

## Unregistered Polygamy Among Public Figures: A Socio-Legal Analysis of Marital Consent and Islamic Family Law in Indonesia

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### Abstract

The issue of unregistered polygamous marriage without the consent of the first wife continues to generate debate within the discourse of Islamic family law in Indonesia, particularly when such practices involve public figures whose personal actions attract broad public attention. This study aims to analyze the legal status and socio-legal implications of unregistered polygamous marriages conducted without the consent of the first wife within the framework of Indonesian Islamic family law. The research employs a qualitative approach using a socio-legal method that combines doctrinal analysis of legal regulations with an examination of social dynamics surrounding the practice of marriage. The study focuses on the interaction between Islamic jurisprudential principles, national marriage legislation, and public discourse, with particular reference to the public controversy involving Inara Rusli and Insanul Fahmi. The findings show that Indonesian marriage law, particularly Law No. 1 of 1974 and the Compilation of Islamic Law, establishes a regulatory framework that permits polygamy under strict conditions, including judicial approval, financial capability, and the consent of the first wife. However, the practice of unregistered marriage allows individuals to bypass these legal requirements, creating a gap between religious legitimacy and legal recognition. When such practices involve public figures, the issue often evolves into a broader public debate concerning the relationship between religious norms, state legal authority, and social perceptions of marriage. The study concludes that strengthening legal awareness and ensuring compliance with marriage registration procedures are essential for protecting family rights and maintaining legal certainty within Indonesian Islamic family law

**Keywords:** *Islamic family law; unregistered marriage; polygamy; marital consent, Indonesia.*

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### INTRODUCTION

Marriage is one of the most important institutions in Islamic legal tradition and social life. In Islamic jurisprudence, marriage is not only understood as a personal relationship between a man and a woman but also as a legal contract that establishes rights, duties, and responsibilities within the family structure (Banoo, 2024). Classical Islamic jurists classify marriage within the field of *fiqh al-ahwal al-shakhshiyah*, which regulates family relations such as marriage, divorce, inheritance, and guardianship. Through this legal framework, Islamic law seeks to maintain social order, protect individual rights, and regulate the formation of families within Muslim societies (Rauf, 2018).

Within Islamic legal doctrine, marriage is considered valid when certain essential elements are fulfilled. These elements include the consent of both parties, the presence of a guardian (*wali*), witnesses, and the pronouncement of the marriage contract (*akad nikah*) (Lindsey, 2008). Classical jurists from the major schools of Islamic law developed detailed discussions concerning these requirements to ensure that marriage takes place in a legitimate and orderly manner. The emphasis on contractual agreement reflects the legal nature of marriage in Islamic law, where mutual consent and legal clarity play central roles in determining the validity of the marital bond (Aziz et al., 2023; Kamali, 1999).

One of the most debated aspects of Islamic family law is the issue of polygamy. Islamic teachings allow a man to marry up to four wives under specific conditions derived from Qur'an 4:3. Classical jurists interpreted this verse as a conditional permission that requires fairness and responsibility toward each spouse (Alqawasmi, 2024). Justice among wives, financial capability, and equal treatment are commonly cited conditions emphasized in classical legal discussions of polygamy. At the same time, Islamic scholars have long acknowledged that maintaining perfect equality between wives is extremely difficult, a concern reflected in Qur'an 4:129. Because of this tension between legal permission and ethical responsibility, polygamy has remained a subject of continuous debate in both classical and modern discussions of Islamic law (Alfa Thoriqotur Rizqi, 2022).

In contemporary Muslim societies, including Indonesia, the regulation of marriage and polygamy has undergone significant transformation through the development of national legal systems (Nilan, 2008). Indonesia regulates marriage primarily through Law No. 1 of 1974 on Marriage, which applies to all Indonesian citizens. For Muslim communities, the implementation of Islamic family law is further elaborated through the Compilation of Islamic Law (Marcotte, 2001). These regulations establish procedural requirements for polygamy, including the need for judicial permission and the consent of the existing wife. The legal framework reflects the state's attempt to regulate family relations while ensuring legal certainty and protection for women and children within the marital relationship (Hamayotsu, 2015).

