

Addressing Unregistered Marriages in Malaysia: A Maqasid al-Shariah Approach to Legal Challenges and Women's Protection

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ABSTRACT

Unregistered marriages have emerged as a persistent socio-legal concern within the Muslim community in Malaysia, with significant implications for the rights and welfare of women and children. Women in such unions often face multiple challenges, including difficulties in claiming financial maintenance, child custody, division of matrimonial property, and post-divorce entitlements such as pensions. Moreover, children born from unregistered marriages frequently encounter obstacles in birth registration and obtaining legal identity documents, leading to downstream impacts on their access to education, healthcare, and inheritance rights. Anchored in the framework of *Maqasid al-Shariah*, this study analyses the root causes and consequences of unregistered marriages and proposes comprehensive legal and policy measures to address the issue. It emphasises the necessity of marriage validation through the Syariah Court, the re-registration of informal marriages, and stronger enforcement mechanisms to deter such practices. In addition, the study highlights the importance of premarital education and the proactive involvement of religious authorities in raising community awareness about the legal and moral repercussions of bypassing official marriage procedures. By situating the problem within the higher objectives of Islamic law, specifically preserving lineage (*hifz al-nasl*), protecting individual rights, and promoting social harmony, this article argues for an integrated approach that combines legal reforms, community engagement, and institutional accountability. It concludes that addressing unregistered marriages effectively requires the collaboration of couples, families, religious bodies, and legal institutions to uphold justice, protect women's rights, and strengthen the integrity of the family institution in line with *Maqasid al-Shariah*.

Keywords: Unregistered Marriage, Maqasid al-Shariah, Women's Rights, Syariah Court

INTRODUCTION

Marriage is a fundamental religious obligation in Islam that recognises and upholds the natural human instinct to live as a couple and to build a family (Wan Ismail et al., 2018). For a marriage to be valid under Malaysian Islamic family law, it must not only fulfil the essential conditions prescribed by *Shariah* but also be properly recorded and registered by statutory requirements (Asmunir, 2024). The issue of unregistered marriages has attracted considerable attention in Malaysia, as many couples choose to marry informally, often for reasons of convenience, without complying with the legal procedures mandated by national and state Islamic laws. Such marriages are invalid from a legal perspective and pose significant complications, particularly when couples attempt to register the marriage retroactively or seek recognition for related rights and claims (Dorloh et al., 2017).

In Malaysia, the legal system has established clear guidelines and procedural requirements to ensure that every marriage contracted by Muslims is solemnised lawfully and duly registered with the relevant religious authorities (Rosidi, 2024). Proper registration plays a crucial role in affirming the legal validity of the marriage and safeguarding the rights and welfare of all parties involved, especially women and children (Rosidi et al., 2022). To facilitate the management of marital affairs, State Islamic Religious Departments have issued detailed procedural handbooks and guidelines as references for the Muslim community (Hashim et al., 2020).

Despite the existence of these comprehensive regulations, violations persist. A key factor contributing to this issue is the lack of awareness among some couples regarding the proper legal procedures and the potential legal, social, and moral consequences of bypassing official registration (Hashim et al., 2020). In many cases, couples underestimate the risks and later face complex legal hurdles when asserting marital rights or protecting the interests of children born from such unions.

Marriage documentation is therefore not merely an administrative formality but a critical legal safeguard to ensure that a marriage is recognised and enforceable in the Syariah Court (Pejabat Mufti Wilayah Persekutuan, 2021). Without valid registration, claims related to alimony, divorce settlements, or inheritance cannot be processed lawfully. This challenge becomes even more severe in cases of the husband's death, where the surviving wife and children may be denied inheritance rights due to the lack of documentary proof of the marital relationship (Pejabat Mufti Wilayah Persekutuan, 2021).

Unregistered marriages thus represent a persistent and multifaceted social and legal challenge within the Malaysian Muslim community. This phenomenon occurs when couples enter into marital relationships without following the official registration procedures stipulated under the State Syariah laws. Guided by the principles of *Maqasid al-Shariah*, this review examines the underlying causes, socio-legal impacts, and consequences of unregistered marriages, with particular attention to their effects on women's rights. It also explores legal and policy solutions grounded in Islamic jurisprudence to address this issue and uphold the integrity of the marriage institution in Malaysia.

