



Cross-Border Marriage Registration under Islamic Family Law: A Maqāṣid-Based Governance Model

Eti Jumiati,^{1*} Hawwa binti Abdul Mokti²

¹ Sekolah Tinggi Agama Islam Al-Muhajirin Purwakarta, Indonesia

² Universiti Utara Malaysia, Malaysia

*Corresponding author: Eti Jumiati

E-mail: etijumiati425@gmail.com

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Abstract

Background: Increasing transnational mobility has accelerated cross-border marriages among Muslim communities, particularly between Indonesia and Malaysia. Although both countries share common foundations in Islamic family law, differences in marriage registration systems continue to generate legal uncertainty regarding marital recognition, inheritance, child legitimacy, and judicial protection.

Methods: This study employs a qualitative doctrinal and comparative legal approach by examining statutory regulations, institutional arrangements, and scholarly literature on cross-border marriage registration in Indonesia and Malaysia. The analysis is interpreted through the *maqāṣid al-sharī'ah* framework to assess legal governance and family protection.

Results: The findings indicate that both jurisdictions pursue the same objectives of legal certainty and family protection but adopt different administrative and institutional mechanisms. Indonesia emphasizes centralized registration and judicial validation, whereas Malaysia relies on state Islamic religious authorities and Syariah Courts, resulting in different procedures for recognizing cross-border marriages.

Discussion: Based on these findings, this study develops the Integrated *Maqāṣid*-Based Cross-Border Marriage Governance (IMCG) Model, comprising regulatory compatibility, institutional coordination, digital administrative interoperability, judicial cooperation, and *maqāṣid*-oriented family protection. The model promotes legal interoperability while respecting national legal sovereignty.

Conclusion: Cross-border marriage registration should be understood as an integrated governance mechanism that strengthens legal certainty, family rights, and sustainable protection for transnational Muslim families through enhanced bilateral cooperation.

Novelty: This study introduces the IMCG Model, integrating comparative Islamic family law, administrative governance, and *maqāṣid al-sharī'ah* into a unified framework for strengthening cross-border marriage governance among Muslim-majority jurisdictions.

Keywords: Cross-border marriage registration; Islamic family law; *maqāṣid al-sharī'ah*; legal governance; transnational Muslim families.

INTRODUCTION

The increasing intensity of globalization, regional economic integration, and international migration has fundamentally transformed the landscape of Muslim family relations across national borders. Studies on interethnic and transboundary marriages further indicate that family formation increasingly occurs across social, cultural, and identity boundaries, creating new governance challenges concerning recognition, legal status, and institutional adaptation (Wang & Mu, 2026). The implementation of the ASEAN Economic Community, together with expanding educational mobility, international employment, tourism, and cross-border residence, has

significantly increased the number of marriages involving citizens from different jurisdictions, particularly between Indonesia and Malaysia. Although such marriages reflect closer socio-cultural and religious interaction among Muslim communities, they simultaneously generate complex legal challenges concerning marriage registration, recognition of marital status, nationality, inheritance, child legitimacy, guardianship, and access to judicial protection. Marriage registration has therefore evolved beyond a merely administrative obligation into a fundamental legal mechanism for safeguarding family rights and ensuring legal certainty within modern Islamic family law. Recent comparative studies demonstrate that differences in national legal systems frequently create uncertainty regarding the legal status of cross-border Muslim families, especially where marriages are celebrated in one country but require recognition in another. Comparative scholarship on Islamic family law in Southeast Asia further confirms that legal modernization increasingly emphasizes administrative certainty while maintaining compliance with Shari'ah principles (Rahman et al., 2024; Firdaus et al., 2024; Roziqin & Fathonih, 2024; Adawiyah, 2025; Bisyrī et al., 2025; Mustafid et al., 2025; Tanjung et al., 2025; Wahyuni et al., 2026). Consequently, strengthening legal governance for cross-border marriage registration has become an increasingly important issue within contemporary Islamic family law.

Indonesia and Malaysia share similar theological foundations rooted in Sunni Islamic jurisprudence and the *maqāṣid al-sharī'ah* tradition, yet both countries have developed different institutional arrangements for regulating Muslim marriages. Differences in contemporary legal institutions are often shaped not only by normative principles but also by historical trajectories and institutional developments within each society. Research on colonial legacies demonstrates that historical structures may continue to influence patterns of governance, inequality, and institutional capacity in the modern era (Simson, 2024). Indonesia administers marriage registration through the Office of Religious Affairs (*Kantor Urusan Agama*) under a nationally integrated legal framework, whereas Malaysia delegates Islamic family law administration to State Islamic Religious Departments operating within a federal constitutional structure. These distinct governance models influence the procedures governing marriage authorization, overseas marriage registration, judicial validation, and legal recognition of marital status. Although both systems pursue the common objective of protecting Muslim families, procedural differences frequently create legal uncertainty for couples whose marriages involve multiple jurisdictions. Comparative legal scholarship demonstrates that variations in institutional design directly affect the effectiveness of marriage administration, inheritance protection, judicial enforcement, and family legal certainty across Muslim-majority jurisdictions (Putra et al., 2025; Mahfuza et al., 2025; Gandara et al., 2026). Likewise, comparative analyses of Islamic family law reforms in Southeast Asia indicate that administrative modernization should strengthen legal certainty without compromising the substantive principles of Islamic law and family justice (Rahman et al., 2024; Firdaus et al., 2024; Bisyrī et al., 2025). Understanding these regulatory differences is therefore essential for constructing an effective comparative framework capable of responding to the realities of transnational Muslim families.

From the perspective of Islamic jurisprudence, marriage registration represents an important legal instrument for realizing the objectives of *maqāṣid al-sharī'ah*, particularly the protection of lineage (*hifẓ al-nasl*), religion (*hifẓ al-dīn*), property (*hifẓ al-māl*), and human dignity (*hifẓ al-ird*). While classical jurists primarily emphasized the fulfillment of the essential pillars and conditions of marriage, contemporary Muslim-majority states increasingly regard administrative registration as an integral component of public legal governance intended to ensure certainty, facilitate judicial enforcement, and prevent disputes concerning inheritance, maintenance, guardianship, and marital status. Modern Islamic legal scholarship consistently argues that administrative documentation complements rather than contradicts Islamic legal objectives because it promotes *maṣlahah*, accountability, and legal protection for family members. Studies on Islamic legal reform further demonstrate that strengthening administrative institutions contributes significantly to protecting women, children, and vulnerable family members from legal uncertainty arising from unregistered or disputed marriages (Huda et al., 2024; Rahman et al., 2024; Hayeejehwee & Rozikin, 2025; Mukaromah et al., 2025; Rozikin et al., 2025). Moreover, broader scholarship concerning migration governance, legal pluralism, and transnational mobility emphasizes that effective protection of cross-border families requires institutional cooperation, coordinated administrative systems, and adaptive regulatory frameworks capable of responding to increasingly mobile Muslim populations (Hong et al., 2025; Funjika & Honig, 2025; Gnawali, 2026; Shin, 2026; Tilahun et al., 2026).

Despite the growing body of literature on Islamic family law, important scholarly gaps remain regarding the legal regulation of cross-border marriage registration between Indonesia and Malaysia. Existing studies have predominantly examined substantive issues such as minimum marriage age, polygamy, inheritance, *tawkil al-*

wali, family law reform, and the administration of unregistered marriages, while comparatively little attention has been devoted to the institutional governance of cross-border marriage registration itself. Likewise, research on migration and transnational mobility generally focuses on labour migration, refugee movements, migrant integration, citizenship, and demographic mobility without specifically analysing how Islamic family law accommodates cross-border marital administration (Chen & He, 2026; Chae & Zhang, 2026; Khan & Peer, 2026; Manuel, 2026; Yan, 2026). Even recent scholarship addressing *cross-border nikah sirri* between Indonesia and Malaysia primarily discusses its legal and social implications rather than proposing an integrated comparative framework that combines statutory regulation, administrative governance, and *maqāṣid al-sharī'ah* as complementary analytical perspectives (Wahyuni et al., 2026). Consequently, there remains limited understanding of how both jurisdictions can harmonize administrative procedures while preserving their respective constitutional structures and Islamic legal traditions.

