

## **The Strategy of the God of Peace in Overcoming the Practice of Siri Marriage: A Study of Alue Kambuk Village, Suka Makmue, Nagan Raya**

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### **Abstract**

*The phenomenon of nikah siri (unregistered marriage) remains a persistent social and legal issue in Aceh, particularly in Gampong Alue Kambuk, where many community members believe that a marriage is valid under Islamic law without official registration at the Office of Religious Affairs (KUA). This perception leads to legal uncertainty and weakens the protection of women's and children's rights. Such conditions reflect a gap between religious norms, customary practices, and state law, highlighting the strategic role of Tuha Peut as a customary institution in mediating and educating the community through religious and social approaches rooted in local wisdom. This study employed a qualitative method with an empirical-sociological approach, using primary data collected through in-depth interviews with the Geuchik (village head), Tuha Peut members, Tgk. Meunasah (village cleric), officials from the Suka Makmue Office of Religious Affairs, and local religious leaders. Secondary data were obtained from legal literature, books, and relevant academic journals. Data were gathered through interviews, participatory observation, and documentation, and analyzed using thematic analysis to identify the roles and strategies of Tuha Peut. The results indicate that Tuha Peut applies two types of strategies in addressing nikah siri: planned strategies and emergent strategies. Planned strategies are implemented through legal counseling, marriage registration campaigns, and religious guidance during village deliberations, while emergent strategies develop spontaneously through social communication, informal advice, and religious-customary mentorship. The main obstacles include low legal awareness, economic limitations, and strong traditional influences that prioritize religious legitimacy over state law. The study concludes that Tuha Peut plays a strategic mediating role that bridges religious, customary, and state legal systems, functioning as both an educational and preventive institution in enhancing community legal awareness.*

*Keyword: Tuha Peut, Unregistered Marriage, Islamic Law.*

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### **Abstrak**

Fenomena *nikah siri* masih menjadi persoalan sosial dan hukum di Aceh, khususnya di Gampong Alue Kambuk, karena banyak masyarakat yang menganggap sahnya pernikahan cukup berdasarkan hukum Islam tanpa pencatatan di KUA. Pandangan ini menimbulkan ketidakpastian hukum serta melemahkan perlindungan terhadap hak perempuan dan anak. Kondisi tersebut menunjukkan adanya kesenjangan antara norma agama, adat, dan hukum negara, sehingga diperlukan peran strategis Tuha Peut sebagai lembaga adat untuk menengahi dan mengedukasi masyarakat melalui pendekatan keagamaan dan sosial berbasis kearifan lokal. Jenis penelitian ini adalah kualitatif dengan pendekatan empiris-sosiologis, menggunakan data primer yang diperoleh melalui wawancara mendalam dengan *Geuchik*, anggota *Tuha Peut*, *Tgk. Meunasah*, pejabat KUA Suka Makmue, dan tokoh agama setempat. Data sekunder diperoleh dari literatur hukum, buku, dan jurnal ilmiah yang relevan. Teknik pengumpulan data dilakukan melalui wawancara, observasi partisipatif, dan dokumentasi, kemudian dianalisis menggunakan analisis tematik untuk mengidentifikasi pola peran dan strategi *Tuha Peut*. Pendekatan penelitian menggunakan metode kualitatif dengan jenis penelitian empiris berbasis data primer melalui wawancara mendalam dengan *Geuchik*, anggota *Tuha Peut*, *Tgk. Meunasah*, pejabat KUA Suka Makmue, dan tokoh agama setempat. Hasil penelitian menunjukkan bahwa *Tuha Peut* menerapkan dua bentuk strategi dalam mengatasi *nikah siri*, yaitu strategi terencana (*planned strategy*) dan strategi yang muncul (*emergent strategy*). Strategi terencana diwujudkan melalui penyuluhan hukum, sosialisasi pencatatan nikah, dan bimbingan agama dalam forum musyawarah gampong. Sementara itu, strategi yang muncul dilakukan secara spontan melalui komunikasi sosial, nasihat informal, dan pembinaan berbasis nilai adat dan agama. Hambatan utama yang dihadapi meliputi rendahnya kesadaran hukum, faktor ekonomi, serta kuatnya pengaruh adat yang menempatkan hukum agama di atas hukum negara. Penelitian ini menyimpulkan bahwa *Tuha Peut* berperan strategis sebagai mediator sosial yang menjembatani norma agama, adat, dan hukum negara, sekaligus berfungsi sebagai lembaga edukatif dan preventif dalam membangun kesadaran hukum masyarakat.