LITERATURE REVIEW

Marriage Registration Procedures in Malaysia

Islamic marriage registration in Malaysia is mandatory under each state's Islamic Family Law Acts and Enactments. The process begins with an application for marriage approval at the Islamic Religious Office, where the applicant's marital status is considered. For instance, a virgin bride must obtain the consent of her legal guardian (wali) (Hazman et al., 2020).

For polygamous marriages, approval must first be sought from the Syariah Court. This procedure ensures justice is upheld and prevents any form of oppression (Mohd Shah & Meerangani, 2021). During court proceedings, the existing wife may be present; however, the court's decision relies on fulfilling legal requirements rather than the wife's consent (Mohd Shah & Meerangani, 2021).

Marriage registration is an additional legal requirement and is not among the conditions that determine the validity of a marriage under Islamic law. After the solemnisation ceremony (akad nikah), a marriage registrar or solemniser conducts registration at the Islamic Religious Office. The State Islamic Religious Department will then issue a marriage certificate containing essential details about the couple and the marriage (Ahmad Zakhi, 2015). This registration is crucial for legal recognition and protecting the rights of spouses and their children.

Causes of Unregistered Marriages

Unregistered marriages refer to solemnisations conducted domestically or abroad without prior approval from the Marriage Registrar or without following the required legal procedures (Hussin, 2015). Several factors contribute to this phenomenon. Among the main reasons is the attempt to avoid strict legal processes, particularly in polygamous cases where Syariah Court approval is not obtained, guardian consent is missing, or the couple faces complications related to personal identification documents or citizenship status (Borhanuddin et al., 2022; Hussin, 2015). Moreover, marriages performed abroad, such as in Thailand or Indonesia, without subsequent registration in Malaysia, further contribute to the issue, often due to convenience or efforts to bypass local legal restrictions.

From a social perspective, negative perceptions exist among certain members of society who view the Islamic Family Law Acts and Enactments as creating obstacles to marriage. This misunderstanding fosters the belief that these laws limit marriage freedom, whereas in fact, the regulations are intended to facilitate Muslims in following religious guidelines (Hussin, 2015).

The seriousness of this issue is supported by recent data showing that unregistered marriages remain prevalent. According to Nassuruddin et al. (2024), referencing statistics from the Kelantan State Syariah Prosecution Department, there were 3,299 cases in 2019, 2,140 cases in 2020, 2,618 cases in 2021, 4,457 cases in 2022, and 3,107 cases in 2023. Although the numbers fluctuate yearly, the consistent presence of such cases indicates that unregistered marriages continue to be a significant concern, demanding serious attention from both authorities and the wider community.

Challenges and Implications of Unregistered Marriages

The absence of official marriage registration brings numerous challenges and negative consequences, particularly for women and children. Women involved in unregistered marriages often struggle to gain legal recognition as lawful wives. Consequently, they cannot file claims in the Syariah Court in cases of divorce or spousal neglect (Mohammad et al., 2008).

Furthermore, before any divorce proceedings can commence, the marriage must be validated and officially registered through a marriage confirmation process. Without official documentation, wives cannot claim maintenance, consolatory payment, division of matrimonial property, or child custody, as no recognised marriage record exists in court (Abdullah et al., 2021).

Children born from such marriages are equally affected. Although considered legitimate under Islamic law, their birth registration may be delayed or complicated if their parents' marriage remains unregistered (Abdullah et al., 2021). Socially, these types of marriages often create tensions between both families due to the absence of parental consent. Such conflicts may lead to severed family relationships and bring shame within the community (Nasohah, 2014).

Similar challenges can be observed in Indonesia, where the phenomenon of *nikah siri*, religiously valid but unregistered marriages, continues to affect Muslim communities. These marriages are often conducted outside the formal system governed by the Kantor Urusan Agama (KUA), typically to bypass legal restrictions on polygamy, avoid bureaucratic procedures, or circumvent age limitations (Khoiriyah, 2017; Herlina et al., 2024). As in Malaysia, women in *nikah siri* arrangements frequently face legal invisibility, leaving them unable to claim financial rights, inheritance, or custody. Children born from these unions often struggle to obtain birth certificates, affecting their access to education and social services (Ediningsih Dwi Utami & Yahya, 2022; Herlina et al., 2024). This comparison highlights that the challenges of unregistered marriages are regionally shared and stem from common socio-legal and administrative factors.