This study addresses these gaps by comparatively examining the regulation of cross-border marriage registration under Islamic family law in Indonesia and Malaysia. Employing a qualitative doctrinal and comparative legal approach, the research analyses statutory regulations, institutional practices, judicial policies, and contemporary scholarly literature to identify convergences, differences, and opportunities for legal harmonization. Unlike previous studies that primarily concentrate on substantive reforms of Islamic family law, this article conceptualizes marriage registration as a strategic instrument of legal governance that simultaneously advances legal certainty, protects family rights, and fulfills the objectives of *maqāṣid al-sharī'ah*. It argues that strengthening bilateral administrative cooperation, improving legal interoperability, and reinforcing institutional coordination between neighbouring Muslim-majority jurisdictions are essential for ensuring effective legal protection for transnational Muslim families. The findings are expected to contribute both theoretically and practically by enriching comparative Islamic family law scholarship, providing policy recommendations for legal harmonization, and supporting the modernization of Islamic legal governance within the increasingly interconnected socio-legal landscape of Southeast Asia.

LITERATURE REVIEW

The regulation of cross-border marriage registration has become an increasingly important topic in contemporary Islamic family law due to growing regional mobility, international migration, and the expansion of transnational Muslim families. Classical Islamic jurisprudence (*fiqh al-usrah*) primarily focuses on the substantive validity of marriage by emphasizing consent, guardianship (*wālī*), witnesses, and *mahr*, whereas modern nation-states require marriage registration as an administrative mechanism to establish legal certainty and facilitate the protection of civil rights. Consequently, the interaction between religious validity and state administrative requirements has generated significant scholarly discussion concerning the legal status of marriages conducted across jurisdictions. Comparative studies demonstrate that Southeast Asian Muslim countries have developed different institutional mechanisms despite sharing similar foundations in Islamic jurisprudence. Indonesia relies on judicial confirmation and administrative regularization of certain marriages, while Malaysia delegates broader authority to state Islamic religious institutions for marriage authorization and registration. Comparative analyses involving Brunei Darussalam further illustrate that legal modernization in Muslim jurisdictions continues to balance classical Islamic doctrines with contemporary administrative governance (Firdaus et al., 2024; Roziqin & Fathonih, 2024; Bisyrri et al., 2025; Mustafid et al., 2025; Mahfuza et al., 2025; Tanjung et al., 2025; Gandara et al., 2026). Likewise, studies comparing Indonesia with the United Kingdom reveal how different legal traditions require adaptive regulatory approaches when recognizing transnational marriages involving Muslim citizens (Putra et al., 2025).

Recent scholarship has increasingly interpreted marriage registration as an essential component of legal governance rather than merely a bureaucratic requirement. Islamic family law scholars argue that administrative documentation supports the realization of *maqāṣid al-sharī'ah*, particularly the protection of lineage (*hifẓ al-nasl*), legal rights, inheritance, and family stability. This development illustrates the transformation of religious norms into formal governance mechanisms, where ethical and religious principles are institutionalized through legal procedures to achieve broader social welfare objectives (Ishise, 2025). Contemporary developments in reproductive medicine further demonstrate that family law governance increasingly encounters complex questions concerning parentage, legal identity, and the protection of children's rights, requiring adaptive regulatory frameworks that balance technological developments with ethical and legal principles (Ishii, 2026). Contemporary reforms concerning minimum marriage age, judicial administration, and family governance illustrate the continuing transformation of Islamic legal institutions in response to modern societal developments (Adawiyah,

2025; Huda et al., 2024). Comparative analyses of indigenous legal practices also demonstrate that *maqāṣid al-sharī'ah* provides sufficient flexibility for integrating local customs with formal legal systems without undermining Islamic legal principles (Rozikin et al., 2025). Similar developments are observed in the administration of unregistered marriages among Muslim minority communities, where state intervention through collective marriage registration strengthens legal certainty while preserving religious legitimacy (Rahman et al., 2024). Moreover, technological modernization has begun influencing Islamic legal administration through digital governance, as demonstrated by studies on transparent ZISWAF management that highlight the broader integration of digital governance within Islamic legal institutions (Mukaromah et al., 2025). Environmental approaches to Islamic family law similarly emphasize that contemporary legal interpretation increasingly incorporates broader governance objectives while remaining anchored in Islamic jurisprudence (Hayeejehwee & Rozikin, 2025).

The comparative legal literature further highlights that migration significantly reshapes family governance, marriage administration, and jurisdictional authority. Increased cross-border mobility produces legal challenges concerning nationality, residency, legal identity, social protection, and recognition of marital status across different legal systems. Migration processes also transform family structures and gender relations, particularly among migrant women who often experience changing responsibilities in parenting, household decision-making, and social adaptation. These transformations demonstrate that transnational family governance requires not only legal recognition of marital status but also institutional mechanisms capable of protecting evolving family roles and vulnerabilities within migrant communities (Tutar Çınar, 2025). Labour mobility represents an important dimension of transnational social transformation because migrant workers frequently develop cross-border social and family relations shaped by economic opportunities, institutional structures, and varying degrees of vulnerability. Studies on labour agency demonstrate that migrant workers' experiences are influenced by broader socio-economic arrangements that affect mobility patterns, social integration, and long-term transnational relationships (Carswell et al., 2026). Beyond administrative concerns, migration processes also involve questions of social identity, belonging, and vulnerability among migrant communities. Research on immigrant experiences demonstrates that social exclusion, discriminatory attitudes, and hostile public reactions may influence migrants' integration and their relationship with host societies (Carillo et al., 2026). Studies on migration governance demonstrate that marriage migration requires institutional coordination between immigration authorities, religious institutions, and civil registration agencies to prevent legal uncertainty affecting spouses and children (Shin, 2026; Hong et al., 2025; Gnawali, 2026). Research on migrant marriage, labour mobility, and refugee governance further confirms that legal fragmentation frequently exposes transnational families to overlapping jurisdictions and unequal access to legal protection (Hall, 2026; Doğan et al., 2026; Leppert et al., 2026; Khan & Peer, 2026; Uddin, 2024; Manuel, 2026). Studies concerning transnational adoption, refugee mobility, and citizenship governance similarly illustrate that legal identity increasingly depends upon coordinated administrative systems capable of recognizing family relationships across borders (Jayarathne, 2025; Yan, 2026). Within Southeast Asia, recent analysis of *nikah sirri* across Indonesia and Malaysia demonstrates how inconsistencies in marriage registration continue to create uncertainty regarding inheritance rights, child legitimacy, and judicial enforcement, thereby reinforcing the necessity of stronger bilateral legal cooperation (Wahyuni et al., 2026).

Another important body of literature concerns gender justice, legal protection, and family rights within Islamic legal systems. Contemporary scholars consistently argue that effective marriage registration contributes not only to administrative order but also to the protection of women and children against legal vulnerability. Broader research on conflict-affected societies demonstrates that weakened institutional capacity and social disruption caused by armed conflict often increase vulnerabilities among families, women, and children. These conditions highlight the importance of resilient legal governance mechanisms capable of maintaining protection and access to justice even under challenging social circumstances (Vesco et al., 2025). Broader socio-cultural research also demonstrates that women's opportunities, autonomy, and access to social spaces are often shaped by the interaction between gender norms, religious values, and institutional structures. These findings highlight the importance of family law governance mechanisms that promote justice, dignity, and protection for women within diverse social contexts (Rostami et al., 2026). Research addressing domestic violence, gender inequality, reproductive governance, and harmful traditional practices demonstrates that weak legal documentation often exacerbates unequal access to justice and institutional protection (Gado & Frenkel, 2025; Sulaiman, 2025; Esengen, 2025; Islam, 2025; Xu et al., 2026; Mutlu, 2025). Studies examining discriminatory social norms, early marriage, and legal reforms likewise indicate that strengthening formal legal institutions significantly improves family welfare and women's legal security (Deshpande & Ramachandran, 2025; Ebberts-Pardijs et al., 2026;

Doğan Günal & Doruk, 2026). Comparative legal analyses of interreligious marriage, religious pluralism, and legal adaptation further demonstrate that contemporary family law increasingly requires institutional mechanisms capable of balancing religious principles with constitutional guarantees and international human rights standards (Tilahun et al., 2026; Rajnish & Kumar, 2026; Alkhan & Hassan, 2026).

