

RECONSTRUCTION OF REGULATIONS ON REGISTRATION OF IDENTITY MISTAKES IN MARRIAGE CERTIFICATE QUOTATION BOOKS BASED ON JUSTICE VALUES

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ABSTRACT

Normalization in the Regulation of the Minister of Religion number 20 of 2019 Article 37 paragraph two / (2) In the event that the availability of the Marriage Book is limited, errors in writing as referred to in paragraph (1) can be made by: crossing out two lines on the wrong writing; write the correction in capital letters; the Head of the Office of Religious Affairs gives initials at the far right of the crossed out word; and the Head of the Sub-District Religious Affairs Office puts the official stamp on the wrong word. After the reconstruction of Article 37 paragraph two reads in the event that the availability of the Marriage Book is limited, errors in writing as referred to in paragraph (1) can be made by: When there is an error in the recording in the book with a quote from the marriage certificate, the Head of the Office of Religious Affairs only provides a certificate of difference in the name of the husband, wife, guardian or makes a duplicate of the marriage book. Reconstruction of Article 38 paragraph one / (1) Changes in the name of the husband or wife on the Marriage Certificate are carried out by the District Religious Affairs Office based on the birth certificate Article 38 paragraph one. The registration of name changes is carried out based on the determination of the district court where the applicant is located. The reconstruction of Article 38 paragraph two reads that the recording of changes in personal data in the form of place, date, month, year of birth, population identification number, citizenship, occupation, and address carried out by the District Office of Religious Affairs based on a certificate only from the population and civil registration service. Article 38 paragraph two reads that the recording of changes in individual data in the form of place, date, month, year of birth, population identification number, citizenship, occupation, and address is carried out by the District Religious Affairs Office based on a certificate from the head of the district, village or village. This study aims to analyze the weaknesses of the Procedure for Recording Identity Mistakes in the Marriage Certificate Quotation Book in the Minister of Religion Regulation Number: 20 of 2019, and reconstructing the regulations for the recording of identity errors in the Marriage Certificate Quotation Book based on Justice Values. The approach method used is sociological juridical. The data used is secondary data, namely the provisions of legislation and jurisprudence as well as primary legal materials, secondary legal materials and tertiary legal materials and primary data. The results of this study have found that the weakness of the regulation on the procedure for recording errors of identity in the Marriage Certificate Quotation Book is in the legal substance, legal structure and legal culture, so it is necessary to reconstruct the Articles of the Regulation of the Minister of Religion Number 20 of 2019.

Keywords: Reconstruction; Record; Error; identity; justice

INTRODUCTION

Marriage according to etymology is Adhomu or Al jima'u, Wathi' which means gathering or jima'. Meanwhile, according to Syara 'is: Aqad which contains several pillars and conditions. and the aqad can result by using the pronunciation taken from masdar inkaah or tazwii with marriage, it can be husband and wife or wathi'.¹

According to Law Number 1 of 1974, marriage is a physical and spiritual bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family or household based on the One Godhead. It is also explained in Article two paragraph (one) that marriage is legal if it is carried out according to the laws of each religion and belief. It is also explained in article two paragraph (2) of Law number 1 of 1974 that every marriage is recorded according to the applicable laws and regulations.² It is explained in the Compilation of Islamic Law that marriage according to Islamic law is marriage, which is a very strong contract. or miitsaqon gholiidhon to obey Allah's commands and carry it out is worship.³ According to scholars what is called marriage is a contract that justifies sexual relations between a man and a woman⁴. Marriage is voluntary for those who desire to do so.⁵

Based on Government Regulation number 9 of 1975 concerning the conditions of marriage in article 6 paragraph two point a, it reads the quote of the birth certificate or birth certificate of the prospective bride. In the event that there is no birth certificate or birth certificate, a certificate stating the age and origin of the prospective bride and groom may be used which is given by the Village Head or equivalent. However, the Penghulu or Head of the Klenganan District Religious Affairs Office in recording the name of the wife/Wardatu is not in accordance with Government Regulation number 9 of 1975 concerning the terms of marriage

