

THE VIEWS OF THE HEAD OF THE OFFICE OF RELIGIOUS AFFAIRS (KUA) ON THE LONTONG KUPANG ISBAT NIKAH PROGRAM IN SURABAYA

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Abstract

The Lontong Kupang Isbat Nikah program is a collaborative service between the Surabaya City Government, the Religious Court, and the Office of Religious Affairs (KUA) to assist couples who are married religiously but not yet legally registered. This study aims to explore the critical views of KUA heads in the five regions with the highest number of participants regarding the program's implementation. Using a qualitative approach, data were collected through in-depth interviews and observations. The results indicate that although the program provides a short-term administrative solution, most KUA heads are concerned about its long-term impact. They believe that the program's routine implementation could normalize the practice of unregistered marriages and undermine public awareness of the importance of officially registering marriages from the outset. Criticisms also focused on the weak verification system and the potential for procedural abuse. It was recommended that the program not be implemented annually, but rather only under certain circumstances with strict requirements. Several KUA heads even suggested a comprehensive reevaluation of the program, considering the possibility of its termination. In conclusion, despite its administrative benefits, the program needs to be reviewed to ensure it does not conflict with legal principles and the community's moral education.

Keywords: Marriage, Marriage confirmation, Lontong Kupang, Office of Religious Affairs.

Abstrak

Program Lontong Kupang Isbat Nikah merupakan layanan kolaboratif antara Pemerintah Kota Surabaya, Pengadilan Agama, dan Kantor Urusan Agama (KUA) untuk membantu pasangan yang menikah secara agama namun belum tercatat secara hukum. Penelitian ini bertujuan untuk mengeksplorasi pandangan kritis para Kepala KUA di lima wilayah dengan jumlah peserta tertinggi terhadap pelaksanaan program ini. Menggunakan pendekatan kualitatif, data dikumpulkan melalui wawancara mendalam dan observasi. Hasil penelitian menunjukkan bahwa meskipun program ini memberikan solusi administratif jangka pendek, sebagian besar kepala KUA justru mengkhawatirkan dampak jangka panjangnya. Mereka menilai bahwa pelaksanaan rutin program ini dapat menormalisasi praktik nikah siri dan melemahkan kesadaran masyarakat akan pentingnya pencatatan pernikahan secara resmi sejak awal. Kritik juga diarahkan pada lemahnya sistem verifikasi dan potensi penyalahgunaan prosedur. Disarankan agar program ini tidak dilaksanakan secara tahunan, melainkan hanya pada kondisi tertentu dengan syarat ketat. Bahkan, beberapa kepala KUA menyarankan agar program ini dievaluasi kembali secara menyeluruh dengan mempertimbangkan kemungkinan untuk dihentikan. Kesimpulannya, meski memiliki manfaat administratif, keberadaan program ini perlu ditinjau ulang agar tidak bertentangan dengan prinsip hukum dan pendidikan moral masyarakat.

Kata Kunci: Pernikahan, Isbat nikah, Lontong Kupang, Kantor Urusan Agama.



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INTRODUCTION

Marriage according to language means a physical and spiritual bond between a man and a woman as husband and wife, with the same goal of forming a Sakinah, Mawaddah, and Warahmah family, which is based on love and commitment. If according to the term marriage, namely sharia, it is *ijab and qabul (aqad)* which permits sexual intercourse between a man and a woman which is done with words indicating marriage, according to Islamic law.

Allah SWT created humans to complement and perfect each other and their respective religions. Furthermore, Islam provides a glimpse of worldly happiness through the institution of marriage. This is emphasized in Allah SWT's command to marry, as stated in Surah An-Nur, verse 32:

وَأَنْكِحُوا الْأَيَامَىٰ مِنْكُمْ وَلَصِّحِينَ مِنْ أَمْوَالِكُمْ إِنْ يَكُونُوا فُقَرَاءَ يُعْزِهِمُ اللَّهُ مِنْ فَضْلِهِ ۗ

Meaning: "Marry those who are still single among you and also those who are worthy (to marry) of your servants, both men and women. If they are poor, Allah will empower them with His grace. Allah is All-Encompassing (His gifts) and All-Knowing."¹

Marriage is a vital institution in human life, shaping families and communities. In Islamic law, marriage is considered a sacred covenant with legal and moral consequences for the husband and wife. Therefore, to protect the rights of all parties involved, the validity and registration of marriages are crucial.

Unofficially registered marriages, also known as *nikah siri* (unofficial marriages), are still common in various places, including Surabaya. Various legal and social issues arise as a result of these marriages, particularly regarding the rights of the wife and children born from the marriage. Wives and children often face difficulties accessing their rights, such as inheritance rights, maintenance, and other legal recognition, without official registration.

In the Indonesian Islamic legal system, the concept of marriage confirmation (*isbat nikah*) was introduced to address this issue. Marriage confirmation (*isbat nikah*) is a legal procedure for recognizing an unregistered marriage. This procedure is crucial for providing legal certainty for the couple and any children born from the marriage.

