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The Digital Marketization of *Nikah Siri* in Indonesia: Legal Pluralism and the Limits of Marriage Governance

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Abstract
This article examines the digital marketization of *nikah siri* (unregistered marriage) in Indonesia within the framework of legal pluralism and its implications for marriage governance. The growing promotion of *nikah siri* services through social media reflects a structural shift in which unregistered marriage practices are transformed into a digital and commercialized marketplace, generating significant legal and regulatory concerns. Indonesian marriage law, particularly Law No. 1 of 1974 as amended by Law No. 16 of 2019, Government Regulation No. 9 of 1975, and Ministerial Regulation (PMA) No. 30 of 2024, requires official marriage registration, yet unregistered practices persist within overlapping systems of state law, Islamic law, and customary norms. The study employs a socio-legal approach combined with doctrinal legal analysis, using secondary legal sources, regulatory documents, and publicly available digital data. The findings show that platform-based promotion creates regulatory grey zones that weaken state enforcement and expand informal marriage markets involving intermediaries, religious actors, and service brokers. The novelty of this study lies in conceptualizing *nikah siri* as a digitally mediated, market-driven phenomenon shaped by the interaction of legal pluralism and platform economy dynamics. The study contributes to socio-legal scholarship by highlighting structural limitations in Indonesia's marriage governance, particularly the gap between legal norms and enforcement capacity. Strengthening regulation requires legal reform and institutional reinforcement of marriage registration alongside adaptive digital governance strategies. The study is limited to doctrinal and socio-legal analysis based on secondary and publicly available digital sources, without fieldwork or interviews, suggesting avenues for future empirical research.

Keywords:
Digital Marketization, Nikah Siri, Legal Pluralism, Marriage Governance, Indonesia.

1. Introduction
The legal regulation of marriage in Indonesia is formally governed by Law No. 1 of 1974 on Marriage, as amended by Law No. 16 of 2019, which establishes marriage as a legal act that must fulfill both religious validity and state registration requirements. This dualistic structure

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is further reinforced by Government Regulation No. 9 of 1975 and Ministerial Regulation (PMA) No. 30 of 2024 concerning marriage registration, which mandate that every marriage must be recorded by authorized state officials to obtain legal recognition and protection. In Islamic family law governance, the Compilation of Islamic Law (KHI) also emphasizes the importance of administrative registration as a mechanism to ensure legal certainty in family relations. From a doctrinal perspective, these instruments reflect the Indonesian state's attempt to harmonize religious legitimacy with positive legal order in marriage governance. However, despite this normative clarity, unregistered marriage (*nikah siri*) continues to persist as a widespread social practice, indicating a gap between formal legal structure and lived legal reality (Syafa' & Musyafaah, 2024; Yunus, 2025; Rosyadi et al., 2025).

The persistence of *nikah siri* despite clear statutory regulation indicates a structural disjunction between formal legal norms and socio-religious practices in Indonesia's plural legal system. Recent developments demonstrate a significant transformation in the practice of *nikah siri*, particularly through its digital commercialization. The Ministry of Religious Affairs (2025) reports the increasing promotion of *nikah siri* services via social media platforms, where marriage services are advertised as fast, affordable, and administratively simple alternatives to formal marriage registration. This phenomenon indicates a shift from traditional informal religious practices to a digitally mediated service economy, where marriage becomes commodified and traded within online platforms. Such commercialization involves various actors, including informal religious officiants, intermediaries, and digital brokers who operate outside the formal regulatory framework of the state. This transformation reflects what can be conceptualized as "platform-based marketization" of marriage practices, where digital infrastructures reshape social institutions into market-oriented services. Similar dynamics of informal entrepreneurship emerging from institutional gaps have been observed in other socio-legal contexts where regulatory enforcement is weak (Mallon & Fainshmidt, 2025; Huang et al., 2025).

