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Reconsidering Technology and Authority in Indonesia's Islamic Marriage Registration

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Abstract This article is a critical examination of the use of digital technology in the reform of Islamic marriage administration in Indonesia as seen in the enactment of Minister of Religious Affairs Regulation Number 30 of 2024. The study argues that even though the implementation of digital marriage registration via the Marriage Management Information System (SIMKAH), the implementation of mandatory pre-marriage counseling, and the improvement of administrative procedures have been introduced, the technological advancement is not enough to meet the higher *maqāṣid al-sharīʿah*. The research draws on Islamic legal thinking, specifically, the concept of *ḥifẓ al-nasab*, *ḥifẓ al-ʿirḍ*, and *ḥifẓ al-ḥaqq*, and concludes that the registration process is not a mere administrative procedure but a *siyāsah sharʿiyyah* with the aim of protecting vulnerable groups, particularly women and children. The study is a qualitative socio-legal type, characterized by the integration of regulatory analysis and semi-structured interviews, which are carried out to obtain information from the stakeholders involved in marriage administration and Islamic family governance. The results demonstrate that the process of digitization has enhanced the verifiability, administrative precision, and the probative force of marriage registers, but has also highlighted the ongoing challenges with access to digital tools, institutional capacity, legal awareness, and data protection. The study makes the case that technology should thus be seen as a tool of legal governance instead of a stand-alone solution to marriage registration issues.

Abstrak Artikel ini mengkaji secara kritis peran administrasi teknologi digital dalam reformasi pencatatan pernikahan Islam di Indonesia melalui pemberlakuan Peraturan Menteri Agama Nomor 30 Tahun 2024. Meskipun peraturan tersebut memperkenalkan sistem pencatatan pernikahan digital melalui Sistem Informasi Manajemen Nikah (SIMKAH), kewajiban bimbingan pranikah, dan prosedur administrasi yang lebih baik, studi ini mempertanyakan apakah kemajuan teknologi semata sudah cukup untuk memenuhi tujuan luhur *maqāṣid al-sharīʿah*. Berlandaskan pada pemikiran hukum Islam, khususnya prinsip *ḥifẓ al-nasab*, *ḥifẓ al-ʿirḍ*, dan *ḥifẓ al-ḥaqq*, penelitian ini membahas bahwa pencatatan pernikahan bukan sekadar mekanisme administratif, melainkan bentuk *siyāsah sharʿiyyah* dalam melindungi kelompok rentan, khususnya perempuan dan anak-anak. Studi ini menggunakan pendekatan sosiologis-legal kualitatif yang memadukan analisis regulasi dengan wawancara semi-terstruktur yang melibatkan para pemangku kepentingan di bidang administrasi pernikahan dan

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tata kelola keluarga Islam. Temuan penelitian menunjukkan bahwa digitalisasi telah meningkatkan verifikasi, akurasi administratif, dan nilai pembuktian catatan pernikahan, namun juga mengungkap adanya keterbatasan yang masih ada terkait akses digital, kapasitas kelembagaan, literasi hukum, dan perlindungan data. Oleh karena itu, studi ini berargumen bahwa teknologi harus dipahami sebagai instrumen tata kelola hukum, bukan sebagai solusi tunggal atas berbagai permasalahan dalam pencatatan pernikahan.

Keywords Islamic Legal Thought; *Maqāṣid al-Sharīʿah*; Marriage Registration; Digital Governance; *Siyāsah Sharʿiyyah*

Introduction

The registration of marriage is one of the issues that plays a central role in the development of Islamic family law in Indonesia, especially in terms of providing certainty of the issuance of marriage and protecting the rights of family members. Indonesia, being the country with the highest Muslim population in the world, has marriage governed under Indonesian law, which combines Islamic legal concepts with national law. Although classical Islamic jurisprudence does acknowledge the validity of marriage when the conditions of its four *arkān* and two *shurūṭ* are met, Islamic law also places strong emphasis on public recognition of marriage.[1] This is exemplified in the Prophetic tradition, "*Aʿlinū hādhā al-nikāḥ*", and the opinion of Imam Mālik, who considered the disclosure of marriage to be a protection from society's suspicions and harmfulness.[2] This aspect of marriage registration continues in a modern legal state, but not only as an order of administration, but also as an instrument of protection of the rights of women and children.

