

ABSTRACT

This research is generally aimed at finding forms of legal arrangements relating to the principle of the marriage registration by Law No. 1 of 1974. Therefore, this research is expected to contribute valid concepts theoretically and practically from aspects of civil law, especially the law of marriage, so it could provide clarity in the principle of marriage registration by law number 1 of 1974 on marriage. In this study, there are three legal issues raised, namely: 1. Nature Marriage Registration in Indonesia; 2. The ratio legis of Marriage Registration; 3. Legal consequences in unregistered marriages toward children, husband and wife. This is a legal research applying normative legal analysis with Legal, Case, and Concept approaches.

The results were achieved based on the existing legal issues. Namely the principle of marriage registration indicating marriage performed by religious law. This is then registered to obtain marriage evidence in the form of excerpt of marriage certificate as evidence showing that the parties have a legal relationship, so they should be recognized and protected by law. Thus, a Marriage Registration, the result of efforts (*ijtihad*) by Islamic scholars, is a compulsory due to benefits for all parties, either the child, husband and wife or marital property acquired.

After analyzing the provisions of marriage registration, more studies are required. This is due to then need of effective implementation of such provisions which shall synchronize the legislation and issues related to population administration. New provisions are required, either in the form of more assertive administrative sanction regulated in law and its implementing regulation. Moreover, the marriage registration shall be in a separate article and not merged with the legal requirements of religion. In its implementation, it is expected not creating a variety of opinions leading to failure in obtaining legal certainty in society.

Keywords: Principles of marriage registration, Verification, Legal Protection

