

MARRIAGE LEGALITY IN ISLAMIC FAMILY LAW AND FAMILY RESILIENCE OF URBAN MUSLIMS IN BATAM, INDONESIA: AN ARCHITECTURE OF OPPORTUNITY

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ABSTRACT

In Indonesia's industrial cities growing through migration, Muslim families face mounting urban pressures, while the validity of their marriages rests on two frameworks that do not always align: religious law and state registration. This study examines how urban Muslim society in Batam interprets and lives marriage legality in relation to family resilience, addressing three foci: how legality is practised and interpreted within families, how divorce affects family resilience, and how legality contributes to the formation of the ideal family. The study employs a descriptive-interpretive qualitative approach with Alfred Schütz's social phenomenology as its analytical lens. Data were collected through a preliminary mapping questionnaire of 200 respondents to screen case variation, followed by in-depth interviews with seven Muslim women with direct experience of registered marriage, unregistered marriage, or *itsbat nikah* (judicial marriage validation), supplemented by Religious Court secondary data, and analysed thematically. The findings show that the meaning of legality differs across life phases: young families interpret it as a guarantee of access to everyday needs (*in-order-to motive*), whereas mature families interpret it as protection of assets and certainty in disputes (*because-motive*). The findings further show that the impact of legality becomes most visible when a marriage ends. Families with registered marriages can claim their rights directly, whereas families with unregistered marriages must first prove that their marriage ever existed, a burden borne above all by women and children. Beyond this, marriage legality functions as the foundation that enables the elements of the ideal family — fulfilment of rights, communication, mutual respect, and affection, expressed in the Muslim tradition as *sakīnah, mawaddah, wa rahmah* — to reinforce one another in an urban society marked by thinning kinship networks. The study concludes that marriage legality is an architecture of opportunity: a structural determinant of family resilience that operates unevenly across gender and life phase. The more urbanised a society becomes, the more a family's legibility to the state determines its resilience—a proposition relevant to urban Muslim families beyond Batam.

Introduction

Rapid urbanization has placed Muslim families under unique pressures: high labor mobility, migration flows, and an increasingly competitive work culture, coupled with the weakening of the extended family networks that have long supported household life, are gradually transforming how families survive and function (Körün & Satıcı, 2025; Musarrofa et al., 2024). One of the most observable symptoms of this change is the rising divorce rate. In Southeast Asia, where the majority of the population is Muslim, the rise in divorce in the 21st century has been influenced more by the socio-economic changes accompanying urbanization than by a decline in religious values alone. This shift is evident in one key fact: it is now women who more frequently initiate divorce proceedings (Jones, 2023). Amid these changes, family resilience has become an increasingly urgent issue to address. Law No. 52 of 2009 defines family resilience as the tenacity and strength that enable families to live independently and thrive. However, in practice, family resilience does not depend solely on economic sufficiency. It is also shaped by interrelated and mutually supportive psychological, spiritual, social, religious, and legal factors (Usman et al., 2024). Among these factors, there is one that is often viewed merely as an administrative matter yet plays a crucial role in determining a family's access to nearly all other forms of protection: the legality of marriage.

The pressures of urbanization are clearly evident in industrial cities such as Batam. Batam is a migrant city with a population of 1,196,396 and a highly heterogeneous demographic composition; the indigenous Laut people account for only about 2.29 percent of its residents. This configuration makes Batam a useful setting for observing the dynamics of contemporary urban families (BPS, 2023; Stivani Ayuning et al., 2024). One indicator is the high divorce rate. From January to September 2022 alone, the Batam Class I A Religious Court handled thousands of divorce cases, the majority of which were divorce suits filed by wives (Batam Class I A Religious Court, 2022). This phenomenon is not unique to Batam. Nationally, approximately 75 percent of divorces in Indonesia in 2022 were also initiated by women (BPS, 2023). At first glance, these figures might be interpreted as a sign of the waning sanctity of marriage. However, such an interpretation oversimplifies the issue. Research on working women who filed for divorce at the Pekanbaru Religious Court indicates that the decision to file a lawsuit often stems from conscious and rational considerations, namely escaping prolonged conflict, freeing oneself from economic pressure due to the husband's failure to provide financial support, and ending relational injustice (Nelli et al., 2023, 2026). In this context, a divorce petition does not always reflect a rejection of the institution of marriage, but can be an effort to uphold one's dignity and free oneself from an oppressive relationship (Putra et al., 2025). These findings also reinforce criticism of the outdated portrayal that positions women solely as passive victims or as the party deemed to be abandoning family values (Bedner & Van Huis, 2010). Therefore, the crucial question is no longer why women leave marriages, but to what extent the legality of marriage truly protects women and children when the relationship enters a crisis. It is at this point that the issue of the legality of marriage becomes relevant for examination.

This issue is not entirely new in the study of Indonesian Islamic family law. Various studies have examined the relationship between marriage, legal protection, and family resilience, albeit from different perspectives. (Rachmadani, 2024) However, upon closer examination, these studies tend to follow their own distinct paths and have not fully explained how the legality of marriage functions as a mechanism linking legal recognition to protection that is genuinely felt in family life. Therefore, before outlining the position of this article, it is important to first map out the existing research landscape. Research on family resilience within Indonesian Islamic law has developed through three main groups. Each has made significant contributions, yet each also leaves areas that remain largely unexplored. The first group consists of normative-legal studies that position marriage registration as a prerequisite for the protection of civil rights. Various studies in this group demonstrate that unregistered marriages render children's legal status uncertain and weaken women's standing in inheritance and divorce cases (Hori & Wirastri, 2022). Within this framework, the state establishes a marriage registration system in the name of protecting vulnerable citizens (Nisa, 2018), while *itsbat nikah* is positioned as an instrument to restore legal certainty for couples who previously married in a *sirri* ceremony (Alfitri, 2020). Some studies even frame this measure as a form of substantive protection aligned with *the maqāsid al-syarī'ah* (Guspita et al., 2025). Still within the normative-legal framework, tightening the minimum marriage age is also considered crucial to prevent negative psychosocial impacts while supporting family stability and

resilience against economic vulnerability (Iwan et al., 2024). However, studies in this group generally stop at the level of norms and policies, and have not yet explained how the legality or registration of such marriages is understood and interpreted by the families who undergo them.