Although marriage registration is an important issue at both the normative and the administrative level, there are still institutional and socio-cultural challenges to its implementation.[3] While the formal regulation is a prerequisite for effective compliance, unequal access to administrative services, institutional capacity, lack of legal literacy, and the continued presence of unregistered marriages show that this is not always the case. These issues have specific implications for the rights of women and children, including their rights to maintenance, inheritance, legal identity, and other rights in relation to the family. Existing research also shows that the impact of marriage registration is shaped by the ability of implementing institutions and the legal culture in which the regulation is embedded.[4] These challenges show that the registration of marriage is not only a legal-technical problem, but a socio-legal problem which must be addressed in the context of public trust, institutional capacity and religious understanding. The effectiveness of digital public services also depends upon institutional trustworthiness. Janssen et al. demonstrate that citizens' perceptions of trustworthiness in digital government are shaped by multiple interrelated institutional and technological factors rather than by

[1] Wahbah Zuhaily, *Al-Fiqh al-Islam Wa Adillatuh* (Daar Al-Fikr, 2006).

[2] Nurul Aufa and Irwan Irwan, "Kontekstualisasi Hadis-Hadis Walimatul Urs: Studi Tentang Kewajiban Menghadiri Pesta Nikah Di Malaysia," *Jurnal Mediasas: Media Ilmu Syari'ah Dan Ahwal Al-Syakhsiyyah* 7, no. 1 (2024): 229–47.

[3] Mochammad Arifin, "Tradition vs. Administration: Challenging the Cultural Barriers to Marriage Registration in Indonesia," *Sakina: Journal of Family Studies* 9, no. 2 (2025): 213–25.

[4] Abi Hasan et al., "Dualism and Unworthy Legal Practice: The Marginalization of Women's Rights in Sirri and Early Marriages," *Asy-Syir'ah: Jurnal Ilmu Syari'ah Dan Hukum* 56, no. 1 (2022): 149–71.

technological functionality alone.[5]

As a result of these problems, the government of Indonesia passed the Minister of Religious Affairs Regulation No. 30 of 2024 on the government's approach to marriage registration. The regulation requires the use of the Marriage Management Information System (SIMKAH), obligates couples to undergo compulsory pre-marital counseling, and provides for clarity regarding mixed nationality marriages and overseas marriages. The amendment of the Marriage Law by Law No. 16 of 2019, which raised the minimum legal marriage age from 18 to 19 for men and women, also had an impact on this reform. Regulation No. 30 of 2024 is a more comprehensive and proactive measure for the administration of family law compared to Regulation No. 20 of 2019, which was significantly manual with no preventive measures in place, like premarital counselling.

Existing scholarship has focused on different aspects of marriage registration reform in Indonesia. Poor technical ability of KUA staff is a significant challenge for effective policy implementation.[6] A lack of organized premarital counseling is a factor in high divorce rates.[7] There is a need for the strict implementation of marriage registration to safeguard women and children from being legally vulnerable.[8] These studies have valuable contributions; however, they tend to focus on institutional, doctrinal, or sociological aspects one by one, rather than on a combination of digital technology, human resources, and public legal culture in an integrated Islamic legal framework.

