effective regulation requires a balanced approach that integrates legal certainty, substantive justice, and social legitimacy. The research argues that harmonization between Islamic family law and national law is essential for strengthening rights protection and improving the coherence of Indonesia's plural legal system.

Keywords : Legal Pluralism, Siri Polygamy, Islamic Law, State Law, Family Law.



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INTRODUCTION

The regulation of marriage in contemporary Muslim societies has increasingly become a focal point of global debates concerning the interaction between religious norms, state authority, legal certainty, and social legitimacy. Across various jurisdictions, particularly in Southeast Asia, the coexistence of formal legal institutions and religiously grounded normative systems has generated complex patterns of legal compliance that challenge the conventional assumption that the state constitutes the sole source of legal validity. The growing scholarly attention to unregistered marriages, informal marital arrangements, and religiously recognized unions reflects a broader transformation in legal studies that seeks to understand how multiple normative orders simultaneously govern social behavior. Within this evolving landscape, the phenomenon of siri polygamy occupies a particularly significant position because it embodies the intersection of Islamic jurisprudence, state regulation, and community based legal consciousness. In Indonesia, where constitutional commitments to legal order coexist with strong religious traditions, the validity of marriage is frequently interpreted through overlapping legal frameworks that derive legitimacy from distinct sources of authority, creating a fertile arena for examining the operation of legal pluralism in family law governance (Republic of Indonesia, 1945; Republic of Indonesia, 1974; Zakki & Zuhriyah, 2026).

Existing scholarship has generated important insights into the relationship between Islamic family law and state regulation of marriage, particularly concerning legal certainty, gender justice, and the administration of marital institutions. Studies have demonstrated that Islamic legal reasoning continues to play a decisive role in shaping societal perceptions of marital validity even when state requirements remain formally binding. Research on marriage guardianship, legal certainty, and masalah based interpretations has revealed that religious legitimacy often functions as an autonomous source of normative authority that influences legal behavior beyond the reach of statutory regulation

(Suryana et al., 2025). Comparative studies across ASEAN jurisdictions further indicate that debates surrounding polygamy are increasingly connected to questions of gender equality, judicial discretion, and the modernization of Islamic family law, highlighting significant variations in how states reconcile religious doctrine with contemporary legal standards (Tanjung et al., 2025). Parallel analyses of Indonesian polygamy practices have identified persistent tensions between doctrinal understandings of marital validity and administrative requirements imposed by the state, suggesting that legal compliance is shaped not merely by formal obligations but also by socially embedded interpretations of religious authenticity (Watoni, 2025).

Despite these advances, the existing literature remains fragmented in its analytical treatment of siri polygamy because most studies continue to examine the phenomenon through doctrinal, administrative, or gender centered perspectives without adequately conceptualizing it as a manifestation of competing legal orders. Research on cross border unregistered marriages between Indonesia and Malaysia has highlighted the transnational dimensions of informal marital practices and demonstrated how individuals strategically navigate multiple regulatory systems to secure desired legal outcomes (Wahyuni et al., 2026). Nevertheless, the majority of empirical and normative analyses still treat state law and Islamic law as separate variables rather than as dynamic normative systems engaged in continuous interaction and contestation. This limitation has produced a conceptual gap in understanding how legal legitimacy is negotiated when religious recognition and state recognition diverge. Consequently, the literature has not sufficiently explained why siri polygamy persists despite extensive legal regulation, nor has it fully explored how individuals selectively mobilize different legal frameworks to justify, defend, or regularize their marital status within plural legal environments (Watoni, 2025; Zakki & Zuhriyah, 2026).

The persistence of these unresolved questions carries substantial scientific and practical implications because siri polygamy generates legal consequences that extend beyond questions of marital validity into broader concerns of citizenship, access to justice, family protection, and state governance. Judicial developments in Indonesia demonstrate that tensions between religious legitimacy and formal legality have increasingly entered the sphere of legal adjudication, particularly through disputes involving marital status, child recognition, and the criminal dimensions of marriage related violations. The expansion of civil protections for children born outside registered marriages through Constitutional Court jurisprudence illustrates the state's attempt to respond to social realities that cannot be fully addressed through rigid administrative formalism (Constitutional Court Decision Number 46/PUU-VIII/2010, 2012). At the same time, criminal proceedings involving marriage related offenses reveal the continuing effort of legal institutions to enforce statutory standards of marital regulation and legal order (Supreme Court of the Republic of Indonesia, 2015). These developments indicate that siri polygamy is not merely a private religious practice but a significant legal and sociological phenomenon that directly affects the effectiveness, legitimacy, and social acceptance of state law.

