

The Head of the Office of Religious Affairs Views on the Examination of Veiled Women's Marriage After PMA No. 30 of 2024 Legal Awareness Perspective

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Abstract

Marriage is sunnatullah which is the basis for human survival, and is regulated by religious and state laws. In Indonesia, regulations related to marriage registration are regulated in the Regulation of the Minister of Religion No. 30 of 2024, which covers marriage registration procedures, including the examination of marriage files. One of the interesting aspects to be studied in the regulation is article 6 which requires the removal of all face barriers when examining marriage files, then what about women who wear veils, which has the potential to pose challenges in identity validation. This study aims to analyze the views of the Head of KUA regarding the Regulation of the Minister of Religion No. 30 of 2024 in KUA, Kedungkandang District, Malang City in the examination of marriage files for veiled women. The research method used is a qualitative approach with the type of empirical research, collecting data through structured interviews with the Head of KUA and analysis of related documentation. The results of the study show that the implementation of these regulations often faces challenges in terms of legal interpretation and cultural sensitivity. The Head of KUA in Kedungkandang District tends to prioritize a balance between administrative fulfillment and respect for religious rights and personal freedom without having to override existing regulations, even though there are differences of opinion among the relevant officials. These findings provide important insights into the implementation of laws that are inclusive and sensitive to the cultural and religious diversity of Communities.

Keywords: Views, Marriage Inspection, Veiled Women.

Abstrak

Pernikahan merupakan sunnatullah yang menjadi dasar keberlangsungan hidup manusia, dan diatur oleh hukum agama maupun negara. Di Indonesia, peraturan terkait pencatatan pernikahan diatur dalam Peraturan Menteri Agama No. 30 Tahun 2024, yang mencakup prosedur pencatatan pernikahan, termasuk pemeriksaan berkas nikah. Salah satu aspek yang menarik untuk dikaji dalam regulasi tersebut adalah pasal 6 yang mengharuskan melepas seluruh penghalang wajah ketika pemeriksaan berkas nikah, lalu bagaimana dengan perempuan yang mengenakan cadar, yang berpotensi menimbulkan tantangan dalam validasi identitas. Penelitian ini bertujuan untuk menganalisis pandangan Kepala KUA mengenai Peraturan Menteri Agama No. 30 Tahun 2024 di KUA Kecamatan Kedungkandang Kota Malang dalam pemeriksaan berkas nikah untuk perempuan bercadar. Metode penelitian yang digunakan adalah pendekatan kualitatif dengan jenis penelitian empiris, mengumpulkan data melalui wawancara terstruktur dengan Kepala KUA dan analisis dokumentasi terkait. Hasil penelitian menunjukkan bahwa penerapan regulasi ini sering menghadapi tantangan dalam hal interpretasi hukum dan sensitifitas budaya. Kepala KUA di Kecamatan Kedungkandang cenderung mengutamakan keseimbangan antara pemenuhan administrasi dengan penghormatan terhadap hak-hak agama dan kebebasan pribadi tanpa harus mengesampingkan regulasi yang ada, meskipun terdapat perbedaan pandangan di kalangan aparat terkait. Temuan ini memberikan wawasan penting mengenai implementasi hukum yang inklusif dan sensitif terhadap keberagaman budaya dan agama masyarakat.

Kata Kunci: Pandangan, Pemeriksaan Pernikahan, Perempuan Bercadar.

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INTRODUCTION

Marriage is likened to sunatullah which applies to all of His creations. Through marriage, humans can develop and the survival of humanity can be maintained. Without marriage, regeneration will cease and human life will be cut off, leaving the world lonely and meaningless. Therefore, Allah swt. Legalize marriage.¹ Marriage has the main goal, which is to foster a household that is *Sakinah, mawadah, and Rahmah*. We need to know that these three things are not an easy problem, a husband and wife must have a strong grip or knowledge base in order to achieve the goals of the marriage.² Law No. 1 of 1974 explains that marriage is an innate bond between a man and a woman becoming husband and wife with the aim of forming a happy family based on the one and only God.