In Indonesia, marriage procedures are regulated by Marriage Law No. 1 of 1974, which emphasizes the importance of marriage registration for legal certainty. However, many couples still marry informally and ultimately file for marriage confirmation, either due to a lack of understanding

¹ "QS An-Nur verse 32," Qur'an Ministry of Religion, tt, <https://quran.kemenag.go.id/quran/per-ayat/surah/24?from=32&to=64>.

of the importance of marriage registration or due to social and economic factors.² Marriage confirmation was initially a solution to the implementation of Article paragraph 2 of Marriage Law No. 1 of 1974 which requires marriage registration, because before the Marriage Law came into effect, many unregistered marriages took place.³

To address this issue, the government has provided a solution through the marriage confirmation mechanism. This is an effort to ensure that the marriage is recognized by the court and becomes legally binding. Marriage confirmation is a solution for couples who have married religiously but have not yet registered or recorded their marriage at the Office of Religious Affairs (KUA) or the Population and Civil Registry Service (Dukcapil). Article 7 paragraph (2) of the Compilation of Islamic Law (KHI) states that a marriage confirmation application can be made for various purposes, including for the purpose of confirming the legal status of children and registration with the population administration.⁴

The Lontong Kupang program is an integrated online service launched in Surabaya by the Surabaya City Government through the Population and Civil Registration Office (Dispendukcapil) in collaboration with the Religious Court (PA) and the Ministry of Religious Affairs (Kemenag). The program aims to help couples whose marriages have not yet been officially registered obtain legal status through an integrated marriage confirmation hearing. Through this program, couples can apply for a religious court decree, receive a marriage certificate from the Ministry of Religious Affairs, and quickly obtain civil documents such as a National Identity Card (KTP), Family Card (KK), and birth certificate.⁵ The Lontong Kupang program has registered a total of 710 participants over the past four years. The program began in 2021 with 105 participants,⁶ down to 50 participants

² "Law (UU) No. 1 of 1974," Regulation Database, 1974, <https://peraturan.bpk.go.id/Details/47406/uu-no-1-tahun-1974>.

³ Ainalmardhiaturrahman, "Legalitas Pernikahan Melalui Itsbat Nikah Menurut Pandangan Masyarakat Desa Kutorejo Kabupaten Kepahiang Bengkulu" (Institut Agama Islam Negeri Curup, 2022), <http://e-theses.iaincurup.ac.id/id/eprint/3424>.

⁴ "Kantor Wilayah Kementerian Agama Provinsi Jawa Timur," accessed February 26, 2025, <https://jatim.kemenag.go.id/berita/525606/permudah-layanan-isbat-nikah-surabaya-luncurkan-aplikasi-lontong-kupang?>

⁵ "Permudah Layanan Isbat Nikah, Surabaya Luncurkan Aplikasi Lontong Kupang," *Kantor Wilayah Kementerian Agama Provinsi Jawa Timur*, t.t., <https://jatim.kemenag.go.id/berita/525606/permudah-layanan-isbat-nikah-surabaya-luncurkan-aplikasi-lontong-kupang>.

⁶ "Layanan Lontong Kupang," *Mahkamah Agung Republik Indonesia Pengadilan Agama Surabaya Kelas 1A*, 2021, <https://www.pa-surabaya.go.id/Layanan-Lontong-Kupang>.

in 2022,⁷ then increased significantly to 225 participants in 2023,⁸ and will continue to grow to 330 participants in 2024.⁹

The role of the Religious Affairs Office (KUA) is crucial, particularly in the marriage registration process and the issuance of marriage certificates. As the leader, the head of the Religious Affairs Office (KUA) is responsible for ensuring that every registered marriage meets legal and sharia requirements. The North Surabaya Religious Affairs Office (KUA) recorded the highest total number of Isbat Nikah (marriage confirmation) procedures for the Lontong Kupang program, with 57 couples participating in the Semampir Religious Affairs Office (KUA), followed by Kenjeran, which recorded 34 couples. In South Surabaya, the Sawahan Religious Affairs Office (KUA) recorded a total of 25 couples participating in the Isbat Nikah program, making it the location with the highest number in the region. The Central Surabaya Religious Affairs Office (KUA) reported that the Simokerto Religious Affairs Office (KUA) had conducted 22 Isbat Nikah procedures, while Bubutan and Tegalsari recorded 18 and 7 couples, respectively. In East Surabaya, the Gubeng Religious Affairs Office (KUA) recorded 13 couples participating in the program, while the Tambaksari Religious Affairs Office reported 16 couples.

The views and attitudes of the heads of the Religious Affairs Office (KUA) regarding this program are very important. This research will involve in-depth interviews with the heads of the religious affairs offices (KUA) from the representative areas of Surabaya (east, south, central, and north) whose communities have the highest values in the Lontong Kupang program. Interviews will be conducted with the heads of the Semampir religious affairs office (KUA) with 57 participants, the Religious Affairs Office (KUA) with 34 participants, the Simokerto religious affairs office (KUA) with 22 participants, the Tambaksari religious affairs office (KUA) with 16 participants, and the Sawahan religious affairs office (KUA) with 25 participants. The purpose of these interviews is to find out the opinions of the heads of the religious affairs offices (KUA) from each region about how the Lontong Kupang program is implemented, the challenges faced, and ideas for improving the program in the future.

The Head of the Religious Affairs Office (KUA) plays a crucial role in implementing religious administration at the sub-district level. One of their primary duties is to legally handle

⁷ "Lontong Kupang Kembali Hadir Melayani Masyarakat Surabaya," *Mahkamah Agung Republik Indonesia Pengadilan Agama Surabaya Kelas 1A*, 2022, <https://www.pa-surabaya.go.id/Lontong-Kupang-Kembali-Hadir-Melayani-Masyarakat-Surabaya>.

⁸ "Ratusan Pasangan Mendaftar Program Nikah Massal Gelaran Pemkot Surabaya," *AntaraJatim*, t.t., <https://jatim.antaranews.com/berita/731307/ratusan-pasangan-mendaftar-program-nikah-massal-gelaran-pemkot-surabaya>.