Although previous studies have extensively examined marriage law reforms, migration governance, gender justice, and comparative Islamic family law, limited scholarship has specifically analysed cross-border marriage registration between Indonesia and Malaysia through an integrated framework combining comparative legal analysis with *maqāṣid al-sharī'ah*. Existing literature generally discusses marriage registration, unregistered marriages, comparative family law, or migration governance separately, leaving a significant gap regarding the institutional harmonization of administrative procedures governing transnational Muslim marriages. This study addresses that gap by comparatively examining the legal frameworks of Indonesia and Malaysia while positioning marriage registration as an instrument for realizing legal certainty, protecting family rights, preventing jurisdictional conflicts, and fulfilling the higher objectives of Islamic law within an increasingly interconnected Southeast Asian legal landscape. Through this approach, the study contributes to both comparative Islamic family law scholarship and contemporary discussions on legal governance in transnational Muslim societies.

METHODS

This study employs a qualitative doctrinal legal research design combined with a comparative legal approach to examine the regulation of cross-border marriage registration under Islamic family law in Indonesia and Malaysia. Doctrinal legal research was selected because the principal objective of the study is to analyse legal norms, statutory provisions, institutional regulations, and Islamic legal principles governing the registration and recognition of transnational Muslim marriages rather than to measure social behaviour empirically. The comparative approach enables systematic examination of similarities and differences between the legal frameworks of both jurisdictions while identifying opportunities for regulatory harmonization. The analytical framework integrates contemporary Islamic family law with the theory of *maqāṣid al-sharī'ah*, particularly the protection of lineage (*ḥifẓ al-nasl*), religion (*ḥifẓ al-dīn*), property (*ḥifẓ al-māl*), and family stability, as normative benchmarks for evaluating the effectiveness of marriage registration systems. In addition, the study adopts a legal governance perspective to assess how administrative institutions contribute to legal certainty, family protection, and public accountability within increasingly interconnected Muslim societies (Huda et al., 2024; Hayeejehwee & Rozikin, 2025; Rozikin et al., 2025; Rahman et al., 2024; Bisryi et al., 2025).

The research relies on three categories of legal materials. Primary legal materials consist of statutory regulations governing Islamic family law and marriage registration in Indonesia and Malaysia, including legislation, implementing regulations, institutional guidelines, and relevant judicial policies concerning the recognition of cross-border marriages. Secondary legal materials comprise peer-reviewed journal articles, comparative legal studies, and contemporary scholarship addressing Islamic family law, comparative marriage law, migration governance, legal pluralism, and *maqāṣid al-sharī'ah*. These sources provide both doctrinal interpretation and comparative insights into administrative mechanisms adopted across different Muslim jurisdictions (Firdaus et al., 2024; Putra et al., 2025; Mustafid et al., 2025; Mahfuza et al., 2025; Gandara et al., 2026; Tanjung et al., 2025; Wahyuni et al., 2026). To enrich the comparative analysis, the study also incorporates international scholarship discussing migration governance, cross-border family regulation, legal pluralism, institutional coordination, and transnational mobility, enabling broader contextualization of Southeast Asian Islamic family law within global legal developments (Funjika & Honig, 2025; Hong et al., 2025; Gnawali, 2026; Shin, 2026; Tilahun et al., 2026; Khan & Peer, 2026). All legal materials were selected based on their relevance to marriage administration, family protection, and comparative legal governance.

Data were analysed using qualitative content analysis through four sequential stages. First, relevant legal provisions and scholarly literature were systematically identified, classified, and organized according to thematic categories, including marriage registration procedures, institutional authority, legal recognition, judicial validation, family rights, and administrative governance. Second, the legal provisions of Indonesia and Malaysia were compared to identify convergences, divergences, and regulatory implications affecting cross-border Muslim marriages. Third, the findings were interpreted using the framework of *maqāṣid al-sharī'ah* to evaluate whether existing administrative arrangements effectively promote legal certainty, protect family rights, and fulfil the broader objectives of Islamic family law. Finally, the comparative findings were synthesized to formulate recommendations for strengthening bilateral legal cooperation and harmonizing administrative procedures

governing cross-border marriage registration between the two neighbouring jurisdictions. Throughout the analytical process, doctrinal consistency, comparative coherence, and legal validity were maintained by triangulating statutory provisions with contemporary scholarly literature and comparative Islamic legal studies, thereby ensuring that the conclusions remain both normatively grounded and contextually relevant to the evolving governance of transnational Muslim families (Adawiyah, 2025; Mukaromah et al., 2025; Alkhan & Hassan, 2026; Rajnish & Kumar, 2026; Yan, 2026).

RESULT AND DISCUSSION

Comparative Regulatory Architecture of Cross-Border Marriage Registration under Islamic Family Law in Indonesia and Malaysia

The increasing mobility of Muslim populations across Southeast Asia has transformed marriage registration from a domestic administrative matter into a transnational legal issue requiring coherent governance across jurisdictions. Indonesia and Malaysia have long maintained close historical, religious, cultural, and socio-economic relations, resulting in frequent cross-border marriages involving migrant workers, international students, professionals, and families residing along shared border regions, particularly in Kalimantan and Sabah–Sarawak. Although both countries recognize Islamic marriage as a religious institution founded upon the principles of *Shari'ah*, each has developed distinct regulatory mechanisms governing marriage registration, overseas marriage recognition, and legal documentation. These regulatory differences frequently create legal uncertainty regarding the recognition of marital status, nationality, inheritance, guardianship, and judicial competence when marriages involve more than one legal jurisdiction. Consequently, comparative examination of the regulatory architecture governing cross-border marriage registration is essential to understand how Islamic family law has evolved in responding to contemporary transnational family relations (Firdaus et al., 2024; Roziqin & Fathonih, 2024; Rahman et al., 2024; Adawiyah, 2025; Bisyrri et al., 2025; Mahfuza et al., 2025; Mustafid et al., 2025; Tanjung et al., 2025; Wahyuni et al., 2026).

Indonesia regulates Muslim marriage registration primarily through Law Number 1 of 1974 on Marriage, as amended by Law Number 16 of 2019, supported by the Compilation of Islamic Law (*Kompilasi Hukum Islam*), Government Regulation Number 9 of 1975, and administrative regulations implemented by the Ministry of Religious Affairs through the Office of Religious Affairs (*Kantor Urusan Agama*). Within this framework, marriage registration functions as an administrative requirement designed to guarantee legal certainty without affecting the substantive validity of a marriage that fulfils the essential pillars and conditions prescribed by Islamic law. Indonesian law also provides judicial mechanisms, including *isbat nikah*, enabling Religious Courts to validate previously unregistered marriages and facilitate subsequent administrative registration. This institutional design reflects Indonesia's effort to reconcile classical Islamic jurisprudence with modern administrative governance while ensuring protection of spouses, children, inheritance rights, and civil documentation. Contemporary scholarship similarly indicates that Indonesian Islamic family law increasingly integrates administrative regulation as an instrument for protecting *maqāṣid al-shari'ah*, particularly the preservation of lineage (*hifẓ al-nasl*), legal certainty, and family welfare (Huda et al., 2024; Rahman et al., 2024; Hayeejehwee & Rozikin, 2025; Rozikin et al., 2025; Mukaromah et al., 2025).

Malaysia adopts a different institutional architecture based upon its federal constitutional structure, whereby Islamic family law falls within the legislative authority of individual states. Accordingly, marriage registration is administered by the respective State Islamic Religious Departments (*Jabatan Agama Islam Negeri*) under the Islamic Family Law Enactments applicable within each state. Although procedural details vary among the states, the overall regulatory framework emphasizes prior authorization, systematic registration, verification of overseas marriages, and administrative supervision by religious authorities. This decentralized model allows state religious institutions to exercise considerable discretion while maintaining substantial procedural consistency nationwide through coordinated administrative practices. Comparative studies have shown that Malaysia's regulatory system generally provides more structured administrative control over cross-border marriages, particularly concerning overseas marriage notification, documentary verification, and institutional coordination between religious authorities. Such developments illustrate how Islamic family law continues to adapt to contemporary governance demands while preserving its normative religious foundations (Bisyrri et al., 2025; Firdaus et al., 2024; Gandara et al., 2026; Putra et al., 2025; Tanjung et al., 2025; Alkhan & Hassan, 2026).