Despite the existence of these legal regulations, the practice of unregistered marriage remains a persistent phenomenon in Indonesian society (Marcotte, 2001). Unregistered marriage, commonly referred to as *nikah siri*, refers to a marriage conducted according to Islamic religious procedures but not officially recorded by the state (Rumble et al., 2018). In many cases, such marriages fulfill religious requirements such as the presence of witnesses and a guardian, yet they are not formally registered at the Office of Religious Affairs. As a result, these marriages occupy a complex position in which they may be considered valid according to certain religious interpretations but lack formal legal recognition within the national legal system (Bowen, 2009).

The absence of official registration often produces significant legal consequences. Women involved in unregistered marriages may face difficulties in claiming legal rights related to divorce, inheritance, or financial support (Ja'far et al., 2020). Children born from such marriages may also encounter administrative challenges in obtaining legal

documentation or recognition of parental status. Because of these potential legal complications, Indonesian legal scholars and policymakers have repeatedly emphasized the importance of marriage registration as a mechanism for protecting family rights and ensuring legal accountability (Hamayotsu, 2015). Nevertheless, unregistered marriage continues to occur due to various social, cultural, and religious considerations within the community.

The situation becomes even more complicated when unregistered marriage occurs within the context of polygamy without the consent of the first wife. Indonesian marriage law explicitly requires the approval of the first wife as part of the legal procedure for obtaining judicial permission to practice polygamy. This requirement aims to maintain fairness within the marital relationship and prevent unilateral decisions that may negatively affect existing family members (Rumble et al., 2018). However, when polygamous marriages are conducted through unregistered religious ceremonies, these legal requirements can be bypassed. Such practices raise important legal questions regarding the relationship between religious legitimacy and state regulation in the governance of family life (Farooq-e-Azam et al., 2021).

The issue of unregistered polygamy becomes particularly visible when it involves individuals who hold public visibility or influence. Public figures often attract considerable media attention, and their personal actions may shape public discourse on legal and moral issues (Uscinski, 2009). When a public figure engages in a controversial marital arrangement, the matter frequently becomes a topic of public debate that extends beyond the private sphere. Discussions surrounding these cases often reflect broader tensions between religious interpretations, legal regulations, and changing social expectations regarding marriage and gender relations.

A recent example that attracted public attention in Indonesia involves the case associated with public figures Inara Rusli and Insanul Fahmi. The controversy surrounding this case generated extensive discussion across media platforms and social networks regarding the legality of unregistered polygamous marriage and the requirement of the first wife's consent. Public reactions revealed diverse perspectives within Indonesian society. Some commentators emphasized the religious validity of marriages conducted according to Islamic rituals, while others stressed the importance of complying with state legal procedures in order to protect women's rights and maintain legal order.

From a socio legal perspective, controversies involving public figures offer valuable insight into how legal norms operate within society. Legal rules do not function solely within courtrooms or legal texts. They also interact with social practices, cultural beliefs, and public perceptions. In societies characterized by multiple normative frameworks, such as Indonesia, religious norms, state regulations, and social expectations frequently intersect and sometimes conflict with one another. Scholars describe this condition as legal pluralism, a situation in which different legal systems coexist and influence social behavior simultaneously (Rehman, 2007).

Understanding the phenomenon of unregistered polygamy therefore requires not only a doctrinal analysis of Islamic legal principles and statutory regulations but also an

examination of the broader social context in which these practices occur. The involvement of public figures adds an additional dimension to this analysis because their actions may influence public perceptions of legal legitimacy and religious authority. Public controversies surrounding marital practices can shape social attitudes toward family law and contribute to ongoing debates about the relationship between religious norms and state legal systems.

Although numerous studies have examined Islamic family law reform and marriage regulation in Indonesia, limited attention has been given to the interaction between unregistered polygamy, marital consent, and the role of public figures in shaping public discourse. Most existing research focuses on legal doctrine, institutional regulation, or gender perspectives within Islamic family law. Fewer studies explore how highprofile cases influence the interpretation and application of family law norms within society. Analyzing such cases provides an opportunity to understand how legal principles are negotiated in everyday social life.

This study seeks to examine the phenomenon of unregistered polygamy among public figures in Indonesia, particularly marriages conducted without the consent of the first wife. Using a socio legal approach, this research analyzes the interaction between Islamic legal principles, national marriage law, and public discourse in shaping the understanding of such practices. By focusing on the case involving Inara Rusli and Insanul Fahmi, the study aims to provide deeper insight into the complexities of marriage regulation in contemporary Indonesian Islamic family law and the broader social debates surrounding the legitimacy of unregistered polygamous marriages.