Kata Kunci: *Tuha Peut*, *Nikah Siri*, Hukum Islam.

### **A. Introduction**

Marriage is a social and religious institution that plays an important role in the lives of Acehnese people who uphold Islamic values. However, despite the strong implementation of sharia law, the practice of *unregistered marriages*—marriages that are religiously valid but not registered with the Office of

Religious Affairs (KUA)—remains common . This phenomenon reflects the gap between religious norms and state law.<sup>1</sup>

In Aceh, the practice of *unregistered marriage* is still considered commonplace, including in Gampong Alue Kambuk , Suka Makmue District, Nagan Raya Regency. Some people believe that a marriage is valid simply by fulfilling religious requirements, without the need for administrative registration.<sup>2</sup> However, legally, Law No. 1 of 1974 concerning Marriage and its amendment, Law No. 16 of 2019, stipulate that marriage registration is mandatory for it to have legal force.<sup>3</sup>

Not registering a marriage at the KUA has social, legal and administrative impacts . From a social perspective, women and children often lack legal protection. From a legal perspective, the couple does not have a marriage certificate, which has implications for the loss of inheritance rights, the right to maintenance, and difficulty in obtaining birth certificates for children. Administratively, this condition limits access to education, health, and other public services.<sup>4</sup>

In the context of Acehnese society, the *Tuha Peut* plays a crucial role as a village customary institution, providing advice, social supervision, and resolving community problems. Based on Aceh Qanun Number 9 of 2008 concerning the Development of Customary Life and Customs, *the Tuha Peut* is authorized to maintain a balance between religious norms , customs, and state law. In the case of *unregistered marriages* , this institution has the potential to serve as a bridge between the community, religious leaders, and government officials, providing counseling and encouraging marriage registration at the Office of Religious Affairs (KUA).<sup>5</sup>

However, the role of *Tuha Peut* in handling the practice of *unregistered marriage* has not been widely studied academically. Most previous studies only highlight aspects of Islamic law and positive law without examining the

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<sup>1</sup> Harpani Matnuh et al., *"Perkawinan Dibawah Tangan Dan Akibat Hukumnya Menurut Hukum Perkawinan Nasional"* 6 (2020): hlm. 908.

<sup>2</sup> Satriya Pamungkas and Ana Billah, *"Studi Normatif Atas Ketentuan Pencatatan Nikah Dan Implikasinya Terhadap Legalitas Keluarga Siri"* 5 (n.d.): hlm. 321.

<sup>3</sup> Media Ilmu, Syari Jurnal, and Ahwal Al-syakhsiyyah, *"Mediasas: Media Ilmu Syari Jurnal Dan Ahwal Al-Syakhsiyyah"* 4, no. 01 (2021): hlm. 91.

<sup>4</sup> Friska Aprilia, *"Analisis Peran Tuha Peut Terhadap Penyelesaian Sengketa Adat Pertunangan Modern Di Gampong Alue Awe Kota Lhokseumawe Analysis of the Role of Tuha Peut in the Settlement of Modern Engagement Customary Disputes in Alue Awe Village , Lhokseumawe City"* 4, no. 3 (2024): hlm. 31.

<sup>5</sup> anak Pernikahan, Sirih Untuk, And Vitra Fitria M Koniyo, *"Pemenuhan Hak Anak " Socio -Juridical Analysis Of The Child Origin Of Betel Marriedetermination For Fulfilment Children ' S Right ",* n.d., hlm. 105.

contribution of customary institutions. Therefore, this research is important to analyze the strategy of *Tuha Peut* in overcoming the practice of *unregistered marriage* in Gampong Alue Kambuk, identifying the obstacles faced, and reviewing its relevance to Islamic law and state law.