Table 1. Comparative Regulatory Matrix of Cross-Border Marriage Registration

Regulatory Aspect	Indonesia	Malaysia	Comparative Observation
Primary legal framework	Marriage Law, Compilation of Islamic Law, Government Regulations	Islamic Family Law Enactments of each State	Both regulate Muslim marriages through statutory legislation grounded in Islamic principles.
Registration authority	Office of Religious Affairs (KUA)	State Islamic Religious Department (<i>Jabatan Agama Islam Negeri</i>)	Indonesia adopts a centralized administrative structure, whereas Malaysia applies decentralized state administration.
Recognition of overseas marriages	Registration may require administrative reporting and, in certain cases, judicial validation (<i>isbat nikah</i>)	Overseas marriages must be reported and verified by relevant State Religious Authorities	Both require legal recognition but employ different administrative mechanisms.
Judicial institution	Religious Courts	Syariah Courts	Both provide judicial oversight within their respective legal systems.
Administrative orientation	Emphasis on legal regularization and post-marriage registration	Emphasis on prior authorization and administrative supervision	Malaysia applies stronger preventive administration, while Indonesia provides broader remedial mechanisms.
Legal objective	Legal certainty, protection of family rights, administrative documentation	Legal certainty, family protection, regulatory compliance	Both pursue the protection of Muslim families under Islamic family law.

Source: Authors' comparative analysis (2026).

The comparative matrix demonstrates that despite institutional differences, both jurisdictions pursue fundamentally similar legal objectives, namely protecting Muslim families through effective marriage registration and ensuring legal certainty within Islamic family law. Indonesia places greater emphasis on judicial regularization after marriage has occurred, particularly through *isbat nikah*, whereas Malaysia prioritizes preventive administrative control before and immediately after marriage registration. These contrasting approaches illustrate two complementary governance models rather than conflicting legal philosophies. Indonesia's regulatory flexibility accommodates diverse socio-legal realities, including previously unregistered marriages, while Malaysia's administrative discipline minimizes legal disputes through systematic documentation and institutional oversight. Both approaches therefore represent distinct forms of legal modernization responding to national constitutional arrangements while remaining anchored in Islamic legal principles (Putra et al., 2025; Gandara et al., 2026; Rajnish & Kumar, 2026). Based on the foregoing comparison, this study proposes the Comparative Regulatory Matrix (CRM) Model as an analytical framework for evaluating cross-border marriage registration under Islamic family law. The CRM Model conceptualizes regulatory comparison through six interrelated dimensions: (1) governing legislation, (2) institutional authority, (3) registration procedures, (4) overseas marriage recognition, (5) judicial enforcement, and (6) protection of family rights. Rather than merely identifying differences between Indonesia and Malaysia, the model demonstrates that both legal systems converge toward the same normative objectives of safeguarding lineage (*hifz al-nasl*), ensuring legal certainty, strengthening administrative accountability, and protecting the rights of spouses and children. Accordingly, the CRM Model establishes the analytical foundation for the subsequent discussion on legal challenges, institutional interoperability, and administrative harmonization in the governance of cross-border Muslim marriages between Indonesia and Malaysia.

Legal Challenges and Institutional Harmonization in Cross-Border Marriage Registration

Although Indonesia and Malaysia have established comprehensive legal frameworks governing Muslim marriage registration, practical implementation continues to encounter significant challenges when marriages involve more

than one jurisdiction. Differences in administrative procedures, documentary requirements, institutional authority, and mechanisms for recognizing overseas marriages frequently create legal uncertainty for spouses and their families. Cross-border marriages often involve Indonesian migrant workers, Malaysian citizens, international students, expatriates, or residents of border regions whose marital status must be recognized simultaneously under two national legal systems. In many instances, a marriage that is considered religiously valid in one jurisdiction cannot immediately obtain administrative recognition in the other due to different registration requirements or reporting procedures. Such discrepancies may delay the issuance of marriage certificates, family registration documents, birth certificates for children, inheritance administration, and access to judicial remedies. Recent comparative studies similarly indicate that administrative incompatibility remains one of the principal obstacles in the governance of transnational Muslim families despite increasing regional integration in Southeast Asia (Rahman et al., 2024; Firdaus et al., 2024; Putra et al., 2025; Bisyrri et al., 2025; Tanjung et al., 2025; Wahyuni et al., 2026).

The legal implications of these administrative differences extend beyond procedural matters and directly affect the protection of family rights guaranteed under Islamic family law. Delays in marriage recognition may influence the legal status of children, inheritance entitlement, guardianship arrangements, marital property administration, and the enforceability of judicial decisions. Although both Indonesia and Malaysia recognize marriage registration as an administrative requirement rather than a substantive pillar of marriage, administrative documentation has become indispensable for obtaining legal protection within contemporary governance systems. From the perspective of *maqāṣid al-sharī'ah*, legal certainty through proper registration supports the preservation of lineage (*hifẓ al-nasl*), property (*hifẓ al-māl*), dignity (*hifẓ al-'ird*), and justice (*al-'adl*). Studies on Indonesian Islamic family law consistently demonstrate that effective registration strengthens judicial protection and reduces disputes concerning marital status, while comparative research across Muslim jurisdictions confirms that administrative modernization enhances rather than contradicts Islamic legal objectives (Huda et al., 2024; Hayeejehwee & Rozikin, 2025; Rozikin et al., 2025; Adawiyah, 2025; Mahfuza et al., 2025; Mustafid et al., 2025; Gandara et al., 2026).

Beyond domestic legal administration, the expansion of migration and transnational mobility has introduced new governance challenges requiring stronger institutional coordination between neighbouring states. Contemporary migration patterns show that marriage increasingly accompanies labour migration, educational mobility, long-term residence abroad, and regional economic integration. Consequently, family law administration can no longer be treated solely as a domestic legal matter but must also address jurisdictional interaction between immigration authorities, religious institutions, civil registration agencies, and judicial bodies. Comparative migration studies reveal that fragmented administrative systems often create barriers to legal recognition and social protection for transnational families, particularly where institutional information sharing remains limited. Experiences from South Korea, South Asia, and other migration-intensive jurisdictions further demonstrate that legal interoperability and administrative cooperation are becoming essential components of effective migration governance. These developments reinforce the argument that cross-border marriage registration should be understood as part of a broader governance framework integrating family law with migration administration and public legal services (Hong et al., 2025; Gnawali, 2026; Shin, 2026; Hall, 2026; Khan & Peer, 2026; Doğan et al., 2026; Leppert et al., 2026; Manuel, 2026; Nanda & Ghosh, 2025).

Table 2. Major Legal Challenges in Cross-Border Marriage Registration

Legal Issue	Indonesia	Malaysia	Legal Consequence
Registration procedures	Centralized through KUA with judicial validation available	Administered by State Islamic Religious Departments	Different procedural requirements may delay recognition
Overseas marriage recognition	Administrative reporting and possible <i>isbat nikah</i>	Notification and verification by State Religious Authorities	Differences create uncertainty regarding legal status
Institutional coordination	Ministry of Religious Affairs, Religious Courts, Civil Registry	State Religious Departments and Syariah Courts	Limited cross-border coordination
Child and family documentation	Dependent upon registered marriage status	Dependent upon administrative verification	Delays affect birth registration, guardianship, and inheritance

Legal Issue	Indonesia	Malaysia	Legal Consequence
Judicial enforcement	Religious Court jurisdiction	Syariah Court jurisdiction	Cross-border enforcement remains procedurally complex
Information exchange	Limited bilateral administrative integration	Limited bilateral administrative integration	Potential duplication of verification and documentation

Source: Authors' comparative analysis (2026).

The comparative findings indicate that the principal challenge is not the existence of different legal systems but the absence of structured mechanisms enabling administrative interoperability between them. Indonesia and Malaysia pursue identical normative objectives—protecting marriage, preserving family rights, and ensuring legal certainty—yet these objectives are implemented through distinct institutional pathways. Accordingly, harmonization should not be interpreted as legal unification or the replacement of one country's legal system with another. Instead, harmonization should emphasize mutual recognition of administrative procedures, standardized documentary verification, digital information exchange, coordinated institutional communication, and reciprocal legal assistance where appropriate. Such an approach remains fully compatible with the principles of *maqāṣid al-sharī'ah*, as it promotes *maṣlahah* (public benefit), prevents legal hardship, and strengthens justice without undermining national sovereignty or constitutional autonomy (Alkhan & Hassan, 2026; Rajnish & Kumar, 2026; Mukaromah et al., 2025).

