

Brokered Marriage Administration: Rational Strategies of Muslim Communities in Navigating the Bureaucratization of Marriage in Indonesia

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Abstract

Indonesian law requires Muslim marriages to be formally registered to obtain state recognition. However, in practice, the marriage registration process is often bureaucratic and complex, limiting couples' ability to fulfill administrative requirements independently. In response to these challenges, some Muslim couples delegate marriage administration to third parties who are socially recognized as marriage administration brokers. This article examines the delegation of marriage administration as a rational strategy employed by Muslim couples to navigate the bureaucratic complexities of marriage registration. Using a socio-legal approach grounded in field-based research, the study analyzes empirical data through the lens of James S. Coleman's rational choice theory. The findings demonstrate that the delegation of marriage administration is driven by the convergence of three key factors: the structural complexity of state bureaucracy, couples' cognitive and temporal limitations, and strong social capital that legitimizes marriage brokers as trusted intermediaries. Furthermore, the study shows that reliance on brokers cannot be attributed solely to economic considerations, as relatively high brokerage fees are perceived as rational compensation for time efficiency, reduced administrative risk, and the attainment of legal certainty.



This article argues that marriage administration brokers function as informal social institutions mediating relations between Muslim communities and the state in confronting the bureaucratization of Islamic family law in Indonesia.

[*Hukum nasional Indonesia mewajibkan setiap perkawinan Muslim untuk dicatatkan guna memperoleh pengakuan hukum dari negara. Namun, dalam praktiknya, proses pencatatan perkawinan kerap dihadapkan pada kompleksitas birokratis yang membatasi kapasitas pasangan untuk memenuhi persyaratan administratif secara mandiri. Sebagai respons terhadap kondisi tersebut, sebagian pasangan Muslim mendelegasikan pengurusan administrasi perkawinan kepada pihak ketiga yang secara sosial dikenal sebagai makelar administrasi perkawinan. Artikel ini bertujuan untuk menganalisis praktik pelimpahan administrasi perkawinan sebagai strategi rasional yang digunakan oleh pasangan Muslim dalam menavigasi kerumitan birokrasi pencatatan perkawinan. Penelitian ini menggunakan pendekatan sosio-legal berbasis studi lapangan, dengan analisis data yang dilakukan menggunakan teori pilihan rasional dari James S. Coleman. Temuan penelitian menunjukkan bahwa praktik delegasi administrasi perkawinan didorong oleh pertemuan tiga faktor utama, yaitu kompleksitas struktural birokrasi negara, keterbatasan kognitif dan temporal pasangan, serta kuatnya modal sosial yang membangun legitimasi makelar sebagai perantara yang dipercaya. Studi ini juga menegaskan bahwa penggunaan jasa makelar tidak dapat direduksi pada pertimbangan ekonomi semata, mengingat biaya jasa yang relatif tinggi justru dipersepsikan sebagai kompensasi rasional atas efisiensi waktu, pengurangan risiko administratif, dan perolehan kepastian hukum. Artikel ini berargumen bahwa makelar administrasi perkawinan berfungsi sebagai institusi sosial informal yang memediasi relasi antara masyarakat Muslim dan negara dalam menghadapi kompleksitas birokratisasi hukum keluarga Islam di Indonesia.]*

Keywords: Bureaucratization, Marriage Administration, Marriage Brokers, Office of Religious Affairs, Rational Choice.

Introduction

Indonesian national law requires all married couples to register their marriages to obtain legal recognition from the state.¹ However, in practice, the procedural complexities of marriage administration often pose significant challenges, leading some couples to either forgo registration altogether or seek alternative mechanisms to meet administrative requirements. Couples who choose not to register their marriages typically engage in *nikah sirri* (unregistered marriage), relying on religious or customary norms.² In contrast, those pursuing formal state recognition

¹ "Marriage Law No. 1 of 1974," January 2, 1974, Article 2 paragraph (2). See: Eva F. Nisa, "The Bureaucratization of Muslim Marriage in Indonesia," *Journal of Law and Religion* 33, no. 2 (2018): 291–309.

² See: Baihaqi Baihaqi et al., "Legal Non-Compliance and Kiai Hegemony: The Practice of Unregistered Marriages among the Madurese Muslim Community of Kubu Raya," *Journal of Islamic Law* 5, no. 2 (2024): 242–68; Neng Eri Sofiana et al., "Gender-Responsive Construction in Nikah-Kawin Traditions in West Java: A Qiwanah Perspective," *El-Mashlahah* 14, no. 1 (2024): 71–94; Anwar Hafidzi et al., "Sirri Marriage Celebration and Its Impact on Social Change in Banjarese Community, South Kalimantan," *Al-Ahkam* 32, no. 2 (2022): 153–68.

frequently utilize third-party intermediaries,³ commonly known as marriage brokers, to navigate the complex administrative procedures. Although state law explicitly mandates that Muslim couples personally submit marriage registration documents to the Office of Religious Affairs (*Kantor Urusan Agama*, KUA),⁴ the widespread use of marriage brokers demonstrates the emergence of an effective delegative mechanism to circumvent bureaucratic obstacles. Given the increasing bureaucratization of Islamic family law in Indonesia, this study is significant for systematically examining the practice of delegating marriage registration administration and the rational considerations that motivate Muslim couples to rely on marriage brokers to manage these complexities.