From a theoretical standpoint, the phenomenon presents a critical opportunity to revisit legal pluralism as an explanatory framework capable of capturing the coexistence, interaction, and competition of multiple legal systems within a single social field. Progressive legal thought has long emphasized that law cannot be understood exclusively through formal statutory texts because legal reality is shaped by social values, cultural practices, and normative beliefs that operate beyond institutional boundaries (Rahardjo, 2009). Within the context of Indonesian family law, siri polygamy provides a concrete illustration of how state law and Islamic law simultaneously claim authority over the same legal relationship while offering different criteria for determining legitimacy and legal consequence. The resulting tension reveals a form of competitive legal pluralism in which individuals, communities, and institutions continuously negotiate between alternative normative orders. Examining this process is essential for understanding not only the durability of religiously grounded legal practices but also the practical limits of state centered legal governance in plural societies (Tanjung et al., 2025; Suryana et al., 2025; Wahyuni et al., 2026).

This study positions itself within the emerging scholarship on legal pluralism by investigating siri polygamy as a sociological manifestation of competing normative authorities rather than merely as a question of marital legality. The research aims to analyze how Islamic law and state law construct different understandings of legal validity in relation to siri polygamy and to examine how these competing frameworks influence pathways of dispute resolution and legal recognition. By integrating normative legal analysis with a socio legal approach, this study seeks to contribute a more

comprehensive conceptualization of competitive legal pluralism within Indonesian family law while simultaneously offering a methodological framework that bridges doctrinal inquiry and sociological analysis in the study of contemporary legal pluralism.

RESEARCH METHODS

This study employed a non empirical legal research design grounded in normative legal analysis and enriched through a socio legal approach to examine siri polygamy as a manifestation of legal pluralism and normative competition between Islamic law and state law in Indonesia. The research relied exclusively on secondary data obtained through an extensive literature review of primary and secondary legal materials. Primary sources consisted of constitutional provisions, statutory regulations governing marriage and criminal law, the Compilation of Islamic Law, and relevant judicial decisions, including Constitutional Court Decision Number 46/PUU VIII 2010 and Supreme Court Decision Number 376 K PID 2015. Secondary sources comprised scholarly books, peer reviewed journal articles, and theoretical works addressing legal pluralism, Islamic family law, progressive law, and criminal law policy. The selection of materials was based on their substantive relevance to the regulation, implementation, and adjudication of siri polygamy as well as their contribution to understanding the interaction between religious and state based legal systems. The analytical framework integrated the theory of competitive legal pluralism, progressive legal theory, and criminal law policy to investigate how competing normative orders construct legal legitimacy and influence dispute resolution mechanisms in cases involving siri polygamy.

The analysis was conducted through a qualitative descriptive analytical procedure involving legal interpretation, conceptual examination, and systematic comparison of normative sources. Legal materials were first classified according to their regulatory status, doctrinal orientation, and institutional authority before being examined to identify convergences, contradictions, and areas of normative competition between Islamic law and state law. The socio legal dimension of the study enabled the interpretation of legal norms within their broader social context, particularly regarding the persistence of living law and community perceptions of marital legitimacy. Analytical rigor was ensured through source triangulation across legislation, judicial decisions, and academic literature, as well as through doctrinal consistency checks and comparative interpretation of legal texts. The study maintained methodological transparency by applying a coherent analytical framework throughout the research process, thereby strengthening the credibility, dependability, and interpretive validity of the findings concerning legal pluralism and siri polygamy in contemporary Indonesian family law.

RESULTS AND DISCUSSION

Legal Construction of Siri Polygamy within the Framework of Islamic Law and State Law

The normative analysis demonstrates that siri polygamy occupies a unique position within Indonesian family law because its legal status is simultaneously shaped by religious doctrine and statutory regulation. Islamic jurisprudence generally assesses the validity of marriage through the fulfillment of substantive requirements such as consent, guardianship, witnesses, and contractual declaration. State law, however, incorporates additional administrative requirements that function as instruments of legal certainty and public order (Republic of Indonesia, 1974). This duality creates a legal space in which one marital relationship may receive different legal evaluations depending on the normative framework applied.