Legal Solutions under Malaysian Islamic Law

To address this issue, couples who have married without official registration must first apply for marriage confirmation at the Syariah Court. This process allows the marriage to be legally recognised and enables the wife and children to exercise their legal rights. The confirmation document is crucial evidence in legal matters, including divorce, maintenance claims, and inheritance proceedings (Hussin, 2015).

In addition, stricter legal enforcement should be considered part of a comprehensive solution. Islamic Religious Enforcement Officers should be granted authority to take action in unregistered marriage cases that are still widespread (Borhanuddin et al., 2023). Finally, the courts are also responsible for investigating couples who marry abroad, determining the validity of such marriages, and encouraging legal re-registration under Malaysian law (Borhanuddin et al., 2023).

RESEARCH METHODOLOGY

This study adopts a qualitative research design, using document analysis as the primary method to investigate the issue of unregistered marriages within the framework of Islamic family law in Malaysia. A purposive sampling approach was applied to select both primary and secondary sources. These included statutory provisions, fatwa rulings from various Malaysian states, Syariah court guidelines and procedures, and relevant academic literature, comprising peer-reviewed journal articles, books, and policy reports. To enhance

transparency and reproducibility, documents were selected based on their legal relevance, policy influence, and frequency of citation in previous scholarly work. Each source was evaluated for credibility and contextual applicability.

Content analysis was employed to identify, categorize, and interpret key themes such as the causes of unregistered marriages, their socio-legal implications, and the impact on women's rights. Rather than presenting findings descriptively, thematic synthesis was conducted to draw out patterns across different types of documents. Special focus was given to how *Maqasid al-Shariah* can inform legal and policy reforms. The study's limitations, including its reliance on document-based analysis and the potential difficulty of generalizing across Malaysia's diverse state jurisdictions, are acknowledged.

This triangulated and thematically structured methodology ensures a context-sensitive, academically rigorous analysis. It supports practical, Shariah-consistent recommendations for improving women's protection in Muslim marriage registration systems.

RESEARCH FINDINGS

The persistence of unregistered marriages in Malaysia is closely linked to the prevalence of cross-border marriages, particularly in Southern Thailand. Although the number of such cases temporarily declined during the Movement Control Order (MCO) period due to travel restrictions, recent data indicate that this trend has resurged following the reopening of national borders (Ismail, 2023). A major contributing factor is the widespread perception that Malaysia's marriage procedures are administratively burdensome, time-consuming, and financially demanding compared to more accessible alternatives abroad (Ismail, 2023). Many couples also marry overseas to avoid family disapproval or to quickly legitimise relationships following premarital intimacy. A further contributing factor is the practice of polygamy without the legally required consent of an existing wife, prompting some husbands to seek an unregistered marriage abroad as a means to circumvent domestic legal scrutiny.

These observations reveal a broader theme of legal vulnerabilities that particularly affect women. Without an officially recognised marriage certificate, women are excluded from legal protections under the Syariah legal framework (Abdullah et al., 2021). This denies them access to essential rights such as maintenance, division of matrimonial property, inheritance, and custody claims. In the event of divorce or death of the husband, these women are often left without any legal recourse, as their marriages are not acknowledged by the court system. The consequences are even more severe for children born from these unions. Despite being considered legitimate under Islamic law, these children may face delayed or denied birth registration under civil law, resulting in their classification as illegitimate (Ismail, 2023). This status significantly limits their access to education, healthcare, and legal entitlements, and contributes to intergenerational legal and social disadvantage.

Beyond legal concerns, social stigma also emerges as a persistent theme. Women in unregistered marriages often experience emotional distress and societal rejection. The absence of parental consent or family knowledge not only leads to strained family relationships but also results in the erosion of community trust and family honour. These marriages are frequently perceived as rebellious or shameful, especially when associated with elopement or unapproved polygamy (Nasohah, 2014). The resulting stigma impacts not only the spouses but also their children, who may be unfairly labelled and excluded due to the circumstances of their birth.

A third key theme is the presence of institutional gaps that enable the continuation of these issues. Weak enforcement mechanisms, lack of inter-agency coordination, and insufficient public education contribute to the ineffectiveness of current legal and administrative frameworks (Borhanuddin et al., 2025). While Syariah courts and state religious departments have outlined procedures for marriage registration, their reach is often limited by logistical, legal, or social constraints. Furthermore, penalties for marrying without proper registration are inconsistently applied, and the re-registration process can be time-consuming and unclear (Musa, 2023). These institutional weaknesses leave many families without clear solutions or legal protection.