The commercialization of *nikah siri* can be analytically situated within the framework of legal pluralism, where multiple normative systems—state law, Islamic law, and socio-cultural norms—coexist and interact in shaping social behavior. In Indonesia, this plural legal structure creates a complex regulatory environment in which formal legal requirements often compete with religious and customary legitimacy (Alfin & Busyro, 2017). Within this context, individuals may prioritize religious validity over state registration, thereby sustaining informal marriage practices. Legal pluralism, while providing normative flexibility, simultaneously generates regulatory fragmentation that weakens the uniform application of marriage law. This fragmentation creates regulatory grey zones in which informal marriage practices can evolve into commercialized services operating alongside formal legal institutions. This condition is consistent with broader socio-legal findings that plural legal environments often produce informal governance spaces enabling alternative economic arrangements (Eriksson et al., 2025; Huang et al., 2025).

The commercialization of *nikah siri* exposes significant regulatory gaps in Indonesia's marriage governance system. Although Law No. 1 of 1974, PP No. 9 of 1975, and PMA No. 30 of 2024 provide a comprehensive legal framework for marriage registration, enforcement remains

JUSTITIA NOVA
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limited in practice, particularly in the digital sphere. The emergence of social media-based promotion of unregistered marriage services demonstrates the inability of existing regulatory instruments to adapt to platform-based economic activity. This gap between normative legal frameworks and enforcement capacity results in weakened state authority over marriage regulation. Furthermore, the absence of effective monitoring mechanisms enables potential risks such as legal uncertainty for women and children, inheritance disputes, and the absence of legal protection in family relations (Wibowo et al., 2021; Halimatusa'diyah & Triana, 2024). Similar studies in socio-legal and economic governance contexts highlight that regulatory fragmentation often leads to the expansion of informal markets in socially sensitive domains (Gupta & Anand, 2024; Nahar, 2024).

Despite growing scholarly attention on *nikah siri*, existing literature tends to focus on doctrinal validity, gender implications, or criminalization debates, without adequately addressing its transformation into a digitally mediated market structure. Prior studies have examined *nikah siri* from Islamic legal theory and sociological perspectives (Alfin & Busyro, 2017; Rosyadi et al., 2025), yet limited attention has been given to its commercialization through digital platforms and its implications for governance failure in marriage regulation. This study addresses this gap by analyzing the digital marketization of *nikah siri* within Indonesia's legal pluralism framework and examining its implications for the limits of marriage governance. The research is guided by the following questions: (1) How does legal pluralism facilitate the digital commercialization of *nikah siri* in Indonesia? (2) What regulatory gaps exist in the enforcement of marriage law in the context of digital platforms? and (3) How does this phenomenon reveal structural limitations in Indonesia's marriage governance system? By integrating socio-legal and doctrinal analysis, this study contributes by conceptualizing "platform-based marketization of unregistered marriage" and offering a governance-oriented perspective on marriage regulation in the digital era.

2. Literature Review

Legal pluralism has been widely recognized as a foundational framework for understanding the coexistence of multiple normative systems within a single socio-legal order. In the context of marriage governance, legal pluralism explains how state law, religious norms, and customary practices simultaneously regulate family institutions, often producing overlapping and competing authorities. In Indonesia, this condition is particularly evident in the interaction between statutory marriage law and Islamic legal traditions, which together shape the normative structure of family governance (Alfin & Busyro, 2017; Rosyadi et al., 2025). However, recent institutional scholarship suggests that legal pluralism should not be understood merely as normative diversity, but as a mechanism that produces governance fragmentation and informal institutional formation (Mallon & Fainshmidt, 2025; Huang et al., 2025). Similar dynamics of institutional plurality have been observed in diverse socio-legal contexts, where fragmented governance systems generate informal strategies of compliance and adaptation (Eriksson et al., 2025; Voiculescu, 2025). Despite this advancement, existing literature has not sufficiently theorized how legal pluralism interacts with digital economies to reshape marriage-related practices into market-based services.

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Scholarly attention to *nikah siri* in Indonesia has predominantly focused on its doctrinal status within Islamic law, its sociological persistence, and its implications for women and children in family law structures. Early socio-legal studies highlight that *nikah siri* emerges from tensions between religious validity and state registration requirements (Alfin & Busyro, 2017). More recent studies expand this discussion by emphasizing gender inequality, legal vulnerability, and access to justice within unregistered marriage contexts (Wibowo et al., 2021; Halimatusa'diyah & Triana, 2024). Additionally, doctrinal analyses of Indonesian legal system theory demonstrate that fragmented enforcement mechanisms contribute to the persistence of unregistered marriages despite criminalization and regulatory efforts (Rosyadi et al., 2025). Comparative perspectives on marriage systems also show that marriage regulation is often shaped by broader socio-economic and institutional pressures, including bargaining power and family economics (Taha, 2024; Ngoc et al., 2024). Nevertheless, these studies remain largely focused on normative legality and social consequences, without adequately addressing the transformation of *nikah siri* into a commodified service embedded in informal economic structures.