The existing academic literature on third-party involvement in marriage administration has predominantly focused on brokers within the context of transnational marriage, while their role in domestic marriage registration has received comparatively limited scholarly attention. Research by Haeil Jung and Yeonwoo Sim demonstrates that brokers in international matchmaking mitigate information asymmetries that affect partner selection preferences, thereby reinforcing their role as agents that reduce uncertainty in decision-making processes.⁵ Similarly, Leslye E. Orloff and Hema Sarangapani argue that International Marriage Brokers (IMBs) not only facilitate access to information but also provide legal protection for migrant women, thereby generating a direct state interest in regulating the power dynamics inherent in commercial matchmaking practices.⁶ In Southeast Asia, studies by Brenda S. A. Yeoh and colleagues emphasize brokers' critical roles in risk management, regulatory navigation, and shaping client expectations within increasingly regulated cross-border marriage regimes.⁷ Concurrently, Melody Chia-Wen Lu conceptualizes the brokerage industry as a complex social infrastructure that shapes marital preferences and decisions.⁸ Collectively, these studies highlight that brokers function not merely as economic agents but also as risk managers and legal-informational intermediaries. Their relevance to the Indonesian context is evidenced by Zezen Zainul Ali's findings, which demonstrate that the delegation of marriage registration to brokers is

³ See: Muhammad Ishom, "The Challenging Role of Penghulu and Marriage Administrators in Border Areas on Indonesia: Entikong and Sekayam, West Kalimantan," *Ahkam: Jurnal Ilmu Syariah* 19, no. 2 (2019): 391-410; Ahmad Rajafi et al., "The 'Double-Faced' Legal Expression: Dynamics and Legal Loopholes in Interfaith Marriages in Indonesia," *Journal of Islamic Law* 5, no. 1 (2024): 19-43.

⁴ See: A. Sultan Sulfian, "The Urgency of Marriage Registration in the Perspective of Indonesian Marriage Law and Islamic Law," *Jurnal Al-Dustur* 6, no. 1 (2023): 72-90; Muhammad Lutfi Hakim et al., "Implementasi, Kendala dan Efektifitas Kursus Pranikah di KUA Kecamatan Pontianak Tenggara," *Al-Istinbath: Jurnal Hukum Islam* 5, no. 2 (2020): 311-28.

⁵ Haeil Jung and Yeonwoo Sim, "Reducing Information Asymmetry Before Marriage: Evidence from South Korea," *Asian and Pacific Migration Journal* 29, no. 1 (2020): 79-100.

⁶ Leslye E. Orloff and Hema Sarangapani, "Governmental and Industry Roles and Responsibilities with Regard to International Marriage Brokers: Equalizing the Balance of Power Between Foreign Fiancés and Spouses," *Violence Against Women* 13, no. 5 (2007): 469-85.

⁷ Brenda Saw Ai Yeoh et al., "Managing Risk, Making a Match: Brokers and the Management of Mobility in International Marriage," *Mobilities* 12, no. 2 (2017): 227-42.

⁸ Melody Chia-Wen Lu, "Commercially Arranged Marriage Migration: Case Studies of Cross-Border Marriages in Taiwan," *Indian Journal of Gender Studies* 12, nos. 2-3 (2005): 275-303.

grounded in socio-rational considerations, such as limited procedural knowledge, perceptions of bureaucratic complexity, and efficiency-driven decision-making.⁹ Within the broader domain of family law, research by Erik Sabti Rahmawati and colleagues further identifies the emergence of brokers in divorce proceedings, where they assume roles analogous to formal mediators in contexts characterized by limited access to legal services.¹⁰ Despite these valuable contributions, a significant research gap remains concerning how marriage brokers function as rational mechanisms employed by Muslim couples to reduce legal uncertainty, navigate complex regulations, and minimize administrative burdens in domestic marriage registration.

This article addresses a significant gap by examining the normative and practical motivations that lead Muslim couples to engage marriage brokers in the marriage registration process at the KUA in North Pontianak District, Pontianak, West Kalimantan. Specifically, the study investigates two primary research questions: first, how Muslim communities delegate the administration of marriage registration to brokers in their efforts to secure state legal recognition; and second, the factors influencing couples' decisions to rely on brokers for managing administrative requirements. The analysis demonstrates that delegating the administration of marriage registration constitutes a rational and instrumental response to the procedural complexities inherent in the marriage bureaucracy. Beyond mitigating disruptions to couples' employment and resolving discrepancies in population data, the use of brokers is perceived as both time-efficient and procedurally effective. Importantly, this study argues that such delegation should not be interpreted solely in economic terms; rather, it represents a strategic response shaped by time constraints, administrative demands, and the couples' pursuit of legal certainty.

This study is methodologically grounded in three months of field research conducted from May to July 2025 in North Pontianak District, employing a socio-legal approach. Empirical data were collected through structured interviews with six key informants, including three marriage administration brokers and three individuals who had previously utilized brokerage services. Informants were purposively selected for their direct involvement in marriage registration processes, and all identities were anonymized to ensure confidentiality. The inclusion of both brokers and service users aimed to provide a comprehensive understanding of administrative delegation practices and the normative and rational considerations underlying them. Data analysis was guided by James S. Coleman's rational choice theory, which conceptualizes individuals as purposive actors who deliberate based on rational evaluations of available alternatives. Accordingly, the delegation of marriage administration is interpreted as an instrumental decision grounded in

⁹ Zezen Zainul Ali, "Marriage Administration Brokers: The Rational Action in the Practice of Delegating Marriage Administration in Central Lampung," *Al-Ahwal: Jurnal Hukum Keluarga Islam* 17, no. 1 (2024): 1-20.