Building upon these findings, this study proposes the Cross-Border Legal Harmonization Framework (CLHF Model) as the second analytical contribution of this research. The CLHF Model identifies five interconnected pillars necessary for improving cross-border marriage governance: (1) regulatory interoperability, (2) standardized documentary verification, (3) bilateral institutional coordination, (4) integrated digital administrative information exchange, and (5) *maqāṣid al-sharī'ah*-based protection of family rights. Through these pillars, harmonization is conceptualized not as the uniformity of legal rules but as the compatibility of administrative governance across jurisdictions. This framework therefore bridges the comparative regulatory analysis presented in Section 4.1 with the normative governance model developed in the following section, which advances an integrated *maqāṣid*-based approach for strengthening cross-border marriage governance between Indonesia and Malaysia.

Towards an Integrated *Maqāṣid al-Sharī'ah*-Based Cross-Border Marriage Governance Model

The comparative findings presented in the preceding sections demonstrate that Indonesia and Malaysia have developed different regulatory architectures for governing cross-border marriage registration while pursuing fundamentally similar legal objectives. Both jurisdictions recognize marriage registration as an essential administrative mechanism for ensuring legal certainty, protecting family rights, and facilitating judicial enforcement. However, differences remain regarding institutional authority, documentary requirements, recognition procedures, jurisdictional competence, and mechanisms for validating marriages performed abroad. These procedural variations frequently create legal uncertainty for transnational Muslim families, particularly concerning the recognition of marital status, inheritance rights, child legitimacy, nationality administration, and access to judicial remedies. The comparative analysis therefore indicates that the principal legal challenge lies not in divergent interpretations of Islamic legal doctrine but rather in the fragmentation of administrative governance across national jurisdictions. Although each country has established an effective domestic regulatory framework, there remains no integrated mechanism capable of facilitating legal interoperability between neighbouring Muslim-majority states. Consequently, strengthening cross-border marriage governance requires moving beyond descriptive legal comparison toward a governance-oriented framework that emphasizes institutional cooperation, administrative harmonization, and reciprocal legal recognition while preserving the constitutional autonomy of each jurisdiction. Such an approach reflects the continuing evolution of contemporary Islamic family law, in which administrative modernization increasingly functions as an instrument for realizing public welfare (*maṣlahah*) without undermining the normative foundations of *Sharī'ah* (Alkhan & Hassan, 2026; Rajnish & Kumar, 2026; Firdaus et al., 2024; Putra et al., 2025; Tanjung et al., 2025).

From the perspective of *maqāṣid al-sharī'ah*, the modernization of cross-border marriage administration should not be understood merely as an expansion of bureaucratic procedures but as an effort to realize the higher objectives of Islamic law within an increasingly interconnected legal environment. Marriage registration contributes directly to the preservation of lineage (*hifẓ al-nasl*) by providing legal recognition of spouses and

children, thereby reducing disputes concerning parentage and family identity. At the same time, it supports the protection of property (*ḥifẓ al-māl*) through clearer administration of inheritance, marital property, maintenance obligations, and financial responsibility. Registration also reinforces the protection of religion (*ḥifẓ al-dīn*) by ensuring that marriages comply with applicable Islamic legal requirements, while simultaneously safeguarding human dignity (*ḥifẓ al-'ird*) through enhanced legal protection for women and children. Contemporary Islamic legal scholarship increasingly argues that administrative documentation strengthens rather than contradicts Islamic legal principles because it promotes transparency, accountability, justice, and public benefit. Comparative studies of Islamic family law similarly demonstrate that legal reforms concerning marriage administration are intended to improve institutional effectiveness while preserving the substantive objectives of Islamic jurisprudence (Adawiyah, 2025; Bisryi et al., 2025; Mahfuza et al., 2025; Mustafid et al., 2025; Gandara et al., 2026; Huda et al., 2024; Hayeejehwee & Rozikin, 2025; Rozikin et al., 2025). Accordingly, harmonizing administrative procedures between Indonesia and Malaysia should be viewed as an extension of *maqāṣid al-sharī'ah*, whereby legal governance serves as an instrument for protecting family welfare, legal certainty, and social justice.

Building upon these findings, this study proposes the Integrated *Maqāṣid*-Based Cross-Border Marriage Governance Model (IMCG Model) as a conceptual framework for strengthening legal cooperation between Indonesia and Malaysia. The proposed model consists of five interconnected governance components that collectively establish an integrated administrative ecosystem. The first component is regulatory compatibility, which encourages harmonization of administrative standards while respecting the sovereignty of each national legal system. The second component is institutional coordination, involving systematic cooperation among the Ministry of Religious Affairs, Religious Courts, Civil Registration Authorities, State Islamic Religious Departments, and Syariah Courts responsible for marriage administration. The third component is digital administrative interoperability, allowing secure exchange and verification of marriage documentation across jurisdictions while minimizing duplication of administrative procedures. The fourth component is judicial cooperation, which facilitates reciprocal administrative recognition, coordinated legal assistance, and effective dispute resolution involving marriage validation, inheritance, guardianship, and child protection. Effective judicial cooperation is essential because cross-border family disputes require reliable mechanisms for dispute resolution, evidence assessment, and legal recognition across different jurisdictions. Comparative studies on judicial institutions demonstrate that procedural mechanisms for resolving legal disputes contribute significantly to legal certainty and institutional efficiency (Coşgel et al., 2024). Finally, the fifth component is *maqāṣid*-oriented family protection, ensuring that every administrative decision prioritizes justice, legal certainty, public welfare, and the protection of vulnerable family members. Child protection represents a central dimension of *maqāṣid*-oriented family governance because legal uncertainty within family relations may affect children's security, identity, and access to protection mechanisms. Empirical studies on child protection demonstrate the importance of institutional systems capable of identifying and responding to vulnerabilities experienced by children within family environments (Lekwas et al., 2025). The emphasis on family protection is also consistent with broader empirical findings that social norms and historical experiences can shape vulnerability within domestic relationships, including attitudes toward domestic violence. Therefore, cross-border marriage governance should incorporate protective mechanisms that advance dignity, justice, and family welfare (Doan-Pham et al., 2026). This dimension is particularly important because fragmented legal recognition and inadequate institutional protection may increase women's vulnerability by limiting access to economic security, social support, and effective legal remedies within family relations (Alnabilsy & Meler, 2024). Collectively, these five governance pillars transform marriage registration from an isolated administrative requirement into a comprehensive governance mechanism that integrates comparative law, public administration, and Islamic legal philosophy.