⁹ "Sidang Terpadu Isbat Nikah Lontong Kupang di Siola Surabaya," *Mahkamah Agung Republik Indonesia Pengadilan Agama Surabaya Kelas 1A*, 2024, <https://pa-surabaya.go.id/Sidang-Terpadu-Isbat-Nikah-Lontong-Kupang-di-Siola-Surabaya>.

marriage, reconciliation, and divorce in accordance with state law and Islamic law.¹⁰ Apart from that, the Head of KUA also plays a role in providing premarital guidance or Bimwin,¹¹ fostering religious harmony,¹² and establish cross-sectoral cooperation with government agencies and the community.¹³ Other duties include managing and updating religious data through digital systems such as SIMKAH and SIAK, as well as ensuring that marriage certificates and other marriage documents are issued in a valid and accountable manner.¹⁴

The Head of the Religious Affairs Office (KUA) is also tasked with following up on the results of the marriage confirmation hearing determined by the Religious Court, by registering and issuing marriage certificates for couples who have received official confirmation.¹⁵ He is actively involved in supporting government religious programs such as Lontong Kupang,¹⁶ and oversee the performance of KUA staff in providing services to the public. As a form of accountability, the Head of KUA is required to prepare periodic activity and performance reports to the Ministry of Religious Affairs at the district or city level.¹⁷ All of these functions are carried out to ensure that religious services are run professionally, in accordance with regulations, and able to meet the needs of the community.

This qualitative research aims to gather in-depth and rich data on how the Lontong Kupang program is implemented from the perspective of heads of religious affairs offices (KUA). It is also expected to provide academic contributions and practical suggestions for improving the quality of marriage registration services at religious affairs offices (KUA), particularly in Surabaya.

¹⁰ Muchtar, "Pelayanan Kantor Urusan Agama Terhadap Pencatatan Perkawinan Di Kota Kediri Pasca Deklarasi FKK-KUA Se-Jawa Timur Tahun 2013," *HARMONI* 13, no. 1 (2014), <https://jurnalharmoni.kemenag.go.id/index.php/harmoni/article/view/146>.

¹¹ Siti Norhamidah dan Murdiansyah Herman, "Peran Kantor Urusan Agama (KUA) Dalam Pencatatan Nikah Di Kota Puruk Cahu Kabupaten Murung Raya Tahun 2021," *ePrints UNISKA Repository Universitas Islam Kalimantan*, 2021, <https://eprints.uniska-bjm.ac.id/8096/>.

¹² Badan Litbang Kemenag, "Pedoman Tugas KUA," *Kementerian Agama Republik Indonesia*, 2017, <https://kemenag.go.id/>.

¹³ Rita Khairani dan Royan Bawono, "Analisis Hukum tentang Isbat Nikah Menurut KUH Perdata dan KHI Indonesia," *Lentera: Indonesian Journal of Multidisciplinary Islamic Studies* 4, no. 2 (2022), <https://doi.org/10.32505/lentera.v4i2.3960>.

¹⁴ Asriadi Zainuddin, "Legalitas Pencatatan Perkawinan melalui Penetapan Isbat Nikah," *Al-Mujtahid: Journal of Islamic Family Law* 2, no. 1 (2022), <https://journal.iain-manado.ac.id/index.php/almujtahid/article/view/1942>.

¹⁵ Meitha Djohan Oelangan, "Isbat Nikah Dalam Hukum Islam Dan Perundang-Undangan Di Indonesia," *PRANATA HUKUM Jurnal Ilmu Hukum* 8, no. 2 (2013), <https://doi.org/10.36448/pranatahukum.v8i2.138>.

¹⁶ Rachmalia Novita Cahyani, "Implementasi Program Isbat Nikah Di Kelurahan Bulak Banteng Kota Surabaya," *Journal of Contemporary Public Administration (JCPA)* 4, no. 1 (2024), <https://doi.org/10.22225/jcpa.4.1.2024.1-9>.

¹⁷ Kementerian Agama RI, "SOP KUA," *Kementerian Agama Republik Indonesia*, 2023, <https://jatim.kemenag.go.id/>.

RESEARCH METHODS

This research is a field study using both legal and empirical approaches. Data were collected through observation, interviews, and documentation to determine the views of the heads of the Office of Religious Affairs (KUA) in Surabaya regarding the implementation of the Lontong Kupang Isbat Nikah program. The legal approach was used to analyze the legal aspects related to marriage legalization and isbat nikah, while the empirical approach was used to examine social practices and the responses of the KUA heads to the program.

The data used comprises primary and secondary data. Primary data was obtained directly through observation and interviews with heads of the Office of Religious Affairs (KUA) in the eastern, southern, central, and northern regions of Surabaya. Secondary data, meanwhile, comes from books, journals, articles, and laws and regulations that support the analysis and understanding of the issues studied.

RESULTS AND DISCUSSION

Marriage Confirmation

Isbat nikah (marriage confirmation) comes from two Arabic words: isbat and nikah. The word isbat is a masdar (masdar) derived from the Arabic words asbata-yasbitu-isbatan, meaning determination or determination. In Islamic law, isbat nikah refers to the court's determination of a marriage that has been conducted religiously but has not yet been officially registered with the Office of Religious Affairs (KUA).¹⁸

Marriage confirmation is the confirmation of a marriage that was initially unregistered, while statutory regulations mandate that it be registered. Therefore, the relationship between marriage confirmation and marriage registration (to obtain a marriage certificate) is reciprocal; that is, marriage confirmation is regulated in order to obtain a marriage certificate.¹⁹

According to KHI article 7 paragraph (3), the marriage isbat that can be submitted to the Religious Court is limited to matters relating to: a. The existence of a marriage in the context of settling a divorce, b. Loss of marriage certificate, c. There is doubt about whether one of the conditions of marriage is valid or not, d. The existence of a marriage that occurred before the enactment of Law no. 1 of 1974 and, e. Marriages carried out by those who do not have marriage obstacles according to Law no. 1 of 1974.²⁰

¹⁸ Meitha Djohan Oelangan, "Isbat Nikah Dalam Hukum Islam Dan Perundang-Undangan Di Indonesia."