### **B. Research methods**

This study uses a qualitative approach with a sociological empirical approach, aiming to deeply understand the phenomenon of *unregistered marriage* and the role of the *Tuha Peut traditional institution* in the social context of Acehese society. This approach was chosen because it can explain the relationship between religious norms, state law, and prevailing customs within the community.<sup>6</sup> Qualitative research allows researchers to interpret the meaning of social actions based on the perspectives of actors and local realities. In this context, empirical methods are used to obtain direct field data regarding the strategies and roles of *Tuha Peut* in handling the practice of *unregistered marriage* in Gampong Alue Kambuk, Suka Makmue District, Nagan Raya Regency.<sup>7</sup>

The data sources consist of primary and secondary data. Primary data were obtained through in-depth interviews and participant observation with key figures such as *Geuchik*, *Tuha Peut members*, *Tgk. Meunasah*, KUA officials, and local religious leaders. Secondary data were collected through literature studies, including books, scientific journals, laws and regulations, and official documents relevant to the theme of marriage and customary law in Aceh.<sup>8</sup> Data collection techniques were carried out using semi-structured interviews and field documentation to explore views and social practices related to *unregistered marriage*. Furthermore, data analysis uses the thematic analysis method, namely grouping data based on main themes such as *Tuha Peut strategies*, social obstacles, and legal impacts, which are then interpreted descriptively-analytically to obtain comprehensive conclusions.<sup>9</sup>

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<sup>6</sup> Sugiyono. *Metode Penelitian Kualitatif: Untuk Penelitian yang Bersifat Eksploratif, Interaktif, dan Konstruktif*. Bandung: Alfabeta. (2019). hlm. 25.

<sup>7</sup> Muchamad Misbachul Anam et al., "*Rekonstruksi Regulasi Status Anak Yang Lahir Dari Perkawinan Di Bawah Tangan Dalam Penetapan Pengadilan Agama Berbasis Nilai Keadilan*," 2024. hlm. 86.

<sup>8</sup> Sultan Sulfian, "*The Urgency Of Marriage Registration In The Perspective Of Indonesian Marriage Law And Islamic Law*" 6 (2023). hlm. 123.

<sup>9</sup> Nanda Amalia, "*Model Penyelesaian Sengketa Dan Peradilan Adat Di Aceh*," 2023, hlm. 159, <https://doi.org/10.20885/iustum.vol25.iss1.art8>.

### **C. Discussion and Research Results**

#### **The concept of unregistered marriage**

A siri marriage is a marriage that is carried out according to Islamic law by fulfilling the pillars and requirements for validity, but is not officially registered at the Office of Religious Affairs (KUA).<sup>10</sup> In the context of classical Islamic law, unregistered marriages remain valid if the elements of guardian, witness, consent and qabul are fulfilled. However, its non-registration results in no recognition from the state, thus creating legal uncertainty for the wife and children born from the marriage.<sup>11</sup>

The majority of scholars, such as Imam Syafi'i, Hanafi, and Hanbali, consider that unregistered marriage is still valid but is considered makruh because it is contrary to the Islamic law's recommendation to announce the marriage.<sup>12</sup> In contrast, Malikiyah scholars consider a marriage kept secret and not made public to be void. In the context of Indonesian positive law, Article 2 of Law Number 1 of 1974 in conjunction with Law Number 16 of 2019 states that a marriage is considered valid if it is conducted according to religious law and registered in accordance with statutory regulations.<sup>13</sup>

Thus, although unregistered marriages are legally valid, the lack of administrative registration creates a legal vacuum regarding the rights of women and children. This situation poses a significant challenge for traditional institutions like the Tuha Peut, which have a moral and social responsibility to maintain a balance between religious norms, customs, and state law.

#### **Functions and duties of tuha peut**

Tuha Peut is a village customary institution that acts as a village deliberative body in Aceh, as regulated in Aceh Qanun Number 9 of 2008 concerning the Development of Customary and Traditional Life. Customs. Its functions include providing advice to geuchik, carrying out social supervision, and facilitating the resolution of customary disputes. In the socio-religious context, Tuha Peut also has the responsibility to maintain the moral order of

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<sup>10</sup> Wiranda Soraya, Bukhari Ali, and Muhammad Husnul, *"Legal Protection of Women and Children in the Practice of Nikah Sirri ( Unregistered Marriage )" 14, no. 02 (2025): hlm. 271.*

<sup>11</sup> m Harir Muzakki Et Al., *"Transformation Of Kyai Authority In Marriage : A Law-Abiding Society In Pekoren , Rembang ,"* 21, no. 2 (2024): hlm. 267, <https://doi.org/10.21154/justicia.v21i2.9492..>

<sup>12</sup> Kantor Urusan Agama, *"Samudra Keadilan"* 18, no. 2023 (n.d.): 197–206.