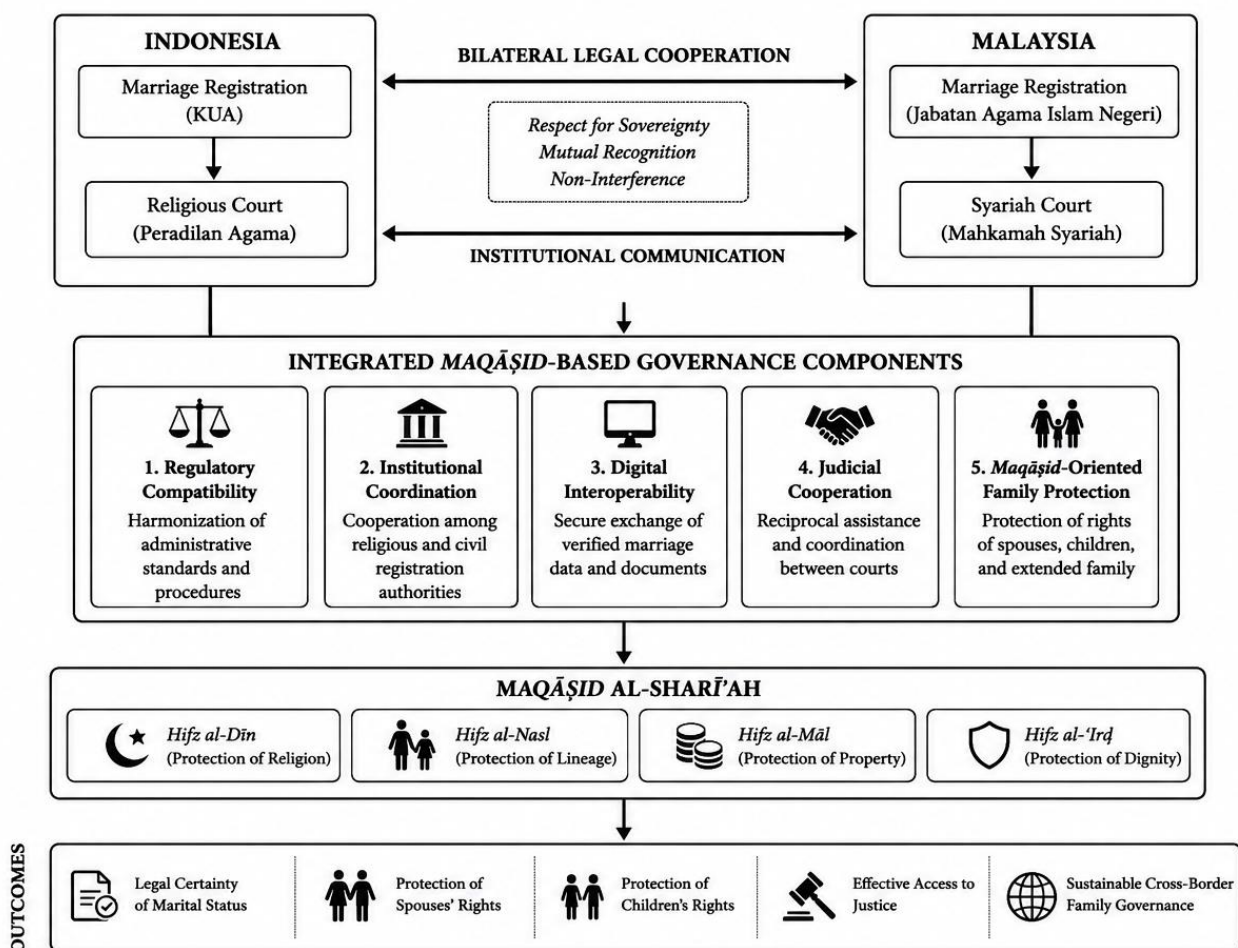
Table 3. Integrated *Maqāṣid*-Based Cross-Border Marriage Governance (IMCG) Model

Governance Component	Institutional Objective	Expected Legal Outcome
Regulatory compatibility	Harmonization of administrative standards	Greater legal certainty across jurisdictions
Institutional coordination	Cooperation among religious and civil authorities	Faster recognition of cross-border marriages
Digital administrative interoperability	Secure exchange of verified marriage records	Efficient, transparent, and accountable administration
Judicial cooperation	Coordination between Religious Courts and Syariah Courts	Stronger legal protection and effective dispute resolution

Governance Component	Institutional Objective	Expected Legal Outcome
<i>Maqāṣid</i> -oriented family protection	Preservation of lineage, justice, and family welfare	Sustainable governance of transnational Muslim families

Source: Authors' conceptual development based on comparative legal analysis (2026).

Figure 1. Integrated *Maqāṣid*-Based Cross-Border Marriage Governance (IMCG) Model (IMCG Model)



Source: Authors' conceptual illustration based on comparative legal analysis (2026).

Figure 1 illustrates the sequential relationship among the five governance components proposed in the IMCG Model. The framework begins with regulatory compatibility, which establishes mutually recognized legal standards without compromising national sovereignty. These compatible standards create the institutional foundation necessary for institutional coordination among the governmental and religious authorities responsible for marriage administration in both countries. Effective institutional coordination subsequently enables digital administrative interoperability, allowing authenticated marriage records and supporting documentation to be exchanged efficiently and securely across jurisdictions. Building upon this administrative integration, judicial cooperation enhances legal certainty through reciprocal recognition, coordinated adjudication, and procedural collaboration in matters involving marriage validation, inheritance, guardianship, and child protection. Ultimately, all governance components converge toward *maqāṣid*-oriented family protection, whereby administrative governance functions as a practical instrument for realizing the preservation of lineage (*hifz al-nasl*), justice, legal certainty, and public welfare (*maṣlaḥah*). The IMCG Model therefore demonstrates that effective cross-border marriage governance requires not only legal harmonization but also institutional integration capable of responding to the increasing mobility of Muslim families within Southeast Asia.

The proposed IMCG Model extends existing scholarship by integrating comparative Islamic family law, public administrative governance, and *maqāṣid al-sharī'ah* into a unified analytical framework. Previous studies have primarily examined marriage registration from the perspectives of family law reform, marriage validity, or national administrative procedures (Firdaus et al., 2024; Putra et al., 2025; Tanjung et al., 2025; Wahyuni et al., 2026), while studies concerning migration governance have generally focused on labour mobility, migration infrastructure, citizenship, or refugee administration without specifically addressing Islamic family law governance (Hong et al., 2025; Gnawali, 2026; Shin, 2026; Khan & Peer, 2026; Hall, 2026). By connecting these two strands of scholarship, the IMCG Model demonstrates that the effectiveness of cross-border marriage registration depends upon the integration of legal norms, institutional collaboration, digital administrative innovation, and *maqāṣid*-oriented governance principles. Consequently, the model is not intended solely for Indonesia and Malaysia but also offers a transferable conceptual framework that may support future legal cooperation among other Muslim-majority jurisdictions in Southeast Asia. In this respect, the IMCG Model contributes simultaneously to the advancement of comparative Islamic family law, the modernization of public legal administration, and the broader discourse on regional legal governance in an increasingly interconnected transnational society.

CONCLUSION

This study has examined the legal governance of cross-border marriage registration under Islamic family law through a comparative analysis of Indonesia and Malaysia, addressing the research objective of identifying how both jurisdictions regulate transnational Muslim marriages and how their respective legal systems may be harmonized to strengthen family protection. The findings demonstrate that although Indonesia and Malaysia share common normative foundations derived from *Sharī'ah* and the Sunni legal tradition, they employ different institutional and administrative mechanisms for marriage registration and legal recognition. Indonesia emphasizes centralized administration through the Office of Religious Affairs (*Kantor Urusan Agama*) and judicial validation mechanisms, whereas Malaysia adopts a decentralized framework administered by State Islamic Religious Departments and Syariah Courts. Despite these procedural differences, both legal systems pursue the same fundamental objective of ensuring legal certainty, protecting marital status, safeguarding children's rights, regulating inheritance and family property, and strengthening judicial enforceability. The comparative analysis therefore confirms that the principal challenge does not stem from conflicting Islamic legal principles but from fragmented administrative governance across national jurisdictions. Accordingly, improving cross-border marriage registration requires stronger institutional coordination, reciprocal administrative recognition, and more effective legal interoperability between neighbouring Muslim-majority countries.

The principal novelty of this research lies in the development of the Integrated *Maqāṣid*-Based Cross-Border Marriage Governance (IMCG) Model, which extends existing scholarship by integrating comparative Islamic family law, administrative governance, and *maqāṣid al-sharī'ah* into a unified conceptual framework. Unlike previous studies that primarily examined marriage registration from the perspectives of legal validity, family law reform, or national administrative procedures, this study conceptualizes marriage registration as an integrated governance mechanism connecting regulatory compatibility, institutional coordination, digital administrative interoperability, judicial cooperation, and *maqāṣid*-oriented family protection. The proposed model demonstrates that administrative modernization does not merely improve bureaucratic efficiency but also serves as a practical instrument for realizing the higher objectives of Islamic law, particularly the protection of lineage (*hifẓ al-nasl*), property (*hifẓ al-māl*), religion (*hifẓ al-dīn*), dignity (*hifẓ al-'ird*), justice, and public welfare (*maṣlahah*). Consequently, this study contributes theoretically to the advancement of comparative Islamic family law by introducing a governance-oriented perspective on cross-border marriage administration, while also providing practical implications for policymakers, religious authorities, and judicial institutions seeking to strengthen bilateral cooperation between Indonesia and Malaysia. Furthermore, the IMCG Model offers a transferable framework that may inform future legal cooperation among other Muslim-majority jurisdictions confronting similar challenges arising from increasing regional mobility and transnational family formation.