¹⁹ Asriadi Zainuddin, "Legalitas Pencatatan Perkawinan Melalui Penetapan Isbat Nikah," *Al-Mujtahid: Journal of Islamic Family Law* 2, no. 1 (2022), <http://dx.doi.org/10.30984/ajifl.v2i1.1942>.

²⁰ "Kompilasi Hukum Islam," 3 7 § (t.t.).

The aim of marriage confirmation is to provide legal certainty for couples who marry according to religion so that it is recognized by the state.²¹ Marriages that were previously only valid under religious law can now receive state recognition, which is crucial for avoiding legal issues such as divorce, inheritance, and child status. Marriage confirmation also serves as a tool to protect the civil rights of women and children, such as the right to maintenance, inheritance rights, and the legal status of children.²²

Not all marriages can be directly validated through marriage confirmation at the Religious Court. Certain requirements must be met, one of which is that the couple must be at least 19 years old. However, in the Sungai Penuh Religious Court, there have been cases where marriage confirmation was granted even though the couple were under the age limit at the time of the marriage. Judges can use special considerations to provide legal protection for the couple and any children born of the marriage.²³

The Role of the Head of the Office of Religious Affairs (KUA)

The Head of the Office of Religious Affairs (KUA) has primary responsibility for marriage administration, including marriage registration, reconciliation, and divorce.²⁴ As the head of the KUA, the Head of the KUA ensures that every administrative process for a marriage is carried out in accordance with applicable laws and regulations. This includes document verification, validation of prospective bride and groom data, and supervision of the marriage ceremony by the registrar. Research by Siti Norhamidah, the Head of the KUA is also tasked with guiding the implementation of duties at the KUA, determining the vision and mission, and ensuring that marriage administration services run smoothly.²⁵

Determining the isbat of marriage is the authority of the Religious Court, the KUA has an important role in the process.²⁶ After the couple obtains a marriage confirmation from the court, the

²¹ Meitha Djohan Oelangan, "Isbat Nikah Dalam Hukum Islam Dan Perundang-Undangan Di Indonesia."

²² Yusna Zaidah, "Isbat Nikah Dalam Perspektif Kompilasi Hukum Islam Hubungannya Dengan Kewenangan Peradilan Agama," *Syariah: Jurnal Hukum Dan Pemikiran* 13, no. 1 (2013), <https://doi.org/10.18592/syariah.v13i1.170>.

²³ Agung Pratama, "Konstruksi Hukum Pengabulan Isbat Nikah di Bawah Umur dalam Putusan Pengadilan Agama Tegal Nomor 614/Pdt.G/2022/Pa.Tg," *The Indonesian Journal of Islamic Law And Civil Law* 5, no. 1 (2024), <https://doi.org/10.51675/jaksya.v5i1.620>.

²⁴ Muchtar, "Pelayanan Kantor Urusan Agama Terhadap Pencatatan Perkawinan di Kota Kediri Pasca Deklarasi FKK-KUA se-Jawa Timur Tahun 2013," *Jurnal Multikultural & Multireligius* 13 (2014), file:///Users/680048/Downloads/aris,+Journal+manager,+2014_HARMONI_No.1+Volume_13_14.pdf.

²⁵ Siti Norhamidah, "Peran Kantor Urusan Agama (KUA) Dalam Pencatatan Nikah di Kota Puruk Cahu Kabupaten Murung Raya Tahun 2021," *ePrints UNISKA Repository Universitas Islam Kalimantan*, 2021, <https://eprints.uniska-bjm.ac.id/8096/>.

²⁶ RR. Dewi Anggraeni, "Manfaat Isbat Nikah, Di Kantor Urusan Agama Kecamatan Setu Kota Tangerang Selatan-Banten," *Abdi Laksana: Jurnal Pengabdian Kepada Masyarakat* 4, no. 3 (2023), [file:///Users/680048/Downloads/ceperlan,+19.+RR+Dewi+Anggraeni,+806-815%20\(1\).pdf](file:///Users/680048/Downloads/ceperlan,+19.+RR+Dewi+Anggraeni,+806-815%20(1).pdf).

KUA is responsible for officially registering the marriage.²⁷ The Head of the KUA ensures that the registration is carried out in accordance with procedures and that the required documents are complete.

The decision to determine marriage confirmation is issued by the Religious Court. The Head of the Religious Affairs Office (KUA) is responsible for coordinating the issuance of marriage certificates. The Head of the KUA ensures that issuance is timely and without extortion, in accordance with the principles of transparent and accountable public service.

Hidayani Journal, marriage confirmation is the absolute authority of the Religious Court, however, the recording of the marriage confirmation results is carried out by the KUA to provide legal certainty to married couples.²⁸

The Head of the Office of Religious Affairs (KUA) plays an active role in coordinating with the Religious Courts (PA) and the Population and Civil Registration Office (Dukcapil) to ensure the smooth running of the marriage confirmation process. This coordination includes data synchronization, the implementation of integrated marriage confirmation hearings, and information system integration to facilitate the recording and issuance of civil registration documents.