<sup>13</sup> Solihan Makruf et al., *"Legal Sociological Perspective on Marriage Under the Hand ( Case Study Understanding of the Cipadung Community , Bandung City )" 5, no. 3 (2025): hlm. 1536.*

society and to straighten out customary practices that are contrary to Islamic law.<sup>14</sup>

As a traditional institution, Tuha Peut acts as a liaison between the community and the government in implementing the law, including in family and marriage matters.<sup>15</sup> In practice, Tuha Peut plays a role in providing advice, guidance and direction to couples who marry without registration, and encourages them to carry out marriage confirmation at the Religious Court.<sup>16</sup> This role is not only social but also juridical-cultural, namely ensuring that every marriage is carried out in accordance with religious law and positive Indonesian law.

### **Strategy theory**

The strategic analysis in this study uses organizational strategy theory, which views strategy as a pattern of action formed from a combination of formal plans ( *planned strategy* ) and spontaneous responses to social dynamics ( *emergent strategy* ). This theory is relevant because the role of Tuha Peut as a traditional institution is not only based on bureaucratic structures, but also on customary values, religion, and social interactions in the community.<sup>17</sup>

In this context, a planned strategy is evident in the Tuha Peut's systematic efforts to provide legal education, promote marriage registration at the Office of Religious Affairs (KUA), and provide guidance through village deliberation forums. These steps demonstrate *deliberate action* to raise public legal awareness and prevent the recurrence of unregistered marriages.<sup>18</sup>

Meanwhile, emerging strategies are seen in the habit of Tuha Peut giving spontaneous advice to couples who are in unregistered marriages, or inserting

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<sup>14</sup> ahmad Andri Setiawan, "( Pasal 245 Uu No 7 Tahun 2017 Perspektif Ham Dalam Tinjauan Hukum Islam ) Oleh : Keterwakilan Perempuan Dalam Pemilu ( Pasal 245 Uu No 7 Tahun 2017 Perspektif Ham Dalam Tinjauan Hukum Islam ) Oleh : Pembimbing ;," no. 7 (2024). Hlm. 342.

<sup>15</sup> Rinrin Warisni Pribadi and Dini Dewi Heniarti, "Perkawinan Siri Kajian Itsbat Nikah Dalam Perspektif Hukum Islam Dan Keadilan Pernikahan Siri Di Indonesia Merupakan Salah Satu Persoalan Sosial Di Masyarakat Yang Harus Diperhatikan Dan Dipikirkan Solusinya , Khususnya Jawa Barat Masih Sangat" 4, no. 2 (2025): hlm. 765.

<sup>16</sup> Waris Istri and Studi Kota, "Journal of Lex Generalis (JLS)" 1 (2020): 1–20.

<sup>17</sup> Abdul Rajab Samiun Et Al., "Kota Makassar Dalam Mengatasi Nikah Siri" 2 (2025): hlm. 768.

<sup>18</sup> Teuku Azwar Ananda, "Analisis Penyebab Dan Dampak Praktik Perkawinan Sirri Di Kecamatan Samudera Analysis of the Causes and Impacts of Secret Marriage Practices in Samudera District" 5, no. 2 (2025): hlm. 429.

legal messages into religious activities. This pattern illustrates the adaptive capacity of traditional institutions in responding to social change in society.<sup>19</sup>

Thus, this theory helps explain that the Tuha Peut strategy is not simply a moral or administrative action, but rather an integrative strategic process that combines aspects of custom, religion, and state law. This approach makes the Tuha Peut an effective social mediator in bridging the gap between religious norms and positive law in Aceh.

### **Patterns and Factors of Siri Marriage in the Village**

The practice of unregistered marriage in Gampong Alue Kambuk is a social phenomenon that arises from the complex interaction of religious, cultural, economic, and legal aspects of the community. <sup>20</sup>Based on research results, the pattern of unregistered marriages indicates that the majority of the community still considers the validity of a marriage to be determined solely by religious requirements, such as the presence of a guardian, witnesses, and the *ijab kabul* ( consent ), without considering administrative registration at the Office of Religious Affairs (KUA). This view reflects the dominance of religious values in the structure of Acehnese society's consciousness, which makes religious law more authoritative than state law.<sup>21</sup>

Apart from theological factors, low legal awareness is the main cause that strengthens the continuation of the practice of unregistered marriage. Most citizens do not yet understand the legal implications of unregistered marriages, such as the loss of inheritance rights, child support, and the legal status of children. <sup>22</sup>This situation aligns with Friedman's *legal culture theory*, which asserts that the effectiveness of the law depends on the level of public awareness and acceptance of those legal norms.<sup>23</sup>

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<sup>19</sup> Andi Iswandi, "Reorientation of Islamic Family Law from the Perspective of UIN Professors in Indonesia" 01, no. 01 (2021): hlm. 12.