Notwithstanding these contributions, this research has several limitations that provide opportunities for future investigation. First, the study relies primarily on doctrinal and comparative legal analysis without incorporating empirical evidence from administrative officials, judges, religious authorities, or cross-border married couples directly involved in registration procedures. Second, the comparative scope is confined to Indonesia and Malaysia, meaning that the proposed governance model has not yet been evaluated within other Southeast Asian or broader Muslim-majority legal systems that may possess different constitutional and institutional arrangements. Third, the

IMCG Model remains a conceptual framework that requires further empirical validation to assess its practical feasibility, institutional effectiveness, and potential implementation through bilateral agreements or regional legal cooperation. Future research should therefore employ socio-legal, empirical, and mixed-method approaches involving interviews, comparative case studies, and policy evaluation across multiple jurisdictions to examine how integrated administrative governance can be operationalized in practice. Such research would not only refine the proposed model but also contribute to the continuing modernization of Islamic family law and the development of more coherent, responsive, and sustainable legal governance for transnational Muslim families in an increasingly interconnected global society.

REFERENCES

- Adawiyah, R. (2025). The substance and relevance of the concept of marriage age in contemporary Islamic family law: An analysis of the discourse on early marriage among Muslim figures. *Istinbath*, 24(2), 284–300. <https://doi.org/10.20414/ijhi.v24i2.1075>
- Alkhan, A. M., & Hassan, M. K. (2026). *Fiqh* in English law? *Journal of International Trade Law and Policy*, 25, 138–153. <https://doi.org/10.1108/JITLP-06-2024-0035>
- Alnabilsy, R., & Meler, T. (2024). Economic violence against Arab-Palestinian women in Israel: Coping mechanisms in social, cultural and structural contexts. *Women's Studies International Forum*, 106, 102978. <https://doi.org/10.1016/j.wsif.2024.102978>
- Bisyri, M. H., Naila, L., Khuluqi, M. A., & Abdullah, M. J. (2025). A comparative study of *tawkil al-wali* under Indonesian and Malaysian law. *Indonesian Journal of Shariah and Justice*, 5, 203–231. <https://doi.org/10.46339/ijsh.v5i2.216>
- Carillo, M. R., Venittelli, T., & Zazzaro, A. (2026). Immigrants' social identity, racial hate crimes, and public backlash: Evidence from the "San Gennaro massacre." *European Economic Review*, 188, 105413. <https://doi.org/10.1016/j.eurocorev.2026.105413>
- Carswell, G., De Neve, G., & Ramamurthy, N. (2026). Informal, individual and cumulative labour agency: Reconceptualising capital's socio-spatial fix in the South Indian garment industry. *Geoforum*, 169, 104497. <https://doi.org/10.1016/j.geoforum.2025.104497>
- Chae, M., & Zhang, D. (2026). Bride price, marriage expectations, and intentions among young male migrants in China: Evidence from manufacturing gig workers. *Economic Modelling*, 155, 107443. <https://doi.org/10.1016/j.econmod.2025.107443>
- Chen, Y., & He, X. (2026). Chairperson's intra-country migrant marriage and corporate R&D investment: Evidence from Chinese family firms. *Emerging Markets Review*, 70, 101413. <https://doi.org/10.1016/j.ememar.2025.101413>
- Coşgel, M. M., Miceli, T. J., & Özer, E. (2024). Resolving lawsuits with a decisive oath: An economic analysis. *Journal of Economic Behavior & Organization*, 227, 106746. <https://doi.org/10.1016/j.jebo.2024.106746>
- Deshpande, A., & Ramachandran, R. (2025). Discriminatory social norms and early childhood development. *Journal of Economic Behavior & Organization*, 238, 107245. <https://doi.org/10.1016/j.jebo.2025.107245>
- Doan-Pham, P., Mavisakalyan, A., & True, J. (2026). The long-term relationship between war and attitudes toward domestic violence: Evidence from Vietnam. *Journal of Behavioral and Experimental Economics*, 122, 102567. <https://doi.org/10.1016/j.socec.2026.102567>
- Doğan Günal, B., & Doruk, Ö. T. (2026). The effects of early marriage on female human capital formation in Kyrgyzstan: A micro econometric analysis. *International Journal of Manpower*, 47, 463–479. <https://doi.org/10.1108/IJM-08-2025-0634>
- Doğan, N., Süleymanoğlu-Kürüm, R., Bekaroğlu, E. A., & Cin, M. (2026). Scalar entrapment and the multiscale geographies of refugee (im)mobility. *Mobilities*. <https://doi.org/10.1080/17450101.2026.2647166>
- Ebbers-Pardijs, A. L., Alenda-Demoutiez, J., & Wagner, N. (2026). Legal reforms, norms, and child marriage: Observational evidence on behavioral responses in sub-Saharan Africa. *Journal of Behavioral and Experimental Economics*, 120, 102499. <https://doi.org/10.1016/j.socec.2025.102499>
- Esengen, S. (2025). Female circumcision in Southern Kurdistan: Testing bargaining with the patriarchy. *Social Science & Medicine*, 381, 118288. <https://doi.org/10.1016/j.socscimed.2025.118288>
- Firdaus, S. N. A., Khosyiah, S., & Rossyani, M. (2024). Pembaharuan hukum keluarga Islam: Studi perbandingan hukum keluarga di Brunei Darussalam dan Malaysia. *Zaaken: Journal of Civil and Business Law*, 5, 188–206. <https://doi.org/10.22437/zaaken.v5i2.35264>
- Funjika, P., & Honig, L. (2025). Customary courts, state institutions, or opting out: Patterns of forum pluralism in three African countries. *World Development*, 195, 107113. <https://doi.org/10.1016/j.worlddev.2025.107113>