These findings highlight that marriage registration is not merely a procedural formality but a vital measure to uphold the higher objectives of *Maqasid al-Shariah*, specifically the preservation of lineage (*hifz al-nasl*), the

protection of individual rights, and the maintenance of family stability. Accordingly, greater public awareness and community education are essential to ensure that Muslim couples in Malaysia understand the legal and moral implications of unregistered marriages and the necessity of compliance with established legal frameworks to protect the well-being of families and society.

DISCUSSION

The Concept of Marriage in Islam and the Issue of Unregistered Marriages

Marriage in Islam is a sacred institution that forms the bedrock of a stable family and a harmonious society. This institution is deeply rooted in divine guidance, as emphasised in the Qur'an:

"O humanity, fear your Lord, who created you from a single soul and created its mate from it, and dispersed from both of them many men and women. Moreover, fear Allah, through whom you ask one another, and the wombs. Indeed, Allah is ever over you, an Observer."

(Surah An-Nisa, 4:1)

This verse underscores that marriage is far more than a mere physical relationship; it is a solemn covenant entailing mutual responsibilities, trust, and protection within the family unit, emphasising safeguarding women's rights and welfare.

According to *Kamus Dewan* (2007), a marriage conducted without official consent and outside the framework of formal approval is defined as an *elopement* (*kahwin lari*), which refers to a marriage undertaken by mutual agreement between a couple, without the presence or knowledge of their families. Nurul Hidayah Abdul Karim and Siti Hajar Abdul Rauf (2020) elaborate that the absence of witnesses, especially family members, directly contravenes the essential condition of valid Islamic marriage contracts, which require witnesses to ensure transparency and legitimacy. Mohammad Azam Hussain and Fauziah Mohd Noor (2020) note that various terms describe this phenomenon, such as *cross-border marriages* or *elopement*, depending on the cultural and legal context in which they occur.

In the Malaysian context, despite the Islamic legal system specifying the procedures and conditions for lawful marriage registration, certain couples still bypass these requirements by marrying abroad or evading domestic legal procedures. Legally, unregistered marriages encompass not only marriages conducted outside Malaysia, such as in Southern Thailand or Indonesia, but also those solemnised locally without prior approval from the Marriage Registrar or without fulfilling the prescribed administrative processes (Hussin, 2015).

Such practices pose significant challenges for legal recognition and protecting women's and children's rights within the Syariah legal framework. Without official documentation, wives and children from these unions often face difficulties in accessing their rightful entitlements, including maintenance, inheritance, and legal identity, which contradicts the objectives of *Maqasid al-Shariah*, particularly the preservation of lineage (*hifz al-nasl*) and the safeguarding of individual dignity (*hifz al-'ird*) (Rosidi et al., 2022). Addressing the persistence of unregistered marriages, therefore, requires not only strict legal enforcement but also comprehensive community awareness to align societal practices with the higher purposes of Islamic law.

The Legal Consequences of Unregistered Marriages

Accordingly, the issue of marriages without permission in Malaysia is becoming increasingly alarming year by year. This situation arises due to various forms of violations, including polygamy without consent, elopement, marriage without a wali (guardian), and so on. However, all of these situations may offer convenience initially, but not in the end. The obligation of a husband towards his wife is not only prescribed during the marriage, but Islam also upholds and protects the rights of the wife and children even after a divorce has taken place. (Nasri, 2020). Every woman is entitled to her rights, which do not apply to unmarried women. One of the main challenges is that a wife cannot make any claims after separating from her husband. If something unfortunate happens in the marriage, the wife will face significant problems. When such issues occur, she is unable to claim

anything, such as maintenance, mut'ah (consolation gift), jointly acquired property, pension, inheritance, and so on, if the marriage that took place without official consent is not registered with the Shariah Court in the respective state (Abdullah et al., 2021).

Moreover, one of the main challenges of unregistered marriages is the absence of a valid marriage certificate issued by the religious authorities. A marriage certificate is not only an official document but also serves as legal proof of a marriage recognised by the Shariah Court. Without this certificate, spouses, especially women, face significant difficulties in bringing marriage-related cases to court, such as claims for maintenance, child custody, mut'ah (compensation after divorce), matrimonial property, and inheritance. According to Shuhairimi Abdullah, Noor Salwani Hussin, and Abdul Jalil Ramli (2021), the Shariah Court only recognises officially registered marriages. Therefore, a wife without a marriage certificate cannot claim her rights to inheritance or pension benefits, even if the marriage is valid according to Islamic law. The situation becomes even more complex in cases of polygamy or cross-border marriages, where the absence of official proof results in the wife losing all legal standing and protection.