<sup>20</sup> Soraya, Ali, and Husnul, "Legal Protection of Women and Children in the Practice of Nikah Sirri (Unregistered Marriage)." hlm. 82.

<sup>21</sup> Muhammad Nafi, "Legalization of Marriage for Underage Couples " 3, no. 1 (2023): hlm. 108.

<sup>22</sup> Rahmito Azhari, Wahyu Ramadhani, and Fahrul Reza, "Strengthening the Tuha Peut Customary Institution in Resolving Disputes in Acehnese Society" 4, no. 1 (2023): hlm. 47.

<sup>23</sup> Dewi Iriani, "Peran Kantor Urusan Agama Dalam Menurunkan ( Studi Di Desa Ngroto Kecamatan Kismantoro Kabupaten Wonogiri ) Skripsi Oleh : Evi Lestari Pembimbing : Jurusan Hukum Keluarga Islam Fakultas Syariah Institut Agama Islam Negeri ( IAIN ) Ponorogo," 2024. hlm. 72.

Economic and administrative factors also exacerbate the situation. Some people think that registering a marriage at the KUA requires a lot of money and time, even though officially registration during working hours is free. This misunderstanding has given rise to the perception that unregistered marriages are more practical and more suited to their financial means.<sup>24</sup> On the other hand, the influence of customs and kinship traditions also plays a significant role. In Acehese society, marriage ceremonies often emphasize customary values over state administrative regulations. This tradition maintains the view that marriages recognized by traditional and religious figures are socially valid.<sup>25</sup>

This condition shows that the practice of unregistered marriage in Gampong Alue Kambuk is not merely a violation of administrative law, but rather a reflection of the disharmony between the religious, customary and legal value systems of the state.<sup>26</sup> This is where the role of Tuha Peut becomes very important as a social mediator who functions to bridge the three systems. Tuha Peut plays a role in transforming community religious awareness into legal compliance through outreach, customary guidance, and social advocacy.<sup>27</sup> With this collaborative approach, customary institutions can strengthen the integration of religious norms and state law, while mitigating the potential social impacts of unregistered marriages.

### **The God of God's Strategy in Overcoming Siri Marriage**

In strategy theory, the approach used by Tuha Peut is a preventive and educational approach. Organizational strategy involves planning and implementation to address existing problems.<sup>28</sup> In this context, Tuha Peut uses a social communication strategy with a religious and legal approach to convey the importance of registering marriages at the Office of Religious Affairs (KUA). Tuha Peut also serves as a mediator in resolving legal issues arising from

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<sup>24</sup> Ibnu Rusydi, "Tinjauan Yuridis Terhadap Hak Waris Anakhasil Perkawinan Siri" 7, no. 1 (2019): hlm. 58.

<sup>25</sup> Aprilia, "Analisis Peran Tuha Peut Terhadap Penyelesaian Sengketa Adat Pertunangan Modern Di Gampong Alue Awe Kota Lhokseumawe Analysis of the Role of Tuha Peut in the Settlement of Modern Engagement Customary Disputes in Alue Awe Village, Lhokseumawe City." hlm. 75.

<sup>26</sup> David Wildan and Dini Syamarina, "Legitima" 07, no. December (2024): hlm. 127.

<sup>27</sup> Fauzi Abubakar, "Peran Perempuan Dalam Tuha Peut: Lembaga Adat Dan Pemerintahan Gampong Di Aceh," N.D. hlm. 89.

<sup>28</sup> Sitti Musdalifah Et Al., "Perspektif Hukum Islam," n.d., hlm. 383.



unregistered marriages by providing advice and encouraging the community to comply with existing legal regulations.<sup>29</sup>

Tuha Peut , as a customary institution at the village level, plays a strategic role in addressing the phenomenon of unregistered marriages. As a deliberative body established under regional regulations and with significant influence on social and customary life in Alue Kambuk Village, Tuha Peut plays a role in resolving social issues using comprehensive strategies. <sup>30</sup>Tuha Peut's role in addressing unregistered marriages includes:

a. Education and Counseling to the Community.