## **METHODS**

This study employs a qualitative research design using a socio legal approach to analyze the phenomenon of unregistered polygamous marriage conducted without the consent of the first wife within the framework of Indonesian Islamic family law. A qualitative approach is appropriate for this research because the study seeks to understand legal norms, social practices, and public discourse surrounding unregistered polygamy rather than to measure numerical variables. Qualitative research allows the researcher to examine legal texts, social contexts, and public narratives in order to interpret how law operates in real social situations (Creswell, 2013).

The socio legal approach is used because the issue examined in this research involves both legal norms and social realities. In the context of Islamic family law, legal rules are not only expressed in statutory regulations or classical jurisprudential texts but are also shaped by social practices and public perceptions. A socio legal perspective therefore enables the researcher to analyze how religious norms, state regulations, and social behavior interact in shaping the practice of marriage and polygamy in contemporary Indonesian society (Menski, 2020). Through this approach, the research does not focus solely on doctrinal legal interpretation but also explores the broader social implications of unregistered polygamous marriages involving public figures.

The research adopts a case study design in order to examine the legal and social dynamics surrounding the public controversy involving Inara Rusli and Insanul Fahmi. Case study research is commonly used in socio legal studies to analyze specific events or cases that reflect broader legal and social phenomena (Heale & Twycross, 2018). By focusing on a particular case involving public figures, the study seeks to illustrate how issues of marital consent, polygamy, and marriage registration are debated and interpreted within Indonesian society. The case study also provides an opportunity to observe how legal norms are applied, contested, and discussed in public discourse.

Data used in this research consist primarily of qualitative documentary sources. The first category of data includes primary legal materials, which form the normative foundation of the study. These materials include Law No. 1 of 1974 on Marriage, the Compilation of Islamic Law, relevant provisions of the Indonesian Civil Administration Law concerning marriage registration, and judicial regulations related to polygamy permits in religious courts. These legal texts are analyzed to identify the formal legal requirements governing marriage, polygamy, and marital consent within the Indonesian legal system (Ardi & Shuhufi, 2024).

The second category of data consists of secondary legal and academic sources. These sources include scholarly books, peer reviewed journal articles, and previous studies discussing Islamic family law, marriage registration, and polygamy in Indonesia. Academic literature is used to provide theoretical and contextual understanding of the legal framework governing marriage and to situate the research within broader scholarly debates concerning Islamic law and legal pluralism (Dupret, 2007). Secondary sources also help explain how marriage registration and marital consent are interpreted within contemporary legal scholarship.

The third category of data consists of publicly available media reports and digital publications discussing the case involving Inara Rusli and Insanul Fahmi. Media coverage plays an important role in socio legal research because it reflects public discourse and societal reactions to legal controversies (Kovanović et al., 2015). News articles, online media reports, and public statements related to the case are examined to understand how the issue of unregistered polygamy was presented and debated within the public sphere. These materials are used not as legal evidence but as social data illustrating how legal norms are interpreted and discussed in society (Oviedo-García, n.d.).

Data analysis in this research is conducted through qualitative legal analysis and thematic interpretation. The analysis begins with a doctrinal examination of Indonesian marriage law and Islamic legal principles related to polygamy and marital consent (Aşkun & Erkoyuncu, 2023). This step aims to identify the normative legal standards that regulate marriage and polygamy within the Indonesian legal framework. Following the doctrinal analysis, the study examines how these legal norms interact with social practices reflected in the case under study.

Thematic analysis is then used to identify key themes emerging from the collected data (Clarke & Braun, 2017). These themes include the legal status of unregistered marriage, the role of marital consent in polygamous relationships, the relationship between religious

legitimacy and state regulation, and the influence of public figures in shaping public perceptions of Islamic family law. Through this analytical process, the research seeks to demonstrate how legal norms and social realities intersect in the context of unregistered polygamous marriage.

To ensure the reliability of the analysis, the research employs source triangulation, which involves comparing information from different types of sources such as legal texts, academic literature, and media reports. By examining multiple sources, the researcher aims to reduce interpretive bias and provide a more comprehensive understanding of the phenomenon being studied. Triangulation also helps ensure that the interpretation of legal and social issues is supported by diverse forms of evidence (Hartley & Sturm, 1997).