The coexistence of Islamic law and state law reflects a broader pattern of legal pluralism that characterizes many Muslim societies. Legal validity is not exclusively determined by formal legislation because social actors often derive legitimacy from religious norms that operate independently from state institutions. Such circumstances support Menski's argument that legal systems in plural societies function through the interaction of state law, social norms, and religious values rather than through a single legal authority (Menski, 2006). Siri polygamy therefore represents a concrete manifestation of overlapping normative orders within family law governance.

From the perspective of Islamic legal doctrine, marriage is primarily understood as a religious contract that establishes lawful family relations. Classical juristic traditions generally prioritize substantive compliance with religious requirements over administrative registration. Contemporary studies indicate that this doctrinal orientation continues to influence public perceptions regarding the legitimacy of unregistered marriages in several Muslim communities (Humaira et al., 2025). Similar

tendencies are visible in Indonesian society where religious validity frequently becomes the principal benchmark of marital recognition.

The legal framework established by the state adopts a different approach because marriage registration functions as an essential mechanism for ensuring legal protection and enforceable rights. Law Number 1 of 1974 and the Compilation of Islamic Law place considerable emphasis on administrative recording as part of a broader system of legal governance (Republic of Indonesia, 1974; Republic of Indonesia, 1991). Registration serves not merely as bureaucratic documentation but as a legal instrument connecting marriage to rights concerning inheritance, child status, and judicial protection. This approach reflects the state's commitment to legal certainty within family relations.

The divergence between religious legitimacy and administrative legality has generated extensive academic discussion regarding the continuing relevance of marriage registration. Research on legal adaptation in Indonesian family law suggests that regulatory reforms increasingly seek to harmonize religious principles with contemporary governance needs (Busriyanti et al., 2025). Similar findings reveal that registration policies are designed not to negate Islamic norms but to strengthen the protection of family members within modern legal structures (Maiyori & Tsauro, 2025). The persistence of siri polygamy nevertheless indicates that harmonization remains an ongoing challenge.

Table 1. Comparative Normative Foundations of Siri Polygamy under Islamic Law and State Law

Legal Aspect	Islamic Law Perspective	State Law Perspective
Basis of Validity	Fulfillment of pillars and conditions of marriage	Fulfillment of substantive and administrative requirements
Marriage Registration	Not a determinant of religious validity	Essential for legal recognition
Polygamy Requirement	Justice and capability of husband	Judicial authorization and statutory compliance
Source of Legitimacy	Religious doctrine and fiqh	Statutory regulation and judicial authority
Legal Consequences	Religious recognition of marital bond	Recognition of civil and legal rights

Source: Adapted from Republic of Indonesia (1974), Republic of Indonesia (1991), Watoni (2025), and Zakki and Zuhriyah (2026).

The comparison presented in Table 1 illustrates that the principal distinction between the two legal systems lies in the criteria used to establish legitimacy. Islamic law concentrates on substantive religious validity, whereas state law integrates administrative compliance into the concept of legal recognition. These differences explain why a marriage may be accepted within a religious framework while remaining problematic within the formal legal system. The table also demonstrates the structural foundation of normative competition surrounding siri polygamy.

The phenomenon becomes more complex when examined through the lens of legal sociology. Studies on siri marriage indicate that many individuals perceive registration as an administrative matter rather than a determinant of marital validity (Hayati & Murni, 2023). Community acceptance frequently derives from religious endorsement and social recognition rather than state certification. Such perceptions contribute to the persistence of unregistered polygamous marriages despite extensive regulatory frameworks.

This condition corresponds with the concept of living law advanced in progressive legal theory. Rahardjo argues that law cannot be reduced to written norms because social practices often reveal normative realities that differ from formal legal expectations (Rahardjo, 2009). The continued existence of siri polygamy illustrates how community based understandings of legality can maintain practical authority even when they diverge from statutory requirements. Legal behavior therefore reflects a dynamic interaction between official regulation and social legitimacy.

Contemporary scholarship further shows that legal pluralism in Indonesian family law is not merely a theoretical construct but an observable social reality. Research examining the relationship between religious authority and state law concludes that family law disputes frequently emerge from

competing interpretations of legal validity (Hasanah & Faiz, 2026). Similar observations appear in studies addressing customary and religious marriage practices where communities selectively engage with different normative systems according to social needs (Muhyidin & Setyawan, 2025). Siri polygamy exemplifies this selective engagement with multiple legal authorities.