The second group consists of cultural-spiritual studies that view family resilience as rooted in local values and religious awareness. These studies explore various sources of resilience, ranging from Bugis marriage traditions (Said et al., 2024) to marriage counseling programs in Aceh (Saleh et al., 2022). In Minangkabau, economic and social resilience, as well as the preservation of ancestral property, are strengthened through the *Pulang ka Bako* marriage tradition, which is substantively assessed as fulfilling dimensions of *maqāṣid al-syarī'ah* such as *hifzh al-nasl* and *hifzh al-māl* (Warman et al., 2023). This resilience is also tested through men's financial readiness via the *maisi sasuduik* custom, which contextualizes the Islamic doctrine regarding the capacity to marry (*al-bā'ah*) within a matrilineal customary structure (Busyro et al., 2024). Meanwhile, in Aceh, the "*pulang bale*" marriage tradition (marrying the deceased spouse's sibling) serves as a cultural strategy to ensure custody (*ḥaḍānah*) and child protection without triggering internal conflicts within the extended family (Fauzi et al., 2024). Globally, this strengthening of domestic capacity is also commonly addressed through community-based training programs aimed at enhancing competencies, communication, and interpersonal cohesion to reduce family vulnerability (Isaacs et al., 2018; Orte et al., 2019). Nevertheless, this second group tends to view resilience as an internal and local process. This group demonstrates how values and beliefs function as the foundation of family life, but rarely connects them to the legal protection structures that support families when facing crises. The third group consists of contextual-critical studies that articulate the impact of divorce on families, particularly in urban settings. These studies indicate that post-divorce recovery is significantly influenced by equitable access to legal protection, especially for women in vulnerable positions (Hamidah et al., 2024; Sholeh et al., 2021). At the same time, other research shows that women's resilience after divorce manifests in the form of moral resilience, economic independence, and spiritual capacity (Putra et al., 2025). However, the focus of this research group is primarily on the consequences of divorce, rather than on the role of legality as a mechanism linking legal protection, family experiences, and the resulting resilience.

The three schools of thought mentioned above can be said to still operate separately along their own distinct paths, with the first focusing too heavily on legal texts, the second on traditional values, and the third on the consequences following divorce. None of these approaches directly positions the legality of marriage as a mechanism linking legal recognition to protection that is genuinely felt in the daily lives of Muslim families. It is this gap that this article aims to address. This gap is not only significant from an academic perspective but also has tangible consequences for family life. As long as the legality of marriage is understood merely as an administrative formality, the impact of its absence is often overlooked by policymakers. Yet when a marriage is unregistered, it is women and children who bear the brunt of the consequences, especially when families face conflict, divorce, or civil rights disputes.

Therefore, in this study, legality is not understood as a neutral administrative status, but as a legal framework that opens or closes access to civil rights—what this article terms an "architecture of opportunity". Through this framework, legal protection can extend into family life, strengthen the position of women and children, and reduce the hidden costs they must bear when families face crises (Moynihan et al., 2015). Within this framework, legality is not interpreted as a legal fact that holds the same meaning for everyone, but as something interpreted differently by actors shaped by diverse life experiences, needs, and goals corresponding to their respective life stages. Therefore, this study employs Alfred Schütz's social phenomenology to understand how individuals interpret the legality of marriage through two layers of motivation: the "*because-motive*," rooted in experience, and the "*in-order-to-motive*," which is goal-oriented. Building on this framework, this study examines the relationship between the legality of marriage and family resilience in urban Batam society, with three focuses: (a) how legality is practiced and interpreted within families; (b) how divorce affects family resilience; and (c) how legality contributes to the formation of the ideal family amidst the dynamics of urban Batam.

Theoretical Review

Legal Basis for Marriage in Indonesia

In Indonesia, the validity of a marriage is determined by two distinct yet interrelated layers. Article 2 of Law No. 1 of 1974 on Marriage articulates both in two consecutive paragraphs: paragraph (1) states that a marriage is valid if conducted in accordance with the respective religious and belief laws, while paragraph (2) stipulates that every marriage must be registered in accordance with applicable laws and regulations. It is this formulation that gives rise to what can be termed a “dualism of validity,” namely, a marriage may be valid under religious law but not yet recognized by the state if it has not been registered (Bedner & Van Huis, 2010). From this dualism arises a debate that remains unresolved among Indonesian Islamic legal scholars: whether registration is a requirement for the validity of a marriage, or merely an administrative requirement (Bedner & van Huis, 2010). The mainstream view holds that registration is not the determinant of validity, as what determines the validity of a marriage is religious law, and the registration of a marriage is merely a subsequent administrative obligation. However, some scholars interpret the two clauses of Article 2 as cumulative requirements, rather than alternative ones, meaning that an unregistered marriage is considered invalid in the eyes of the state. This debate is not merely a matter of technical interpretation; it touches on a fundamental question regarding the limits of the state’s authority over an institution rooted in religious authority (Nisa, 2018).

This tension is significant precisely because its consequences are real and disproportionate. When a marriage is valid under religious law but not registered, it is considered nonexistent in the eyes of the state, and the consequences fall most heavily on women and children. Wives in unregistered marriages do not receive equal legal protection: they lose certainty regarding their rights to spousal support, shared property, and inheritance, while children born into such marriages initially have legal ties only to their mother and her family (Hafidzi et al., 2022). To bridge the gap between religious validity and state recognition, the mechanism of *itsbat nikah* has been developed, allowing religious courts to restore legal certainty to such previously unregistered marriages (Alfitri et al., 2024).

This requirement for marriage registration has deep historical and legal roots in Indonesia. Its foundation was established by Law No. 22 of 1946 on the Registration of Marriage, Divorce, and Reconciliation. This regulation stipulates that marriages under Islamic law must be overseen by a registrar appointed by the Minister of Religion, while instances of divorce and reconciliation must be reported to said registrar. This provision represents the earliest historical affirmation that family law events must be documented to ensure legal certainty (Hanapi & Yuhermansyah, 2020). This principle was subsequently reaffirmed by Article 2(2) of Law No. 1 of 1974, its implementation was regulated through Government Regulation No. 9 of 1975, and it was further strengthened by Law No. 23 of 2006 on Population Administration. This series of regulatory transformations demonstrates a consistent direction, namely that the state is increasingly asserting that legal recognition of a family is highly dependent on its administrative visibility.

Family Resilience: Legality as an Architecture of Opportunity

In both Indonesian sociology and law, the family is understood as the smallest social unit formed through marriage, kinship, or adoption, whose members live together and carry out their social functions on an ongoing basis (E. W, 1945; Sunarti, 2006). Law No. 52 of 2009 codifies this understanding and links it to the eight functions of the family as detailed in Government Regulation No. 21 of 1994, namely religious, socio-cultural, affection, protection, reproduction, socialization and education, economic, and environmental nurturing functions. Within this normative framework, the purpose of family formation is marked not only by well-being but also by resilience—a state in which values, relationships, and daily practices are integrated to sustain the continuity and dignity of all its members. It is here that the concept of family resilience can serve as an analytical bridge. Classically, resilience is understood as a family’s adaptive capacity to endure, reorganize itself, and even grow through adversity, while managing resources to ensure basic needs are met (M.K, 1998). Walsh, (2006) deepens this understanding by emphasizing that resilience is not merely a “stock of resources,” but rather a layered set of processes—namely, the family’s belief system, organizational patterns, and communication processes—that develop over time and are linked to specific phases of the family’s life. Thus, resilience operates on two axes simultaneously: the internal axis (psychosocial-spiritual), which fosters a sense of security, love, and meaning—often

articulated in Muslim tradition as *sakīnah*, *mawaddah*, and *rahmah*—and the external axis (social-institutional), which provides access to support networks, public services, and the guarantee of civil rights.

These two axes are not inherently connected, which is why something must bridge them. This is where the legality of marriage plays a role that has long been under-theorized. Through registration, the state makes a family “legible,” borrowing Scott’s (1998) term for how the modern state simplifies and standardizes its citizens so they can be recognized, protected, and served. This legibility enables families to access various forms of protection, ranging from the certainty of a child’s status, alimony rights, protection for women, inheritance rights, to education and health services. Within this framework, this study understands legality as an “architecture of opportunity” that transforms state recognition into tangible access to rights and protection. Through this legal architecture, legal norms do not remain abstract rules but can function in the daily lives of families. In other words, legality serves as a bridge connecting two aspects of family resilience: internal strengths such as values, relationships, and adaptive capacity, and external support such as institutions and legal protection.