Through this methodological framework, the study aims to provide a systematic examination of unregistered polygamy among public figures in Indonesia. The combination of doctrinal legal analysis and socio legal interpretation enables the research to explore both the normative legal framework and the social dynamics surrounding the practice of marriage without the consent of the first wife. This approach allows the study to contribute to a deeper understanding of how Islamic family law operates within the contemporary Indonesian legal and social environment.

## **RESULT AND DISCUSSION**

### **Subsection Legal Framework of Polygamy and Marital Consent in Indonesian Islamic Family Law**

Marriage occupies a fundamental position within Islamic legal tradition and within the structure of Indonesian family law. In Islamic jurisprudence, marriage (*nikāḥ*) is understood as a legal contract that establishes lawful relations between a man and a woman while simultaneously creating a system of rights, obligations, and responsibilities within the family (Adriyani et al., 2024). Classical jurists consistently emphasized that marriage is not merely a private arrangement but a legally regulated institution that structures family life and social order. Through the institution of marriage, Islamic law regulates matters such as lineage, inheritance, guardianship, and marital responsibilities, thereby ensuring the stability of social relations within Muslim communities (Ardi & Shuhufi, 2024).

In the classical framework of Islamic jurisprudence, the validity of a marriage depends on the fulfillment of several essential elements. These elements include the presence of the bride and groom, the consent of both parties, the involvement of a legal guardian (*wali*) for the bride, the presence of witnesses, and the formal declaration of the marriage contract (*ijab* and *qabul*) (Lianne et al., 2025). When these conditions are satisfied, the marriage is generally regarded as legally valid according to the majority of Islamic jurists. Historically, Muslim societies relied primarily on community recognition and witness testimony to confirm the existence of a marriage. Consequently, classical jurists did not require a centralized administrative system for marriage registration because social institutions already provided mechanisms for recognizing marital relationships (Kamali, 2022).

The emergence of modern nation states, however, has significantly transformed the regulation of marriage. Contemporary legal systems emphasize the importance of official documentation in order to ensure legal certainty, administrative accountability, and the protection of individual rights (Dommaraju & Tan, 2024). In Indonesia, the formal regulation of marriage is primarily governed by Law No. 1 of 1974 on Marriage, which represents a major legal reform aimed at unifying the national framework of family law. This legislation introduced standardized procedures for marriage while maintaining recognition of religious principles as the basis for marital validity (Nisa, 2018).

Article 2 of the Marriage Law establishes the dual foundation of marriage regulation in Indonesia. The first provision states that a marriage is valid if it is conducted according to the laws of the religion and belief of the parties involved (Kurniawan et al., 2022).. The second provision requires that every marriage be officially recorded according to the applicable legal regulations. These two provisions illustrate the distinctive character of Indonesian marriage law, where religious legitimacy and state administration operate simultaneously within a unified legal framework. Religious law determines the substantive validity of marriage, while state registration ensures that the marriage receives formal legal recognition within the national legal system (Hamayotsu, 2015).

Within this legal framework, Indonesian family law promotes monogamy as the general model of marriage while still permitting polygamy under certain regulated conditions. Rather than abolishing polygamy altogether, the law places it within a system of judicial supervision intended to ensure fairness and accountability (Watoni, 2025). Article 3 of the Marriage Law provides that a husband may take more than one wife only after obtaining permission from the court. This provision reflects the state's effort to regulate the practice of polygamy by requiring judicial oversight, thereby preventing arbitrary decisions and safeguarding the rights of existing spouses (Alhadiansyah et al., 2026).

The legal requirements governing polygamy are further elaborated in Articles 4 and 5 of the Marriage Law. Article 4 requires a husband who seeks to practice polygamy to present legitimate and legally recognized reasons (Dommaraju & Tan, 2024; Nisa, 2018). Such reasons may include circumstances in which the first wife is unable to perform marital obligations, suffers from a serious illness or disability, or cannot bear children. These provisions do not eliminate the possibility of polygamy but restrict its application to specific situations that can be justified before the court. In this way, the law attempts to balance the permissibility of polygamy within Islamic tradition with the need to protect family welfare and prevent abuse of the practice (Nur, 2024).