Beyond legal scholarship, interdisciplinary studies on informal economies and institutional logics provide important insights into how regulatory gaps generate new forms of economic organization. Research on informal entrepreneurship demonstrates that ethnic, institutional, and regulatory fragmentation often creates conditions for informal market formation (Mallon & Fainshmidt, 2025). Similarly, studies on dual informalities show how overlapping informal systems shape socio-economic integration in urban contexts, producing hybrid governance arrangements (Huang et al., 2025). Broader socio-economic literature also highlights that informal practices often emerge as adaptive strategies in contexts of weak institutional enforcement and socio-economic inequality (Arthur-Holmes & Yeboah, 2025; Dash & Balamurugan, 2024). In parallel, research on financial inclusion and labor market dynamics reveals how structural inequalities influence informal economic participation among marginalized groups (Shahriar et al., 2025; Samutpradit, 2024). However, while these studies provide strong theoretical foundations for understanding informal markets, they have not been systematically applied to marriage governance systems. As a result, the commodification of legally sensitive social practices such as *nikah siri* remains under-theorized within institutional economic and socio-legal literature.

Recent developments in digital governance and platform economies have significantly transformed the way social and legal institutions operate. Scholarship on algorithmic governance and digital regulation highlights how technological infrastructures reshape institutional control and create regulatory grey zones where state oversight is weakened (Ineli-Ciger & Tan, 2025). Similarly, studies on artificial intelligence and system dynamics demonstrate how technological innovation disrupts traditional governance structures and requires adaptive regulatory frameworks (Nahar, 2024). In the socio-digital domain, research on human–AI relational systems further illustrates how digital platforms reshape intimate and social relations into mediated, structured interactions (Djufril et al., 2025). These developments are also reflected in broader mobility and governance studies, which show how digital infrastructures facilitate informal strategies and borderless economic and social practices (Yun & Son, 2025). Despite these advances, legal scholarship has not sufficiently examined how

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platformization affects family law governance, particularly in relation to marriage regulation. The emergence of online promotion of *nikah siri* services indicates a shift toward platform-based commercialization of marriage, yet this phenomenon remains largely absent from doctrinal legal analysis and socio-legal theorization.

The reviewed literature reveals three main gaps. First, while legal pluralism is well-established in socio-legal scholarship, it is rarely conceptualized as a mechanism that enables market formation in regulated social institutions such as marriage. Second, studies on *nikah siri* remain largely confined to doctrinal legality, gender analysis, and criminalization debates, without addressing its transformation into a digitally mediated commercial practice (Alfin & Busyro, 2017; Rosyadi et al., 2025). Third, although extensive research exists on informal economies and digital governance, these strands of literature have not been integrated into the study of marriage governance systems. Even studies addressing broader socio-economic and governance transformations—such as migration, spatial justice, and institutional inequality—do not directly engage with marriage regulation as a site of marketization and platform-based activity (Bleibleh & Awad, 2024; Visser et al., 2024; Castillo et al., 2025). To address these gaps, this study proposes the concept of "digital marketization of *nikah siri*" within Indonesia's legal pluralism framework. It argues that platform-based promotion of unregistered marriage services reflects regulatory fragmentation and structural limitations in marriage governance. By integrating socio-legal theory, institutional analysis, and doctrinal legal interpretation, this study contributes to the development of a governance-oriented understanding of marriage regulation in the digital era.