Indonesia, as the majority of the population is predominantly Muslim, the regulations regarding marriage in Indonesia are specifically regulated in Law Number 1 of 1974 concerning Marriage and a number of derivative regulations. One of the latest regulations is the Regulation of the Minister of Religion (PMA) No. 30 of 2024 which discusses marriage registration. Marriage registration is a process of activities regarding the administration of marriage events, these activities are carried out by civil servants, in this case Marriage Registrars (PPN) or penghulu. In addition, marriage registration has the main purpose of creating order in society, maintaining the sanctity and legal aspects of the marriage bond, and protecting the rights and obligations of each party in marriage.³

According to the Regulation of the Minister of Religion No. 30 of 2024, stating that the implementation of marriage registration, there are several stages that must be passed by the bride-to-be as follows:

1. Registration of Marriage Wishes
2. Marriage File Examination
3. Announcement of Marriage Wishes
4. Implementation of the Marriage Contract
5. Marriage Registration
6. Signing of the Marriage Certificate.⁴

From some of the stages above, the focus of discussion in this study is the stages of examining marriage files. This stage is a follow-up process that can be carried out if the administrative file has been fulfilled and complete according to the applicable procedures. In addition, the process of checking this marriage file will be carried out by the Head of the Religious Affairs Office (KUA) or the local head by presenting both prospective brides and marriage guardians. If in the process of examining the marriage file there are several

¹ Mukran, "A Review of Islamic Law on Marriage with a Guardian Judge (Case Study in Kua Bulu District, Polman Regency)," *bustanul fuqaha: Journal of Islamic Law* 2, no. 2 (August 20, 2021): 301–13, <https://doi.org/10.36701/bustanul.v2i2.365>.

² Sami Faidhullah, "Taklik talak as a reason for divorce (review of Islamic law and positive law)," *AL-RISALAH* 13, no. 1 (2017): 91–124.

³ Ghozali Rahman, Elvi Soeradji, and Ahmad Dakhoir, "Virginity in the Marriage Registration System (Multiparadigm Approach)," *Journal of Technology and Environmental Studies Research* 4, no. 1 (2021): 247–57.

⁴ "Regulation of the Minister of Religion (PMA) No. 30 of 2024 concerning Marriage Registration".

requirements that are not in accordance with existing regulations, then the head of the KUA can reject the marriage will.⁵

Examination of marriage files includes verification of status, origin, readiness, marriage consent, determination of guardianship, and dowry. Through this process, officers can ensure that data and facts are appropriate, as well as prevent identity forgery in the bride-to-be's documents. Marriage examination also has a close relationship with people's legal awareness.⁶ If the public has a high level of legal awareness, the inspection provisions can be applied more effectively. However, without adequate legal awareness, the examination program, no matter how good its design, will not achieve optimal results.⁷

According to the author, One of the interesting things to study further is the implementation of the Regulation of the Minister of Religion (PMA) No. 30 of 2024, especially in article 6 paragraph 2 letter C, which regulates the examination of marriage files, where it is stated that "during the *marriage examination, the bride and groom do not use masks or face coverings.*" This phenomenon is relevant considering the case at one of the KUA in Malang City, where the head of the local KUA stated that there had been an examination of marriage files on a bride-to-be who was from the Arab community and wore a veil. In this situation, even though there is a provision in the regulation that requires the two brides-to-be not to cover their faces, the Head of the KUA still allows the bride-to-be to wear a veil during the examination of marriage files. This decision raises questions about the extent to which these regulations are applied in the context of cultural and religious diversity, as well as how the relevant authorities respond to them, which is an important issue to be examined in more depth in this study.

Women wearing veils are often a special concern in the marriage examination process, especially related to identity validation, administrative completeness, and the possibility of social and legal bias.⁸ In this context, the Office of Religious Affairs (KUA) plays a central role in ensuring that the examination procedure is carried out in accordance with applicable legal regulations, such as PMA No. 30 of 2024, without disregarding the rights of individuals. However, in its implementation, the approach and policies of the Head of KUA towards veiled women are often influenced by subjective interpretations and sociocultural factors that develop in society.⁹

⁵ Adryalhaq Adryalhaq, "The Urgency of Pre-Marriage Administrative Examination as an Effort to Achieve a Sakinah Family (Case Study at KUA, Pakong District, Pamekasan Regency)" (PhD Thesis, Madura State Islamic Religious Institute, 2024), <http://etheses.iainmadura.ac.id/7352/>.