Article 5 introduces additional safeguards that are intended to protect the rights and interests of the existing wife. Among the most important of these safeguards is the requirement that the first wife give her consent before a court may grant permission for a polygamous marriage (Nilan, 2008). In addition, the husband must demonstrate that he has sufficient financial capability to support multiple households and must convince the court that he is able to treat each wife fairly. These requirements highlight the state's intention to

ensure that polygamous marriages are carried out within a framework of legal responsibility and ethical consideration, rather than being based solely on personal preference.

Further clarification of these legal provisions can be found in the Compilation of Islamic Law (*Kompilasi Hukum Islam*), which serves as a practical guideline for the implementation of Islamic family law in Indonesia's religious courts (Abela, 2023; Anggraeni & Primadianti, 2021). The Compilation regulate the procedural process through which a husband may apply for permission to enter into a polygamous marriage. The applicant is required to submit a formal request to the religious court, supported by evidence demonstrating both his financial capacity and his ability to fulfill the obligations that arise from maintaining more than one household (Dommaraju & Tan, 2024). The court then evaluates the application carefully by considering the legal requirements as well as the interests and welfare of the existing spouse.

Despite the existence of these legal safeguards, the practice of unregistered marriage, widely known in Indonesia as *nikah siri*, continues to occur in various parts of society. A *nikah siri* refers to a marriage that fulfills the religious requirements of Islamic law but is not officially recorded by state authorities (Abisatya & Prasetyo, 2024). In many cases, the marriage ceremony is conducted privately by a religious figure and witnessed by members of the community. From a religious perspective, such a marriage may be regarded as valid as long as the essential elements of Islamic marriage are fulfilled. However, because the marriage is not registered with the Office of Religious Affairs, it does not receive formal recognition within the state legal system (Bowen, 2004).

The absence of official registration creates a complicated legal situation in which religious legitimacy and state legality do not always align. From the standpoint of religious practice, the marriage may be considered legitimate if it fulfills the basic requirements established by Islamic jurisprudence (Hasanah & Niskaromah, 2025). From the perspective of state law, however, the marriage lacks administrative validity and therefore cannot easily be recognized in legal proceedings. This divergence often leads to practical difficulties in matters related to inheritance, divorce settlements, child custody, and the division of marital property.

In many situations, women become the most vulnerable parties in unregistered marriages. Without official documentation proving the existence of the marriage, it becomes significantly more difficult for them to assert their legal rights before the court (Alshahrani, 2018). As a result, women may encounter serious obstacles when attempting to claim marital property, financial support, or legal protection in cases of domestic conflict. Children born from such marriages may also face administrative challenges, particularly in obtaining civil documentation related to their legal family status.

The legal challenges become even more significant when *nikah siri* is used as a means of conducting polygamous marriages without complying with the legal requirements established by Indonesian law (Afifah & Masrokhin, 2021). By performing a private religious ceremony without registering the marriage, a husband may effectively bypass the procedures that require court approval and the consent of the first wife. In this way,

unregistered marriage can function as a mechanism for avoiding legal oversight while still claiming religious legitimacy for the marital relationship.

From a legal perspective, the requirement of the first wife's consent serves as a crucial safeguard designed to protect the dignity and interests of existing family members (Hafen, 1983). The principle of consent ensures that the decision to enter into a polygamous marriage is not made unilaterally without consideration of the rights of the current spouse (Abela, 2023). When this requirement is circumvented through unregistered marriage, the protective purpose of the law is weakened, and the regulatory framework governing polygamy risks losing its effectiveness in ensuring fairness within family relations.

The principal legal provisions regulating marriage registration and polygamy in Indonesian Islamic family law can be summarized in the following table.

