

## ABSTRACT

Miftahul Janah, 10210055, **The Practice of *Sirri* Marriage In Malaysia (Case Study of Indonesian Migrant Workers (TKI) in Selangor State Malaysia)**, Thesis, Al - Ahwal Al- Syakhsiyyah Department, Syariah Faculty, The State Islamic University of Maulana Malik Ibrahim of Malang .

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There are many definitions of *sirri* marriage, as considered does not meet the requirements and pillars of marriage, as stated by Umar ibn Khattab, when he received a complaint about the case of marriage which was witnessed by a male and a female witnesses. However, the extended definition of *sirri* marriage, including pillars and requirements of marriage but it is not registered in the Office of Religious Affairs (KUA) for a Muslim. This unregistered marriage phenomenon is not only grows in Indonesia, but also, the across country which causes many debates, in terms of processes, factors and impacts. Like the case of migrant workers (TKI) in Malaysia, nearly 90% of them practice *sirri* marriage.

This study focused on *sirri* marriage practice migrants in the Malaysian state which includes; Selangor, Kuala Lumpur, Pulau Penang, Kuantan and Pahang. In addition, this study also discussed of the practice in terms of the *Marital Law No. 1 of 1974* and *The Islamic Family Law Enactments, of Selangor 1984*.

This study is a qualitative study aimed at gaining a deep understanding of the phenomenon behind *sirri* marriage practice by Indonesian Migrant Workers (TKI) in Selangor state. The results of this study reveals that the background unregistered marriage practice is different, but in general unregistered marriage to validity in religion. In addition, to the quick and easy process is also a factor practitioner choose their marriage. Various facilities offered are: the presence of migrant workers called *ustadz i.e penghulu profession* who has good knowledge of religion are often asked to marry fellow workers in Malaysia. The business of selling fake marriage certificate by rogue (*oknum*) elements Indonesia citizens itself. There are some similarities provisions Law No. 1 of 1974 about marital law with The Islamic Family Law Enactments, Selangor 1984. The difference is on the punishment. This country is easy to issue the *sijil lahir* (*sijil lahir*) to foreigners, even though they marriage is not recorded in the State.