⁶ Nazla Abd Al Idrus, Mutia Cherawaty Thalib, and Mohamad Rivaldi Moha, "Efforts to Foster Premarital to Realize the Purpose of Marriage by the Office of Religious Affairs of the Northern City of Gorontalo City," *GANEK SWARA* 18, no. 3 (2024): 1362–69.

⁷ Maulyka Resti, "The Implementation of Pre-Marriage Document Examination in an Effort to Minimize Identity Forgery Based on the Regulation of the Minister of Religion Number 20 of 2019 concerning Marriage Registration (Case Study in Kua East Purwokerto District)" (PhD Thesis, UIN Prof. KH Saifuddin Zuhri Purwokerto, 2022),

⁸ Mohamad Refansa Rafly Pasa and Haqqul Yaqin, "The Phenomenon of Stereotyping of Veiled Women Among Students of UIN Sunan Ampel Surabaya," *Journal of Ushuluddin and Islamic Thought* 2, no. 1 (2024): 166–86.

⁹ Asfanrudin Lingga and Syahrul Affan, "The View of the Head of the Office of Religious Affairs (KUA) of Pangkalan Susu District, Langkat Regency Regarding Marriage Guardians Unable to Attend Taukil Guardians Using Digital Media," *ALADALAH: Journal of Politics, Social, Law and Humanities* 3, no. 1 (2025): 224–34.

The city of Malang is known to have a high level of diversity and a large population of Arab communities. Therefore, this city is the right and strategic place to study issues related to the implementation of the regulations that are being discussed. In this context, the research will be carried out by focusing on the Head of the Religious Affairs Office (KUA) located in the Kedungkandang District, Malang City. Through the study of the KUA, the research aims to provide a comprehensive understanding of how the Regulation of the Minister of Religion (PMA) No. 30 of 2024 is applied, especially in marriage examinations for women who wear veils. Regarding the existence of this phenomenon, the author uses the analysis knife Legal awareness as explained by Soerjono Soekanto, can help us understand how the law is applied in daily life, especially in the case of veiled women undergoing marriage examinations. Legal awareness includes four main aspects:

1. Legal Knowledge: The Head of KUA's understanding of the content and objectives of PMA No. 30 of 2024.
2. Legal Understanding: How does the Head of KUA interpret this regulation in the context of veiled women.
3. Legal Attitude: The personal view of the Head of KUA towards veiled women in marriage examinations, whether they are supportive, neutral, or biased.
4. Legal Behavior: Actual implementation of regulations by the Head of KUA when conducting a marriage examination of veiled women.

In this context, the policies and decisions taken by the Head of KUA towards veiled women show how deeply they know, understand, and apply the rule of law fairly. In addition, this policy also reflects the extent to which the Head of KUA can maintain a balance between carrying out regulations and paying attention to the social conditions of the community, such as views or habits around him. In other words, the better the legal awareness possessed by the Head of KUA, the more objective and fair the way they handle situations involving veiled women. This is important so that all parties, including veiled women, feel that their rights are respected and respected during the marriage filing process.

Regarding the above background explanation, the author would like to analyze in more detail the views of the head of the KUA of Kedungkandang District, Malang City towards veiled women when conducting the file examination stage, whether each has different arguments about the veiled woman or does not implement the applicable regulations. Then, after the author obtains the results of interviews from all heads of KUA, an analysis will be carried out using the theory of legal awareness put forward by Soerjono Soekanto to find out the application of legal rules with high professionalism, create harmony between regulations and practices in the field, and encourage an inclusive attitude in serving all community groups. In this case, the rights of veiled women can be fulfilled in the marriage administration process.