The normative findings indicate that siri polygamy cannot be adequately understood through a single legal perspective because its existence is rooted in the simultaneous operation of religious legitimacy and state legality. Islamic law and state law do not simply coexist but continuously negotiate authority over the regulation of marriage. This interaction generates a plural legal environment in which competing definitions of validity shape legal consciousness and institutional responses. The legal construction of siri polygamy therefore provides an important foundation for understanding broader processes of legal pluralism in contemporary Indonesia.

Competitive Legal Pluralism in the Resolution of Siri Polygamy Disputes

The normative findings indicate that siri polygamy constitutes a field of competition between multiple legal authorities that simultaneously claim jurisdiction over the same marital relationship. The conflict does not primarily concern the existence of marriage but concerns which legal system possesses the authority to determine its legal consequences. This situation reflects the core premise of competitive legal pluralism in which distinct normative orders seek recognition and compliance from the same social actors (Menski, 2006). Legal disputes emerging from siri polygamy therefore reveal a continuous negotiation of authority between religious and state based institutions.

The competition becomes visible when disputes concerning marital status are brought before legal institutions. Religious legitimacy often provides the initial foundation for marital recognition among community members, while state institutions focus on formal legal consequences associated with registration and judicial authorization. Studies examining Indonesian family disputes demonstrate that litigants frequently move between religious and legal narratives depending on the objectives they seek to achieve (Ansyari et al., 2026). The selection of legal pathways consequently becomes a strategic process rather than a purely doctrinal choice.

One significant characteristic of siri polygamy disputes is the predominance of isbat nikah applications compared with criminal proceedings. Judicial legalization offers an avenue through which previously unregistered marriages may obtain formal recognition without completely invalidating religious legitimacy. Research concerning judicial reasoning in isbat nikah cases shows that judges frequently balance legal certainty with substantive justice when evaluating requests for legalization (Fajriyati & Ilyas, 2026). This balancing process illustrates the practical accommodation of competing normative expectations within the judicial system.

The preference for isbat nikah also reflects broader socio legal considerations. Individuals often pursue legalization because it provides access to inheritance rights, child registration, and administrative protections while preserving the religious status of the marriage. Such patterns suggest that legal actors do not necessarily reject state law but seek mechanisms capable of reconciling religious and legal recognition simultaneously (Rohman et al., 2025). The resulting practice demonstrates an adaptive response to legal plurality rather than direct resistance to formal regulation.

Judicial dilemmas emerge when courts must determine whether legal certainty should prevail over existing social realities. Decisions involving polygamous marriages frequently require judges to navigate tensions between statutory requirements and established family relationships. Examination of polygamy permit cases indicates that judicial institutions increasingly rely on contextual reasoning when addressing complex family disputes (Armi & Elsera, 2024). The judicial role therefore extends beyond textual interpretation toward managing conflicts between competing legal expectations.

Table 2. Competing Legal Pathways in Siri Polygamy Dispute Resolution

Legal Issue	Islamic Law Approach	State Law Approach	Practical Consequence
Validity of Marriage	Religious validity based on Islamic legal requirements	Legal validity linked to statutory compliance	Dual standards of recognition

Marriage Recognition	Community and religious acceptance	Administrative and judicial recognition	Potential legal uncertainty
Child Status	Religious acknowledgment of lineage	Civil recognition through legal mechanisms	Need for judicial clarification
Inheritance Rights	Distribution based on Islamic inheritance principles	Enforceability depends on legal status	Increased litigation potential
Divorce Settlement	Religious dissolution mechanisms	Court based adjudication	Jurisdictional overlap
Criminal Liability	Limited doctrinal emphasis	Potential application of criminal provisions	Expansion of state intervention

Source: Adapted from Constitutional Court Decision Number 46/PUU VIII/2010, Supreme Court Decision Number 376 K/PID/2015, Rohman et al. (2025), Fajriyati and Ilyas (2026), Sudrajad et al. (2024), and Ansyari et al. (2026).

Table 2 demonstrates that competition between legal systems occurs not only at the level of abstract norms but also within practical dispute resolution mechanisms. Each legal issue generates different legal outcomes depending on which normative framework is applied. The coexistence of these pathways creates opportunities for legal accommodation while simultaneously producing uncertainty regarding authoritative legal standards. Such circumstances constitute a central feature of competitive legal pluralism within family law disputes.