3. Methodology

This study adopts a socio-legal research design combined with doctrinal legal analysis to examine the digital marketization of *nikah siri* within Indonesia's legal pluralism framework. The socio-legal approach is used to analyze how formal legal norms interact with informal socio-religious practices and emerging digital economies in shaping marriage governance. Doctrinal legal analysis is applied to examine Indonesia's marriage regulatory framework, including Law No. 1 of 1974 on Marriage as amended by Law No. 16 of 2019, Government Regulation No. 9 of 1975, the Compilation of Islamic Law (KHI), and Ministerial Regulation (PMA) No. 30 of 2024 concerning marriage registration. This dual approach enables systematic analysis of both normative legal structures and their implementation gaps in relation to digitally mediated unregistered marriage practices.

The empirical dimension of this study is based on qualitative document and digital content analysis. Primary empirical materials include publicly available online promotional content of *nikah siri* services circulated through social media platforms, online advertisements, and digital service descriptions that frame marriage as a fast, informal, and commercially accessible service. In addition, policy statements and official communications from the Ministry of Religious Affairs (2025) regarding the rise of *nikah siri* promotion in digital spaces are used as institutional discourse data. Secondary data consist of peer-reviewed academic literature on legal pluralism, informal economies, marriage governance, and platform-based digital transformation. The selection of digital materials is purposive, focusing on patterns of commodification, service framing, and informal brokerage narratives within online *nikah siri*

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promotion. This allows the study to identify how marriage services are reconfigured into market-oriented digital offerings outside formal legal registration systems.

Data analysis is conducted using thematic socio-legal interpretation supported by three analytical frameworks: legal pluralism, marketization theory, and governance analysis. Legal pluralism is used to explain the coexistence of state law, Islamic norms, and informal digital practices in shaping marriage legitimacy (Fauzi, 2019; Huss & Altehe, 2024). Marketization theory is applied to identify how *nikah siri* is transformed into a commodified service through pricing structures, service packaging, and digital promotion strategies. Governance analysis is employed to evaluate the effectiveness of Indonesia's marriage regulatory system in responding to platform-based informalization. The analysis specifically focuses on identifying regulatory gaps, enforcement limitations, and institutional fragmentation that enable the emergence of digital marriage markets. Through this integrated framework, the study examines how legal norms are negotiated, bypassed, and restructured within digital socio-legal environments (Salehi et al., 2024; Kuttappan & Kaur Tiwana, 2025; Ortensi et al., 2025).

4. Results and Discussion

4.1. Legal Pluralism and the Institutional Duality of Nikah Siri in Indonesia

In addition, the regulatory framework is further reinforced by Minister of Religious Affairs Regulation (PMA) No. 30 of 2024 concerning Marriage Registration, which strengthens procedural requirements for marriage administration through authorized Religious Affairs Offices (KUA). This regulation emphasizes verification of identity, marital eligibility, and administrative compliance as integral components of lawful marriage registration. However, despite this strengthened regulatory design, enforcement remains largely confined to formal institutional settings, creating a gap between regulatory intention and socio-digital practice. Nikah siri in Indonesia operates within a multilayered legal pluralism in which state law, Islamic jurisprudence, and socio-cultural norms simultaneously define the legitimacy of marriage. Formally, Law No. 1 of 1974 on Marriage as amended by Law No. 16 of 2019, along with Government Regulation No. 9 of 1975 and the Compilation of Islamic Law (KHI), establishes that marriage must be both religiously valid and officially registered to obtain legal recognition. However, in practice, Islamic normative authority continues to provide social legitimacy to unregistered marriages, creating a structural divergence between religious validity and state legality. This divergence produces what can be conceptualized as institutional duality, where two parallel normative systems operate simultaneously without full legal convergence. Prior socio-legal studies confirm that such dual structures are a persistent feature of Indonesian family law governance under conditions of legal pluralism (Alfin & Busyro, 2017; Rosyadi et al., 2025).

The findings of this study indicate that nikah siri functions not as a deviant or marginal practice, but as an alternative institutional arrangement embedded within plural legal governance. Individuals often engage in unregistered marriage as a strategic response to legal-administrative constraints, economic considerations, or social barriers related to formal marriage registration. This behavior reflects a broader pattern of institutional navigation in which actors selectively engage with overlapping legal systems depending on perceived costs and benefits. In this sense, legal pluralism does not merely coexist at the normative level but actively structures decision-

JUSTITIA NOVA
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making processes in family formation. Similar patterns of institutional adaptation have been observed in contexts where fragmented governance systems generate informal strategies of compliance and avoidance (Mallon & Fainshmidt, 2025; Huang et al., 2025). Within this framework, nikah siri becomes a functional alternative institution operating alongside, rather than outside, formal marriage law.