RESEARCH METHODS

This research uses a qualitative approach with the type of empirical research to investigate the implementation of laws related to the implementation of PMA 30 of 2024.¹⁰ The researcher went directly into the field to collect data through interviews with resource persons from the Religious Affairs Office (KUA) of Kedungkandang District, Malang City. The source of research data consists of primary data, obtained through interviews with the head of KUA as well as secondary data, which includes legal documents such as laws and regulations and related literature. The data collection method involves structured interviews with predetermined sources and documentation to support the research findings.¹¹ The collected data was then examined, classified, and analyzed using Soerjono Soekanto's theory of Legal Awareness, to correlate the results of the interviews with existing regulations, namely PMA No. 30 of 2024 concerning marriage registration.

RESULTS AND DISCUSSION

The challenges faced by the Head of KUA in implementing PMA regulation No. 30 of 2024 on veiled women at KUA Kedungkandang, Malang City

Regulation of the Minister of Religion (PMA) Number 30 of 2024 concerning Marriage Registration is an important regulation that replaces PMA Number 22 of 2024.¹² This regulation was established to adjust to legal developments and the needs of the community in terms of marriage registration in Indonesia. The PMA focuses on the legality and administration of marriage, which is expected to provide protection for the rights of married couples and their children. PMA No. 30 of 2024 defines marriage as a legally and legally valid bond for Muslim couples.¹³ Marriage registration is an administrative process that must be carried out to legalize the marriage in the eyes of the law. This regulation covers various aspects, including the requirements that must be met by couples who want to get married, as well as the registration procedures that must be followed.¹⁴

The PMA also sets out clearer administrative requirements for marriage registration. Couples who want to get married are required to meet certain documents, such as personal identity, marriage licenses, and other supporting documents. The socialization process regarding the importance of marriage registration is also carried out by KUA in various regions to increase public awareness of the importance of orderly administration. One of the main

¹⁰ Wahyudin Darmalaksana, "Qualitative research methods for literature studies and field studies," *Pre-Print Digital Library UIN Sunan Gunung Djati Bandung*, 2020.

¹¹ Derita Prapti Rahayu, "Legal Research Methods," *Yogyakarta: Thafa Media*, 2020. 20 The Gospel of Jesus Christ

¹² Administrator, "Socialization of PMA Number 30 of 2024 in Melikan Village," February 17, 2025, <https://desamelikan.gunungkidulkab.go.id/first/artikel/1937-Sosialisasi-PMA-Nomor-30-Tahun-2024-di-Kalurahan-Melikan>.

¹³ HAS, "Socialization of Pma No. 30 of 2024: The Head of Pppk Kua Sekampung Udik Echoes the Importance of Orderly Marriage Administration," January 20, 2025, <https://kemenaglampungtimur.id/berita/detail/1696/sosialisasi-pma-no-30-tahun-2024-penghulu-pppk-kua-sekampung-udik-gaungkan-pentingnya-tertib-administrasi-pernikahan>.

¹⁴ Resti, "The Implementation of Pre-Marriage Document Checks in an Effort to Minimize Identity Counterfeiting Based on the Regulation of the Minister of Religion Number 20 of 2019 concerning Marriage Registration (Case Study in Kua East Purwokerto District)."

goals of PMA No. 30 of 2024 is to strengthen the legality aspect in marriage. With official registration, the rights of married couples and children can be legally protected. This is important to prevent future disputes regarding the legal status of marriage and inheritance rights. However, what is an interesting discussion in this regulation is contained in article 6 paragraph 2 letter C, namely "*during the examination of the second marriage, Catin did not wear a mask or cloth covering his face*".¹⁵

The application of this article in the social context, especially related to personal and religious life, always poses its own challenges. In Malang City, especially in KUA Kedungkandang District, this regulation is expected to be implemented effectively in order to maintain the order of marriage administration and ensure that all procedures run in accordance with applicable regulations.¹⁶ However, in practice, the implementation of the regulation faces various challenges, both in terms of legal interpretation, differences in understanding between the authorities in this case the head of the KUA/Penghulu, and reactions from the public, especially women in veils.