¹⁰ Erik Sabti Rahmawati et al., "Using Case Broker Instead of Mediator in Tribunal Process: Case Study in Marriage Law," *Petita: Jurnal Kajian Ilmu Hukum dan Syariah* 9, no. 2 (2024): 742-61.

logical assessments of the benefits, risks, and efficiencies associated with using brokerage services.¹¹

Regulatory Structure and the Bureaucratization of Marriage Administration

Within Indonesia's national legal system, the validity of marriage is based on two fundamental elements: compliance with religious law and recognition under state law. The first element is explicitly stated in Article 2(1) of Marriage Law No. 1 of 1974, which provides that a marriage is valid if it is conducted in accordance with the religious laws and beliefs of the parties. However, religious validity alone is insufficient to confer state recognition without fulfilling the second requirement mandated by Article 2(2) of the same legislation. This provision requires marriages to be registered in accordance with applicable statutory regulations.¹² Consequently, marriage registration is a legal obligation for all marriages and serves as the basis for the state granting legal recognition and protection.¹³ For Muslim couples, this registration is carried out at the sub-district KUA level, the state-authorized institution responsible for administering Islamic marriages.¹⁴

Prospective spouses intending to marry are required to fulfill a set of pillars (*ruk'n*) and conditions (*shart*) as mandated by state law, encompassing both substantive and administrative aspects. Substantively, an Islamic marriage must satisfy essential elements, including the prospective husband, the prospective wife, a lawful guardian (*walī*), two witnesses (*shāhidān*), and the offer (*ījāb*) and acceptance (*qabūl*). Each element is subject to specific legal requirements.¹⁵ Additionally, several substantive conditions apply to the prospective spouses, such as a minimum age of 19 years for both men and women,¹⁶ the possibility of obtaining a court-granted marriage dispensation for those below the minimum age, parental consent for individuals under 21 years of age, mutual consent of both parties, the absence of an existing marital bond, and the absence of prohibited kinship relationships under religious or state law.¹⁷ Beyond these substantive requirements, the state also prescribes administrative conditions related to the registration process, which serves as a prerequisite for the legal recognition of the marriage. Consequently, the legality of marriage under state law depends not only on the religious validity of the marital contract but also on compliance with administrative legal norms governing procedural formalities and the formal recognition of marriage.

¹¹ James Samuel Coleman, *Foundations of Social Theory*, 3rd ed. (Belknap Press of Harvard Univ. Press, 2000), 11–18.

¹² "Marriage Law No. 1 of 1974," Article 2.

¹³ See: Sulfian, "The Urgency of Marriage Registration in the Perspective of Indonesian Marriage Law and Islamic Law," 72–90; Qadriani Arifuddin, "Registration of Marriage as Fulfillment of Marriage Requirements According to Islamic Principles," *Nurani: Jurnal Kajian Syari'ah dan Masyarakat* 24, no. 2 (2024): 317–28.

¹⁴ "Regulation of the Minister of Religious Affairs No. 20 of 2019 on Marriage Registration," Supreme Court of Indonesia, September 30, 2019, Article 3.

¹⁵ "Presidential Instruction No. 1 of 1991 on the Compilation of Islamic Law," Articles 14 to 29.

¹⁶ "Law No. 16 of 2019 on Amendments to Marriage Law No. 1 of 1974," October 14, 2019.

¹⁷ "Marriage Law No. 1 of 1974," Articles 6 to 8.

Administrative requirements are fulfilled by completing the documents mandated by the Regulation of the Minister of Religious Affairs No. 20 of 2019 on Marriage Registration.¹⁸ Prospective spouses must submit a written notice of intent to marry by completing an application form and attaching supporting documents. These documents include a marriage recommendation letter from the village or urban ward office, copies of birth certificates (*akta kelahiran*), national identity cards (*Kartu Tanda Penduduk*, KTP), family cards (*Kartu Keluarga*, KK), and written consent from both parties. In some instances, additional documentation is required, such as parental or guardian consent for applicants under 21 years of age, court-issued dispensations or permits, authorization letters from superiors for members of the armed forces or police, court approval for polygamous marriages, and divorce or death certificates for widowers or widows. Indonesian citizens residing abroad who lack standard population documents must also comply with specific administrative requirements to ensure proper registration. Furthermore, prospective spouses are required to participate in premarital counseling programs offered by the Board of Marriage Counseling and Divorce Settlement (*Badan Penasehat Perkawinan dan Penyelesaian Perceraian*, BP4), as evidenced by an official certificate of completion.¹⁹ This comprehensive set of requirements demonstrates that marriage administration in Indonesia is governed by a detailed, multilayered regulatory framework designed to ensure legality, administrative order, and legal certainty.²⁰

Once all essential pillars and substantive conditions of marriage have been fulfilled, and the KUA officials have thoroughly verified that the administrative requirements are complete, the marriage contract may be solemnized and subsequently recorded by an authorized official. The outcome of this registration process is the issuance of a marriage certificate (*buku nikah* or *akta nikah*), which constitutes authentic legal evidence of a marriage recognized by the state.²¹ This marriage certificate holds significant legal importance, as it serves as the basis for registering marital status within the population administration system and functions as evidentiary documentation in various legal contexts, including the determination of a child's legal status, the rights and obligations of spouses, inheritance rights, and access to legal protection before the state.²² Therefore, the

¹⁸ "Regulation of the Minister of Religious Affairs No. 20 of 2019 on Marriage Registration," Supreme Court of Indonesia, September 30, 2019, Article 4.