¹Sayid Muhamad Syathi, Al Hasyiah I'anutut Tolibin, Darul Fikr, Bairut 1993, vol 3, page. 196 Imam Taqiyudin Abi Bakr, Kifayatul Akhyar, PT Al Hidayah, Surabaya, 1993, vol 2, page. 36., Imron Abu Amar, Fathul Qarib Translation, PT. Menara, Kudus, 1982, page. 27. Sayid Muhammad bin Ismail Alkahlani Subulus Salam, PT. Dahlan, Bandung, 1995, page.109.

² Law Number 1 of 1974 Concerning Marriage

³Director General of Islamic Institutions of the Ministry of Religion, 1992. KHI, Bandng. PT. Humaniora Utama perss, page. 18., Ministry of Religion of the Republic of Indonesia, 1993. Guidelines for Legal Counseling, Director General of Development of Islamic Religious Institutions, Jakarta,page 158.

⁴Soemiyati 1986., Islamic Marriage Law, and Law No. 1 of 1974, Yogyakarta. PT Liberti., page.8

⁵Adlchiyah Sunarto, M. Multazam, 1984. Fiqh Syafi'i translation, Jakarta. CV. Student Star, page. 359.

with a birth certificate. Resident and family card with the name Wardatus Sa'adah. Therefore, in the book the marriage certificate quote does not match the certificate or birth certificate.

Usually, errors in recording or writing on marriage certificates or marriage certificates, the first Penghulu (marriage official leader) from marriage office (KUA) does not use writing standards based on Government Regulation number 9 of 1975 concerning marriage requirements with a birth certificate or photocopy of certificate, the second is the community (prospective brides who use a marriage certificate). the data is different in the identity card and family card as well as a certificate or birth certificate then the community wants it in accordance with Government Regulation number 9 of 1975 concerning marriage requirements with a quote from a birth certificate or photocopy of a certificate. family card, then the penghulu disobeys government regulations and based on his desires and recording based on identity cards and family cards is a wrong and incorrect guide because it is not in accordance with Government Regulation number 9 of 1975 concerning the conditions of marriage with a quote birth certificate or photocopy of diploma. If the name change in the marriage certificate quote book must go to the Court, then what is the function of the certificate or birth certificate for, The one who makes the birth certificate is the Population and Civil Registry Service, the one who makes the certificate is from the Education Office. resident and family card. Then before marriage the prospective bride already has a birth certificate or diploma. If in the marriage certificate quote book his name is Ahmad, then on the identity card and family card his name is Ahmad Jaelani, then the name change must be changed to Court, the reason is because he does not have a diploma or birth certificate. So the Minister of Religion Regulation Number 11 of 2007 and the amendment to the Minister of Religion Regulation No. 19 of 2018 do not practice the value of justice in society and are contrary to the 1945 Constitution.⁶

Errors in correcting the name and date of birth of the bride and groom are caused by making identity cards and family cards of origin and not seeing the data in the marriage certificate quote book almost every day people come to Kua to ask for a name certificate between the identity card and family card with a book of deed quotes There is a difference in marriage, as in the book of marriage certificates, on Monday, January 22, 1990 in the name: Name: Rusadi Place of birth: Cirebon 21 years old with a woman Name: Royati Place of birth date: Cirebon, 10-04-1972 on the identity card and family card Name: Rusadi, Place of birth: Cirebon, 20-02 1967. With a woman Name: Royati Place of birth: Cirebon, 15-03-1973. Came to Kua, Klangean District on May 8, 2019 at 10.00 and I interviewed with Ms. Royati, the need is to make a birth certificate for her child who is currently studying at the Klangean Junior High School 2. Why the certificate book a marriage is not the same as an identity card and a family card, he answered because the villager who made the identity card and family card did not see the marriage certificate quote book, when your husband's name was Rusadi but it was written in the village apparatus data, Rosadi, kept asking for the name whose wife is Royati, the date of birth was also made up so that the date of birth is the same as the marriage certificate quote. Then the community (Rusadi and Royati) complained to the village apparatus, he said that if you want to fix your identity card and family card, you have to go to court and the cost is 4 million, because you have to pay for it. expensive and afraid so people come to KUA to correct the name mistake. Hence, if in the Disdukcapil Agency there is an error of 1(one) letter or date of birth, you have to face a trial at the District Court, even though the trial costs are approximately 1.2 million if delivered by village officials. The reasons for the Department of Population and Civil Registration are based on Law No. 23 of 2006 and if you have a diploma, the identity card and family card can be repaired.