Another significant challenge contributing to the rise of unregistered marriages is the widespread misunderstanding of Islamic Family Law among the public. Some couples take the issue of marriage registration lightly and believe that the akad nikah (marriage contract) alone is sufficient without the need for validation by religious authorities. Some perceive getting married in Thailand as easier than doing so in Malaysia. According to Shuhairimi Abdullah and Noor Salwani Hussin (2015), in one reported case at the Shariah Court in Kangar, Perlis (case no: 09001-010-0530-2007), the applicants, both Malaysian citizens residing in Perlis, were married in Songkhla, Thailand, with the bride's father acting as the guardian. The court ruled that they had committed an offence under the law for marrying abroad without obtaining permission from the Registrar of Marriage, Divorce, and Reconciliation in Perlis. Their reason for marrying in Thailand was the speed and straightforwardness; it reportedly took only 15 minutes to complete all procedures. (Shariah Court File, Kangar, Perlis, 2007, case no: 09001-010-0530-2007). Such misunderstandings have led specific segments of society to conclude that Islamic Family Law is restrictive and hinders their freedom to marry.

Marginalisation of Women and Children in Unrecognised Marriages

When a marriage is not officially registered, the wife becomes highly vulnerable and lacks legal protection. The absence of a marriage certificate makes it difficult for her to prove her status as a legitimate spouse, excluding her from the Shariah legal system. This affects not only her rights to housing and healthcare for herself or her children but also disrupts her emotional stability due to prolonged psychological stress. These women are often uncertain about their marital status and frequently feel disrespected or rejected by society and authorities (Mohammad et al., 2008). As a result, the wife loses the opportunity to seek justice, including alimony, compensation after divorce, or division of jointly acquired assets. This dramatically affects her rights and welfare, especially in cases of divorce or the death of her husband. Claims cannot be processed if the marriage is unregistered, as courts and religious authorities only recognise officially registered marriages. Re-registration is crucial to obtain legal recognition, protect rights such as inheritance, custody, and alimony, and prevent future disputes over marital legitimacy.

Furthermore, unapproved marriages often lead to social consequences, particularly conflicts between families and estrangement between the couple and their relatives due to the absence of family blessing. These conflicts may cause permanent family breakdowns that are difficult to reconcile, as the act of marrying without consent is viewed as shameful and dishonourable in the eyes of the community (Nasohah, 2014). It is culturally ingrained that marriages without official permission will likely result in adverse social outcomes, including condemnation or judgment from family and society. Many couples have been disowned by their families, who see their actions as damaging the family's dignity and honour (Hussin, 2015).

Finally, unregistered marriages affect the individuals involved and the children born from such unions. Although the status of the children may be legitimate under Islamic law, their births are difficult to register before the parents' marriage is officially registered (Abdullah et al., 2021). This means it is difficult for the children to obtain birth certificates if the parents cannot prove their marriage is legally valid. The registration of birth for these children is often overshadowed by the mistakes or sins of their parents, leading to the continuous prejudice

against their fundamental rights as children. Terms such as “illegitimate child,” “child born out of wedlock,” and “child of adultery” are among the various labels that indirectly segregate these children from the rest of society (Ab Rahman & Mohamad Noh, 2023). When a child is born from an invalid marriage, it becomes the responsibility of the parents to register the child’s birth at the National Registration Department in order to obtain a birth certificate. However, birth registration cannot be completed if the parents fail to submit a valid marriage certificate. Without birth registration, children are denied access to their fundamental rights and protection under the law, which may expose them to various forms of neglect, abuse, and social exclusion throughout their lives. This may affect their future and restrict access to education and healthcare. Official records or birth certificates provide legal recognition of the identity of these children.