Table 1. summarize of principal legal provisions

Legal Source	Main Regulation	Legal Objective
Law No. 1 of 1974 on Marriage	Marriage must follow religious law and must be officially registered	Integrates religious legitimacy with legal administration
Law No. 1 of 1974 on Marriage	Polygamy permitted only with court approval	Establishes judicial control over polygamous marriage
Law No. 1 of 1974 on Marriage	Husband must demonstrate legitimate reasons for polygamy	Restricts arbitrary practice of polygamy
Law No. 1 of 1974 on Marriage	Requires consent of the first wife and proof of financial capability	Protects the rights of the existing spouse
Compilation of Islamic Law	Regulates procedures for requesting polygamy permission	Provides procedural framework for court evaluation

The table demonstrates that Indonesian Islamic family law establishes a comprehensive regulatory framework designed to balance religious principles with modern legal protections. Judicial oversight, financial responsibility, and spousal consent function as central mechanisms for ensuring fairness within polygamous marriages (Addzaky et al., 2025). At the same time, the persistence of unregistered marriage illustrates the continuing gap between legal norms and social practices within Indonesian society.

Understanding this legal framework is essential for analyzing cases in which unregistered polygamous marriages occur without the consent of the first wife. Such cases highlight the broader challenges faced by contemporary legal systems in regulating family relations in societies where religious norms, statutory law, and social practices coexist and interact within a plural legal environment.

### **Unregistered Polygamy Among Public Figures: Socio-Legal Dynamics and Public Controversy**

While Indonesian Islamic family law provides a structured legal framework regulating marriage and polygamy, the practical implementation of these regulations often encounters challenges within social reality (Farooq-e-Azam et al., 2021). One of the most visible

manifestations of this tension appears in cases of unregistered polygamous marriages involving public figures, where private marital decisions intersect with public discourse, legal norms, and media attention (Adriyeni et al., 2024). When individuals with public visibility become involved in controversial marital practices, the issue frequently expands beyond the private sphere and becomes a subject of broader social and legal debate.

Public figures occupy a distinctive position in society because their actions often attract extensive public attention. Through mass media and digital platforms, personal events involving public figures can rapidly become national discussions (Andrews & Caren, 2010). When a public figure is associated with a controversial marital arrangement such as unregistered polygamy, the situation often triggers discussions among legal scholars, religious authorities, journalists, and members of the public. These debates frequently reflect deeper tensions between religious interpretation, legal regulation, and changing social expectations surrounding marriage and gender relations (Farooq-e-Azam et al., 2021).

One notable example of such a controversy involves the case associated with Inara Rusli and Insanul Fahmi, which attracted considerable attention in Indonesian public discourse. The controversy emerged when allegations circulated regarding a polygamous marriage conducted without official registration and without the consent of the first wife (Watoni, 2025). As the issue was widely discussed in media reports and social media platforms, the case quickly became a topic of national debate regarding the legal status of unregistered marriage and the ethical implications of polygamous practices carried out outside the framework of state regulation (Halim, 2024).

Public responses to this case revealed the presence of diverse perspectives within Indonesian society. One perspective emphasized the religious validity of marriages conducted according to Islamic rituals (Uscinski, 2009). According to this view, a marriage may be considered legitimate as long as the essential elements required in Islamic jurisprudence are fulfilled. These elements include the presence of witnesses, a legal guardian for the bride, and the formal declaration of the marriage contract. From this standpoint, the absence of state registration does not necessarily invalidate the marriage in a religious sense (Pangestu & Muharman, 2023). Individuals who hold this perspective often view marriage primarily as a religious institution whose legitimacy derives from compliance with Islamic legal principles rather than administrative procedures.

In contrast, another perspective stresses the importance of compliance with state law and formal marriage registration. Advocates of this position argue that marriage registration is a crucial mechanism for ensuring legal protection for spouses and children (Dommaraju & Tan, 2024). Official documentation allows marital relationships to be verified in legal proceedings involving divorce, inheritance, child custody, or property disputes. Without such documentation, individuals involved in marital conflicts may encounter serious difficulties in proving their legal status and asserting their rights within the judicial system (Hasanah & Niskaromah, 2025). For this reason, legal scholars and policymakers frequently emphasize that marriage registration is not merely a bureaucratic formality but an essential component of legal protection within the family.

From a socio legal perspective, the debate surrounding this case illustrates the broader phenomenon of legal pluralism within Indonesian society. Legal pluralism refers to the coexistence of multiple normative systems that influence social behavior simultaneously (Tsaqilan, 2025). In Indonesia, Islamic jurisprudence, national legislation, and social customs all play important roles in shaping how individuals understand and practice marriage. These different normative frameworks do not always operate in complete harmony (Ashim et al., 2025). Instead, they sometimes produce competing interpretations of what constitutes legitimate marital practice.