The recording of identity errors in the Marriage Certificate Quotation Book is based on Minister of Religion Regulation No. 11 of 2007, Minister of Religion Regulation No. 19 of 2018, Minister of Religion Regulation No. 20 of 2019 has not reflected justice in society because the three Minister of Religion Regulations always change the rules and requirements and always burdensome to the public and untidy or many scribbles in repairs and in this Minister of Religion Regulation No. 20 of 2019 Recording of identity errors in the Marriage Certificate Quotation Book must have a certificate from the Cirebon district civil registry office, even though in the Regulation of the Minister of Religion No. In 2018 if there is an error of one letter or two letters in the name of the husband or wife or in the place of birth date of the husband or wife or guardian, it must be based on a certificate from the village head.

RESEARCH METHOD

The approach method used is sociological juridical⁷. The data used is secondary data, namely the provisions of legislation and jurisprudence as well as primary legal materials, secondary legal materials and tertiary legal materials and primary data.⁸ Data collection techniques through library research and field studies.⁹Data analysis was carried out with qualitative analysis.¹⁰

RESEARCH RESULTS AND DISCUSSION

Minister of Religion Regulation Number 20 of 2019 in articles 36 and 37, correcting the identity error in the marriage certificate quote book, if the date of birth, month and year is wrong, first ask for a certificate from the Civil and Population Registration

⁶ Titus Anindyajati, The Role of the Indonesian Constitutional Court in Developing Inclusive Legal System Through a Judicial Review in the Economic Sector, *Advances in Social Science, Education and Humanities Research*, volume 592, Proceedings of the 2nd International Conference on Law and Human Rights 2021 (ICLHR 2021).

⁷ Anis Mashdurohatun, Gunarto & Oktavianto Setyo Nugroho Concept Of Appraisal Institutions In Assessing The Valuation Of Intangible Assets On Small Medium Enterprises Intellectual Property As Object Of Credit Guarantee To Improve Community's Creative Economy, *JPH: Jurnal Pembaharuan Hukum*, Volume 8, Number 3, December 2021.

⁸ Ardianita Wirianistiati, ., Sadjijono, Legal Consequences of Name-changing Person in Official State Documents: A Civil Law Review, *YURIS (Journal of Court and Justice)* Vol 1 Issue 2, 2022.

⁹ Anis Mashdurohatun, Gunarto & Adhi Budi Susilo, The Transfer Of Intellectual Property Rights As Object Of Fiduciary Guarantee, *Jurnal Akta*. Volume 9 No. 3, September 2022.

¹⁰ Mukti Fajar. *Dualism of Normative and Empirical Legal Research*. Yogyakarta: Student Library. 2010.

Office. The second is if the correction of the identity error in the marriage certificate quote book, if it is wrong to record or write the name of the husband or wife, it is based on the Regulation of the Minister of Religion.