¹⁹ "Circular Letter from the Director General of Islamic Community Guidance No. 2 of 2024 on Marriage Guidance for Prospective Spouses," January 8, 2024. See: Hakim et al., "Implementasi, Kendala dan Efektifitas Kursus Pranikah di KUA Kecamatan Pontianak Tenggara," 311–28.

²⁰ See: Sulfian, "The Urgency of Marriage Registration in the Perspective of Indonesian Marriage Law and Islamic Law," 72–90; Iin Ratna Sunmirat et al., "The Problem of Regulation on Using Absolute Legitimacy in Issuing Population Document," *Petita: Jurnal Kajian Ilmu Hukum dan Syariah* 9, no. 2 (2024): 674–86.

²¹ "Regulation of the Minister of Religious Affairs No. 20 of 2019 on Marriage Registration," Supreme Court of Indonesia, September 30, 2019, Article 2.

²² See: Arifuddin, "Registration of Marriage as Fulfillment of Marriage Requirements According to Islamic Principles," 317–28; Firman Wahyudi, "Ithbāt Talāq: An Offer of Legal Solutions to Illegal Divorce in Indonesia," *Al-Ahkam* 32, no. 2 (2022): 211–32; Jumni Nelli, "The Problems of Siri Marriage

regulatory structure and bureaucratization of marriage administration at the KUA underscore that marital legality under Indonesian law depends not only on the religious validity of the marriage contract but also on the successful fulfillment of the comprehensive administrative procedures mandated by the state.

Delegating Marriage Administration: Brokers as Strategies for Navigating Bureaucracy

The delegation of marriage administration to brokers in North Pontianak District exemplifies a distinctive social pattern that functions as an adaptive mechanism through which Muslim communities navigate the complexities of state bureaucracy. Although informal, this practice follows a relatively stable, structured workflow: beginning with the identification of a broker through social networks, followed by an initial consultation on administrative challenges, document verification, and submission, and culminating in the sequential processing of documents from the neighborhood office to the KUA office. These four stages constitute a service cycle that has become institutionalized within local social practices and is consistently performed by marriage administration brokers. Prospective couples typically select intermediaries deemed trustworthy through social recommendations, engage in technical consultations, submit documents for verification, and await the completion of administrative procedures until the KUA officials issue official documents. This procedural pattern illustrates how informal structures emerge as societal responses to state administrative systems perceived as insufficiently responsive to citizens' practical needs.²³

The broker-search stage highlights the predominance of trust-based mechanisms embedded within social networks. Information about marriage administration brokers is primarily obtained through recommendations from family members, neighbors, and local community networks—forms of bonding social capital that reinforce internal trust within the group. One user of brokerage services, NH, emphasized the prevalence of this practice: “*It is already common for people to use marriage administration brokers because they want something practical and simple.*”²⁴ Similarly, SH, a marriage administration broker, explained how reputation sustains social legitimacy: “*This information (about my role as a marriage administration broker) spreads by word of mouth. I do this work because people trust me. That is why I have to maintain that trust and do my best.*”²⁵ This form of social capital serves not only as an information network but also as a social filtering mechanism, mitigating fraud risk and ensuring the selected broker has a reliable track record. From a decision-making perspective, such social capital reduces

for Women in Tambang District, Kampar Regency: A Gender Swot Analysis Study,” *Al-Istinbath: Jurnal Hukum Islam* 7, no. 2 (2022): 553–78.

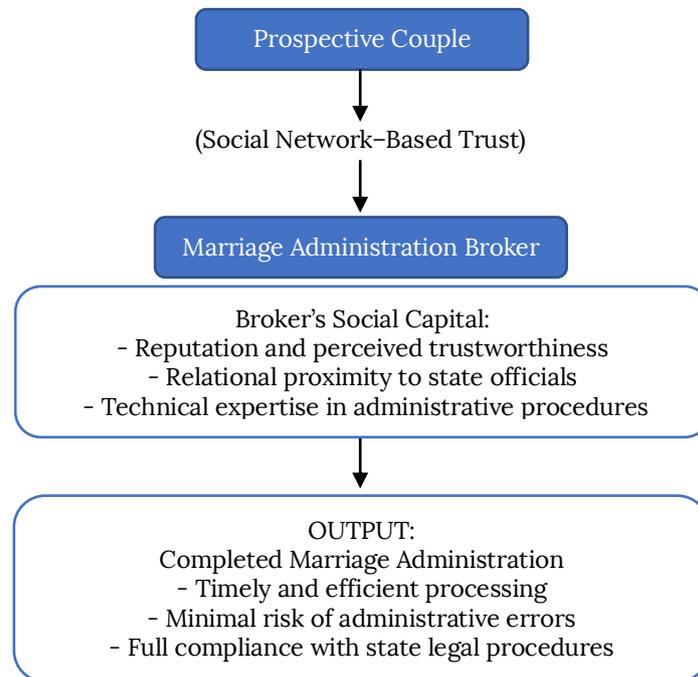
²³ Ward Berenschot et al., “Brokers and Citizenship: Access to Health Care in Indonesia,” *Citizenship Studies* 22, no. 2 (2018): 129–44.

²⁴ NH, “Interview with a Client of the Marriage Administration Broker,” June 2025.

²⁵ SH, “Interview with a Marriage Administration Broker,” May 2025.

uncertainty, making the delegation practice both economically and socially rational.²⁶

Figure 1
Stages of Delegating Marriage Registration Administration



Source: Analysis results from the authors, 2025.