Education is one of the main roles that Tuha Peut must play in addressing the phenomenon of unregistered marriages. As an institution that holds control over customary and social decisions in Gampong Alue Kambuk, Tuha Peut has a very strategic opportunity to convey correct information regarding valid marriages according to religion and state law. In an interview with Mr. Wendi , Head of Tuha Peut Gampong Alue Kambuk, he stated, "We often remind the community through customary forums that unregistered marriages can cause legal problems in the future. Children born from unregistered marriages cannot obtain legal birth certificates, and this hinders them from obtaining their basic rights as citizens."<sup>31</sup>

b. Religious Advice and Guidance

Tuha Peut, who has close ties with local religious figures such as Tgk. Meunasah , plays a crucial role in providing religious advice regarding legal marriage in Islam. Together with religious figures, Tuha Peut provides an understanding that a legal marriage must not only fulfill the pillars and requirements of religion, but must also be registered with the Office of Religious Affairs (KUA) to provide legal protection for the wife and children. In an interview with Tgk. Meunasah, he stated, "A secret marriage is valid according to religion, but registering the

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<sup>29</sup> Praktek Nikah Siri et al., *"Praktek Nikah Siri Pada Jasa Nikah Siri Amanah Padang Hasil Dan Pembahasan Praktek Nikah Siri Pada Jasa Nikah Siri Padang Amanah Siri Amanah Padang "*. Pernikahan Siri Dianggap Sah Di Mata Agama Islam Jika Memenuhi Lima Rukun Nikah Yaitu" 1, no. 1 (2023): hlm. 63.

<sup>30</sup> Fitria Wahyu Ningrum, "Siri Marriage and Its Impact on the Rights of Women and Children in Marriage Confirmation," 2025. hlm. 78.

<sup>31</sup> "Wawancara Dengan Bapak Wendi Selaku Ketua Tuha Peut, Pada Tanggal 2 Oktober 2025 Di Gampong Alue Kambuk.," n.d.

marriage at the KUA remains important. This registration provides legal protection for the family."<sup>32</sup>

c. Sosial Supervision and Training

social guidance of the practice of unregistered marriage by monitoring and ensuring that every marriage that occurs in the village follows religious norms, customs, and state law. Tuha Peut is also tasked with providing social guidance to couples who have unregistered marriages to immediately register their marriages at the Office of Religious Affairs (KUA). In an interview with the Keuchik of Alue Kambuk Village, he stated, "We often discuss with Tuha Peut about unregistered marriages. We coordinate to find the best solution so that the community understands the importance of registration at the KUA to protect their rights."<sup>33</sup>

d. Encouraging Marriage Registration at the KUA

Tuha Peut encourages the public to register their marriages at the KUA to obtain legal recognition. As an institution close to the community, Tuha Peut is strategically positioned to convey information that marriage registration at the KUA is not only valid according to the state, but also protects the rights of couples, especially inheritance rights and children's rights. In an interview, the Head of the Suka Makmue District KUA emphasized, "We fully support Tuha Peut's efforts to provide education about marriage registration. Without registration at the KUA, unregistered marriages will lead to legal problems in the future, both for the wife and children."<sup>34</sup>

e. Collaboration and Advocacy with Government and Religious Institutions

In addition to providing education and social guidance, Tuha Peut also collaborates with government and religious institutions to address the practice of unregistered marriages in Alue Kambuk Village. This collaboration is carried out with the Religious Affairs Office (KUA), the

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<sup>32</sup> "Wawancara Dengan Bapak Khaidir Ali Selaku Tgk Meunasah Gampong Alue Kambung, Pada Tanggal 3 Oktober Di Gampong Alue Kambuk," n.d.

<sup>33</sup> Wawancara Dengan Bapak Adnan Selaku Geuchik Gampong Alue Kambuk, Kec. Suka Makmue, Kab. Nagan Raya Pada 4 Juli 2025. Title, n.d.

<sup>34</sup> "Wawancara Dengan Bapak Edi Firdausi Selaku KUA Kecamatan Suka Makmue, Pada Tanggal 4 Oktober Di KUA Kecamatan Suka Makmue,"

village government, and the Aceh Traditional Council (MAA) through integrated outreach, deliberation forums, and policy advocacy at the local level.

In an interview with the Head of the MAA of Nagan Raya Regency, he stated: "We support the Tuha Peut initiative in building synergy with the village government and the KUA, because the community is more receptive to advice if it is delivered by a traditional figure they respect."<sup>35</sup>

This collaboration shows that Tuha Peut not only functions as an internal customary institution, but also plays an active role in strengthening the legal awareness of the community through institutional synergy, so that every marriage receives protection according to religious and state law .