While previous scholarship has focused on the administrative importance of marriage registration and on the potential for SIMKAH to enhance public services, less research has been conducted regarding the normative and socio-legal question of the potential of digitalization to reinforce the protective functions of marriage registration. Previous research has assessed SIMKAH based on administrative effectiveness, service quality, technical performance, or institutional implementation. These methods are significant but insufficient to fully understand the role of digital marriage administration in protecting family rights, or the relationship between technology and the existing legal system and legal culture in Indonesia regarding Muslim marriage.[9]

The article thus rethinks digitalisation as a means, rather than an objective, and examines how the legal significance of this instrument is contingent on institutional and social contexts. Lawrence M. Friedman's theory of the legal system offers a socio-legal approach to analysing the relationship between legal substance and legal structure and legal culture, while *maqāṣid al-sharīʾah* offers a normative approach to determining whether technological reform helps to promote substantive justice. This will be particularly examined as regards *ḥifẓ al-nasab*, *ḥifẓ al-ʿirḍ* and *ḥifẓ al-ḥaqq*, which are the foundations for the protection of lineage, dignity, and family rights in modern marriage administration.

The central issue is whether and how the digital transformation, which has been brought about

[5] Marijn Janssen et al., "Trustworthiness of Digital Government Services: Deriving a Comprehensive Theory through Interpretive Structural Modelling," *Public Management Review* 20, no. 5 (2018): 647–71, https://doi.org/10.1080/14719037.2017.1305689.

[6] Ahmad Tholabi Kharlie et al., "Reforming Islamic Marriage Bureaucracy in Indonesia: Approaches and Impacts," *Al-Jami'ah: Journal of Islamic Studies* 59, no. 2 (2021): 255–86.

[7] K. Kamarusdiana et al., "Pre-Marital Education: Concepts and Regulations in Indonesia and Malaysia," *Al-Ahkam* 32, no. 1 (2022): 41–64, Scopus, https://doi.org/10.21580/ahkam.2022.32.1.10709; Ramdani Wahyu Sururie et al., "Strategies to Prevent Increasing Divorce Rates for Muslim Families in Indonesia," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 2 (2023): 734–59; Galuh Widitya Qomaro et al., "Navigating Early Marriages: A Methodological Breakthrough in Family Resilience Measurement," *Mazahib* 23, no. 2 (2024): 477–528.

[8] Nafi Mubarok et al., "Urgency of Regulation of Marriage Registration in Indonesia," *JL Pol'y & Globalization* 53 (2016): 98.

[9] Lawrence M. Friedman, *The Legal System: A Social Science Perspective* (Russell Sage Foundation, 1975).

by Regulation of the Minister of Religious Affairs No. 30 of 2024, enhances the legal and protective role of the registration of Muslim marriage or just boosts administrative efficiency. The study tackles this question qualitatively by analysing the regulatory framework and gathering empirical data from those who are involved in marriage administration and Islamic family governance. A specific focus is the experiences of KUA officials, religious authorities, legal professionals and other relevant institutional actors to map the implementation of digital registration and identify areas where it may remain incomplete. The study aims finally to prove that technological reform can be used as a maqāṣid-based tool of Islamic governance and social justice under certain conditions.

Marriage Registration as *Siyāsah Sharʿiyyah* within a *Maqāṣid*-Oriented Framework

In the Indonesian context, the act of registering a marriage can be seen as an act of *siyāsah sharʿiyyah*, as the state itself does not decide whether the marriage is valid from a religious perspective, but rather, the state regulates administrative procedures so that the marriage can secure the validity of the marriage from a religious perspective. The power to regulate these comes from the state's duty to deal with public affairs and ensure that citizens have their rights protected, and Article 29 of the 1945 Constitution gives the constitutional foundation for the state's role with respect to religious life. In this institutional context, the authority of the Ministry of Religious Affairs under Regulation No. 30, 2024, can be interpreted as a form of administrative authority that is directed towards *maṣlaḥah* and not a change in the substance of marriage in Islamic jurisprudence.[10] This is in line with the concept of *siyāsah sharʿiyyah* as taught by Ibn Taymiyyah, which holds that public authority is legitimate insofar as it is directed toward justice and the prevention of harm.[11] The administrative system followed by the state, therefore, can vary depending on social conditions, as long as its objective is in accordance with the goals of *Sharīʿah*. This adaptive aspect is shown in marriage registration: whereas marriage in classical fiqh was not dependent on the provision of a written marriage certificate, in the modern context, the absence of a marriage certificate would mean that no maintenance, inheritance, parental recognition, marital property, or remedies would be available in court. Registration may then be seen as a modern version of the ancient principle of *sadd al-dharāʾiʿ*, by minimizing the avenues available to disclaim paternity, to avoid paying maintenance, and to challenge marital status.[12]