To modernize services, the Head of the Office of Religious Affairs (KUA) has the authority to adopt and implement digital-based service systems. This includes integrating marriage confirmation data into the Marriage Management Information System (SIMKAH) and collaborating with the Civil Registration Office (Disdukcapil) through the SIAK (Population Administration Information System). The Head of the KUA plays a crucial role in ensuring optimal digital transformation, without compromising data validity.

Sawahlunto City, the Ministry of Religion, Dukcapil, and the Religious Court held a meeting to synchronize population documents with marriage registration to improve public services.²⁹

Implementation of the Lontong Kupang Marriage Confirmation Program in Surabaya

The Lontong Kupang Isbat Nikah Program is an initiative of the Surabaya City Government to help couples who have married religiously but have not been officially registered at the Office of Religious Affairs (KUA). The lack of an official marriage certificate can lead to various

²⁷ Siti Norhamidah, "Peran Kantor Urusan Agama (KUA) Dalam Pencatatan Nikah di Kota Puruk Cahu Kabupaten Murung Raya Tahun 2021."

²⁸ Rita Khairani, "Analisis Hukum tentang Isbat Nikah Menurut KUH Perdata dan KHI Indonesia," *Lentera: Indonesian Journal of Multidisciplinary Islamic Studies* 4, no. 2 (2022), <https://doi.org/10.32505/lentera.v4i2.3960>.

²⁹ "Kemenag, Dukcapil dan Pengadilan Agama Gelar Rapat Sinkronisasi Dokumen Kependudukan dengan Pencatatan Perkawinan," *Kantor Wilayah Kementerian Agama Provinsi Sumatera Barat*, 2024, <https://sumbar.kemenag.go.id/berita/post/kemenag-dukcapil-dan-pengadilan-agama-gelar-rapat-sinkronisasi-dokumen-kependudukan-dengan-pencatatan-perkawinan?>

administrative issues, such as difficulties obtaining birth certificates, social security, and inheritance rights. Through this program, couples can participate in a free collective marriage confirmation hearing, thereby gaining legal certainty regarding their marital status.³⁰

This program is implemented periodically in several sub-districts in Surabaya in collaboration with the Religious Court, the Ministry of Religion, and the Population and Civil Registration Service (Disdukcapil).³¹ Implementation will be adjusted based on the number of applicants and the administrative readiness of each party. The city government will provide venues, meals, and transportation assistance for participants. This program is also included in the integrated public services program, facilitating public access to legal services.³²

The success of the Lontong Kupang program cannot be separated from cross-sector collaboration between the Surabaya City Government, the Religious Court (PA), and the Office of Religious Affairs (KUA). The city government acts as a facilitator and budget provider, the Religious Affairs Office (PA) as the institution that organizes the isbat (confirmation) hearing, and the Religious Affairs Office (KUA) as the institution that registers marriages after the isbat. This collaboration adheres to the principles of integrated public services and a collaborative approach between institutions, with the aim of providing legal certainty to communities previously vulnerable administratively and under family law.

The Office of Religious Affairs (KUA)'s View on Lontong Kupang

Head of the Kenjeran Religious Affairs Office (KUA) H. WAHIB, M.Ag.³³ actively participated in the implementation of the Lontong Kupang Program organized by the Surabaya City Government. The Kenjeran Religious Affairs Office (KUA) recorded 34 participants in this program. The Religious Affairs Office (KUA) plays a crucial role, such as accompanying prospective brides and grooms, witnessing the marriage confirmation process, providing marriage guidance, and printing marriage certificates based on the decision of the Religious Court. The Head of the KUA and the marriage registrars are present on site to ensure the process runs according to procedure. This program aligns with the KUA's objectives by helping the community obtain legal marriages and other important documents such as Family Cards (KK) and birth certificates. The Kenjeran Religious Affairs Office (KUA) explained that registration for the program is done through the village office by meeting with a welfare officer without requiring prior training. This

³⁰ Rachmalia Novita Cahyani, "Implementasi Program Isbat Nikah Di Kelurahan Bulak Banteng Kota Surabaya."

³¹ Uzlifatus Dea Arianty, "Prosedur Sidang Terpadu Dalam Perkara Isbat Nikah Secara Massal Di Pengadilan Agama Surabaya," *Kultura Jurnal Ilmu Sosial dan Humaniora*, 2024, <https://jurnal.kolibi.org/index.php/kultura/article/view/2486/2406>.

³² Uzlifatus Dea Arianty.

³³ H. Wahib, M.Ag, Kepala Kantor Urusan Agama (KUA) Kenjeran Surabaya, 2025.

program is implemented only once a year and the entire process is determined by the City Government, while the KUA serves as the technical implementer in the field. The Head of the KUA expressed full support for the Lontong Kupang program because its benefits are greatly felt by the community. The evaluation of the program also emphasized the need to improve the administrative system, especially in terms of issuing official letters, so that future implementation is more orderly and efficient.

Data from the Sawahan Religious Affairs Office (KUA) recorded 25 couples participating in the Lontong Kupang Program, a collaborative initiative between the Ministry of Religious Affairs, the Surabaya City Government, and the Religious Court. This program is designed to help people whose marriages have not been legally registered obtain legal status through the marriage confirmation process. In its implementation, the KUA plays a crucial role, from assisting prospective brides and grooms, verifying complete documents, and issuing marriage certificates after receiving a court decision. Typically, the Head of the KUA and the marriage registrars are also present in person during the process. According to H. Sarwo Edy, S.Ag.,³⁴ As the Head of the Sawahan Office of Religious Affairs (KUA), this program has been very helpful in processing important administrative documents such as marriage certificates, family cards, and birth certificates. However, he also highlighted that the isbat (consent) process often proceeds too quickly, leading to the risk of files not fully meeting the requirements being passed. Therefore, he suggested that in the future, isbat trials be separated into mass and individual sessions to ensure a more orderly, selective, and accurate process.