The Constitutional Court Decision Number 46/PUU VIII/2010 illustrates how state institutions have attempted to respond to social realities generated by unregistered marriages. The decision expanded certain forms of legal protection for children by recognizing civil relationships beyond rigid administrative classifications. Legal scholars frequently interpret this development as evidence of a gradual shift toward substantive justice within Indonesian family law (Sudrajad et al., 2024). The ruling reduced some consequences of non registration while preserving the broader regulatory framework governing marriage.

A different dynamic appears in Supreme Court Decision Number 376 K/PID/2015, where marriage related conduct entered the domain of criminal adjudication. The decision demonstrates that siri polygamy disputes may evolve beyond questions of family status and become matters of criminal responsibility. This development reinforces the state's claim to regulate marital conduct through coercive legal instruments when specific legal violations are established (Supreme Court of the Republic of Indonesia, 2015). Competing legal authority therefore extends into both civil and criminal domains.

The persistence of forum selection practices further confirms the operation of competitive legal pluralism. Parties frequently choose legal avenues that provide the most favorable combination of religious legitimacy and legal protection. Similar tendencies have been observed in studies examining conflicts between religious norms and state regulation in family law settings (Rohman et al., 2025). Strategic engagement with multiple legal forums reveals how legal subjects actively navigate plural normative environments.

The analysis confirms that siri polygamy disputes are shaped by ongoing competition between religious recognition and legal recognition rather than by the absolute dominance of either system. Religious authority continues to influence perceptions of marital legitimacy, while state institutions retain authority over legal consequences and enforceability. The interaction between these normative orders generates a dynamic legal landscape characterized by negotiation, adaptation, and selective compliance (Menski, 2006). Competitive legal pluralism therefore provides the most appropriate analytical framework for explaining how disputes concerning siri polygamy are resolved in contemporary Indonesia.

Socio Legal Consequences and Criminal Policy Responses to Siri Polygamy in Contemporary Indonesia

Siri polygamy generates socio legal consequences that extend beyond questions of marital validity and enter the sphere of legal protection, social welfare, and access to justice. The absence of formal registration frequently places family relations outside the reach of administrative protection mechanisms recognized by the state. Existing studies indicate that unregistered marital relationships often produce unequal legal positions between family members when disputes arise or rights are contested (Seff et al., 2025). The socio legal significance of siri polygamy therefore lies not only in normative disagreement but also in its practical impact on legal security and social recognition.

Women occupy the most vulnerable position within unregistered polygamous marriages because their legal claims frequently depend upon subsequent judicial recognition. Formal proof of marriage becomes difficult when registration requirements have not been fulfilled at the time the relationship was established. Research on gender justice within Islamic family law demonstrates that women in informal marital arrangements often face greater obstacles in obtaining maintenance, inheritance rights, and legal remedies after marital breakdown (Tanjung et al., 2025). These conditions reveal a persistent gap between normative marital obligations and enforceable legal protection.

The vulnerability experienced by wives is reinforced when marital disputes emerge after years of informal family life. Legal uncertainty may affect access to property rights, inheritance distribution, and procedural standing before judicial institutions. Similar patterns have been identified in socio legal examinations of unregistered polygamy involving public figures, where public legitimacy did not automatically translate into legal protection (Mustopa et al., 2026). The resulting imbalance illustrates how social acceptance cannot fully substitute for formal legal recognition.

Child protection represents another central issue in the legal consequences of siri polygamy. The status of children has gradually received broader recognition through judicial developments and statutory interpretation, yet practical difficulties continue to arise regarding civil administration and proof of parental relationships. Discussions concerning biological justice and legal recognition show that children frequently become indirect subjects of normative conflicts originating from their parents' marital status (Sudrajad et al., 2024). The challenge therefore concerns not only legal status but also effective access to rights guaranteed by law.

The relationship between legal certainty and substantive justice becomes particularly visible in judicial efforts to address family disputes arising from siri polygamy. Courts frequently face competing considerations between strict compliance with administrative requirements and the protection of vulnerable family members. Studies on *maslahah* based judicial reasoning indicate that judges often attempt to reconcile these competing objectives through contextual interpretation aimed at preventing greater social harm (Fajriyati & Ilyas, 2026). Such reasoning reflects a broader movement toward socially responsive adjudication within Indonesian family law.