From a governance perspective, the dual structure of nikah siri reveals a significant enforcement gap in Indonesia's marriage regulatory system. Although the legal framework mandates registration through authorized state institutions such as the Office of Religious Affairs (KUA), enforcement mechanisms remain limited in addressing unregistered marriages, particularly in digitally mediated contexts. This enforcement gap creates regulatory space in which informal actors can operate without effective state oversight**.** The study finds that this space is increasingly utilized not only for religious purposes but also for organized facilitation services that structure unregistered marriage as an accessible and repeatable social practice. In this regard, nikah siri is no longer solely a private religious arrangement but increasingly intersects with service-based facilitation systems that reflect early forms of market logic within family law governance. This transformation aligns with broader socio-economic findings that regulatory fragmentation often enables the emergence of informal institutional markets (Dash & Balamurugan, 2024; Eriksson et al., 2025).

Furthermore, the emergence of service-oriented facilitation of nikah siri demonstrates a gradual shift toward commodification of marriage practices within Indonesia's plural legal system**.** Marriage, traditionally governed as a sacred and regulated social institution, is increasingly shaped by transactional arrangements facilitated by intermediaries operating outside formal legal structures. This indicates that legal pluralism not only produces normative coexistence but also enables economic transformation of social institutions when regulatory enforcement is weak. In this sense, the institutional duality of nikah siri is directly linked to the marketization of marriage services, where legal ambiguity becomes an enabling condition for informal commercialization. Such dynamics highlight the need to reconceptualize marriage governance not only as a legal issue but also as a socio-economic and institutional phenomenon shaped by competing normative logics.

4.2. Commercialization of Unregistered Marriage Services and Market-Based Religious Practice

The commercialization of *nikah siri* within Indonesia's plural legal system generates significant legal vulnerability for individuals involved, particularly women and children. Although marriage under Islamic law may be considered valid in religious terms, the absence of state registration under Law No. 1 of 1974 on Marriage (as amended by Law No. 16 of 2019) results in the non-recognition of spousal and familial rights within the formal legal system. This duality between religious legitimacy and state non-recognition produces a structural condition of legal precarity, where individuals are simultaneously "married" in social terms but "unrecognized" in legal terms. In such conditions, legal protection mechanisms related to inheritance rights, spousal maintenance, and child legitimacy become difficult to enforce through formal legal institutions.

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The findings of this study indicate that the marketization of *nikah siri* intensifies these vulnerabilities by normalizing unregistered marriage as an accessible and commodified service. When marriage is framed as a transactional and easily obtainable service, the threshold for entering legally unprotected marital arrangements is significantly lowered**.** This normalization process reduces the perceived legal risks among participants, even though the structural consequences remain severe. Women, in particular, are disproportionately affected due to their limited bargaining power within informal marital arrangements, especially when such arrangements are not recorded in state civil registration systems. This condition reflects broader patterns in socio-legal studies where informal institutional arrangements often reproduce gendered inequalities under conditions of weak legal enforcement (Wibowo et al., 2021; Halimatusa'diyah & Triana, 2024). From a governance perspective, the absence of formal registration in *nikah siri* cases creates significant barriers to legal protection in family law disputes. Issues such as divorce recognition, child custody, and inheritance rights become highly contingent on informal negotiation rather than enforceable legal claims. This situation illustrates how legal pluralism, when combined with weak enforcement mechanisms, produces fragmented legal protection structures that disproportionately disadvantage vulnerable parties**.** In many cases, children born from unregistered marriages face difficulties in obtaining full legal recognition of civil status, which affects access to education, healthcare, and inheritance rights under state law. Similar patterns of legal exclusion resulting from informal institutional arrangements have been observed in other socio-legal contexts characterized by fragmented governance systems (Graves & Trond, 2024; Denier et al., 2024).