Enhancing Legal Frameworks in Addressing the Complexities of Unregistered Marriages in Malaysia

Therefore, addressing this issue has become increasingly urgent, demanding a more structured agenda and implementing stronger and more effective Islamic laws. One possible solution is to introduce stricter and more comprehensive enforcement of the law, to ensure compliance with existing regulations and to reform and strengthen the legal system to address current issues better. Among the offences that Islamic Religious Enforcement Officers should enforce are matrimonial matters involving Muslims, such as unauthorised marriages (Borhanuddin et al., 2022), as well as issues related to unregistered divorces, failure to provide maintenance, and child custody disputes, which often leave women and children vulnerable without adequate legal protection.

The enforcement of these laws in Malaysia prioritises Islam as the country's official religion, which is in line with the provisions of the Federal Constitution, without undermining individual religious freedom. Therefore, in unauthorised marriages, the courts must investigate married couples abroad without permission and require them to re-register their marriage. The investigation will determine whether the marriage is valid under Islamic law. It is important to note that marriage registration is an additional legal requirement and not a condition of a valid *nikah* (marriage) contract (Borhanuddin et al., 2023). Hence, re-registration ensures that all marriages comply with legal and religious requirements. Consequently, the solution for parents is to register their marriage as soon as possible. They should promptly handle the registration at the State Islamic Religious Department. Usually, the couple must prepare documents such as a marriage declaration (if there is a wali and witnesses), a marriage report, and pay a fine if any violations exist. In Malaysia, for Muslims, matters related to child legitimacy or lineage fall under the State Islamic Family Law Act/Enactment as provided in List II (State List), Ninth Schedule of the Federal Constitution, under State authority concerning Islamic law (Musa, 2023). This process can be lengthy and time-consuming.

The Shariah High Court is the legal body with jurisdiction to hear cases related to illegitimate children. Therefore, any application regarding such matters must be submitted to the Shariah High Court at the state level, as provided in the respective State’s Syariah Court Act or Enactment. For example, Section 46 of the Administration of Islamic Law (Federal Territories) Act 1993 [Act 505] outlines the civil jurisdiction of the Shariah High Court to hear and decide all actions and proceedings in which all parties are Muslims and which relate, among others, to legitimacy (lineage determination) (Musa, 2023).

Overall, the Shariah High Court plays a vital role in resolving cases involving the status of illegitimate children, referring to explicit legal provisions in the relevant Acts and Enactments. This ensures that every decision is based on justice and harmony within the Muslim community.

Synthesis, Limitations and Regional Comparison

This discussion reveals that unregistered marriages stem from several interrelated factors, including inadequate legal protection for women and children, social stigma, and non-compliance with formal administrative procedures. These issues highlight systemic weaknesses in the interpretation and enforcement of Islamic family law in Malaysia. However, this study acknowledges certain limitations, particularly its reliance on document-based analysis and the difficulty of generalizing findings across various Malaysian states with differing legal enactments. Comparatively, Indonesia faces similar challenges with unregistered marriages, known as *nikah siri*,

which are often driven by bureaucratic obstacles, financial constraints, and attempts to conceal polygamous unions (Khoiriyah, 2017; Herlina et al., 2024; Ediningsih Dwi Utami & Yahya, 2022). This reflects that the challenges of marriage registration are not confined to Malaysia but are also part of a broader regional concern. Therefore, future research should include fieldwork such as interviews with affected couples, religious officials, and policymakers to gain a more comprehensive understanding of the issue.

CONCLUSION

In conclusion, unregistered marriages pose numerous challenges from social, psychological, and legal perspectives, especially for women, who are often the victims in such situations. The lack of official registration complicates matters concerning the wife's rights, such as alimony and inheritance, and jeopardises children's rights regarding status, custody, and education. This results in long-term implications that may damage the family institution and the social stability of the Muslim community in Malaysia.

Hence, solutions must be implemented holistically, involving public education on the importance of legal and registered marriages, more effective law enforcement, and inclusive policy reforms grounded in *shariah*-based justice. The Shariah Courts also play a crucial role in handling such cases wisely, considering supporting evidence to ensure justice for all parties, particularly women.

At the same time, religious institutions and government agencies must take a more proactive role in engaging with the community, providing accessible registration channels, and building public trust in the Islamic legal system. With collective efforts from various stakeholders, the issue of unregistered marriages can be reduced and resolved in a fair, humane, and *maqasid syariah*-driven manner, safeguarding religion, life, intellect, lineage, and property. Therefore, it is high time for all parties to view this issue with greater seriousness and take immediate action to ensure that every Muslim marriage is not only valid in religion but also protected by national law.

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