

## ABSTRACT

Nur Alam Syaf: **RECONSTRUCTION OF LEGAL PROTECTION OF SIRI MARRIAGE POSITIONS FROM THE PERSPECTIVE OF MARRIAGE LAW IN INDONESIA**, under the guidance of Prof. Dr. Hj. Waty Suwarty Haryono, SH. MH as Promoter and Dr. Rineke Sara, SH. MH. as Co-Promoter.

The current problem of sirri marriages is rampant, where the rights of wives and children are not fulfilled as a result of sirri marriages. The research discusses the position of sirri marriage in the perspective of marriage law in Indonesia, the negative legal impact of implementing sirri marriage in the perspective of marriage law in Indonesia, and legal reconstruction to minimize sirri marriage in the future (*ius constituendum*) as a form of legal protection for marriage in Indonesia. Indonesia. The approach method used in this research is an empirical normative juridical approach. The results of the research explain that the legal position of sirri marriage or underhand marriage from the perspective of marriage law in Indonesia, is a marriage that is based on Islamic law, is religiously legal as well as viewed from Law Number 1 of 1974 concerning Marriage, while marriage registration is based on regulations, applicable legislation is an administrative obligation. The negative impact of implementing sirri marriage can be felt by wives, children and husbands. The wife does not have legal recognition in the eyes of society as a wife and does not have the right to be supported and given inheritance rights by her husband because of her status as not being a legal wife. Children are illegitimate children who have no legal relationship with their biological father and even when married, girls cannot be guardians of their father. in accordance with the provisions of Article (2) Paragraph (1) of the UUP, because it is not registered at the Religious Affairs Office (KUA for Muslims and the Civil Registry Office for Non-Muslims, Legal reconstruction to minimize unregistered marriages in the future (*ius constituendum*) as a form of legal protection , in this case it is necessary to update the regulations regarding marriage registration in Law Number 1 of 1974 concerning Marriage, because of the controversy regarding the position and status of sirri marriages in Indonesia. There is legal dualism regarding sirri marriages where marriage law does not recognize unregistered marriages. as stated in Article 2 Paragraph (2) of Law Number 1 of 1974 concerning marriage. However, there is an opportunity to legalize an unregistered marriage on the grounds that the marriage meets the harmony and requirements.

**Keywords: Legal Protection, Siri Marriage, Legal Perspective.**