Based on data obtained, the Semampir Religious Affairs Office (KUA) recorded 57 participants in the Lontong Kupang Program, a collaborative program between the Ministry of Religious Affairs, the Surabaya City Government, and the Religious Court. This program is intended for people who have married religiously but have not officially registered their marriage. The registration process is carried out through the sub-district office by bringing a certificate of unregistered marriage from the KUA, which is then forwarded to the Population and Civil Registration Office (Dispendukcapil). In its implementation, the KUA plays a crucial role, from accompanying prospective brides and grooms, verifying marriage confirmation documents, to issuing marriage certificates after the court decision is issued. The head of the KUA and the marriage registrars are usually present in person at the location, with coordination from the Islamic Community Guidance. According to M. Nurhidayat Nurihsan, S.Ag., M.Si.,³⁵ As Head of the Semampir Office of Religious Affairs (KUA), this program does indeed help people obtain

³⁴ H. Sarwo Edy, S.Ag., Kepala Kantor Urusan Agama (KUA) Sawahan Surabaya, 2025.

³⁵ M. Nurhidayat Nurihsan, S.Ag., M.Si., Kepala Kantor Urusan Agama (KUA) Semampir Surabaya, 2025.

important documents such as marriage certificates, family cards, and birth certificates. However, he also emphasized the importance of marriage at a suitable age, at least 19 years old, to avoid misinterpreting the program as justifying unregistered marriages. His evaluation indicates that this program is beneficial not only for new couples but also for existing couples whose marriages have not yet been legally registered.

According to the Head of the Tambaksari Religious Affairs Office (KUA), Drs. Marfa'i,³⁶ The Lontong Kupang program should not be held annually. He believes that routine implementation can actually lead people to underestimate the importance of legally valid marriages and open up loopholes for justifying the practice of unregistered marriages. Therefore, he suggested that the program be paused or implemented only in certain situations, so that it maintains its educational function and does not weaken existing marriage norms. During its implementation, the Tambaksari Office of Religious Affairs (KUA) recorded 16 participants. The KUA plays a crucial role in assisting prospective couples, verifying the completeness of marriage confirmation documents, and printing marriage certificates after a ruling from the Religious Court. Representatives of the KUA are usually the Head of the KUA and the marriage registrars, with coordination from the Islamic Community Guidance (Bimas Islam). In general, this program is considered to assist the community with marriage administration matters such as issuing marriage certificates, family cards, and birth certificates, but its implementation still needs to be monitored to avoid misinterpretation by the public.

In the Lontong Kupang Program, the Simokerto Religious Affairs Office (KUA) recorded 22 participants who took part in the Program, an initiative involving collaboration between the Ministry of Religious Affairs, the Surabaya City Government, and the Religious Court. In its implementation, the KUA has a strategic role, starting from accompanying prospective brides and grooms, verifying participant data, to printing marriage certificates after the marriage confirmation process is complete. The KUA representatives who attended were generally the Head of the KUA and registrars appointed directly by the Islamic Community Guidance. This program is considered in line with the KUA's mission because it greatly assists the community in processing marriage documents such as marriage certificates, Family Cards (KK), and children's birth certificates. According to Agus Muhtamil, S.Ag., M.Ag.,³⁷ As the Head of the Simokerto Religious Affairs Office (KUA), while this program is part of government policy and offers significant administrative benefits, greater attention is needed to prevent it from becoming a justification for unregistered marriages. He suggested holding an initial meeting between participants and the KUA before the

³⁶ Drs. Marfa'i, Kepala Kantor Urusan Agama (KUA) Tambaksari Surabaya, 2025.

³⁷ Agus Muhtamil, S.Ag., M.Ag., Kepala Kantor Urusan Agama (KUA) Simokerto Surabaya, 2025.

event so that data and documents can be verified early, leading to a more orderly and accurate program implementation.

Analysis of the Head of the Office of Religious Affairs (KUA)'s Views on the Lontong Kupang Isbat Nikah Program

All Heads of Religious Affairs Offices (KUA) from the five sub-districts with the highest number of participants in Surabaya expressed strong support for the Lontong Kupang Program, believing it to be highly beneficial to the community, particularly in terms of legalizing marriages and fulfilling administrative documents such as marriage certificates, Family Cards (KK), and birth certificates. They were equally involved in the technical processes, such as assisting prospective brides and grooms, verifying marriage confirmation documents, and printing marriage certificates following a decision from the Religious Court. Furthermore, the registration process for participants through the sub-district office without any special training was also a common feature across all regions. The direct presence of the KUA heads and marriage registrars at the event locations also demonstrated a strong commitment to the smooth implementation of the program.

Each head of the KUA (Religious Affairs Office) also offered different critical views and evaluative suggestions. The head of the Kenjeran KUA highlighted the need for improvements in the administrative system, particularly in issuing official letters. The head of the Sawahan KUA focused more on the isbat (legalization) hearing process, which he considered too fast and potentially allowing documents to be approved that did not meet the requirements. He suggested separating mass and individual isbat hearings. The head of the Semampir KUA emphasized the importance of a minimum age of 19 for marriage, so that the program would not be used as a loophole for unregistered marriages. The head of the Tambaksari KUA suggested that the program not be implemented annually so that the public would continue to respect the legal marriage process. Meanwhile, the head of the Simokerto KUA proposed holding preliminary meetings between participants and the KUA to allow for early data verification and prevent administrative errors. These differences demonstrate that despite their similar goals and roles, each KUA head has a unique approach and focus on improving the quality of program implementation.