On the contrary, the absence of legal recognition is not a neutral condition. When a family lacks clear legal recognition, various burdens arise that are often invisible in policies and statistics. The literature on the relationship between citizens and the state refers to such burdens as *administrative* costs—that is, costs that arise when a person must understand procedures, meet requirements, and face psychological pressure in accessing public services (Moynihan et al., 2015). In the context of urban Muslim families, these burdens are often felt most acutely by those in the most vulnerable positions: women who lose some legal protection during domestic conflicts, and children facing uncertainty regarding legal status, maintenance rights, and inheritance. Therefore, the legality of marriage can be understood as a mechanism that reduces these hidden costs and enables families to have stronger resilience. From this perspective, the relationship between legality and family resilience is not understood merely as a relationship between legal status and well-being. Legality serves as the pathway enabling family functions, as defined in national law (Law No. 52/2009; Government Regulation No. 21/1994), to operate within the resilience process as described in the literature on family resilience (M.K, 1998; Walsh, 2006). It is at this point that legal norms, state institutions, and the family’s lived experiences converge, forming a protective space that ultimately determines whether women and children truly secure a safe place within the family structure.

Alfred Schütz’s Social Phenomenology

Understanding legality as *an architecture of opportunity* requires more than simply looking at what the law guarantees. It is also important to understand how that legality is perceived and given meaning by the families who live under it. A marriage certificate, for example, has the same legal standing for every couple who holds one. Yet the social significance of that document can differ fundamentally. For one family, it may be understood merely as administrative proof; for another, it may serve as a guarantee of protection when facing conflict; while for yet another, it may be understood as part of a moral and religious commitment. It is these differences in meaning that led this study to employ Alfred Schütz’s social phenomenology.

Schütz’s approach was chosen because this study aims not only to determine whether families possess marital legitimacy but also to understand how families construct their understanding of that legitimacy within the context of their daily lives. In the phenomenological tradition, Edmund Husserl began his inquiry with the question of how human consciousness shapes experience and meaning. However, Schütz took a different direction. He did not stop at the structure of individual consciousness but brought phenomenology into the everyday social world (*Lebenswelt*)—the lived world where people interact, make decisions, and give meaning to their experiences (Schütz, 1967). Thus, Schütz sought to explain how people understand social actions, both their own and those of others. Here, his thought intersects with Max Weber’s sociology of action, which holds that human actions always possess subjective meaning for the actor. Through a synthesis of Husserl’s phenomenology and Weber’s sociology, Schütz developed an approach known as the sociology of understanding (*verstehende Soziologie*)—that is, the study of how individuals ascribe meaning to the social world they experience (Schütz, 1967). For this study, this approach holds significant importance. The research focus is not on seeking a single, singular meaning of the legality of marriage, but rather on understanding how that meaning is formed within the concrete

experiences of families. Therefore, legality is not viewed merely as an objective legal rule, but as something that lives within the consciousness and social practices of the actors involved.

The core of Schütz's thought lies in his idea that human actions always possess layers of meaning related to time. He distinguishes between two types of motives that explain why a person acts. First, the "because" motive, which refers to reasons stemming from past experiences, social conditions, and various events that shape a person. Second, the "in-order-to" motive, which refers to the goal a person seeks to achieve through their action. This distinction is crucial because actions that appear identical on the surface do not necessarily carry the same meaning. The decision to register a marriage, for example, may be driven by both of these motives simultaneously, so its meaning cannot be deduced from the action itself but rather from the actor's experiential horizon. This distinction is further explored through two interrelated concepts. First, the "*stock of knowledge*": a reservoir of experiential knowledge and socially inherited understandings accepted as given, through which an individual interprets situations without having to start from scratch. Second, *typification*: the way actors or people classify experiences and objects into familiar patterns or categories so that the social world becomes easier to understand and navigate (Schütz & Luckmann, 1973). In the context of urban Muslim families, the legality of marriage can be an object typified differently by each family. Some view it as an "administrative matter," some understand it as "protection in case of problems," and others see it as "part of the perfection of the marital bond or an affirmation of the religious bond." It is these differences in understanding that cause a legal document that is formally identical to have different meanings in family life.

This framework has been used in studies of families in Indonesian Religious Courts (Nelli et al., 2026), and in this study it serves as a lens for identifying a recurring pattern in the findings: why families at different life stages interpret the legality of marriage—which is legally identical—in different ways. This pattern will be elaborated upon and demonstrated in the findings section. Thus, Schütz's social phenomenology is not merely a theoretical backdrop but a framework that directly structures how this study interprets the data, thereby reinforcing the argument that legality functions as an architecture of opportunity that is interpreted contextually.

Batam as an Urban Context: Migration, Industry, and Family Diversity

Batam is the largest city in the Riau Islands Province and one of the fastest-growing cities in Indonesia. The city's dramatic transformation began when Presidential Decree No. 41 of 1973 designated Batam Island as an industrial zone under the management of the Batam Authority (now BP Batam). When the agency began operations in the early 1970s, Batam was still a region with a population of around 6,000. Over the course of four decades, the population grew 158-fold. This transformation has made industry, trade, services, and ship repair the main drivers of Batam's economy, not only to meet the needs of the local community but also to serve the national market and export markets. Of its total population of 1,196,396, approximately 70.31% are of working age, indicating that Batam remains in the demographic dividend phase (Harsanto, 2023).

Three characteristics of Batam make it a non-neutral context for questions regarding the legality and resilience of families, and all three are directly linked to the theoretical framework outlined above. First, Batam is a migrant city *par excellence*, with only 2.29% of its population consisting of native residents, while the majority of its citizens are migrants from various regions of Indonesia as well as from abroad (BPS, 2023; Stivani Ayuning et al., 2024). The consequences extend beyond demographics. Migration often forces families to live far from the extensive kinship networks that, in many regions, serve as the primary source of support when families face challenges. As these informal networks weaken, families lose one of the key pillars of internal resilience, as explained by Walsh (2006), and simultaneously become increasingly dependent on external support in the form of institutional services and state-provided rights guarantees. It is at this point that the legality of marriage takes on significant meaning: in migrant cities like Batam, legality is not merely an administrative formality but becomes one of the mechanisms that partially replaces the protective functions previously largely fulfilled by the extended family.

Second, Batam is an industrial city. The majority of its residents work in the industrial sector, with *shift* work, contract employment, and cross-regional commuting patterns that often physically separate family members for extended periods. This way of life shapes the family's everyday experience—or *Lebenswelt*,

in Schütz's terms—which differs from the family experience in agrarian societies or communities with stronger local ties. As this study's findings will show, it is precisely these pressures of time and separation that help structure how families at different life stages interpret the same legal documents. Batam's industrial character, therefore, is not merely the economic backdrop of this research but a social condition that helps shape how legality is understood and practiced.