The concept of *hifẓ al-nasab* is very significant in both classical and contemporary Islamic family law. Al-Ghazālī ranks the preservation of lineage among *sharīʿah al-ḍarūriyyāh*, which are closely related to marriage and social disorder.[13] Classical jurists did not insist on the presence of a certificate to establish the validity of a marriage, but they did stress that publicity, witnesses, and consensus of the community should ensure that there was never a reason for denial or dispute. Marriage registration, in modern nation-states, whereby legal identity, inheritance, and civil rights are mediated through formal documents, is a reflection of this.[14] Administrative documentation, especially by reliable systems,

[10] Ahmad Akram Mahmad Robbi and Syed Marwan Mujahid Syed Azman, "Shari 'Ah Committees' Perspective on Al-Siyasah al-Shar 'Iyyah's Vis-à-Vis Shari'ah Governance Conception within Malaysian Islamic Financial Institutions," *Qualitative Research in Financial Markets*, 2025.

[11] Ibn Taymiyyah, *Al-Siyasa al-Shar'iyya Fi Islah al-Ra'i Wa al-Ra'iyya* (Damascus, 1418).

[12] Busriyanti Busriyanti et al., "Marriage Law Reform in Indonesia A Maqasid Al-Usrah Perspective on Legal Adaptation," *Al-Istinbath: Jurnal Hukum Islam* 10, no. 2 (2025): 631–49.

[13] Abu Hamid Al-Ghazalli, *Al-Mustashfâ fi 'Ilm al-Ushul* (Dâr al-Kutub 'Ilmiyyah, 1993).

[14] Muhammad Amrullah Nasrul et al., "An Overview of the Inheritance Legal System in Malaysia and Indonesia: Issues Faced by Both Countries," *Journal of Shariah Law Research* 6, no. 2 (2021): 181–200.

guarantees clarity of parentage, avoids conflicts regarding inheritance, and ensures the legal status of children, thus implementing the concept of *ḥifẓ al-nasab* in modern legal frameworks.

Equally important is the goal of *ḥifẓ al-ʿirḍ*, particularly for women and children who are more often the victims of unregistered marriages.[15] The importance of *iʿlān al-nikāḥ* seen in Imam Mālik indicates an ethical awareness of the need for social transparency and avoiding the possibility of moral suspicion.[16] Unregistered marriages increase the risk of women facing discrimination for not being married, or being separated from their husbands and denied the right to remedies if they want to divorce. Today, some scholars like Wahbah al-Zuḥaylī hold the view that recording marriage contracts is *sadd al-dharaʾiʿ* against injustice and social damage.[17] From this point of view, marriage registration is not just about following the rules but about upholding personal honor and maintaining the trust of society.

In the digitalization of marriage registration, *ḥifẓ al-ḥaqq* is added as another *maqāṣid* dimension in the context of data-driven governance. Yūsuf al-Qaraḍāwī argues that administrative documentation has become a present-day necessity for the sake of *maṣlaḥah ʿāmmah*, especially to avoid the loss of women's and children's rights.[18] However, a need to ensure that digital systems also provide ethical safeguards, such as data security and fair access, when operating with *maqāṣid*-oriented reasoning.[19] According to the Qur'an, the prohibition of intrusion into the affairs of others (Q. The concept of the duty to secure personal information (duty to protect personal information) (49:12) and the principle of *rafʿ al-ḥaraj* both require removing marginalisation of the rural or digitally excluded communities as a result of technological reform.[20] Thus, *siyāsah sharʿiyyah* in the digital age must remain subordinate to *maqāṣid al-sharīʿah*, ensuring that technological efficiency serves justice, dignity, and the substantive protection of rights rather than becoming an end in itself.