The consultation or negotiation phase represents the initial stage during which prospective couples articulate the administrative challenges they face, including data inconsistencies, time constraints, and limited familiarity with formal state procedures. In this phase, brokers serve as mediators, bridging the gap between state-imposed regulatory requirements and citizens' administrative capacities.²⁷ Initial interactions typically occur via instant messaging platforms, such as WhatsApp, before progressing to face-to-face meetings. HI, a marriage administration broker, described this mediating role as follows: “*The administrative problems I often handle include death certificates for parents (when a parent of the prospective bride or groom has passed away), discrepancies between names on ID cards and family cards, or cases where the couple does not yet possess an ID card. I assist in resolving these issues step by step until everything is settled.*”²⁸ Similarly, NH, a user of brokerage services, highlighted his limited availability to manage the registration process independently: “*At that time, I was busy with work and did not have time to handle it myself. Therefore, I requested assistance from someone else*

²⁶ Ali, “Marriage Administration Brokers,” 1–20.

²⁷ Salma Salma et al., “Ignoring Family Law Administrative Procedure: Falsifying Death of Spouses for the Registration of New Marriage in Lengayang Muslim Community,” *Al-Ahwal: Jurnal Hukum Keluarga Islam* 15, no. 1 (2022): 1–20.

²⁸ HI, “Interview with a Marriage Administration Broker,” May 2025.

to manage my marriage registration.”²⁹ At this stage, brokers function as intermediaries between citizens and bureaucratic institutions, converting social capital into administrative capacity that enables couples to navigate regulatory complexities more effectively.³⁰

The document verification stage is a highly technical phase crucial to ensuring the smooth progression of the administrative process. Brokers assess the completeness and consistency of prospective couples’ documents, paying particular attention to common issues such as name discrepancies, inconsistencies in identity data, and missing supporting documentation. SH, a marriage administration broker, stated, “Once everything is ready, I collect the documents. If something is missing, I help find a solution.”³¹ Another broker, SR, echoed this view, noting, “Problems we often encounter in the field include incomplete documents, incorrect names on the family card, or couples who are uncertain about where to begin.”³² This verification stage underscores the brokers’ technical expertise in reducing administrative uncertainty. By identifying and correcting errors early, brokers facilitate more efficient subsequent procedures with fewer obstacles. At this stage, brokers’ responsibilities extend beyond administrative tasks to include interpretative functions, such as assessing, evaluating, and determining appropriate solutions in accordance with relevant regulatory frameworks.³³

The final stage involves processing documents at the neighborhood office and the village or urban ward office levels, culminating at the sub-district KUA. This process includes registration through the Marriage Management Information System (*Sistem Informasi Manajemen Nikah*, SIMKAH). During this phase, brokers leverage their extensive relational networks, coordinating with local officials and KUA personnel to facilitate the timely completion of administrative requirements. SH provided a detailed account of this process: “First, I have to go to the neighborhood office to obtain stamps on several documents. After that, I proceed to the urban ward office. Once all documents from the urban ward office are complete, I take them to the KUA to verify the marriage administration requirements. At the KUA, prospective couples are generally required to attend premarital counseling, which is typically held every Wednesday. Attendance is mandatory because the certificate from the premarital guidance program is one of the prerequisites for obtaining a marriage certificate.”³⁴ At this stage, brokers’ social capital often serves as a crucial factor in overcoming administrative obstacles and expediting procedures beyond what is ordinarily achievable for average citizens. Moreover, this phase underscores that the use of brokerage services is not merely a matter of convenience but constitutes a rational strategy for couples constrained by

²⁹ NH, “Interview with a Client of the Marriage Administration Broker,” June 2025.

³⁰ Hasbi Ash Shiddiqi et al., “Peran Modin Sebagai Biro Jasa Administrasi Perkawinan Perspektif Hukum Keluarga Islam,” *The Jure: Journal of Islamic Law* 1, no. 2 (2024): 64–78.

³¹ SH, “Interview with a Marriage Administration Broker,” May 2025.

³² SR, “Interview with a Marriage Administration Broker,” June 2025.

³³ Muhammad Latif Fauzi, “Intermediaries and Illegal Gratification in the Indonesian Bureaucracy of Muslim Marriage,” *Contemporary Islam* 18, no. 2 (2024): 337–54.

³⁴ SH, “Interview with a Marriage Administration Broker,” May 2025.

limited time. One service user, TA, candidly remarked, “*At that time, my husband and I did not have time to manage it ourselves. He worked from morning until evening, and so did I.*”³⁵ This stage exemplifies how marriage brokers transform social capital, experience, and technical expertise into problem-solving capabilities that yield tangible benefits for service users.³⁶

The findings of this study demonstrate that the presence of marriage administration brokers reflects a dynamic interaction among Muslim communities, state bureaucracy, and the pursuit of legal certainty in marriage. For most couples, the decision to utilize brokerage services constitutes a rational choice despite the additional financial cost, as it saves time, reduces administrative burdens, and ensures procedural efficiency. NH, a user of marriage administration brokerage services, succinctly expressed this rationale: “*It does not really save money, but it does save time. We just received the finished result, so we have to pay more than if we handled it ourselves.*”³⁷ Conversely, brokers often perceive their work as part of a broader social ethic and community service. SH noted, “*So this work is not just about money; it is also about care, exchanging ideas, and helping others.*”³⁸ This practice exemplifies the convergence of rational decision-making, social values, and legal requirements within a single domain of interaction. At this intersection, marriage administration brokers serve as informal social institutions that enhance the effectiveness of marriage administration and help communities navigate state legal structures that are often perceived as complex and inflexible.³⁹