#### **Factors That Become Obstacles for the God of Marriage in Overcoming Siri Marriage in Alue Kambuk Village**

Although Tuha Peut has a strategic role in overcoming the practice of unregistered marriage in Gampong Alue Kambuk, there are several inhibiting factors that affect the effectiveness of this traditional institution in carrying out its duties. These obstacles stem from cultural aspects , legal perceptions , socio-economics , and institutional structures that exist in the Gampong Alue Kambuk community. These inhibiting factors require a holistic and collaborative approach between Tuha Peut, religious leaders, village government, and the Office of Religious Affairs (KUA).

##### **a. Public Perception of Religious Law and State Law**

One of the main obstacles is the belief that marriages conducted according to Islamic teachings are valid even without registration at the KUA. This view is deeply rooted in the community of Gampong Alue Kambuk, where religious law is often prioritized over state law. Despite educational efforts by the Tuha Peut, many residents continue to maintain this perception.<sup>36</sup>

The Chairman of the MAA explained that many people still believe religiously valid marriages are sufficient without state registration, as this view is deeply embedded in tradition. As a result, efforts by Tuha Peut

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<sup>35</sup> "Wawancara Dengan Bapak T. Jamalul Adil Selaku Ketua MAA Kabupaten Nagan Raya, Pada Tanggal 5 Oktober 2025, Di Kantor MAA Kabupaten Nagan Raya," n.d.

<sup>36</sup> Wawancara dengan Bapak Wendi selaku Ketua Tuha Peut, pada tanggal 2 Oktober 2025 di Gampong Alue Kambuk.

and the MAA face difficulties, and legal ignorance remains a major challenge in implementing marriage registration laws.<sup>37</sup>

b. Lack of Legal Awareness among the Community

Another factor worsening the situation is the community's limited understanding of the legal consequences of unregistered marriages. Many couples are unaware that the absence of a marriage certificate can result in the loss of rights, including inheritance, maintenance, and the legal status of children. This reflects an information gap that must be addressed through more intensive legal outreach.

c. Limitations of the Authority of Tuha Peut in Law Enforcement

Although Tuha Peut provides advice and education, it lacks the legal authority to compel couples with unregistered marriages to register at the KUA. As a customary institution, it cannot impose binding legal sanctions, which limits its influence. Consequently, Tuha Peut functions more as a companion and advisor than as a law enforcement body.<sup>38</sup>

d. Factor Economics and Administration

Economic barriers also hinder marriage registration at the KUA, as many couples perceive the costs and administrative process as burdensome. This perception leads some to choose unregistered marriages, despite the procedure being simple and often free during office hours. The issue is worsened by a lack of public information about the actual ease and affordability of registration.<sup>39</sup>

## **D. Conclusion**

This study concludes that Tuha Peut has a strategic role as a traditional institution in overcoming the practice of *unregistered marriage* in Gampong Alue Kambuk through the implementation of planned and emerging strategies. Planned strategies are carried out through legal counseling, socialization of marriage registration at the KUA, and religious guidance in village deliberation forums, while emerging strategies develop through social communication,

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<sup>37</sup> Wawancara dengan Bapak T. Jamalul Adil selaku Ketua MAA Kabupaten Nagan Raya, pada tanggal 5 Oktober 2025, di Kantor MAA Kabupaten Nagan Raya.

<sup>38</sup> "Wawancara Dengan Bapak Khaidir Ali Selaku Tgk Meunasah Gampong Alue Kambung, Pada Tanggal 3 Oktober Di Gampong Alue Kambung."

<sup>39</sup> Wawancara dengan Bapak Edi Firdausi selaku KUA Kecamatan Suka Makmue, pada tanggal 4 Oktober di KUA Kecamatan Suka Makmue.

spontaneous advice, and guidance based on customary and religious values. These two approaches demonstrate Tuha Peut's ability to adapt to the social dynamics of Acehnese society. Although *unregistered marriage* is religiously valid, this practice creates legal uncertainty for women and children, necessitating synergy between the Tuha Peut (Islamic Religious Affairs Office), the Religious Affairs Office (KUA), and village governments to raise public legal awareness. Thus, the Tuha Peut functions not only as a moral and social institution but also as a mediator, bridging customary values, religious norms, and state law to achieve a just and harmonious society.

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