Within this plural legal environment, individuals may choose to prioritize one form of legitimacy over another. Some individuals emphasize religious validation as the primary determinant of marital legitimacy, while others emphasize the authority of state law and administrative procedures (Coulson, 1957). In the context of unregistered polygamous marriages, this divergence often becomes particularly visible. Individuals who conduct marriages outside the formal legal system may consider the marriage religiously legitimate even though it lacks formal legal recognition under state law (Kusnandar & Rahma, 2023).

The involvement of public figures further intensifies these dynamics because their actions can influence public perceptions of legal and moral norms. Public figures often function as cultural symbols whose behavior is closely observed by society. When they engage in controversial practices such as unregistered polygamy, the resulting discussions may shape broader social attitudes toward marriage, gender relations, and the authority of legal institutions (Bowen, 2004).

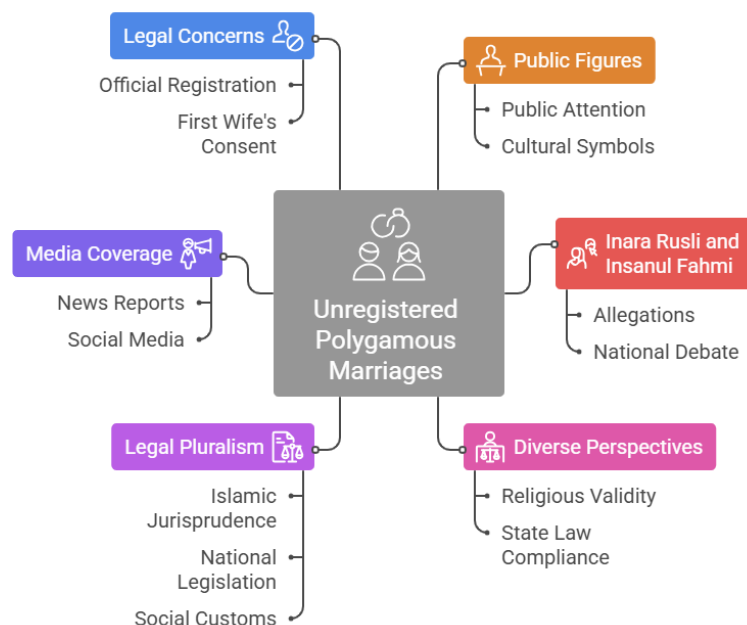
Media coverage plays a significant role in amplifying these discussions. News reports, interviews, and online commentary frequently frame such cases within narratives that highlight issues of morality, legality, and social responsibility (Wyatt, 2012). Through repeated exposure in the media, the personal decisions of public figures may be interpreted as indicators of broader social trends or as examples of the tensions between religious values and state legal regulations (Kurniawan et al., 2022).

In the case involving Inara Rusli and Insanul Fahmi, media attention significantly contributed to the expansion of the controversy. Public discussions surrounding the case addressed several key issues, including the legal status of unregistered marriages, the requirement of the first wife's consent in polygamous relationships, and the responsibilities of public figures to comply with national legal regulations (Uscinski, 2009). These debates revealed the existence of differing interpretations regarding the relationship between Islamic legal principles and the authority of state law in regulating marital practices.

From the perspective of Indonesian marriage law, the primary legal concerns in such cases involve the absence of official registration and the lack of consent from the first wife. Both of these elements represent central components of the legal framework governing polygamy in Indonesia (Fajar & Kartika, 2021). When these requirements are bypassed, the resulting marriage lacks formal recognition within the legal system. Consequently, individuals involved in the marriage may not be able to access legal protections that are normally available to registered spouses (Fannani et al., 2024).

The consequences of this situation can extend beyond the immediate parties involved in the marriage. The absence of legal documentation may affect issues related to inheritance rights, property ownership, and the legal status of children. Women involved in unregistered marriages may face particular difficulties when attempting to pursue legal remedies in cases of marital conflict or separation (Nasution & Muchtar, 2024). Without official proof of the marriage, establishing legal claims within the court system becomes significantly more difficult.

The controversy surrounding unregistered polygamy among public figures therefore highlights broader questions regarding the interaction between religious authority, state regulation, and social expectations within Indonesian society (Nurlaelawati, 2013). These cases illustrate how legal norms are not only defined by statutory regulations but are also shaped by social interpretation, cultural values, and public discourse.