Determining Factors in the Delegation of Marriage Administration Among Muslim Couples

Based on interviews with research participants, the decision of Muslim couples in North Pontianak to delegate the administration of marriage registration extends beyond mere practical convenience. This decision stems from the interaction of three interrelated and mutually reinforcing factors: structural constraints within the state bureaucracy, cognitive and temporal limitations in fulfilling administrative requirements, and the strength of social capital that legitimizes brokers as trustworthy agents. Together, these factors form a coherent rationale for action, whereby couples perceive administrative delegation as the most effective strategy to ensure a smooth registration process, minimize the risk of errors, and secure legal certainty regarding their marital status. Thus, the motivation for delegation reflects a convergence of legal demands, efficiency considerations, and a deeply ingrained, socially embedded trust embedded in community practices.

³⁵ TA, “Interview with a Client of the Marriage Administration Broker,” July 2025.

³⁶ Ali, “Marriage Administration Brokers,” 1–20.

³⁷ NH, “Interview with a Client of the Marriage Administration Broker,” June 2025.

³⁸ SH, “Interview with a Marriage Administration Broker,” May 2025.

³⁹ See: Rahmawati et al., “Using Case Broker Instead of Mediator in Tribunal Process,” 742–61; Ali, “Marriage Administration Brokers,” 1–20.

Table 1
Determining Factors in the Delegation of Marriage Administration

No.	Factor	Indicators
1.	Structural Complexity of State Bureaucracy	Multilayered administrative procedures, ranging from the neighborhood office to the KUA office; unfamiliar terminology and document formats; and a high risk of administrative errors and document rejection.
2.	Cognitive and Temporal Constraints: Limited Administrative Literacy and Time	Full-time employment limits access to service hours; discrepancies in cross-agency data require correction; and there is a lack of understanding regarding required documents, legal terminology, and procedural sequences.
3.	Social Capital, Trust, and Broker Legitimacy	Strong recommendations from family, neighbors, and the community; reputational legitimacy developed over time; and the perception of brokers as trustworthy, competent, and morally supportive actors.

Source: Data were processed from interview results with informants, 2025.

The primary issue concerns structural constraints, particularly the complexity of the marriage administration bureaucracy. Couples must navigate multiple levels of service provision, including neighborhood, urban ward, and the sub-district KUA offices. This process also requires participation in premarital counseling and interaction with the digital SIMKAH system, which is not always easily accessible.⁴⁰ Many couples perceive these bureaucratic requirements as burdensome and prone to administrative errors. For example, WA, a user of marriage administration brokerage services, stated, “*What makes it complicated is collecting all the documents. If something is incomplete, you have to go back and forth to the government office that issued the letter.*”⁴¹ This view is supported by HI, a former KUA official who now works as a marriage administration broker, who observed, “*The system at the KUA is quite complicated. That is why many people ask for help.*”⁴² For Muslim communities unfamiliar with navigating such multilayered regulatory procedures, these bureaucratic arrangements impose significant structural challenges.⁴³ In this context, marriage administration brokers serve as intermediaries who can interpret, map, and execute procedural workflows more efficiently than couples managing the process independently.⁴⁴

The second factor pertains to couples’ cognitive and temporal constraints in understanding and managing administrative procedures. Cognitive limitations manifest as low administrative literacy, including difficulties in distinguishing

⁴⁰ Hakim et al., “Implementasi, Kendala dan Efektifitas Kursus Pranikah di KUA Kecamatan Pontianak Tenggara,” 311–28.

⁴¹ WA, “Interview with a Client of the Marriage Administration Broker,” May 2025.

⁴² HI, “Interview with a Marriage Administration Broker,” May 2025.

⁴³ See: Salma et al., “Ignoring Family Law Administrative Procedure,” 1–20; Ade Manansyah and Misbahul Huda, “Kewajiban Pencatatan Perkawinan Pasca Lahirnya Peraturan Presiden No. 96 Tahun 2018,” *Ascarya: Journal of Islamic Science, Culture, and Social Studies* 2, no. 1 (2022): 56–64; Iman Jauhari et al., “Legal Analysis of Unregistered Marriage Viewed from Ulama’s Perspective in Aceh Province,” *Petita: Jurnal Kajian Ilmu Hukum dan Syariah* 8, no. 2 (2023), 175–88.

⁴⁴ Ali, “Marriage Administration Brokers,” 1–20.

document types, comprehending legal terminology, and identifying the appropriate institutions to contact when data discrepancies arise. This limitation is exemplified by TA, a user of brokerage services, who stated, “*I did not take care of it myself, so I do not really know much about the process.*”⁴⁵ SR, a marriage administration broker, confirmed this observation, noting, “*Problems we often encounter include incomplete documents, incorrect names on the family card, or couples who are still confused about where to start.*”⁴⁶ In addition to these cognitive barriers, most informants were employed during standard government office hours, which restricted their ability to manage administrative tasks independently. TA explained, “*At that time, my husband and I did not have time to handle it ourselves. He worked from morning until evening, and so did I. Meanwhile, services at the KUA operate during those same hours. So, we really had no time to take care of the requirements ourselves.*”⁴⁷ Taken together, these conditions make delegating marriage administration a rational decision that optimizes couples’ limited resources—particularly time and energy—while minimizing the risk of errors and avoiding administrative uncertainties that could delay marriage registration.⁴⁸

