

## ABSTRAK

Pernikahan siri merupakan bentuk pernikahan yang dilakukan secara sah menurut agama Islam atau adat istiadat namun tanpa pengakuan resmi dari hukum negara sebab tidak dicatatkan pada Pegawai Pencatat Nikah. Realitanya pernikahan siri ibarat fenomena gunung es, banyak bermunculan terjadi di masyarakat, akan tetapi yang muncul di permukaan hanyalah sebagian kecil saja. Pada kenyataannya pernikahan siri banyak merugikan pihak isteri dan anak yang dilahirkan dari pernikahan tersebut. Tujuan penelitian ini untuk mengetahui: Faktor-faktor yang melatarbelakangi terjadinya pernikahan siri di masyarakat; dan untuk mengetahui problematika pernikahan siri bagi pihak isteri dan anak, serta solusinya.

Penelitian ini menggunakan metode pendekatan yuridis empiris dengan spesifikasi penelitian deskriptif analitis, data yang digunakan yaitu data primer dan data sekunder, teknik pengumpulan data menggunakan studi kepustakaan dan studi lapangan. Lokasi penelitian di kantor Pengadilan Agama Demak beralamat di Jalan Sultan Trenggono No. 23, Gandum, Karangrejo, Kecamatan Wonosalam, Kabupaten Demak, Jawa Tengah. Metode analisis data penyajian menggunakan metode deskriptif analisis kualitatif.

Berdasarkan hasil penelitian diperoleh bahwa Faktor-faktor yang melatarbelakangi terjadinya pernikahan siri: faktor ekonomi, faktor sosial-budaya, faktor ikatan dinas/pekerjaan, faktor ketidakharmonisan keluarga, faktor kurangnya pemahaman dan kesadaran masyarakat tentang pencatatan pernikahan; Problematika pernikahan siri bagi pihak isteri tidak dapat menuntut hak nafkah lahir batin, hak harta gono gini bila terjadi perceraian, hak waris bila suami meninggal dunia, hak pengaduan bila terjadi kekerasan dalam rumah tangga, dan hak perlindungan hukum bila ditinggal pergi tanpa alasan, bagi anak bahwa status anak dalam nikah siri tidak mendapat perlindungan hukum, dengan solusi bijak dapat dilakukan cara pengajuan isbat nikah.

**Kata Kunci : Pernikahan Siri, Problematika, Isteri dan Anak.**

## ABSTRACT

Siri marriage is a form of marriage that is performed legally according to Islam or customs but without official recognition of state law because it is not recorded in the Registrar of Marriage. The reality is that the iceberg phenomenon is happening in many communities, but only a small part of it appears on the surface. In reality, siri marriage does a lot of harm to the wife and child born from the marriage. The purpose of this study is to find out: The factors behind the occurrence of siri marriage in the community; and to find out the problems of siri marriage for the wife and children, and the solution.

This research uses empirical juridical approach method with analytical descriptive research specifications, data used namely primary data and secondary data, data collection techniques using literature studies and field studies. The research location at the Demak Religious Court office is located at Jalan Sultan Trenggono No. 23, Gandum, Karangrejo, Wonosalam District, Demak Regency, Central Java. Presentation data analysis method using descriptive method of qualitative analysis.

Based on the results of the study obtained that the factors behind the occurrence of serial marriage: economic factors, socio-cultural factors, factors of service/employment ties, factors of family disharmony, factors of lack of understanding and public awareness about the recording of marriage; The problem of siri marriage for the wife can not demand the right of living inward birth, property rights gono gini in the event of divorce, inheritance if the husband dies, the right of complaint if it becomes domestic violence, and the right to legal protection if left without reason, for the child that the status of the child in marriage siri not get legal protection, with a wise solution can be done how to apply for marriage isbat.

**Keywords: Siri Marriage, Problematic, Wife and Children.**