The views of the heads of the KUA (Religious Affairs Office) in Surabaya demonstrate full support for this program. They stated that the program significantly assists the community, both in legal and administrative aspects. The heads of the KUA are also active in the data verification process, participant assistance, and marriage registration after the isbat decision. This demonstrates that the KUA plays a role not only in administration but also in education and social matters. However, they also expressed critical comments. The head of the Tambaksari KUA, Drs. Marfa'i,³⁸

³⁸ Drs. Marfa'i, Kepala Kantor Urusan Agama (KUA) Tambaksari Surabaya.

and Simokerto Agus Muhtamil, S.Ag., M.Ag.,³⁹ suggested that this program not be held too frequently each year to prevent the public from underestimating the ease of performing unregistered marriages. Meanwhile, the Head of the Sawahan Religious Affairs Office, H. Sarwo Edy, S.Ag.,⁴⁰ highlighted the excessively fast isbat (legalization) process and suggested separating mass and individual trials for the sake of legal order, as the goals of mass isbat and mass marriage differ. Mass marriage is a routine program for new couples seeking a quick and official marriage, while isbat marriage is a special program to validate marriages that have occurred long ago but are not yet registered. Therefore, it would be best to run these two programs separately so that each can operate optimally without compromising the quality of service.

The Head of the Office of Religious Affairs (KUA) reminded that the marriage confirmation process requires time and special attention, as it involves numerous steps, such as document verification, court hearings, and detailed administrative records. These steps cannot be rushed arbitrarily to ensure the results are truly valid and prevent future problems. Therefore, he emphasized the importance of maintaining the quality of service rather than focusing on quantity or frequency.

The fact that the marriage confirmation program is held annually and combined with mass weddings carries the risk of suboptimal results. Marriage confirmation is not simply a ceremonial event like mass weddings, but involves a lengthy legal process, including document verification and court hearings in religious courts. Combining these programs could lead to a rushed process, reducing the quality of service and potentially causing problems later on.⁴¹

This program is also relevant from a *masalah* (social benefit) perspective. According to Rachmalia Novita Cahyani,⁴² The implementation of mass marriage confirmations through a government program provides a concrete solution to the administrative obstacles faced by low-income communities. This demonstrates that the implementation of Islamic law can be both solution-oriented and responsive to the social context.

According to Agung Pratama,⁴³ Caution must remain, especially in cases of underage marriage, which could be misinterpreted as justifying the isbat (confirmation of marriage). Therefore, the role of the Office of Religious Affairs (KUA) and the Religious Court is crucial in verifying the requirements and procedures before issuing an isbat decision.

³⁹ Agus Muhtamil, S.Ag., M.Ag., Kepala Kantor Urusan Agama (KUA) Simokerto Surabaya.

⁴⁰ H. Sarwo Edy, S.Ag., Kepala Kantor Urusan Agama (KUA) Sawahan Surabaya.

⁴¹ “Manfaatkan Program Lontong Kupang, 50 Pasangan Surabaya Ikuti Isbat Nikah Terpadu,” *Pemerintah Kota Surabaya*, 2022, <https://surabaya.go.id/id/berita/71402/manfaatkan-program-lontong-kupang-50-pasangan-surabaya-ikuti-isbat-nikah-terpadu>.

⁴² Rachmalia Novita Cahyani, “Implementasi Program Isbat Nikah Di Kelurahan Bulak Banteng Kota Surabaya.”

⁴³ Agung Pratama, “Konstruksi Hukum Pengabulan Isbat Nikah di Bawah Umur dalam Putusan Pengadilan Agama Tegal Nomor 614/Pdt.G/2022/Pa.Tg.”

The Lontong Kupang Isbat Nikah program represents a concrete form of synergy between state institutions in upholding Islamic legal principles and national legislation. As long as it remains within the legal and sharia framework, and is accompanied by ongoing education and evaluation, this program is worthy of being used as a model for marriage legal services in other regions of Indonesia.

This program also requires an integrated digital system between the Office of Religious Affairs (KUA), Religious Courts, and the Population and Civil Registration Agency (Dispendukcapil). Optimal implementation of SIMKAH and SIAK is expected to minimize errors and expedite administrative processes.

In the Compilation of Islamic Law (KHI), marriage confirmation is regulated in Article 7 paragraph (3), which states that marriage confirmation can be submitted to the Religious Court in certain cases, such as marriages that occurred before the enactment of Law No. 1 of 1974, loss of marriage certificates, or doubts about the validity or otherwise of one of the conditions of marriage.⁴⁴ The Lontong Kupang program, which facilitates marriage confirmation (isbat nikah), must adhere to these provisions to ensure it does not conflict with the KHI (Indonesian Traditional Islamic Law). The Head of the KUA plays a crucial role in ensuring that every marriage confirmation application through this program complies with the provisions stipulated in the KHI.

Law No. 1 of 1974 concerning Marriage states that a marriage is considered valid if it is carried out according to the laws of each religion and belief, and is registered according to applicable laws and regulations.⁴⁵ The purpose of registering a marriage is to provide legal certainty and protection for the rights of the husband, wife and children born from the marriage.⁴⁶ The Lontong Kupang program, which aims to facilitate marriage confirmation, is in line with the spirit of this law. However, its implementation must still pay attention to applicable legal provisions to avoid legal problems in the future.