One of the main challenges in the implementation of PMA No. 30 of 2024 is the difference in interpretation between the Head of KUA and several other heads regarding the rules governing the examination of marriage files, especially for women who wear veils. The regulation, while clear in its aim to create a structured and accountable administrative process, still allows for a variety of interpretations of how it should be applied in the case of veiled women.¹⁷

Based on the results of the interview, the Head of KUA Kedungkandang argued that the examination of files for veiled women should be carried out more carefully, considering the visual identity that is obstructed by the veil. Meanwhile, others may see it as an administrative obligation to be carried out without too much questioning or making exceptions. In this context, the head of the KUA must ensure that each other head understands and implements the regulations in a consistent manner, although the cultural and social context in each region can vary greatly. Malang City, as a city with high ethnic and religious diversity, faces complex social and cultural challenges related to the implementation of PMA No. 30 of 2024. The sizable Arab and Muslim community in Malang has a strong culture and tradition related to religious symbols, one of which is the wearing of the veil by women. The veil is not just a piece of clothing, but a symbol of the religious beliefs and identity that most women believe in wearing it.¹⁸

However, the wearing of the veil often causes pros and cons in society, including among government officials and religious institutions. Some consider the wearing of the veil to be respected and recognized as part of the individual's right to practice his or her beliefs. On the other hand, there are also those who think that the wearing of the veil can be an obstacle in the administrative process, especially in terms of identity verification that requires a visual display of the face. At KUA Kedungkandang, where cultural diversity and religious understanding play

¹⁵ "Regulation of the Minister of Religion (PMA) No. 30 of 2024 concerning Marriage Registration."

¹⁶ AH. Fauzi Qusyairi, Head of Kua Kedungkandang Malang City, interview, February 20, 2025.

¹⁷ AH. Fauzi Qusyairi. Head of Kua Kedungkandang Malang City, interview, February 20, 2025.

¹⁸ AH. Fauzi Qusyairi. Head of Kua Kedungkandang Malang City, interview, February 20, 2025.

a major role, the Head of KUA faces a dilemma between respecting the rights of veiled women to practice their beliefs and complying with administrative rules that require visual verification.¹⁹ In this case, the main challenge faced is how to accommodate religious and cultural values while still maintaining clear and legally valid administrative procedures.²⁰

Although PMA No. 30 of 2024 provides clear guidelines regarding file examination procedures, the implementation of this rule in the field often does not live up to expectations. One of the challenges that arises is how the Head of KUA and other heads of state carry out the regulation with professionalism, given the large number of cases that require a sensitive approach to individual rights and religious aspects inherent in veiled women. In some cases, the Head of KUA may find it difficult to decide whether a veiled woman needs to remove her veil for the identity verification process or not. Such decisions relate not only to administrative procedures, but also to sensitive personal rights. This creates uncertainty in the practice of implementing regulations, because the Head of KUA must decide whether they will prioritize compliance with regulations or prioritize respect for individual beliefs.²¹

Another challenge that often arises in the process of implementing PMA No. 30 of 2024 is protests or reactions from the public, especially from the veiled women's group itself. In a very diverse society, the implementation of a rule requiring facial verification for veiled women can be considered a violation of personal rights and religious freedom.²² Some veiled women may feel that they are being forced to reveal their identity in a way that does not align with their beliefs. Therefore, the Head of KUA must be careful in explaining this procedure to veiled women and ensuring that their rights are respected during the administrative process. In some cases, good dialogue and a more sensitive approach to individual rights can help reduce tensions and raise awareness of the importance of complying with the rules without harming personal beliefs.

The Head of KUA's View of Veiled Women in the Marriage Examination Process from the Perspective of Legal Awareness Soerjono Soekanto

The application of regulations in the context of marriage administration is often confronted with challenges related to social acceptance, cultural norms, and levels of public understanding. While the state issues regulations to standardize and ensure the legality of marriages, in practice, the implementation is influenced by the socio-religious dynamics of the community. One of the most recent efforts to improve the governance of marriage administration is the issuance of Regulation of the Minister of Religion (PMA) No. 30 of 2024, which outlines the procedures for examining marriage documents. This regulation seeks to ensure that all administrative requirements are properly fulfilled prior to the marriage contract (akad nikah), thereby promoting order, transparency, and legal certainty. However, this regulation does not merely deal with administrative matters; it also inevitably intersects with religious and cultural sensitivities, particularly when it involves specific groups such as

¹⁹ AH. Fauzi Qusyairi. Head of Kua Kedungkandang Malang City, interview, February 20, 2025.