The Changing Governance of Marriage Registration and the Limits of Digitalization

The process of registering Muslim marriages in Indonesia represents a transformation from manual administrative procedures to a system that is digitally integrated and allows for online application submission. The Minister of Religious Affairs' Regulation No. 20 of 2019 introduced a uniform process for marriage registration in the KUA, which continued to rely heavily on traditional administrative approaches.[21] The subsequent regulatory developments aimed to meet the evolving needs of public administration, such as an increasing demand for integrated verification and for electronic documentation. Institutionalization of SIMKAH in the current marriage registration system,

[15] Mustafa Mustafa and Jumarni Jumarni, "The Legal Status Of DP3A'S Recommendations In Child Marriage Dispensation: A Maqāṣid Al-Sharīʿah And Qawāʿid Fiqhiyyah Perspective In Bone Regency," *Al-Banjari: Jurnal Ilmiah Ilmu-Ilmu Keislaman* 24, no. 1 (2025): 15–27.

[16] Imam Malik Ibn Anas, *Al-Muwatta (Edited and Translated by Mohammad Fadel & Connell Monette)* (Harvard University Press, 2019).

[17] Zuhaily, *Al-Fiqh al-Islam Wa Adillatuh*.

[18] Yusuf Al-Qaradawi, "Fi Fiqh Al-Awlawiyyat: Dirasat Jadidah Fi Daw'al-Qur'an Wa-al-Sunnah," *Maktabat Wahba, Kaherah, Mesir*, 1996.

[19] Ramlan Mustapha and Siti Norma Aisyah Malkan, "Maqasid Al-Shariah In The Ai Era: Balancing Innovation And Islamic Ethical Principles," *International Journal of Islamic Theology & Civilization (E-ISSN-3009-1551)* 3, no. 3 (2025): 1–21.

[20] Abu Ishaq Al-Shāṭibī, *Al-Muwāfaqāt Fī Uṣūl al-Sharīʿah* (Dār al-Maʿrifah, 1997).

[21] Eva F. Nisa, "The Bureaucratization of Muslim Marriage in Indonesia," *Journal of Law and Religion* 33, no. 2 (2018): 291–309.

as contained in the Regulation of the Minister of Religious Affairs No. 30 of 2024, is more explicit evidence of this transformation.

This shift should not be limited to the exchange of paper records for electronic records, however. The experience has shown that SIMKAH can increase the efficiency of administration, verification, accountability, and lessen data manipulation.[22] The findings make an important contribution to the understanding of the positive potential of digitalization. Concurrently, the idea that technology as such will solve the problems of marriage registration needs to be explored. Digital systems rely on institutions and staff, and their success depends on access, capacity, legal understanding, and citizen engagement with formal registration.[23]

Table 1. Empirical Dimensions of Digital Marriage Registration under Regulation No. 30 of 2024

Empirical dimension	**Evidence from interviews**	**Legal-system dimension**	***Maqāṣid* implication**
Digital verification	Faster verification and reduced administrative errors.[24]	Legal structure	*ḥifẓ al-nasab*
Legal evidence	Marriage records support claims concerning *nafaqah* and family rights.[25]	Legal substance	*ḥifẓ al-ḥaqq*
Protection of women	Registration strengthens women's position in family disputes.[26]	Legal structure + Legal culture	*ḥifẓ al-ʿirḍ*
Protection of children	Records support birth registration, inheritance and guardianship.[27]	Legal substance	*ḥifẓ al-nasab* / *ḥifẓ al-ḥaqq*
Prevention of unregistered marriage	Systematic verification can identify existing marital status.[28]	Legal structure + Legal substance	*sadd al-dharāʾiʿ*
Digital inequality	Unequal infrastructure and literacy constrain access.[29]	Legal structure + Legal culture	*ʿadl* and *rafʿ al-ḥaraj*
Data protection	Digital records create privacy and cybersecurity concerns.[30]	Legal structure + Legal substance	*ḥifẓ al-ḥaqq*

The empirical material from the interviews calls into question any one-sided technological assessment of the reform. KUA staff and other marriage administration actors recognized the benefits of digital integration to verify, minimize administrative errors, and improve the evidentiary value of marriage records. This is more evident when it comes to women and children. One informant noted that if a marriage has not been registered by the KUA, "the woman is inevitably left at a more disadvantageous position when the marriage comes under strain," especially when it comes to maintenance and raising children. This observation suggests that, in the process of registration, a basis of institution is established that can then be used as a basis for asserting marital rights.