Third, Batam is a city with significant ethnic and religious diversity: Islam is the majority religion (71.96%), followed by Protestant Christianity (17.81%), Buddhism (6.75%), and others, with Javanese, Batak, Minangkabau, Malay, and Chinese communities living side by side (Harsanto, 2023). This diversity makes the issue of the validity and registration of marriages—given the dualism of religious and state validity previously discussed—more complex than in homogeneous societies. This study focuses on Muslim families as the majority, yet heterogeneity itself is part of the urban condition that tests the extent to which legality can support resilience amidst diversity. These three characteristics—migrant, industrial, and heterogeneous—make Batam not merely the location where this research is conducted, but a case that is theoretically informative for understanding legality as an architecture of opportunity.

Methodology

This study employs a descriptive-interpretive qualitative approach, using Alfred Schütz's social phenomenology as an analytical framework to understand the meaning of actions through the distinction between "*because-motives*" (motives rooted in experience) and "*in-order-to motives*" (goal-oriented motives) in the lifeworld (Schütz, 1967; Schütz & Luckmann, 1973). A brief questionnaire was used solely as an initial mapping tool to screen case variation and inform purposive sampling, not as a statistical measurement instrument. It was administered to 200 Muslim women in three subdistricts of Batam City (Batam Kota, Batu Aji, and Sekupang) to map variations in marital legal status among urban Muslim families and to identify potential interview cases. Any descriptive figures drawn from this questionnaire are therefore reported only as contextual background to situate the qualitative findings, and are not treated as statistically representative estimates or as the basis for inferential analysis. Based on this mapping, informants were selected through *purposive sampling* using the principle of maximum variation (Sugiyono, 2010). Seven key informants were selected to represent variations in experiences regarding the legality of marriage, namely registered families, unregistered families, and families pursuing the *itsbat nikah* process. Informants consisted of Muslim women who were currently or had previously been married (including widows), had resided in Batam City for at least two years, and had direct experience with issues of marital legality. Variations in age, ethnicity, education, socioeconomic status, and duration of marriage were considered to enrich the depth of understanding, not to produce statistical generalizations. The primary analysis of this study is based on in-depth interviews with seven female informants (WT, KK, AD, TY, FTR, SR, and SY), whose identities are disguised using initials. The interviews were conducted in person in October 2022, using a semi-structured format, recorded with the informants' consent, and transcribed verbatim. The interview data was supplemented with contextual observations, documentation from the KUA and Dukcapil, as well as a summary of cases from the Batam Class I A Religious Court for the period January–September 2022 to strengthen the social context of divorce. Several key informants from the KUA, Dukcapil, the Religious Court, and related parties were also used as sources of triangulation.

The coding proceeded in three stages. First, the transcripts were read repeatedly and segmented into meaning units, statements in which informants articulated how they understood, used, or were affected by marital legality. Second, each meaning unit was assigned an initial code kept close to the informant's own language, such as legality-as-bond, certificate-as-access, vulnerability-when-unregistered, divorce-as-exit, or thinning-kinship-support. Third, these initial codes were clustered by conceptual affinity into the broader analytical themes around which the findings are organised: the meaning of legality, access to rights, divorce as a test of protection, and family resilience. Throughout, the analysis moved between the informants' first-order constructs and the researchers' second-order interpretations, reading the clustered themes through Schütz's distinction between *because-motives* and *in-order-to motives*.

The analysis process was inductive, sensitive to Schütz's framework—moving from first-order constructs (the meanings informants used to understand their experiences) toward second-order constructs (the researcher's analytical interpretations). The distinction between "*because-motives*" and "*in-order-to-*

motives” was used to examine how the legality of marriage was interpreted based on past experiences and desired future goals. During data reduction, units of meaning are retained, combined, or set aside based on their relevance to the research focus and their recurrence across informants, while every analytical decision is documented to ensure consistency between data, themes, and interpretations. Reliability is ensured through triangulation of sources and methods, back-checking of findings with some informants (*member checking*), and the researcher’s reflective notes, with each thematic claim always grounded in the supporting quotations. Accordingly, the core analytical claims of this article are derived from the in-depth interview data, while the preliminary survey serves only to provide contextual background and to inform case selection. At the time of fieldwork (2022), research ethics at the corresponding author’s institution, UIN Sultan Syarif Kasim Riau, were governed by the university’s research ethics guidelines (Rector’s Decree No. 1790.1/R/2021, in force from 16 November 2021). These guidelines function as an institutional code of research ethics, not a numbered clearance system of the clinical type. Article 9(5) states that studies using anonymous questionnaires and non-interventional social inquiry do not require signed informed consent, and the present study meets this condition: the questionnaire was anonymous, and no clinical or experimental intervention was involved. The study still followed the guidelines’ core principles, especially the protection of participants’ dignity and confidentiality (Article 10). Participation was voluntary. Before each interview, informants were briefed on the study’s purpose and gave verbal consent, recorded at the start of the session; they could decline any question or withdraw at any time. All identities were anonymised using initials, and recordings and transcripts were kept on password-protected devices accessible only to the research team.

Results and Findings

Marital Legality: Meaning-Making and Access to Rights

Within the framework of family resilience, the legality of marriage is understood as a framework of opportunities that ensures civil rights and legal protection are present in family life. Normatively, Law No. 1 of 1974 stipulates that a marriage is valid if it is conducted in accordance with religious law and registered in accordance with applicable regulations. For Muslims, registration is conducted through the Office of Religious Affairs (KUA), while for non-Muslims it is conducted through the Civil Registry Office as regulated in Government Regulation No. 9 of 1975. This registration results in a marriage certificate as official proof of marital status and serves as the gateway for families to access various civil registration services and basic legal protection (Alfitri et al., 2024).

An initial mapping questionnaire completed by 200 Muslim women offered a preliminary backdrop to the interview accounts: the vast majority treated marriage registration as important for family life and regarded the marriage certificate as significant in their everyday affairs. This snapshot is not offered as a statistical finding but as context that situates the qualitative analysis and informed the selection of informants; the substantive claims that follow rest on the in-depth interviews. However, the meaning of legality becomes clearer when viewed through the experiences of the informants. For several informants, the significance of registration extended beyond administrative functions and was closely tied to how they understood marriage itself. KK (39 years old), for example, explained: *“For me, marriage is a legal bond. It is not only the akad in front of the religious official, but also a bond that is recognised by the state, so that if something happens later, there is proof that we are truly husband and wife.”* WT (26 years old) expressed a similar view, describing marriage as *“the legal process of living together between a man and a woman,”* and adding that without registration *“it feels incomplete, because there is no official proof.”* These statements show that, in the informants’ everyday understanding, legality is not typified as an external administrative layer detached from the marriage itself, but as part of what makes the marital relationship real, valid, and secure in social life. In Schütz’s terms, legality has entered the stock of knowledge through which marriage is interpreted in the lifeworld of urban Muslim families.