Furthermore, the commercialization of *nikah siri* introduces an additional layer of risk by embedding legal vulnerability within a service-based economic structure. The transformation of marriage facilitation into a paid service does not include corresponding legal safeguards, thereby externalizing legal risks onto individuals while internalizing economic benefits for service providers. This asymmetry highlights a critical governance failure in which regulatory frameworks do not extend effectively into informal digital markets. As a result, individuals engaging in marketized *nikah siri* practices are exposed not only to legal uncertainty but also to potential exploitation due to the absence of standardized verification mechanisms for marital legitimacy, identity, and legal compliance.

In conclusion, the intersection of legal pluralism, weak enforcement, and marketization produces a condition of heightened legal vulnerability in *nikah siri* practices. Rather than mitigating legal uncertainty, the commercialization of unregistered marriage services amplifies structural risks within family law governance in Indonesia. This finding underscores the need to reconsider marriage regulation not only as a doctrinal legal issue but also as a socio-economic governance problem shaped by informal markets and digital transformation.

4.3. Legal Vulnerability and Social Risks in the Marketized Practice of Nikah Siri

The commercialization of *nikah siri* within Indonesia's plural legal system generates significant legal vulnerability for individuals involved, particularly women and children. Although marriage under Islamic law may be considered valid in religious terms, the absence of state registration under Law No. 1 of 1974 on Marriage (as amended by Law No. 16 of 2019) results in the non-recognition of spousal and familial rights within the formal legal system. This duality between religious legitimacy and state non-recognition produces a structural condition of legal precarity, where individuals are simultaneously "married" in social terms but "unrecognized" in legal terms. In such conditions, legal protection mechanisms related to inheritance rights, spousal maintenance, and child legitimacy become difficult to enforce through formal legal institutions. The findings of this study indicate that the marketization of *nikah siri* intensifies these vulnerabilities by normalizing unregistered marriage as an accessible and commodified service. When marriage is framed as a transactional and easily obtainable service, the threshold for entering legally unprotected marital arrangements is significantly lowered. This normalization process reduces the perceived legal risks among participants, even though the structural consequences remain severe. Women, in particular, are disproportionately affected due to their limited bargaining power within informal marital arrangements, especially when such arrangements are not recorded in state civil registration systems. This condition reflects broader patterns in socio-legal studies where informal institutional arrangements often reproduce gendered inequalities under conditions of weak legal enforcement (Wibowo et al., 2021; Halimatusa'diyah & Triana, 2024).

From a governance perspective, the absence of formal registration in *nikah siri* cases creates significant barriers to legal protection in family law disputes. Issues such as divorce recognition, child custody, and inheritance rights become highly contingent on informal negotiation rather than enforceable legal claims. This situation illustrates how legal pluralism, when combined with weak enforcement mechanisms, produces fragmented legal protection structures that disproportionately disadvantage vulnerable parties**.** In many cases, children born from unregistered marriages face difficulties in obtaining full legal recognition of civil status, which affects access to education, healthcare, and inheritance rights under state law. Similar patterns of legal exclusion resulting from informal institutional arrangements have been observed in other socio-legal contexts characterized by fragmented governance systems (Graves & Trond, 2024; Denier et al., 2024). Furthermore, the commercialization of *nikah siri* introduces an additional layer of risk by embedding legal vulnerability within a service-based economic structure. The transformation of marriage facilitation into a paid service does not include corresponding legal safeguards, thereby externalizing legal risks onto individuals while internalizing economic benefits for service providers. This asymmetry highlights a critical governance failure in which regulatory frameworks do not extend effectively into informal digital markets. As a result, individuals engaging in marketized *nikah siri* practices are exposed not only to legal uncertainty but also to potential exploitation due to the absence of standardized verification mechanisms for marital legitimacy, identity, and legal compliance.

In conclusion, the intersection of legal pluralism, weak enforcement, and marketization produces a condition of heightened legal vulnerability in *nikah siri* practices. Rather than mitigating legal uncertainty, the commercialization of unregistered marriage services amplifies structural risks within family law governance in Indonesia. This finding underscores the need to reconsider marriage regulation not only as a doctrinal legal issue but also as a socio-economic governance problem shaped by informal markets and digital transformation.