The interviews also illustrate that the protection aspect of registration is carried over to children. Participants made a connection between reliable marriage records and lineage, inheritance,

[22] Bambang Hardiyanto Laga et al., "The Effectiveness of The Marriage Management Information System (SIMKAH) Program as an Effort to Prevent Data Manipulation," *Jurnal Teknologi Dan Open Source* 5, no. 1 (2022): 8–23.

[23] Kharlie et al., "Reforming Islamic Marriage Bureaucracy in Indonesia: Approaches and Impacts"; Mubarok et al., "Urgency of Regulation of Marriage Registration in Indonesia."

[24] SIMKAH Operator, Interview, 2025

[25] Head of the Ministry of Religious Affairs Office, Interview, 2025

[26] Bride, Interview, 2025

[27] Groom, Interview, 2025

[28] Head of Islamic Community Guidance, Ministry of Religion, Interview, 2025

[29] SIMKAH Operator, Interview, 2025

[30] Head of the Office of Religious Affairs (KUA), Interview, 2025

guardianship, birth recording, and access to public services. One of the respondents, who was a parent, said that SIMKAH was the bridge to ensure that children's rights would be recognized and guaranteed from birth. One said that kids would need to know about their parents' marital status when handling birth and school records and inheritance. The principle of *maqāṣid* for "*ḥifẓ al-nasab*", as it is understood today, is affirmed by these observations; contemporary purposes of marriage documentation are not only to record a contractual event, but to preserve the legal consequences of family relationships throughout time.

The institutional aspect of digitalisation also comes from the experience of the officials working with the system. The interviews show that the use of digital registration is not independent of the competence and expertise of the staff involved in verification and service provision. This result aligns with previous studies that identified the lack of technical capacity of the KUA staff as a key challenge for effective marriage administration. The present evidence, however, is socio-legal, as it shows that it is institutional competence that affects not only the possibility of entering data correctly, but also the ability of applicants to access services that are accessible, accurate, and rights-sensitive. In this regard, the human operator is still essential to a digital legal framework.[31] Whilst technology can help to standardise processes, it cannot automatically interpret intricate family situations, clarify legal implications or adequately ensure that at-risk applicants understand and can exercise their rights.

The reform also reveals the dynamics of internal and external legal culture. Attitudes of citizens may be influenced by external legal culture, which sees religious validity as sufficient and may see state registration as secondary. The interviews suggest that this perception has not been overcome through the process of digitalization. Administrative screening has been enhanced by the introduction of SIMKAH and the minimum marriage-age requirement, and yet some families still marry without registration and subsequently try to register the marriage through *isbat nikah* in court. So, this proves that the mere use of technology is not enough to change social attitudes towards registration. Registration, verification, service and protection are also integral parts of internal legal culture, in which the professional attitudes of KUA employees and other legal actors play a role. Thus the effectiveness of the regulation is not only dependent on the technology, but also on the interaction of institutional commitment and public acceptance.[32]

The digitalization also generates a vulnerability which is not the case in the same way in a paper-based system.[33] Marriage data includes extremely personal information relating to identity, marital status and family relationships, among other matters. This protection of such information is therefore not simply a technical issue, but a part of *ḥifẓ al-ḥaqq*. Unauthorized access to, disclosure of, or misuse of SIMKAH data could lead to the disclosure of information that may affect a person's reputation and their rights to privacy regarding their marriage. The Qur'anic commandment "وَلَا تَجَسَّسُوا" (49:12) offers a moral basis for respecting the value of privacy as an interest protected by law. Digital reform should, therefore, go hand in hand with relevant access rights, institutional responsibility, and protection against privacy misuse. Technology that makes verification of certificates more secure yet less private would create a