**Figure 1.** Unregistered Polygamous Marriages in Indonesia: Social and Legal Tensions

In contemporary Indonesia, where religious traditions and modern legal institutions coexist within a pluralistic legal environment, debates surrounding marriage and polygamy will likely continue to evolve. Cases involving public figures provide important opportunities for examining how Islamic family law is interpreted and practiced within society. By analyzing these controversies from a socio legal perspective, it becomes possible to better understand the complex relationship between legal norms, religious beliefs, and social practices in the regulation of marriage.

## CONCLUSION

This study examined the phenomenon of unregistered polygamous marriage conducted without the consent of the first wife within the framework of Indonesian Islamic family law, with particular attention to cases involving public figures. Through a socio legal analysis, the study explored how religious norms, statutory regulations, and public discourse interact in

shaping the legal and social understanding of such marital practices in contemporary Indonesian society.

The analysis of the legal framework demonstrates that Indonesian marriage law attempts to regulate polygamy through a structured system of legal requirements and procedural safeguards. Law No. 1 of 1974 on Marriage establishes monogamy as the general principle while allowing polygamy only under specific conditions and with judicial permission. The law requires the consent of the first wife, proof of financial capability, and the ability of the husband to treat multiple wives fairly. These provisions are further elaborated in the Compilation of Islamic Law, which regulates the procedural mechanisms through which religious courts evaluate applications for polygamous marriages. The legal framework therefore reflects an effort by the Indonesian state to integrate Islamic legal principles with modern legal protections designed to safeguard family welfare and gender equity.

Despite these legal provisions, the persistence of unregistered marriage practices demonstrates the continuing gap between legal regulation and social practice. A marriage conducted through *nikah siri* may fulfill the religious requirements recognized in Islamic jurisprudence but lacks formal legal recognition when it is not officially registered with state authorities. This situation creates a dual structure of legitimacy in which a marriage may be regarded as valid within certain religious contexts while remaining legally undocumented within the national legal system. The absence of legal registration can produce significant consequences, particularly in relation to inheritance rights, marital disputes, child custody, and the enforcement of legal responsibilities within the family.

The study also shows that the issue becomes more complex when unregistered polygamous marriages involve public figures. Public figures occupy a visible position within society, and their personal actions often attract extensive media attention. When controversies related to unregistered polygamy emerge in the public sphere, they frequently generate wider debates concerning the relationship between religious legitimacy and state legal authority. Public discussions surrounding such cases reveal differing interpretations of Islamic family law as well as differing expectations regarding the role of state regulation in governing private family matters.

The case associated with Inara Rusli and Insanul Fahmi illustrates how marital controversies involving public figures can transform private family issues into broader public debates about law, morality, and social responsibility. Media coverage and public commentary surrounding the case revealed a division within society between those who emphasize religious legitimacy and those who stress the importance of compliance with state legal procedures. This debate reflects the broader socio legal context of Indonesia, where religious norms, statutory law, and social practices coexist within a plural legal environment.

From a socio legal perspective, the phenomenon of unregistered polygamy highlights the ongoing negotiation between different sources of legal authority within Indonesian society. Islamic jurisprudence provides religious guidance regarding the validity of marriage,

while state law establishes administrative procedures designed to ensure legal certainty and protection of rights. When individuals choose to conduct marriages outside the formal legal framework, these two sources of authority may come into tension. Understanding this interaction is essential for analyzing the challenges faced by contemporary legal systems in regulating family relations within societies characterized by multiple normative frameworks.

Ultimately, this study suggests that strengthening the implementation of marriage registration and legal awareness is essential for ensuring the protection of family rights within Indonesian society. While religious legitimacy remains an important element in the perception of marital validity, the role of state law in providing legal certainty and safeguarding the rights of spouses and children cannot be overlooked. Greater public understanding of the legal implications of unregistered marriages may help reduce the occurrence of practices that bypass legal safeguards, particularly in cases involving polygamy without the consent of the first wife.

Future research may further explore the relationship between public discourse, media representation, and the development of Islamic family law in Indonesia. Examining how public controversies influence legal interpretation and social attitudes toward marriage can contribute to a deeper understanding of the evolving role of Islamic law within modern legal systems.

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