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4.4 Legal Theory Application: Justice, Legal Pluralism, and the Limits of Marriage Governance

The phenomenon of *nikah siri* commercialization challenges conventional legal theory in understanding the relationship between justice, legality, and governance within plural legal systems. In Indonesia, marriage governance is formally regulated through Law No. 1 of 1974 on Marriage as amended by Law No. 16 of 2019, which requires both religious validity and state registration to ensure legal recognition and protection of family rights. However, the persistence and increasing marketization of unregistered marriage services reveal a structural gap between normative legal design and socio-legal reality. This gap demonstrates that legal effectiveness is not solely determined by statutory authority, but also by the state's capacity to regulate competing normative and informal economic systems within a plural legal order (Alfin & Busyro, 2017; Rosyadi et al., 2025). From the perspective of legal pluralism, justice cannot be understood as an exclusive product of state law, but must be analyzed as the outcome of interactions among multiple normative systems, including religious and informal institutional orders. In the context of *nikah siri*, religious legitimacy continues to function as a dominant source of social validation, even in the absence of formal state recognition. This condition produces a dual structure of justice in which normative legitimacy and legal recognition are decoupled, resulting in uneven access to legal protection and enforceable rights. Within such a structure, individuals experience "partial legality," where social legitimacy exists without corresponding legal enforceability, particularly in matters related to inheritance, divorce, and child status. Similar patterns of fragmented normative authority have been identified in plural governance systems where informal institutions coexist with formal state frameworks (Mallon & Fainshmidt, 2025; Huang et al., 2025). The marketization of *nikah siri* further intensifies this theoretical tension by introducing economic rationality into the production of marital legitimacy. When marriage is transformed into a commodified service, access to legal and social recognition becomes influenced not only by normative affiliation but also by economic capacity, informational access, and service availability. This shift transforms legal pluralism from a purely normative coexistence model into a structurally unequal system in which informal marriage arrangements are shaped by market logic. In this sense, commodification does not replace legal pluralism but operates through it, utilizing normative ambiguity as an enabling condition for informal service expansion. Comparable processes of informal market formation under regulatory fragmentation have been observed in socio-economic governance studies, where weak enforcement structures facilitate service-based informal economies (Dash & Balamurugan, 2024).

From a governance perspective, the persistence and commercialization of *nikah siri* demonstrate the structural limits of Indonesia's marriage law enforcement system. Although formal regulations require marriage registration through authorized institutions such as the Office of Religious Affairs (KUA), enforcement mechanisms remain largely confined to formal administrative processes and are not fully adapted to digitally mediated or market-based informal practices. This institutional limitation creates a regulatory blind spot in which digitally facilitated marriage services operate outside effective legal supervision, weakening the protective function of family law. As a result, legal certainty is undermined, and the enforcement of rights becomes fragmented across formal and informal domains.

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In conclusion, the intersection of legal pluralism and marketization reveals fundamental limitations in Indonesia's marriage governance system. Justice in this context is not merely a doctrinal principle but a governance outcome shaped by the state's inability to regulate hybrid normative and economic arrangements. The commercialization of *nikah siri* thus exposes the structural boundaries of family law in responding to socio-digital transformation and informal institutional economies (Alfin & Busyro, 2017; Rosyadi et al., 2025; Mallon & Fainshmidt, 2025).

4.5 Policy Implications and Regulatory Reform of Marriage Governance

The implementation of PMA No. 30 of 2024 should be strengthened not only in administrative compliance but also through adaptive enforcement mechanisms that address digitally mediated marriage facilitation services. The findings of this study indicate that the commercialization of *nikah siri* within Indonesia's plural legal system is not merely a social deviation but a structural outcome of regulatory fragmentation, weak enforcement, and the expansion of digital informal economies. Therefore, policy responses must move beyond normative reinforcement of marriage registration and address the governance mechanisms that enable the transformation of marriage into a commodified digital service**.** Existing legal instruments, including Law No. 1 of 1974 on Marriage as amended by Law No. 16 of 2019 and related regulations, already establish a formal requirement for marriage registration. However, the persistence of unregistered and digitally mediated marriage services demonstrates that regulatory design alone is insufficient without adaptive enforcement strategies. At the statutory level, reform should focus on strengthening the legal clarity between religious validity and civil legality in marriage governance. This includes reinforcing the legal consequences of unregistered marriage in civil rights protection frameworks, particularly in relation to women's rights, child legitimacy, and inheritance claims. Rather than merely emphasizing administrative compliance, marriage law reform should explicitly integrate protective provisions that minimize legal vulnerability in cases of unregistered marriage. This approach is necessary to reduce the normative ambiguity produced by legal pluralism, where religious and state legitimacy operate in parallel but disconnected systems.