[31] Panos Panagiotopoulos et al., "Public Value Creation in Digital Government," *Government Information Quarterly* 36, no. 4 (2019): 101421, https://doi.org/10.1016/j.giq.2019.101421.
[32] Yan Li and Huping Shang, "How Does E-Government Use Affect Citizens' Trust in Government? Empirical Evidence from China," *Information & Management* 60, no. 7 (2023): 103844, https://doi.org/10.1016/j.im.2023.103844.
[33] Jean Damascene Twizeyimana and Annika Andersson, "The Public Value of E-Government – A Literature Review," *Government Information Quarterly* 36, no. 2 (2019): 167–78, https://doi.org/10.1016/j.giq.2019.01.001.

paradox in what it was designed to accomplish.[34]

Digital accessibility is assessed in the same manner as with *maqāṣid*, using a *maqāṣid* perspective. The findings from the interviews suggest that digital literacy and technological infrastructure continue to be a major hurdle in the implementation of SIMKAH in its entirety. It's not an issue of whether or not digital registration is desirable in principle, but whether or not its benefits are fairly distributed. Efficient for technologically prepared communities, inaccessible in rural and digitally marginalized communities, such a system can enhance administrative effectiveness but can even deepen social inequality. Thus, the principle of *rafʾ al-ḥaraj* demands mechanisms for its implementation, which must not exclude people's ability to access online processes.[35] Social justice in digital marriage administration is not about the highest level of technological dependence; it is about the technological modernization not becoming a condition of exclusion from legal protection.

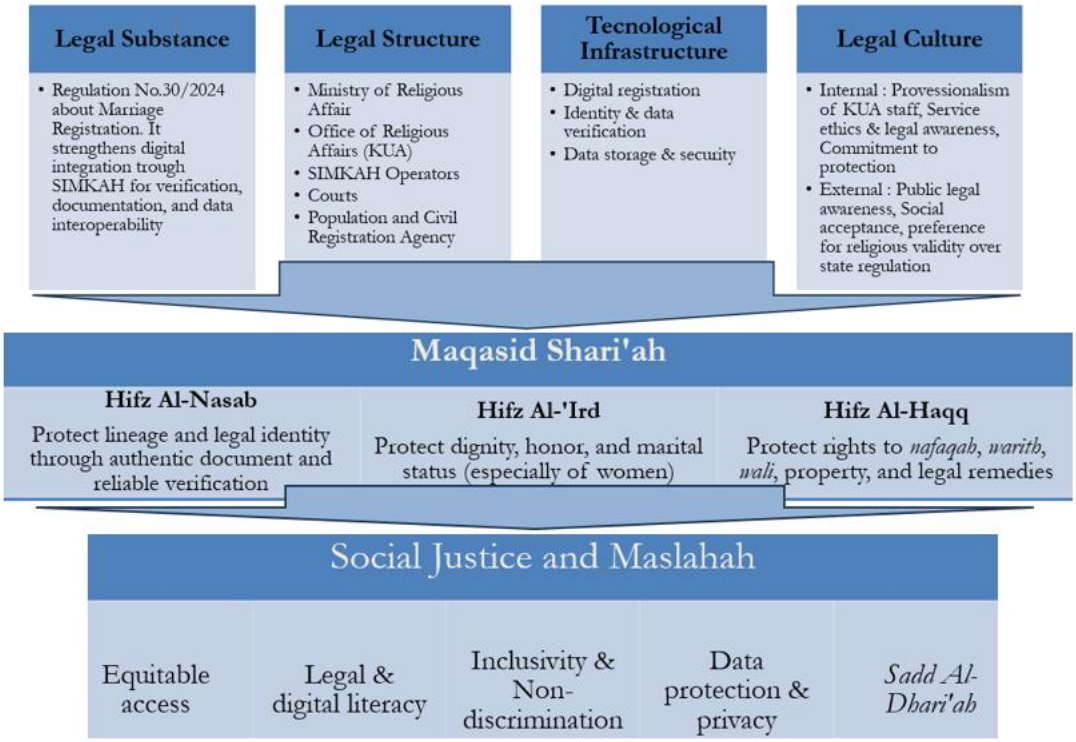


Figure 1. SIMKAH under Regulation No. 30 of 2024 as an Instrument of *Siyasah Sharʿiyyah*