The third factor is social capital, which underpins public trust in marriage administration brokers. Recommendations from family members, neighbors, and local community networks serve as the primary foundation for establishing brokers’ legitimacy as reliable and credible administrative intermediaries. HI, a marriage administration broker, emphasized this point: “*People trust me mainly because of social closeness. We have known each other for a long time, so they feel more comfortable and confident when their administrative matters are handled by someone they trust.*”⁴⁹ Another broker, SR, supported this view: “*They trust us more because they know us personally and feel close to us. It makes communication easier.*”⁵⁰ This form of social trust functions as a risk-filtering mechanism, ensuring that couples select intermediaries who are experienced, trustworthy, and embedded within strong relational networks with local officials.⁵¹ Moreover, brokers often perceive their work as part of a broader community ethic rather than solely as an economic activity, as articulated by HI: “*This work is not just about money; it is also about helping others.*”⁵² This ethical dimension confers moral legitimacy upon the practice, rendering delegation not only technically rational but also socially and normatively consistent with communal values of mutual assistance.

These factors are not unique to Muslim couples in North Pontianak but are also observed in other regions of Indonesia. Research conducted across various

⁴⁵ TA, “Interview with a Client of the Marriage Administration Broker,” July 2025.

⁴⁶ SR, “Interview with a Marriage Administration Broker,” June 2025.

⁴⁷ TA, “Interview with a Client of the Marriage Administration Broker,” July 2025.

⁴⁸ See: Rahmawati et al., “Using Case Broker Instead of Mediator in Tribunal Process,” 742–61; Ali, “Marriage Administration Brokers,” 1–20.

⁴⁹ HI, “Interview with a Marriage Administration Broker,” May 2025.

⁵⁰ SR, “Interview with a Marriage Administration Broker,” June 2025.

⁵¹ See: Orloff and Sarangapani, “Governmental and Industry Roles and Responsibilities With Regard to International Marriage Brokers,” 469–85; Yeoh et al., “Managing Risk, Making a Match,” 227–42.

⁵² HI, “Interview with a Marriage Administration Broker,” May 2025.

districts in Lampung Province reveals that limited knowledge of marriage registration procedures, perceptions of administrative complexity, and economic considerations are primary reasons why Muslim communities engage marriage administration brokers. Similarly, studies in Jember identify factors such as couples' occupational commitments and local customs as contributing to the use of brokerage services.⁵³ Among these factors, Ali argues that economic motivations predominate. However, contrary to Ali's conclusions, the present study finds that economic factors are not the principal drivers, given the relatively high fees associated with brokerage services.⁵⁴ Interviews with several marriage brokers indicate that service charges range from IDR 500,000 to IDR 1,500,000.⁵⁵ Nonetheless, these costs are not perceived as burdensome by users. However, they are instead regarded as compensation for time savings, reduced risk of administrative errors, and the avoidance of administrative uncertainties that might otherwise delay marriage registration.

Rational Calculations in Delegating Marriage Administration: Balancing Structure, Actor Capacity, and Social Capital

The findings of this study indicate that the delegation of marriage administration to brokers in North Pontianak arises from a complex process of rational evaluation based on Muslim couples' direct interactions with the state's marriage registration system. This rationality does not develop in isolation but is shaped through engagement with complex administrative procedures, including document processing at the neighborhood and urban ward office levels, registration at the KUA office, and mandatory participation in premarital guidance programs.⁵⁶ Informants' reports of repeatedly revising documents or visiting multiple institutions due to administrative inconsistencies demonstrate that procedural risk constitutes a tangible empirical reality.⁵⁷ Within this context, delegating marriage administration to brokers is adopted as a rational strategy that enables couples to achieve their primary objective—formal marriage registration—while circumventing the full complexity of bureaucratic processes, expediting outcomes, and maintaining more controlled levels of risk.⁵⁸

At the structural level, the bureaucratization of marriage administration imposes significant regulatory burdens on society. The detailed administrative requirements, as outlined in formal regulations and further complicated by local implementation practices, make the marriage registration process one that demands precision, procedural expertise, and considerable time investment.

⁵³ Shiddiqi et al., "Peran Modin Sebagai Biro Jasa Administrasi Perkawinan Perspektif Hukum Keluarga Islam," 69–71.

⁵⁴ Ali, "Marriage Administration Brokers," 1–20.

⁵⁵ HI, "Interview with a Marriage Administration Broker," May 2025.

⁵⁶ "Regulation of the Minister of Religious Affairs No. 20 of 2019 on Marriage Registration," Supreme Court of Indonesia, September 30, 2019, Article 4.

⁵⁷ WA, "Interview with a Client of the Marriage Administration Broker," May 2025.

⁵⁸ See: Rahmawati et al., "Using Case Broker Instead of Mediator in Tribunal Process," 742–61; Ali, "Marriage Administration Brokers," 1–20.

Testimony from former KUA officials who have transitioned into brokerage roles corroborates the perceived complexity of these procedures, explaining why many community members seek assistance from marriage brokers to navigate the process successfully.⁵⁹ In this context, marriage brokers act as agents with procedural advantages, including the ability to interpret bureaucratic pathways, identify potential errors, and efficiently execute administrative steps. The rationality of couples is demonstrated by their recognition that independently managing the process increases the likelihood of delays and administrative failures, both of which require additional time and effort,⁶⁰ whereas relying on brokers substantially enhances the probability of successful registration.