²⁰ AH. Fauzi Qusyairi. Head of Kua Kedungkandang Malang City, interview, February 20, 2025.

²¹ AH. Fauzi Qusyairi. Head of Kua Kedungkandang Malang City, interview, February 20, 2025.

²² Faricha Hasinta Sari et al., "Phenomenological Study on the Self-Adjustment of Veiled Women," *Journal: Discourse of Psychology* 6, no. 11 (2021): 103-22.

veiled women (wanita bercadar). In some cases, the examination process requires face identification, which may be perceived by some veiled women as conflicting with their religious commitments. This creates a dilemma for the officers at the Office of Religious Affairs (KUA), especially the Head of KUA, who is responsible for ensuring both regulatory compliance and community acceptance. As such, understanding how the Head of KUA interprets and implements this regulation becomes critically important in examining the regulation's practical effectiveness.

To explore this issue more deeply, the theory of legal awareness (kesadaran hukum) developed by Soerjono Soekanto can be applied. This theory provides a comprehensive framework to analyze how individuals or institutions respond to legal norms.²³ It comprises four main indicators, legal knowledge, legal understanding, legal attitudes, and legal behavior.²⁴ Legal knowledge refers to the awareness of the existence of a rule or regulation; legal understanding reflects comprehension of the content and purpose of the law; legal attitude captures the individual's disposition or orientation toward the law; and legal behavior denotes how these perspectives are translated into concrete action.

Using this framework, we can assess how the Head of KUA navigates the tension between legal obligations and social-religious considerations. For instance, does the Head of KUA possess a deep understanding of PMA No. 30 of 2024 and its intended goals? How do they reconcile the requirement of facial identification with the religious convictions of veiled brides? Do they adopt a flexible, dialogical approach, or do they insist strictly on regulatory compliance without adaptation? These questions can only be answered by analyzing how each of the four indicators of legal awareness manifests in their professional conduct. Ultimately, examining the Head of KUA's perspective through the lens of legal awareness will provide a holistic understanding of how the regulation is not only interpreted but also operationalized in a diverse and pluralistic society. This analysis is crucial in determining whether the implementation of PMA No. 30 of 2024 is inclusive, effective, and sensitive to the real-life complexities faced by the communities it intends to serve.

Legal Knowledge: The Head of KUA's Understanding of the Content and Objectives of PMA No. 30 of 2024

Legal knowledge is the main foundation in implementing rules or regulations. In this case, the Head of KUA needs to have in-depth knowledge of PMA No. 30 of 2024, both in terms of content and the purpose of the regulation. PMA No. 30 of 2024 regulates the examination of marriage files, including provisions regarding veiled women. One of the things that is regulated is the procedure for verifying the identity of veiled women, which is a sensitive topic because it relates to aspects of visual identity that are covered by the veil. The legal knowledge of the

²³ Dyaksa Nitiyoga, Alef Musyahadah Rahmah, dan Nayla Alawiya, "Legal Awareness of The Public Towards the Prohibition of Giving Money to Beggar (Study in Grendeng Village, North Purwokerto District, Banyumas)," *Jurnal Hukum In Concreto* 4, no. 1 (2025): 87–102.

²⁴ Benny Hutahayan dkk., "Investment Decision, Legal Certainty and Its Determinant Factors: Evidence from the Indonesia Stock Exchange," *Cogent Business & Management* 11, no. 1 (31 Desember 2024): 2332950, <https://doi.org/10.1080/23311975.2024.2332950>.