This interpretation clarifies the research’s position regarding the dualism of validity that has been discussed. While Indonesian law normatively separates religious validity (Article 2, paragraph 1) from state registration (Article 2, paragraph 2), at the level of interpretation among some informants, this separation appears to dissolve; that is, they do not perceive religion and the state as two competing sources of validity, but rather as complementary entities. This finding suggests that the relationship between religious and state authorities in marriage registration does not always take the form of tension, as has

been widely discussed in previous studies (Nisa, 2018). At the policy level, the distinction between the two does indeed persist; however, at the level of the urban families who served as informants, the two tend to merge into a single horizon of meaning, within a shared perspective on marriage that is valid, protected, and certain. This is what, within Schütz's framework, can be understood as typification, where legality is not interpreted as a foreign legal category but rather integrates into *the stock of everyday knowledge* as something taken for granted (Schütz & Luckmann, 1973).

Tension arose when this shared understanding encountered the reality of an uneven administrative system. Informants from registered families generally described the processing of children's birth certificates, access to education and healthcare, and the recognition of a wife's legal status as relatively straightforward. By contrast, women in unregistered marriages recounted a more fragile experience. SR (38 years old, unregistered marriage), for example, stated: *"When I wanted to arrange my child's documents, they kept asking for the marriage book. Because our marriage was only sirri, I had to go back and forth and explain everything again. It was exhausting."* She further described a sirri marriage as something that *"exists in the eyes of religion, but when you go to government offices it is often treated as if it is not there at all."* This experience illustrates how, without legal registration, a marriage can feel real in the moral and religious domain yet remain invisible within the state's administrative system. These accounts show that the absence of legal recognition is experienced not merely as an administrative inconvenience, but as a practical form of exclusion that places women and children in a more vulnerable position in public life. These findings align with previous research indicating that families without registered marriages are in a more vulnerable position when dealing with the state's administrative and legal systems (Gultom & Tri Bawono, 2024; Horii & Wirastri, 2022). The obstacles reported by the informants were not merely technical administrative issues. They were lived as a recurring burden that consumed time, energy, and emotional stability. AD (45 years old), who had previously been in an unregistered marriage, explained: *"When I wanted to file for divorce, the first thing they asked for was the marriage book. I did not have it. Before I could talk about my rights, I first had to prove that I had really been a wife."* This account captures what the literature describes as administrative burden, namely the learning, compliance, and psychological costs borne by citizens when dealing with state procedures (Moynihan et al., 2015). In the context of this study, those costs were not distributed evenly, but fell most heavily on women and children, especially when family relations had already entered a crisis.

A child's civil status highlights this issue most clearly. Children born to married parents have clear proof of family ties through birth certificates and other civil registration documents. Conversely, children born to unmarried parents may face legal vulnerabilities because their civil status is initially registered only with their mother and her family. This situation has the potential to affect various rights inherent to the child, ranging from the certainty of child support, inheritance, educational funding, to access to basic administrative documents (Fakhria et al., 2023; Pirdaus & As, 2024; Sujana & Maruf, 2024). This is where the dualism of validity ceases to be a doctrinal debate and becomes a concrete issue of justice: the gap between "valid according to religion" and "recognized by the state" is not borne equally by the couple, but is instead passed on to the child, who had no say in the decision to register the marriage or not. Legality, at this point, is not a formality but a framework of protection for the most vulnerable family members.

Interestingly, the meaning of legality did not stop at the mere presence or absence of documents, but shifted across the family life course. Younger informants tended to frame legality in forward-looking and practical terms. WT (26 years old) stated: *"We registered the marriage mainly because we were thinking about the future, children's documents, school, health care, and everything related to administration."* In contrast, more mature informants often interpreted legality through experiences of vulnerability that had already been lived through. TY (41 years old) reflected: *"At first I did not think much about the marriage book. But after conflict happened, I realised that without it I had no clear legal position."* These contrasting accounts illustrate Schütz's distinction between in-order-to motives and because-motives. For younger families, legality is oriented toward anticipated access and future security, whereas for more mature families it is interpreted retrospectively through past experiences of uncertainty and risk. This difference is easily dismissed as merely a variation in priorities, but Schütz's phenomenology gives it a deeper meaning. Young families interpret legality through an *"in-order-to"* motive—a future-oriented

focus on the access and efficiency they seek to achieve. Conversely, more mature families are more influenced by *the* “because-motive”—a meaning derived from the experiences, events, and vulnerabilities they have endured. This difference, as Muzzetto (2006), emphasizes in his reading of Schütz, is fundamentally temporal: meaning is a function of lived time, of each actor’s life history. In other words, the meaning of social action is always tied to the time as experienced by an individual. Thus, the legality of marriage, which legally takes the same form, can hold different meanings for each family. The difference does not lie in the document itself, but in the life experiences that shape how they understand the document’s function. This is what legality does in practice: the same document offers the same protection on paper, yet each family reaches for it differently, according to its needs, experience, and stage of life.

This layered understanding of legality is also closely linked to gender relations within the family. Within the Indonesian legal framework, the Marriage Law and the Compilation of Islamic Law establish both husband and wife as parties holding legal standing within the family, while simultaneously regulating their respective rights and obligations to prevent unilateral dominance in marital relationships (Anggraeni, 2023; Rouf, 2024; Ulfazah et al., 2025). Without legal registration, women may face difficulties in asserting their civil rights, particularly regarding joint property, post-divorce rights, or legal certainty regarding their status following a husband’s death. Beyond these legal barriers, women also frequently encounter patriarchal social stigma that limits their access to extended family support networks and local social institutions (Nisa, 2018). This analysis reinforces and expands the argument that women’s legal actions in family matters should not be understood as a form of passivity or merely a reaction to domestic issues, but as a form of *agency*—the ability to act based on specific considerations (Nelli et al., 2023). While Nelli’s research highlights women’s *agency* in filing for divorce, the findings of this study reveal a complementary aspect: namely, that the legality of marriage is a structural prerequisite enabling that *agency* to have power, for without a registered status, the right to sue loses its foundation.

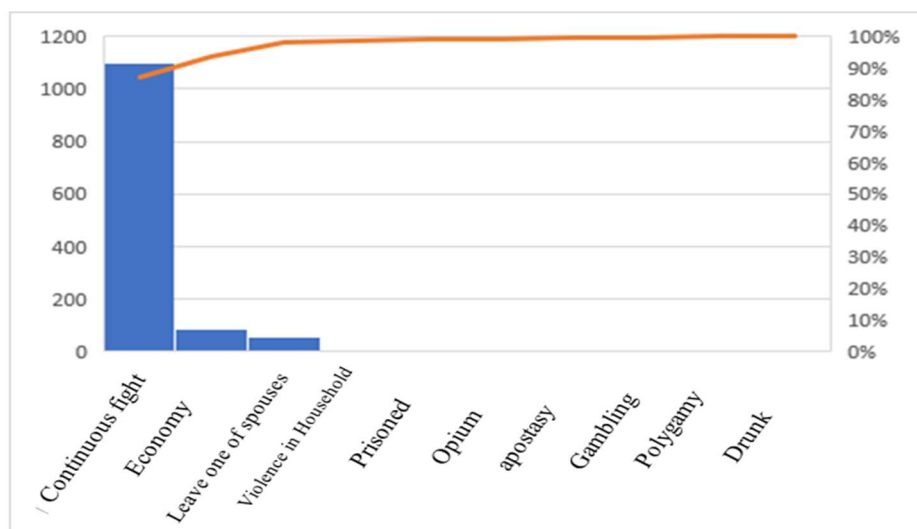
This perspective is reinforced by triangulation with informants—husbands and KUA officials—who, in their accounts, tend to frame the legality of marriage as a pillar of family economic stability amid the pressures of industrial city life, rather than as a constraint. To the extent that these accounts can be interpreted, the articulation of legal rights by wives is not automatically positioned as a relational threat, but rather as part of a shared rationality for navigating the risks of urban life; and it is at this intersection that legality functions not as passive protection, but as a foundation enabling gender relations to operate in an agentic manner. This finding simultaneously expands upon previous studies that position awareness of Islamic law as a key factor in family resilience (Sholeh et al., 2021). That research demonstrated that an understanding of the values and rules of marriage in Islam can strengthen family resilience. This study does not refute those findings but adds a crucial layer: awareness of the importance of legality—which is very high among the respondents in this study—does not automatically result in protection if it is not accompanied by structural access to registration and services. In other words, awareness is a necessary condition, not a sufficient one; it only becomes a protective force when supported by a tangible architecture of opportunity.