Table 3. Socio Legal Consequences and Policy Responses to Siri Polygamy

Issue	Social Consequence	Existing Legal Response	Remaining Challenge
Wife protection	Weak access to enforceable marital rights	Marriage Law and judicial legalization mechanisms	Limited protection before formal recognition
Child status	Administrative and civil uncertainty	Judicial recognition and child protection principles	Uneven implementation in practice
Inheritance rights	Potential exclusion from legal claims	Court based validation and evidentiary procedures	Proof of family relationships
Marriage registration	Lack of legal documentation	Registration requirements and <i>isbat nikah</i>	Continued reliance on informal marriages
Criminal sanctions	Risk of penal intervention	Criminal Code provisions and	Balancing deterrence and proportionality

		complaint based offenses	
Judicial legalization	Opportunity for legal recognition	Religious Court adjudication	Procedural inconsistency across cases
Legal certainty	Ambiguity of rights and obligations	Statutory regulation and judicial interpretation	Normative fragmentation
Gender justice	Unequal impact on women	Family law reform initiatives	Structural barriers to equality

Source: Constructed by the author based on Seff et al. (2025), Tanjung et al. (2025), Suryana et al. (2025), Mustopa et al. (2026), Republic of Indonesia (2023), and related literature.

The patterns presented in Table 3 demonstrate that most consequences associated with siri polygamy are concentrated in the area of legal vulnerability rather than religious legitimacy. Legal responses have expanded through judicial and legislative mechanisms, yet implementation challenges remain significant. Scholarly evaluations of Islamic family law reform suggest that the persistence of these challenges reflects structural tensions between social practice and regulatory objectives (Seff et al., 2025). The issue therefore concerns institutional effectiveness as much as normative regulation.

Criminal law policy introduces an additional dimension into the governance of siri polygamy. The enactment of provisions within the new Criminal Code reflects an increasing willingness of the state to intervene in conduct connected with marital legality and family order (Republic of Indonesia, 2023). Criminalization is often justified through the protection of legal certainty and the prevention of deception within marital relationships. Questions remain regarding whether penal intervention constitutes the most effective response to a phenomenon rooted in complex social and religious considerations.

The concept of *ultimum remedium* provides an important framework for evaluating the appropriateness of criminal sanctions in this field. Criminal law policy should prioritize penal measures only when alternative legal mechanisms prove insufficient to protect important legal interests (Arief, 2018). From this perspective, judicial legalization, administrative reform, and preventive legal education may offer more proportionate responses in many siri polygamy cases. Excessive reliance on criminal sanctions risks shifting attention away from the structural factors that encourage informal marital practices.

A progressive legal perspective further supports the need for solutions that prioritize substantive justice alongside procedural legality. Progressive law emphasizes the social function of legal institutions and encourages interpretation that responds to human needs rather than rigid formalism alone (Rahardjo, 2009). Contemporary discussions on legal harmonization similarly argue that family law governance should integrate religious legitimacy, constitutional values, and legal certainty within a coherent framework (Zakki & Zuhriyah, 2026). Such an approach strengthens the possibility of reducing normative conflict while maintaining respect for legal order.

Future reform should focus on harmonizing Islamic law and state law through mechanisms that improve legal accessibility without undermining regulatory objectives. Several studies suggest that effective family law reform requires institutional coordination, simplified registration procedures, and greater protection for women and children affected by informal marriages (Suryana et al., 2025). Comparative discussions within Indonesian family law also emphasize the importance of balancing social realities with evolving legal standards (Busriyanti et al., 2025). The long term challenge is not merely to regulate siri polygamy but to construct a legal framework capable of transforming normative competition into cooperative legal integration.

CONCLUSION

The study demonstrates that siri polygamy in Indonesia constitutes a complex manifestation of legal pluralism in which Islamic law and state law operate as competing yet interconnected normative systems. Normative analysis reveals that religious validity and state legality are frequently constructed through different standards of legitimacy, creating persistent tensions in the recognition of marital status, child protection, inheritance rights, and access to legal remedies. Judicial practice indicates that

dispute resolution mechanisms often prioritize legal accommodation through isbat nikah and related family law instruments rather than punitive enforcement, reflecting the practical negotiation of authority between religious institutions and state legal structures. The findings further show that unresolved legal dualism disproportionately affects women and children by increasing legal vulnerability and limiting effective protection of rights. From the perspective of criminal law policy, exclusive reliance on criminalization is insufficient to address the social realities surrounding siri polygamy. A more responsive framework requires harmonization between Islamic family law and national law through progressive legal reasoning, strengthened marriage registration mechanisms, and rights based legal protection capable of balancing legal certainty, substantive justice, and social legitimacy within Indonesia's plural legal order.

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