The framework shows that the implementation of SIMKAH can not be judged only based on technological modernization. It is influenced by the law of its substance, institutions, technology, and legal culture, and it is guided by the goals of *maqāṣid al-sharīʿah*. In this setup, *ḥifẓ al-nasab*, *ḥifẓ al-ʿirḍ*, and *ḥifẓ al-ḥaqq* offer substantive purposes for the registration of marriage, while the principles of *maṣlaḥah*, social justice, and *sadd al-dharāʿiʿ* offer a more general evaluative orientation. In the framework, technological infrastructure plays a determining role but not a decisive one.[36] Digital registration is useful insofar as it can reliably document, assert personal and familial rights, and broaden access to legal protection. On the other hand, any technological solutions that lead to exclusion, such as jeopardizing

[34] Ying Li et al., "A Privacy Risk Identification Framework of Open Government Data: A Mixed-Method Study in China," *Government Information Quarterly* 41, no. 1 (2024): 101916, https://doi.org/10.1016/j.giq.2024.101916.
[35] Al-Qaradawi, "Fi Fiqh Al-Awlawiyyat: Dirasat Jadidah Fi Daw'al-Qur'an Wa-al-Sunnah"; Zuhaily, *Al-Fiqh al-Islam Wa Adillatuh*.
[36] Panagiotopoulos et al., "Public Value Creation in Digital Government."

privacy or diminishing the access of certain groups of people, would have to be institutionally corrected to conform with the *maqāṣid*–based nature of the reform.

The enactment of Regulation No. 30 of 2024 must not be considered as a mere administrative change nor as a problem-solving tool for marriage registration based on technology.[37] It is important because of the confluence of regulatory substance, institutional practice, technological infrastructure, and legal culture. Digital registration can contribute to legal security and establish an institutional framework for the preservation of lineage, dignity, and family rights, provided it is well administered, the public is legally knowledgeable, is equitably available and managed, and has ethical requirements. This reform is, of course, considered *siyāsah sharʾiyyah* only if its technological aspect is subservient to the other aims of *Sharīʾah* and social justice.[38]

Conclusion

The reform of Muslim marriage registration under the Minister of Religious Affairs Regulation No. 30 of 2024 is an example of how digitalization can enhance the legal framework within which the formal recognition and protection of marriage, lineage and family rights can be improved. But the real-world data indicate otherwise – technology alone is not the key to legal effectiveness. It relies on regulatory substance, institutional capacity, professional practice, public legal culture, accessibility and data protection.

The main benefit of digital marriage registration from a *maqāṣid al-sharīʾah* point of view is that it helps to establish reliable evidence of marriage and to bolster the legal rights of women and children through *ḥifẓ al-nasab*, *ḥifẓ al-ʾirḍ*, and *ḥifẓ al-ḥaqq*. The reform can then be viewed as a manifestation of *siyāsah sharʾīyah* if the technological governance is guided by *maṣlaḥah* and to avert harm. Its legitimacy of it however, should not be judged technology for technology, but rather on the degree to which digital administration creates substantive and equitable legal protection.

Future policy development should therefore focus on strengthening KUA capacity, improving public legal and digital literacy, ensuring meaningful access for digitally disadvantaged communities, and establishing robust safeguards for marriage-related personal data. Further research should examine the implementation of these safeguards at the local level and compare Indonesia's digital marriage administration with comparable reforms in other Muslim-majority jurisdictions.

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