- Gado, T., & Frenkel, M. (2025). "He shall rule over thee"? Toward the theorization of gendered religious domestic violence. *International Journal of Sociology and Social Policy*, 45, 652–667. <https://doi.org/10.1108/IJSSP-09-2024-0444>
- Gandara, A., Sunaryo, O., & Rosadi, A. (2026). A comprehensive analysis of marriage and inheritance law in the legal system of Brunei Darussalam. *SINERGI: Jurnal Riset Ilmiah*, 3, 1960–1976. <https://doi.org/10.62335/sinergi.v3i6.2683>
- Gnawali, S. (2026). Access to social security for migrant workers in South Korea. *International Journal of Migration, Health and Social Care*, 22, 203–214. <https://doi.org/10.1108/IJMHS-07-2025-0096>
- Hall, B. (2026). Refugee flight: Performing transparency, claiming opacity at the Athens International Airport. *Mobilities*. <https://doi.org/10.1080/17450101.2026.2683491>
- Hayeejehwee, K., & Rozikin, O. (2025). Reconstructing *uṣūl al-fiqh* and Islamic family law for environmental justice in the Global South. *Justitia Nova: Indonesian Journal of Modern Law*, 1(2), 50–65. <https://doi.org/10.5281/zenodo.20464527>
- Hong, S., Richardson, C., & Abdul Rahim, N. F. (2025). It was only supposed to be temporary: Exploring assigned expatriates' decision to becoming long-term migrants in their host country. *Journal of Global Mobility*, 13, 240–269. <https://doi.org/10.1108/JGM-07-2024-0072>
- Huda, M., Shofia, N., Solehudin, E., Rozikin, O., & Ahyani, H. (2024). Development of progressive Islamic law in Indonesia regarding 'apostasy' as grounds for divorce: Insights from *maqāṣid al-sharī'ah*. *Ulul Albab: Jurnal Studi dan Penelitian Hukum Islam*, 6(1), 73–85. <https://doi.org/10.30659/jua.v6i1.36754>
- Ishii, T. (2026). Global changes in the regulation of reproductive medicine. In M. K. Skinner (Ed.), *Encyclopedia of Reproduction* (3rd ed., pp. 560–567). Academic Press. <https://doi.org/10.1016/B978-0-443-21477-6.00288-1>
- Ishise, H. (2025). Religion as an informal institution: A case of true pure land Buddhism and missing women in early modern Japan. *Journal of Economic Behavior & Organization*, 229, 106823. <https://doi.org/10.1016/j.jebo.2024.106823>
- Islam, M. R. (2025). An assessment on surging crime, gender violence, and justice mechanisms in the Rohingya camps in Bangladesh. *Women's Studies International Forum*, 111, 103122. <https://doi.org/10.1016/j.wsif.2025.103122>
- Jayarathne, S. (2025). Navigating geotrauma in transnational adoption: A visual journey into first mothers' intimate biographies. *Emotion, Space and Society*, 54, 101070. <https://doi.org/10.1016/j.emospa.2025.101070>
- Khan, T. A., & Peer, G. F. (2026). Between refuge and right: Production of social exclusion among Tibetan Muslims in Kashmir. *International Journal of Migration, Health and Social Care*, 22, 312–333. <https://doi.org/10.1108/IJMHS-04-2025-0045>
- Lekwas, E. C., Ebigbo, P. O., Eze, J., Ikechukwu, O., & Eyisi, D. C. (2025). Preliminary findings on the psychometric properties of the ICAST-home among children in Southeast Nigeria. *Child Protection and Practice*, 6, 100218. <https://doi.org/10.1016/j.chipro.2025.100218>
- Leppert, G., Almony, L., Kurze, A., Xavier, C., Jones, Y., & Pistilli, A. (2026). Human mobility as a climate and disaster risk management strategy: Addressing intersectional vulnerability and enhancing women's agency. *Progress in Disaster Science*, 30, 100570. <https://doi.org/10.1016/j.pdisas.2026.100570>
- Mahfuza, R., Batubara, L. F., & Ichsan, M. (2025). Usia minimal pernikahan dalam hukum keluarga Islam: Studi komparatif antara Indonesia dan Brunei Darussalam. *JDLS*, 2(1), 1–13. <https://doi.org/10.58824/jdls.v2i1.287>
- Manuel, C. C. (2026). Male out-migration and its consequences on left-behind members: The case of Nepal. *World Development Perspectives*, 42, 100782. <https://doi.org/10.1016/j.wdp.2026.100782>
- Mukaromah, D. F., Rahim, A., & Khafidz, H. A. (2025). Leveraging artificial intelligence for efficient and transparent ZISWAF management: Comparative insights from Indonesia and Malaysia. *Munakahat: Journal of Islamic Family Law*, 1(2), 25–37. <https://doi.org/10.5281/zenodo.21235737>
- Mustafid, M., Akbarizan, A., Munir, A. A., & Algifari, M. F. (2025). A comparative study of permission for polygamy in Islamic marriage law: The cases of Indonesia and Brunei Darussalam. *Syarah: Jurnal Hukum Islam dan Ekonomi*, 14(1), 1–19. <https://doi.org/10.47766/syarah.v14i1.5977>
- Mutlu, B. (2025). Fertile debates, circumventive pursuits: Reproductive governance and gamete donation in Turkey. *Social Science & Medicine*, 383, 118464. <https://doi.org/10.1016/j.socscimed.2025.118464>
- Nanda, M., & Ghosh, S. (2025). How does male out-migration impact the lives of left-behind women? Trade-off between feminization of agriculture and empowerment of farm women. *Evaluation and Program Planning*, 111, 102603. <https://doi.org/10.1016/j.evalprogplan.2025.102603>

- Putra, G. G. P., Febryliani, N., Najmadina, A., Gunawan, M. S., & Permana, D. Y. (2025). Juridical analysis of marriage laws and regulations in Indonesia and the United Kingdom. *Journal of Legal and Cultural Analytics*, 4(2), 937–948. <https://doi.org/10.55927/jlca.v4i2.14516>
- Rahman, E. T., Suganda, A., Lousada, S. A. N., Khafidz, H. A., Huda, M., Sopyan, Y., Mutmainah, N., Kirin, A. B., Sartono, S., & Shapiulayevna, A. P. (2024). How does the state regulate the administration of unregistered marriages in Muslim minority communities? The practice of mass weddings in Jayapura City. *Jurnal Ilmiah Al-Syir'ah*, 22(2), 207–220. <https://doi.org/10.30984/jis.v22i2.3210>
- Rajnish, & Kumar, R. (2026). Journey of Indian society towards uniform civil code. *Social Sciences & Humanities Open*, 13, 102459. <https://doi.org/10.1016/j.ssaho.2026.102459>
- Rostami, A., Trupp, A., & Daniels, G. (2026). Constrained mobilities in conservative societies: Gender, religion, and nationality in female solo travel. *Annals of Tourism Research*, 119, 104224. <https://doi.org/10.1016/j.annals.2026.104224>
- Rozikin, O., Mukhlas, O. S., Rosadi, A., Fauzia, I., Muharir, M., Ahyani, H., & Adnan, N. I. M. (2025). Contextualizing *maqāṣid al-sharī'ah* in indigenous legal practices: A comparative study of family resilience in Kasepuhan Ciptagelar and Kampung Naga. *Nurani: Jurnal Kajian Syari'ah dan Masyarakat*, 25(2), 344–362. <https://doi.org/10.19109/nurani.v25i2.27760>
- Roziqin, O., & Fathonih, A. (2024). The evolution of marriage and inheritance law in Brunei Darussalam: A comparative and historical study. *Indonesian Journal of Advanced Research*, 3(11), 1675–1688. <https://doi.org/10.55927/ijar.v3i11.12117>
- Shin, M. (2026). The dynamics of migration infrastructure and the governance of marriage migration in South Korea, 1993–2023. *Mobilities*. <https://doi.org/10.1080/17450101.2026.2638567>
- Simson, R. (2024). Colonial legacies and wealth inequality in Kenya. *Explorations in Economic History*, 94, 101623. <https://doi.org/10.1016/j.eeh.2024.101623>
- Sulaiman, L. A.-R. (2025). Patterns of marital residence and spousal violence among married people in Kogi State, Nigeria. *Social Science & Medicine*, 386, 118663. <https://doi.org/10.1016/j.socscimed.2025.118663>
- Tanjung, R. R., Damanik, W. H., Wani, W., Turnip, I. R. S., & Efendi, R. (2025). Studi komparatif hukum perkawinan di negara Muslim Asia Tenggara: Malaysia, Brunei Darussalam, dan Singapura. *ANDREW Law Journal*, 4(2), 880–897. <https://doi.org/10.61876/alj.v4i2.142>
- Tilahun, M. A., Gatisso, M. M., & Ali, A. M. (2026). Building bridges: Interreligious marriage in fostering social integration in South Wollo, Ethiopia. *International Journal of Intercultural Relations*, 111, 102375. <https://doi.org/10.1016/j.ijintrel.2026.102375>
- Tutar Çınar, P. (2025). Migration and the transformation of gender and parenting roles: Syrian and Afghan women in Turkey. *Women's Studies International Forum*, 109, 103041. <https://doi.org/10.1016/j.wsif.2024.103041>
- Uddin, N. (2024). Understanding 'refugee resettlement' from below: Decoding the Rohingya refugees' lived experience in Bangladesh. *World Development*, 181, 106654. <https://doi.org/10.1016/j.worlddev.2024.106654>
- Vesco, P., Baliki, G., Brück, T., Döring, S., Eriksson, A., Fjelde, H., Guha-Sapir, D., Hall, J., Knutsen, C. H., Leis, M. R., Mueller, H., Rauh, C., Rudolfsen, I., Swain, A., Timlick, A., Vassiliou, P. T. B., von Schreeb, J., von Uexkull, N., & Hegre, H. (2025). The impacts of armed conflict on human development: A review of the literature. *World Development*, 187, 106806. <https://doi.org/10.1016/j.worlddev.2024.106806>
- Wahyuni, S., Sarairah, A. A., & Abouyounes, M. W. (2026). Cross-border *nikah sirri* between Malaysia and Indonesia: Contemporary legal and social dynamics in Borneo. *MILRev: Metro Islamic Law Review*, 5(1), 611–634. <https://doi.org/10.32332/milrev.v5i1.11047>
- Wang, Y., & Mu, Z. (2026). Three decades of interethnic marriage in China: Ethnic boundaries, educational sorting, and status exchange. *Social Science Research*, 136, 103352. <https://doi.org/10.1016/j.ssresearch.2026.103352>
- Xu, Z., Chen, X., Yu, J., & Hu, Y. (2026). Female genital mutilation/cutting: A systematic review of global patterns, sociocultural drivers, and health consequences. *Journal of Pediatric and Adolescent Gynecology*, 39, 168–177. <https://doi.org/10.1016/j.jpag.2025.09.009>
- Yan, C. O. (2026). Decolonizing citizenship. *Journal of Comparative Asian Development*, 22. <https://doi.org/10.4018/JCAD.410066>