But the policy of the Klangeran District Office of Religious Affairs when there is an error in recording the identity in the marriage certificate quote book, a certificate from the Klangeran Office of Religious Affairs is given based on a photocopy of the Klangeran Public High School certificate. and in a straight line and rewritten with the initials of the head of the Office of Religious Affairs, this is in accordance with the Regulation of the Minister of Religion Number 20 of 2019 in Article 37 (1) If there is an error in digital or manual writing on the Marriage Book as referred to in Article 36, it can be done replacement of marriage certificate. In article 36 paragraph (2) in the event that the availability of the Marriage Book is limited, errors in writing as referred to in paragraph (1) can be made by: a. cross out two lines on the wrong writing; b. write the correction in capital letters; c. The head of the Office of Religious Affairs puts his initials on the right end of the crossed-out word; and D. The Head of the Sub-District Religious Affairs Office gave the official stamp on the wrong word.

Every day, people from nine villages throughout the Klangeran sub-district, namely Klangeran village, Danawinangun village, Jemas Kidul village, Jemas Lor village, Pekantingan village, Serang village, Bangodua village, Kreyo village, Slangit village come to the Klangeran District Religious Affairs Office to repair or request letters and statements of errors in recording or writing identity on a book of marriage certificate quotations, whether the name of the husband or wife or guardian is incorrectly written as well as the wrong date, month and year.

Corrections or certificates of writing errors in the marriage certificate quote book at the Office of Religious Affairs of the Klangeran District do not follow the instructions and carry out the procedures for writing changes according to the Regulation of the Minister of Religion Number 2019 Article 36 paragraph (1) or Article 37 paragraph 1 and Article 38 paragraphs one and two because Article 52 paragraph one reads: Registration of Name Changes Article 52 (1) The registration of name changes is carried out based on the determination of the district court where the applicant is. such as the wrong name on the Marriage Certificate and Marriage Certificate Quotation number 230/32/V/2006, Married on Saturday, May 6, 2006 or coinciding with 8 Rabi'ul Akhir 1427 at 09.00 on behalf of Chafid Sapriyadi Syafi'i Bin Drs.Eddy Syafe'i and Nirmala Dewi bint Syaeful Muchtar, whereas in the high school diploma or birth certificate it is Chafid Seffriyadi Bin Syafei. Then in the Marriage Certificate and Quotation of the Bride's Marriage Certificate her name is Nirmala Dewi bint Syaeful Muchtar, whereas in the Birth Certificate it is Nirmala Dewi bint Syaeful Muchtar.¹¹ Writing in the Marriage Certificate Quotation Book No. NA: 230/32/V/2006 Who got married on Saturday, June 6, 2006 Coinciding with 8 Rabiul Akhir 1427 H. Another example has been carried out the marriage contract of a man Name Chafid Syafriyadi Syaffe'i Bin Drs.Edy Syafe'i, Place of Birth: Cirebon,18 - 9 -1981 married a woman name Nirmala Binti Syaeful Muchtar Place of Birth Date Cirebon, 8 - 1-1984.¹² On the family card and identity card it is written, Name : Chafid Sefriyadi Syafe'i bin H.Eddy.S.Drs, Place of Birth : Cirebon, September 18, 1981. This is is one example of writing the identity of the bride's name in the Marriage Certificate and Marriage Certificate Quotations are different from identity cards, family cards, birth certificates and diplomas. Marriage Certificate Quotation Book with Family Card and Identity Card. or Birth Certificate or Diploma. So that when the family card and identity card have been made, it turns out that the writing is different from the Marriage Certificate Quotation Book. Residents or Birth Certificates still have writing differences. For example: Name Chafid Sapriyadi Syafi'i bin Drs. Eddy Syafe'I, Place of Birth: Cirebon, September 18, 1981, Nationality: Indonesia, Religion: Islam, Status: Young, Age: Village Pekantingan, Klangeran District, Cirebon Regency, Name of the bride / wife, Name: Nirmala Dewi bint Syaeful Mukhtar Place of birth date Cirebon, 08-1-1984, Citizen : Indonesia, Religion : Islam, Status: Virgin, Address : Pekantingan Village, Klangeran District, Cirebon Regency.