Finally, for Muslim informants, stability of meaning is often expressed through *sakīnah*, *mawaddah*, and *rahmah*—peace, love, and compassion. It is here that the two pillars of family resilience converge: the internal pillar, sustained by religious values, and the external pillar, facilitated by access to the law (Walsh, 2006). Legality provides an operational foundation for these values in several ways: by providing clarity regarding rights and obligations, thereby reducing uncertainty in family relationships; by providing documents that facilitate access to various services; and by fostering mutual recognition between the state and religion, which instills a sense of security in families. This study confirms that these two axes of family resilience—the internal axis built through values and emotional bonds, and the external axis dependent on legal and institutional support—do not function automatically. The legality of marriage serves as the mechanism linking the two, transforming inner peace into relational resilience that can be manifested in daily life, particularly when families face the pressures of urban life in Batam.

Divorce as a Test of the Architecture of Opportunity

If the legality of marriage creates an environment for legal protection within the family, then divorce is one of the moments when that protective function is truly put to the test. From the perspective of family resilience, divorce is not merely the end of a marital relationship but also a shock that affects various dimensions of family life: the psychological stability of family members, the household's economic condition, and the support networks underpinning child-rearing (Hasanudin et al., 2023). However, as will be evident in the findings of this study, the impact of divorce on family resilience is not determined solely by the divorce event itself. It is also significantly influenced by the extent to which the family has established a legal framework or legal protection prior to facing the crisis. The picture of divorce in Batam reveals an interesting pattern. Based on a summary of cases at the Batam Class I A Religious Court for the period January–September 2022, the reasons for divorce show a fairly dominant trend, as illustrated in the following Figure 1:

Figure 1. Distribution of grounds for divorce at the Batam Class I A Religious Court, January–September 2022:



Source: compiled by the researcher from the case summary of the Batam Class I A Religious Court (2022)

The graph shows that, of all divorce cases during that period, “constant quarrels” accounted for the vast majority of cases (87.7%). Meanwhile, economic factors and the departure of one spouse appeared in far lower numbers, while reasons traditionally associated with moral issues—such as gambling, drunkenness, drug addiction, or apostasy—were almost nonexistent. This pattern must be interpreted with caution. The category “constant quarrels” is broad and can encompass a variety of underlying issues, including economic pressures and relational injustices that are not articulated separately. Yet it is precisely this lopsided dominance that points to one crucial fact: the common thread of divorce in Batam is not the absence of norms or moral transgressions, but rather a deficit in relational skills under urban pressures—a vulnerable economy, rotating work schedules, and dwindling support from extended families. This interpretation reinforces a rejection of the “decline of sacredness” narrative and directs attention toward more structural roots. For behind these formal legal categories, informants’ accounts suggest that daily “arguments” are an accumulation of everyday structural pressures: the unstable rhythm of industrial work, separation caused by rotating shifts, and the thinning of kinship networks that elsewhere might serve as spaces for stress relief (as described by SY, interview on October 2, 2022). The fact that at the national level, divorce filings are increasingly dominated by women (BPS, 2023) further reinforces this interpretation: the decision to end a marriage should be understood as the exercise of agency to exit a relationship that is no longer fair, rather than as a weakening of women’s commitment to the family institution (Nelli et al., 2023).

The interviews suggest that divorce did not carry a single meaning for all families, but was interpreted in relation to each family’s stage of life and accumulated experiences. Among younger informants, divorce

was more often associated with unmet expectations regarding companionship, role-sharing, and emotional reciprocity. Among older informants, it was more frequently connected to prolonged economic strain and a crisis of trust. AD summed up this rationale succinctly: “*If the couple is no longer on the same page, why keep it going?*” Another informant added: “*Sometimes it is not one big problem. It is many small disappointments that build up until living together no longer feels possible.*” These accounts show that divorce was not always understood as a moral collapse, but often as a reflective decision taken when the relationship was no longer seen as capable of sustaining shared life goals. In Schütz’s terms, the meaning of divorce emerged from different temporal orientations: for some, it was future-oriented and tied to an in-order-to motive; for others, it was shaped by accumulated experiences and therefore closer to a because-motive (interview, October 4, 2022). Thus, divorce is not an event with a single meaning, but an experience understood differently according to the family’s life journey.

Batam’s urban context exacerbates these pressures. Interregional labor mobility, temporary separation due to employment contracts and commuting patterns, and the decline in support from extended families—as described by SY (interview, October 2, 2022)—reduce the frequency of daily interactions and, in many cases, shift the burden of childcare to one party, particularly the mother, amid the demands of long working hours. This situation makes it increasingly difficult for families to fulfill the various family functions as outlined in Government Regulation No. 21 of 1994, as disruptions to one function often affect others (Egas et al., 2023). This is where the link to the theoretical framework becomes clear: migrant cities like Batam actually erode the internal axis of resilience—namely, the kinship networks that in many regions serve as a buffer when families face crises—thereby making families increasingly dependent on the external axis: institutional support and legal certainty, which can only be accessed through legal channels (Walsh, 2006). Thus, when divorce rates rise in urban settings, the cause cannot be reduced to a “decline in the sanctity of marriage,” but must be understood as the convergence of structural and relational pressures.

This analysis also expands the discussion on the role of customary law and kinship networks in supporting family resilience across various Indonesian communities (Iwan et al., 2024). In many traditional communal societies, kinship not only serves as a support system when families face conflict, but also functions as a *cultural framework* that prevents crises from arising in the first place. This is evident, for example, in Minangkabau tradition, where family resilience is strengthened through financial discipline in the *maisi sasuduik* custom as an embodiment of the *al-bā’ah* doctrine (Busyro et al., 2024), as well as through the *Pulang ka Bako* marriage pattern designed to ensure the continuity of assets and the protection of descendants (Warman et al., 2023). A similar pattern is found in the “*pulang bale*” tradition in Aceh, which leverages the closeness of the extended family to ensure custody (*haqānah*) and reduce the potential for child-related disputes (Fauzi et al., 2024). However, Batam’s distinctiveness lies precisely in the absence of most of these cultural supports. As an industrial migrant city, Batam has experienced *the thinning of kinship networks*, which means families no longer rely entirely on customary mechanisms and relatives as they do in traditional communal societies. It is in this context that the legality of marriage gains greater significance: it is no longer merely an administrative formality but becomes an *institutional framework* that provides legal certainty and institutional protection to partially replace the protective functions that, in other societies, are still carried out by customary practices and extended family networks.