Head of KUA regarding PMA No. 30 of 2024 will greatly affect the way they view veiled women in the marriage examination process. The head of KUA who has a strong knowledge of this regulation will be more likely to carry out his duties professionally and in accordance with the applicable regulations, without any discrimination or unfair treatment of veiled women. On the other hand, if the head of the KUA is limited or lacks in-depth, they may interpret or apply these regulations in a less precise or even biased way.²⁵

The aspect of legal knowledge refers to how well an individual is aware of the existence, content, and purpose of a regulation. In the context of PMA No. 30 of 2024, legal knowledge is demonstrated through the Head of the KUA's comprehension that the regulation aims to verify the identity of the bride-to-be to prevent fraud, administrative errors, or unlawful marriages. This requirement is part of the government's broader effort to strengthen marriage documentation and legal accountability, ensuring that every marriage is conducted with valid identities and clear legal status.²⁶ Importantly, the Head of KUA also recognizes that this regulation must be implemented without compromising the religious rights and sensitivities of the individuals involved, particularly for veiled women who wear the niqab as a form of religious expression. In some communities, the request to unveil, even momentarily, can be perceived as a violation of personal religious boundaries. Therefore, a rigid or insensitive approach in enforcing the regulation could lead to resistance, misunderstanding, or even the stigmatization of religious practices.

Based on interviews conducted with the local Head of KUA, it was evident that she possesses a strong understanding of both the legal and socio-religious dimensions of this issue. Rather than insisting on a uniform approach, she actively seeks alternative solutions that uphold the law while respecting individual beliefs. For example, one practical approach mentioned is conducting identity verification in a private space, assisted by a female officer, which allows the bride to briefly reveal her face without the presence of male staff or outsiders. This solution balances the need for legal verification with the importance of religious modesty. Her efforts reflect a constructive and empathetic application of legal knowledge, where regulations are not applied mechanically but are contextualized within the lived realities of the community. This approach not only maintains the credibility of the regulation but also builds trust between the KUA and the public. It shows that legal awareness, when coupled with cultural and religious sensitivity, can produce inclusive and effective governance in religious affairs.

Legal Understanding: How the Head of KUA Interprets Regulations in the Context of Women in the Veil

Legal understanding is the next step after legal knowledge. This understanding includes how the Head of KUA interprets and applies regulations in a specific context, in this case, veiled women who are undergoing an examination of marriage files. Based on the results

²⁵ AH. Fauzi Qusyairi, Head of Kua Kedungkandang Malang City.

²⁶ Mu'tashim Billah, "The Maslahah of State Policy in Responding to Unregistered Marriage: Inclusion of Unregistered Marriage on The Family Card," *Ulul Albab: Jurnal Studi Dan Penelitian Hukum Islam* 6, no. 2 (2024): 136–151.

of the interview with the Head of KUA, it is stated that he and the other heads may have different understandings in interpreting PMA No. 30 of 2024, especially if discussing article 6, this regulation involves two elements that can sometimes conflict, namely administrative obligations and the right to freedom of religion. There are headmen in the KUA who interpret this regulation strictly and focus on administrative compliance, so they require veiled women to remove their veils to verify their identity. However, there are also Penghulu who understand the social and religious context better, and interpret these regulations more flexibly. Meanwhile, the head of KUA gave his views on finding alternative solutions, such as asking for other proof of identity that can ensure the validity of the data without having to interfere with the freedom of veiled women so that they continue to implement the regulation without disturbing the identity of the party concerned. This is where the importance of the Head of KUA's legal understanding to balance regulatory provisions with respect for religious freedom and women's rights. Heads of KUA who have a broader understanding will tend to find more inclusive ways to implement these regulations, which not only maintain administrative order but also accommodate the diversity of the community.²⁷

Legal Attitude: The Head of KUA's Personal View of Veiled Women in Marriage Examination