In addition to structural constraints, couples' rational decision-making is influenced by specific cognitive and temporal limitations. Most respondents are employed full-time, with working hours that overlap government office hours, thereby limiting their ability to manage marriage-related administrative tasks independently.⁶¹ These temporal constraints are further exacerbated by limited administrative literacy, including difficulties in understanding legal terminology, distinguishing among various forms, and determining appropriate corrective actions when discrepancies in population data arise. In this context, brokerage fees—which are nominally substantial—are not perceived as an economic burden but rather as reasonable compensation for time saved, reduced psychological stress, and the mitigation of administrative uncertainty.⁶² These findings suggest that couples consciously evaluate costs and benefits to choose the option that optimizes effectiveness within the constraints they face.⁶³

The social dimension adds a layer to this rational calculus. Trust in marriage brokers is built through family recommendations, relational proximity, and reputations established and passed down across generations within local communities.⁶⁴ This social capital serves as a risk-reduction mechanism, as couples are more likely to entrust critical administrative matters to actors with socially recognized legitimacy and a collectively verifiable track record. Such trust is further reinforced by brokers' professional backgrounds, including prior employment in government-related institutions such as the KUA or community health services (*Posyandu*), as well as their extensive experience—often spanning twelve to fifteen years—in managing marriage administration. Moreover, brokers perceive their role not merely as service providers but as embodying communal ethics centered on mutual assistance.⁶⁵ This ethical dimension enhances the legitimacy of delegation,

⁵⁹ HI, "Interview with a Marriage Administration Broker," May 2025.

⁶⁰ See: TA, "Interview with a Client of the Marriage Administration Broker," July 2025; NH, "Interview with a Client of the Marriage Administration Broker," June 2025.

⁶¹ TA, "Interview with a Client of the Marriage Administration Broker," July 2025.

⁶² See: NH, "Interview with a Client of the Marriage Administration Broker," June 2025; WA, "Interview with a Client of the Marriage Administration Broker," May 2025.

⁶³ Ali, "Marriage Administration Brokers," 1-20.

⁶⁴ NH, "Interview with a Client of the Marriage Administration Broker," June 2025.

⁶⁵ HI, "Interview with a Marriage Administration Broker," May 2025.

making couples' decisions not only technically and economically rational but also socially and morally consistent with prevailing community norms.⁶⁶

The practice of delegating marriage administration in North Pontianak illustrates how individual behaviors are shaped by the interaction among state regulatory structures, limitations in actors' capacities, and the availability of social capital as a collective resource. The rationality of couples cannot be explained solely by economic motives, as their acceptance of relatively high brokerage fees reflects a reasoned response to the benefits they obtain. These findings challenge Ali's claim that economic considerations are the primary factors driving the use of marriage administration brokers.⁶⁷ In this context, brokers function as informal social institutions that transform social capital and administrative expertise into effective community-based solutions.⁶⁸ Drawing on empirical evidence concerning procedural complexity, time constraints, and strong trust relationships, this analysis demonstrates that delegating marriage administration constitutes a rational strategy grounded in the legal-administrative realities faced by Muslim communities in their everyday lives.

Conclusion

The delegation of marriage administration to brokers in the North Pontianak District represents a rational and normative response to the tension between state-imposed legal requirements and the actual capacities of Muslim communities to comply with marriage registration procedures. This delegation follows a relatively stable and structured workflow, beginning with the identification of a broker, followed by consultations regarding administrative obstacles, document verification, and stepwise processing from the neighborhood (*rukun tetangga*) and village or urban ward (*desa* or *kelurahan*) office levels to the Office of Religious Affairs (*Kantor Urusan Agama*, KUA). This process constitutes a nonformal yet effective mechanism for reconciling the demands of formal law. At the motivational level, couples delegate marriage administration due to procedural complexity, limited legal-administrative knowledge, and time constraints—factors further reinforced by the social legitimacy of brokers, who are perceived as trustworthy and competent actors. Consequently, the decision to delegate reflects a form of legal rationality aimed at securing marital legal status and ensuring compliance with state law, rather than merely seeking practical convenience.

From a normative perspective, these findings challenge legalistic frameworks that conceptualize legal compliance solely as a function of individual legal consciousness. This study demonstrates that the effectiveness of marriage

⁶⁶ See: Shiddiqi et al., "Peran Modin sebagai Biro Jasa Administrasi Perkawinan Perspektif Hukum Keluarga Islam," 64–78; Mustafid Mustafid et al., "Alternative Legal Strategies and Ninik Mamak Authority: Dual Administration of Malay Marriage in Koto Kampar Hulu, Riau," *Journal of Islamic Law* 5, no. 1 (2024): 1–18.

⁶⁷ Ali, "Marriage Administration Brokers," 1–20.

⁶⁸ Fauzi, "Intermediaries and Illegal Gratification in the Indonesian Bureaucracy of Muslim Marriage," 337–54.

registration norms fundamentally depends on the alignment between regulatory design and citizens' social capacities to navigate and adhere to administrative procedures. The role of marriage administration brokers can thus be understood as a form of normative gap-filling—informal social mechanisms that emerge to bridge the disconnect between state legal requirements and social realities. Consequently, reforms aimed at bureaucratizing Islamic family law in Indonesia should consider factors such as service accessibility, procedural comprehensibility, and principles of administrative justice to avoid inadvertently producing normative exclusion through marriage registration mandates. It is important to acknowledge that this study is limited by its focus on a single district and a relatively small sample of informants. Therefore, its findings are not intended for broad generalization but rather to offer a contextualized normative analysis of Islamic family law practices within the framework of state bureaucratization.

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