It is at this institutional level that the findings of this study expand the discussion on post-divorce family recovery. A study of post-divorce urban Muslim families in Indonesia and Malaysia found that the restoration of resilience depends not only on individual efforts but also on social support and government policies that ensure the fulfillment of post-divorce rights, and specifically noted that Malaysia is more advanced due to its formal support mechanism, the *Family Support Division* (BSK), which has no equivalent in Indonesia (Hamidah et al., 2024). Field findings in Batam add an important dimension to this discussion: in families with registered marriages, the pathways for determining custody, alimony, and the division of joint property are relatively clearer, thereby reducing administrative uncertainty; conversely, in unregistered families, the process of proving civil relationships—especially for children—often hinders access to assistance, educational and health services, and even recognition of identity. In other words, the absence of mechanisms like the BSK in Indonesia is not borne equally: the burden falls back as administrative costs that families must bear on their own, and most heavily on women and children who are already in vulnerable positions (Moynihan et al., 2015). This explains why, in interviews, women

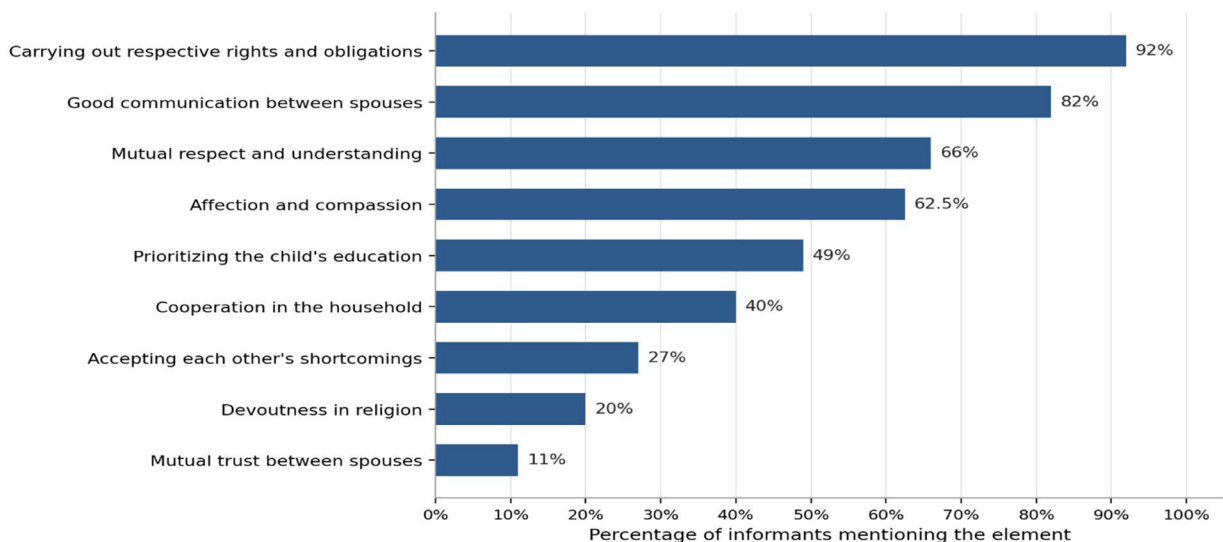
plaintiffs were more vocal in linking legality to bargaining power and a sense of security when relationships entered a crisis phase.

These findings have implications that challenge the conventional understanding of the relationship between legality and divorce. Legality has traditionally been viewed as an issue that arises after a divorce has occurred: how assets are divided, how status is determined, and how disputes are resolved. However, the experiences of families in Batam show that the protective power of legality is actually established long before a crisis emerges. Families with registered marriages enter difficult times with a stronger legal foundation, whereas unregistered families face a more challenging situation because they must cope with domestic upheaval while simultaneously proving the existence of their legal relationship. While Hamidah et al. (2024) emphasize the importance of strengthening post-divorce support through policies such as the BSK, this study expands on that discussion by highlighting the importance of an earlier stage: the legality of marriage as the foundational framework that determines whether a family will have access to protection when crises strike. Thus, the impact of divorce is not automatic but is influenced by the quality of relationships, support networks, and legal certainty that the family possessed before the conflict reached a crisis point.

Marital Legality and the Ideal Family Throughout the Life Cycle

While the previous two sections explored how the law facilitates access and how divorce challenges it, this section concludes with a more constructive question: what do Batam's urban residents themselves understand as the ideal family, and what role does the law play in it? In the social imagination of the informants, the "ideal family" is not merely a household that meets administrative requirements, but a family capable of sustaining relationships within it: rights and obligations are upheld, communication is maintained, every member is valued, and affection remains the foundation of the relationship. Within this framework, marital legality is not understood as the ultimate goal, but rather as a foundation that enables family life to proceed with greater certainty. Legality reduces the ambiguity of family members' positions, opens access to various necessary services, and simultaneously provides protection when the family faces changes or conflicts. An initial mapping of the elements respondents associated with an ideal family, a contextual snapshot rather than a measured finding, suggests an interesting pattern (Figure 2):

Figure 2. Elements of the ideal family according to the urban population of Batam



Source: preliminary survey data from this study (200 respondents), used for contextual mapping only; not statistically representative

In this preliminary mapping, the elements respondents most frequently mentioned are not ceremonial or symbolic aspects, but rather those related to the quality of family relationships. Fulfilling one's respective rights and obligations ranks highest, followed by good communication, mutual respect, and affection. This pattern indicates that, in the respondents' understanding, the ideal family is built more through daily

relational practices than merely through symbols or formal status. Interestingly, religious observance—often viewed as one of the main characteristics of the ideal family in Muslim society—does not emerge as the most dominant category. This does not mean that religion has lost its role in family life, but rather indicates that religious values tend to manifest in more practical ways: translated into attitudes, behaviors, and the ways family members build relationships with one another, rather than through abstract normative categories.

This interpretation becomes clearer when the informants describe the ideal family in explicitly religious language. TY explained that an ideal household is “*a home that brings peace, where people do not just live together but feel calm with one another.*” FTR emphasised acceptance, stating that “*family life will not last if each person only wants to be understood but does not want to understand the other.*” KK, in turn, highlighted the importance of shared direction: “*A good family is one that understands where it is going, so husband and wife are not walking with different goals.*” Although expressed through familiar religious idioms such as *sakīnah*, *mawaddah*, and *rahmah*, these statements refer to concrete relational capacities: emotional security, mutual recognition, and alignment of expectations. In this sense, the religious language used by the informants does not stand apart from lived family practice, but gives moral form to the everyday work of sustaining family resilience (interview, October 3, 2022). Thus, for the informants, religious language and the language of family relations are not two separate realms. *Sakīnah* does not exist as an abstract concept but is realized through daily practices such as mutual understanding, maintaining communication, and fulfilling shared responsibilities. Within Walsh’s (2006) framework, this demonstrates that the two pillars of family resilience operate simultaneously: religious values, as the internal pillar, do not remain mere beliefs but are translated into relational practices that sustain the family.