Based on the results of the interview with the Head of KUA, it was stated that to deal with this phenomenon, a constructive approach to individual rights and freedom of religion can be adopted, as stipulated in Indonesian laws and regulations.²⁸ Although the Regulation of the Minister of Religion No. 30 of 2024 requires the removal of the face barrier in the examination of marriage files, the principle of respect for religious freedom and the personal rights of veiled women must be the main concern. The Head of KUA provides one of the solutions that remains in accordance with regulations, such as conducting identity checks on veiled women in a way that maintains their privacy and dignity. Examinations can be carried out by female officers, maintaining the appropriate scope and context, so as not to violate the principles of freedom of religion and individual rights. This shows that existing regulations can be implemented wisely without denying the rights of veiled women to practice their religious beliefs. With this approach, the Head of KUA continues to support existing regulations while maintaining cultural and religious diversity, as well as providing space for veiled women to maintain their identities and beliefs in the legally valid marriage process.²⁹

This legal stance, while personal, has a major impact on how these regulations are implemented on the ground. Heads of KUA who have an inclusive attitude and support religious freedom will be more likely to implement regulations in a non-discriminatory manner and respect the rights of women in the veil. Conversely, biased or discriminatory attitudes towards veiled women can lead to unfair treatment in the marriage administration process.

²⁷ AH. Fauzi Qusyairi, Kepala Kua Kedungkandang Kota Malang. Head of Kua Kedungkandang Malang City, interview, February 20, 2025.

²⁸ AH. Fauzi Qusyairi. Head of Kua Kedungkandang Malang City, interview, February 20, 2025.

²⁹ AH. Fauzi Qusyairi. Head of Kua Kedungkandang Malang City, interview, February 20, 2025.

Legal Behavior: Real Implementation of Regulations by the Head of KUA when Conducting Marriage Examination of Veiled Women

Legal behavior refers to how the Head of KUA implements PMA regulation No. 30 of 2024 in practice, especially when conducting marriage checks for veiled women. This behavior reflects the extent to which the Head of KUA can translate their legal knowledge and understanding of the law into concrete actions. The implementation of this can vary greatly, depending on how they perceive the importance of the regulation and how they respond to the situation of veiled women in the marriage administration process. Based on the results of an interview with the Head of KUA in Kedungkandang District, the implementation of the Regulation of the Minister of Religion No. 30 of 2024 regarding the examination of marriage files for veiled women shows a flexible approach while still paying attention to compliance with applicable regulations. In some cases, the Head of KUA tends not to force veiled women to remove their veils, but to ensure that their identity data remains verified by using other valid identity documents, such as ID cards or birth certificates.³⁰ This approach shows a sensitive attitude towards the personal rights and religious beliefs of veiled women, while still adhering to the principle of the validity of the documents used for the marriage administration process.

However, in certain situations, the Head of KUA also emphasized the importance of firmness in carrying out administrative procedures. In this case, they asked the veiled woman to remove her veil so that her face could be clearly seen and verified directly. This approach prioritizes the fulfillment of administrative procedures that have been regulated in regulations, which aim to avoid errors in recording identity data, as well as ensuring that every file checking process runs smoothly and legally legally.

CONCLUSION

The implementation of PMA regulation No. 30 of 2024 related to the examination of marriage files, especially for veiled women, faces complex challenges, both in terms of administration, law, and social. The Head of the Office of Religious Affairs (KUA) has an important role in ensuring that the examination procedure is carried out in accordance with applicable regulations, but must also consider the social, cultural, and religious values that prevail in the community. In this case, the importance of legal awareness owned by the Head of KUA is the key in determining how the regulation is applied fairly and inclusively, without ignoring the rights of veiled women who want to practice their beliefs. The application of flexible and sensitive regulations to cultural and religious diversity can demonstrate a balance between adherence to the administration of the law and respect for individual rights.

The implementation of this regulation shows that although there are clear rules regarding the procedure for examining marriage files, in practice the head of KUA in KUA Kedungkandang District, Malang City tends to prioritize a more inclusive approach. They choose not to force veiled women to remove their veils, but still ensure that their identities are verified in a way that does not interfere with their religious beliefs. This shows that good legal

³⁰ AH. Fauzi Qusyairi. Head of Kua Kedungkandang Malang City, interview, February 20, 2025.

awareness allows for fairer policies, accommodates social diversity, and respects individual rights in the marriage administration process.

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