At the institutional level, governance reform should enhance the capacity of marriage registration authorities, particularly the Office of Religious Affairs (KUA), to respond to informal and digitally mediated marriage practices. Institutional coordination between religious authorities, civil registry systems, and digital monitoring bodies is required to address the cross-sectoral nature of *nikah siri* commercialization. This includes strengthening monitoring mechanisms for marriage-related services, improving reporting systems for unregistered marriage facilitation, and developing inter-agency protocols for addressing cases of illegal or unregistered marriage brokerage. Such institutional integration is essential to close the enforcement gap identified in this study, where formal legal authority is limited to offline administrative structures.

At the digital governance level, regulatory adaptation is required to address the platform-based commercialization of *nikah siri*. Given that marriage services are increasingly promoted through social media and online platforms, digital regulation must be integrated into marriage governance policy frameworks. This includes developing content monitoring mechanisms for

JUSTITIA NOVA
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https://doi.org/10.5281/zenodo.21316725

illegal marriage promotion, establishing platform accountability standards, and enhancing cooperation with digital service providers to restrict the advertisement of unregistered marriage facilitation. Without such digital governance interventions, enforcement efforts will continue to lag behind the evolving structure of informal marriage markets. Similar governance challenges have been observed in other domains where platform economies outpace regulatory capacity, necessitating adaptive and technology-sensitive regulatory frameworks (Huang et al., 2025; Mallon & Fainshmidt, 2025).

In conclusion, addressing the commercialization of *nikah siri* requires a multi-layered regulatory reform strategy that integrates statutory clarity, institutional strengthening, and digital governance adaptation. Such an approach recognizes that marriage governance in Indonesia is no longer confined to formal legal institutions but is increasingly shaped by hybrid socio-legal and digital economic structures. By aligning legal reform with the realities of legal pluralism and platform-based marketization, the state can more effectively restore the protective function of marriage law while reducing the risks associated with unregistered and commodified marriage practices.

5. Conclusion

This study has examined the commercialization of *nikah siri* in Indonesia through the framework of legal pluralism and marriage governance transformation. The findings demonstrate that *nikah siri* has evolved from a traditional informal religious practice into a digitally mediated and market-oriented service within a fragmented legal order. This transformation is shaped by the coexistence of state law, religious norms, and informal digital economies, which together produce an institutional duality in marriage governance. While Indonesia's marriage law framework, including Law No. 1 of 1974 as amended by Law No. 16 of 2019, Government Regulation No. 9 of 1975, the Compilation of Islamic Law (KHI), and Minister of Religious Affairs Regulation (PMA) No. 30 of 2024 on Marriage Registration, establishes formal requirements for marriage validity and registration, the persistence of unregistered marriage practices reveals a structural gap between legal design and socio-digital implementation.

The study further finds that the commercialization of *nikah siri* intensifies legal vulnerability, particularly for women and children, by normalizing unregistered marriage as a commodified and accessible service. This marketization process shifts marriage from a protected legal institution into a transactional practice, where access to legal recognition is influenced by economic capacity and digital accessibility. In this context, legal pluralism does not merely reflect normative coexistence but functions as an enabling structure for the emergence of informal digital marriage markets.

From a theoretical perspective, the study contributes to socio-legal scholarship by showing that legal pluralism combined with digital marketization produces a condition of "partial legality," where social legitimacy is detached from formal legal enforceability. This condition highlights the limits of marriage governance in responding to hybrid socio-legal transformations, despite the existence of strengthened regulatory frameworks such as PMA No. 30 of 2024, which aims to improve administrative control over marriage registration.

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The study concludes that addressing the commercialization of *nikah siri* requires integrated reform involving statutory strengthening, institutional coordination, and digital governance mechanisms. These reforms are necessary to bridge the gap between formal legal regulation and emerging platform-based informal marriage practices in Indonesia.

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JUSTITIA NOVA
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