This is where legality serves as a foundation that is often not immediately apparent. The relationship between the four key elements—the fulfillment of rights and obligations, effective communication, mutual respect, and compassion—and legality is not a direct, visible connection, but rather one that enables: the fulfillment of rights relies on legal access, effective communication grows from the clarity of roles guaranteed by law, mutual respect is rooted in the equality of dignity protected by regulations, and compassion is more likely to be maintained when conflicts have fair channels for resolution. Legality, in other words, is not one of these ideal elements but the condition that lets them interconnect — lowering the social and administrative costs of family life so that a family’s energy can be redirected toward caregiving and the work of sustaining relationships.

As in the previous two sections, the way in which legality supports this ideal also varies according to life stage, and Schütz’s distinction once again sheds light on this pattern. From Schütz’s perspective, this difference relates to how experience and needs shape the meaning an individual ascribes to legality. For young couples, legality is more often understood as a guarantee of access to practical necessities: documents supporting children’s education, healthcare services, occupational mobility, and various economic activities. When these basic needs are no longer hindered by administrative issues, the family has greater room to build healthy communication and role-sharing. Meanwhile, for more mature couples, legality is more often interpreted as protection against potential risks: certainty regarding alimony, custody, or shared assets when conflicts arise. With a clear legal foundation, role negotiations do not take place in uncertainty but are guided by parameters that help the family navigate changes. This difference demonstrates that the ideal family is not a static form, but rather something that evolves alongside the family’s life journey (Muzzetto, 2006). Legal recognition provides different forms of protection tailored to the needs of each phase: offering flexibility for young families and providing certainty for those who have navigated more life experiences.

The interviews also reveal an often overlooked dimension of the ideal family in an industrial city: the management of time, presence, and everyday rhythms. SR described the ideal family as a family that really lives together—under one roof, with time for each other, and with both parents present in raising the children, not always separated by work schedules. WT, meanwhile, emphasised balance: “*For me, an ideal family is not one where the wife or husband must stop growing. Both can work and develop themselves, but they still return to the family as a shared space that must be cared for.*” These accounts show that the ideal family was not imagined in purely symbolic or doctrinal terms, but in practical relational terms shaped by urban working life. In this context, legality functions as a stabilising framework

that helps transform values such as responsibility, care, and mutual respect into durable arrangements of family life (interview, October 4, 2022). For urban families in Batam operating under the pressures of migration, shift work, and dwindling support from extended families, families without legal status will bear recurring administrative costs (Moynihan et al., 2015). Conversely, families with registered marriages have greater leeway to direct their energy, time, and resources toward caregiving and the quality of their relationships—two factors that repeatedly emerged in interviews as key elements of family happiness.

Thus, the contribution of legality to the ideal family does not stop at the function of legal protection, but is also related to the family's ability to lead a more stable and equitable daily life. This finding has important policy implications: strengthening family resilience is not sufficient through norms alone, but must be accompanied by efforts to expand access to marriage registration, simplify the process of *legalizing marriages*, strengthen post-registration services, and develop family capacity-building programs such as family legal literacy, mediation, couples counseling, and parenting that align with the nature of urban life. This direction aligns with studies linking the principle of family resilience in Islamic law to local regulatory instruments (Guspita et al., 2025; Ulfazah et al., 2025). However, this study indicates that the success of regulations ultimately depends heavily on the policy's ability to address families' concrete realities: reducing administrative barriers, expanding access to protection, and ensuring that the most vulnerable families are not left behind by rules that are normatively intended to protect them. Regulations that speak of family resilience without providing an easy path to legal recognition and public services risk remaining as norms detached from daily life.

Based on the overall findings of this study—ranging from how families interpret legality, how divorce tests its protective power, to how legality plays a role in shaping the ideal family—a shift in perspective is evident, which constitutes one of the main contributions of this study. Until now, the legality of marriage has tended to be understood as a status (valid or invalid, registered or unregistered) or as an administrative formality that exists outside the core of family relationships. The findings in Batam indicate that this understanding does not fully account for families' experiences. A marriage certificate, which legally carries the same form and function for every holder, actually opens up varying degrees of protection: for young families, it serves as a key to access that leads to future needs and opportunities; for families that have gone through more life phases, it serves as a shield for the rights and certainties they have built; for children, it determines their connection to state recognition; and for women, it provides a foundation enabling them to advocate for their rights when family relationships face challenges. The same document may hold different meanings and offer different degrees of protection. It is precisely this difference that shows legality to be more than a static status: it determines which rights and protections a family can actually reach, and who within that family reaches them most easily or with greatest difficulty.

This interpretation has three implications that extend beyond the context of Batam. First, it shifts the focus of family resilience theory from post-crisis recovery to pre-crisis architecture: a family's resilience is largely determined long before a shock occurs, by the legal structures established—or neglected—at the time of marriage. Resilience is not merely about how families respond to a storm, but about what kind of home they have built before the storm arrives. Second, it positions state recognition as an increasingly crucial pillar of resilience, particularly in urban-migrant spaces. In places where traditional networks and kinship ties remain strong, the absence of legal status can be partially mitigated by traditional support systems; but in migrant cities like Batam, where such support is thinnest, institutional frameworks become nearly the only remaining pillar. This opens the door to further testing whether similar patterns emerge in the context of other urban Muslim families. Third, and most relevant to justice, this architecture of opportunity operates unevenly: the costs of the lack of legal status fall heaviest on women and children—those who most need protection yet have the weakest bargaining power. This is where *agency* and structure intersect: women can act, challenge, and demand their rights, but that capacity for action only has a foothold if the legal architecture has first provided a foundation upon which to stand.

Conclusion

This study shows that for the urban population of Batam, the legality of marriage is not merely an administrative status, but rather a framework of opportunities that channels civil rights and protections into family life. In the first focus, legality is interpreted differently according to life stages: young families interpret it through an “*in-order-to*” motive as a guarantee of access, while established families interpret it through a “*because*” motive as protection against past vulnerabilities, so that legally identical documents yield different meanings and power. In the second focus, divorce reveals that a family’s resilience is largely determined before a crisis strikes: registered families enter difficult times with a solid legal foundation, while unregistered families bear the administrative costs that fall heaviest on women and children. In the third focus, legality serves as the foundation enabling the elements of an ideal family—the fulfillment of rights, communication, mutual respect, and affection—to intertwine, particularly in migrant cities where kinship networks are thinning.

The contribution of this study is to shift how we see marriage legality: from a static status to an architecture of opportunity that determines who is protected and who is left vulnerable when shocks occur, and from a question of post-crisis recovery to one of structures laid down long beforehand. Policy implications: expanding the scope of registration to include *itsbat* nikah, streamlining access to post-registration services, and integrating capacity-building for relationships that are responsive to the rhythms of urban life, so that the costs of social transition are not borne solely by families, particularly women and children. This study is limited to the experiences of Muslim families in a single city and is not intended for statistical generalization. However, these limitations actually open the door for further testing of the proposition that as urbanization increases and informal family networks weaken, the role of legal frameworks as a pillar of family resilience becomes increasingly significant. Future research could test this proposition in other Muslim urban contexts, with a particular focus on unregistered families—a group that is hardest to reach precisely because of their lack of registration.

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