The Head of the KUA (Religious Affairs Office) also emphasized that the program must adhere to existing legal procedures to avoid new problems. The marriage confirmation program must be conducted in accordance with the provisions of the Compilation of Islamic Law (KHI) and the law, not simply as a quick formality. Therefore, the Head of the KUA rejects the forced

⁴⁴ Meitha Djohan Oelangan, "Isbat Nikah Dalam Hukum Islam Dan Perundang-Undangan Di Indonesia."

⁴⁵ Faizah Bafadhal, "Itsbat Nikah dan Implikasinya Terhadap Status Perkawinan Menurut Peraturan Perundang-undangan Indonesia," *Jurnal Ilmu Hukum*, 2014, <https://media.neliti.com/media/publications/43298-ID-itsbat-nikah-dan-implikasinya-terhadap-status-perkawinan-menurut-peraturan-perun.pdf>.

⁴⁶ Asriadi Zainuddin, "Legalitas Pencatatan Perkawinan Melalui Penetapan Isbat Nikah."

implementation of this program annually and its combination with simpler and quicker mass weddings, as this could compromise the quality and validity of the legal process.⁴⁷

CONCLUSION

The Lontong Kupang Isbat Nikah program implemented in Surabaya City is a collaborative service between the City Government, the Religious Court, and the Office of Religious Affairs (KUA), designed to provide legal solutions for couples whose marriages have not been officially registered. This program has succeeded in providing easy and fast access for the public to obtain important documents such as marriage certificates, family cards (KK), and children's birth certificates. Through the implementation of integrated marriage isbat trials, people who were previously in a legally vulnerable position now gain certainty and legal protection regarding their marital status.

The views of the Heads of Religious Affairs Offices (KUA) from various sub-districts indicate their strong support for the program's implementation. They are not only present administratively but also directly involved in providing assistance, verifying data, and registering marriages after the isbat (confirmation of marriage). This reflects the seriousness and commitment of the KUA as a state institution tasked with ensuring the legality and validity of marriages from both Islamic and state legal perspectives. In addition to its direct benefits to the community, this program also aligns with the vision of easier, faster, and more efficient public services, particularly in the population and civil registration sector.

Despite the success of the lontong kupang marriage confirmation program, the heads of the Office of Religious Affairs (KUA) also highlighted several important points for evaluation. They emphasized that the program should not become a loophole for mass legalization of unregistered marriages without careful legal consideration. Some suggested limiting the frequency of these programs to prevent the public from taking formal marriages lightly, and a stricter verification process to ensure the validity and accountability of issued documents. In other words, while the program has had a significant positive impact, its management must be continuously improved to ensure it remains in line with prevailing legal regulations and moral values.

SUGGESTION and RECOMMENDATIONS

For the Office of Religious Affairs (KUA), Religious Courts, and Regional Government agencies, It is recommended to continue strengthening cross-institutional cooperation in the implementation of the Lontong Kupang program. Good coordination between relevant parties will improve administrative order and the effectiveness of public services. The government should also

⁴⁷ “Manfaatkan Program Lontong Kupang, 50 Pasangan Surabaya Ikuti Isbat Nikah Terpadu.”

evaluate the frequency of program implementation to prevent public misinterpretation as a justification for unregistered marriages. Furthermore, efforts should be made to improve the quality of the data collection and document verification system to ensure more accurate and legally accountable program results. Steps such as officer training, the use of information technology, and legal counseling for prospective participants can be part of ongoing improvement efforts.

For the public and academics or other researchers, it is hoped that this will foster a better understanding of the importance of officially registering marriages from the outset. The public should not delay the marriage legalization process, as it directly relates to the protection of family rights, especially children and women. The Lontong Kupang program should be seen as a final solution for unregistered marriages, not as a shortcut. For researchers, an in-depth study of the implementation of similar programs in other regions could be an important contribution to formulating more targeted public policies and enriching the literature on legal and population services in Indonesia.

THANK-YOU NOTE

The author would like to express his gratitude to Allah SWT for all His grace and blessings so that this journal can be completed well. The author would like to express his deepest gratitude to all parties who have provided support, both morally, materially, and intellectually during the process of compiling this journal. Head of the Kenjeran Religious Affairs Office (KUA) Mr. H. Wahib, M.Ag, KUA Semampir Mr. M. Nurhidayat Nurihsan, S.Ag., M.Si., KUA Simokerto Mr. Agus Muhtamil, S.Ag., M.Ag., KUA Tambaksari Mr. Drs. Marfa'i, KUA Sawahan Mr. H. Sarwo Edi, S.Ag., who has taken the time to be interviewed by the author. Supervisor Mr.Dr. Mohammad Ikhwanuddin, S.HI., M.HI.and FatherSalman Alfarsi, S.Sy., MHwho has provided valuable direction, guidance, and input in the preparation of this journal. My beloved family, Father Agus Budi Santoso, Mother Sri Purwariatiningsih and Sister Rainy Aru Puspa Jenar and Atena Lauthviki and Nieces Arvaraesha Althaf Alteransyah and Ardarahsya Althaz Alteransyah who always provide prayers, encouragement, and support in all forms during the research and writing process, not forgetting also to. Friends Pendi Lela Zulkarnain Nisa Musa Nisa and colleagues who have helped in discussions, provided input, and technical support during the preparation of this journal. And not forgetting also to someone who has always supported in writing this to Moch Rizky Yuasrani I say thank you profusely The author realizes that this journal still has shortcomings. Therefore, constructive criticism and suggestions are highly expected by the author for the improvement of this work in the future. Hopefully this journal can provide benefits and positive contributions to the development of science, especially in the fields discussed.

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