According to the Regulation of the Minister of Religion Number 2019 Article 37 paragraph 2 then the way to fix it is a. cross out two lines on the wrong writing; for example, on the date, month and year of the husband's name, Chafid Sapriyadi Syafi'I. Scratch two lines on the wrong writing like Chafid Sapriyadi Syafi'i. Then write the correction in capital letters; such as Chafid Seffriyadi, Then the Head of the Head of the Office of Religious Affairs puts his initials on the right end of the crossed out words; and the Head of the Sub-District Religious Affairs Office gave the official stamp on the wrong word.

The policy of the Klangeran District Office of Religious Affairs in correcting the husband's name is only given a certificate of error in the husband's name and does not follow the instructions and implementation of the Regulation of the Minister of Religion Number 2019 Article 37 paragraph 2 because the Regulation of the Minister of Religion is no longer relevant and does not follow current developments. The second way is by looking at the Office of Population and Civil Registration or in schools from the State Elementary School to Higher Education, if there is a writing error in the certificate then the school only gives a certificate of error in the name or place of birth date. The religion will later change the the writing in the marriage certificate quote book.

Chaffid Seffriyadi and Nirmala Dewi came to the Klangeran Religious Affairs Office on 20 May 2019 and asked the Head of the Religious Affairs Office.

Klangeran Religion to change the identity on the marriage certificate quote book because the Head of the Klangeran Religious Affairs Office has a policy, a duplicate book is made even though it is based on the Minister of Religion Regulation Number 20 of 2019 in the writing procedure in article 38 paragraph one which reads Changes in the name of husband or wife on the deed The marriage is carried out by the District Office of Religious Affairs based on a new birth certificate. (2) The recording of changes in individual data in the form of place, date, month, year of birth, population identification number, citizenship, occupation, and address is carried out by the District Office of Religious Affairs based on a certificate from the population and civil registration office. a different policy and does not follow PMA Number 20 of 2019 in article 38 paragraphs one and two for the following reasons: Brother Chaffid Seffriyadi has a diploma from elementary to university and his wife Nirmala Dewi has a birth certificate. Two valid pieces of evidence, namely a photocopy of the diploma and birth certificate, are valid and authentic evidence for changing the names of husband and wife and guardians. For residents, the family name card is correct, including when

¹¹ Akta Nikah Kua Klangeran

¹² Copy of marriage certificate KUA Kec. Klangeran 2006

registering at the Klagenan District Office of Religious Affairs when registering includes the certificate, but the Head of the Religious Affairs Office or the head of the Klagenan District Religious Affairs Office is not careful in writing the marriage quote book or the marriage certificate is not guided by the birth certificate or husband's certificate. So that a duplicate of the marriage book is made as follows: Husband Name : Chafid Seffriyadi bin Drs. Eddy Syafe'i Place of Birth : Cirebon, September 18 1981, Citizen : Indonesia, Religion : Islam, Status : Jejaka, Address: Pekantangan Village, Klagenan District, Cirebon Regency, Wife Name : Nirmala Dewi bint Syaeful Muchtar Place of birth: Cirebon, 8 – 1-1984, Indonesian citizen, Religion: Islam Status: Virgin Address: Pekantangan Village, Klagenan District, Cirebon Regency

According to Lawrence Meir Friedman, there are three elements in the legal system, namely structure, substance and legal culture. The obstacles to law enforcement in Indonesia are caused by the slump in the three elements of the legal system that have shifted from the ideals in the 1945 Constitution. The following briefly describes the three elements:

Legal structure (legal structure) is the framework or framework, the part that survives, the part that gives a kind of shape and boundaries as a whole. The legal structure is an institutionalization in the existence of law institutions.¹³

The Ministry of Religion makes Minister of Religion Regulation number 20 of 2019 concerning Marriage Registration when there is an error in writing the names of the husband, wife and guardian in the marriage certificate quote book. name of husband, wife, guardian with a certificate, if you do not have a birth¹⁴ certificate or diploma then the correction of the change in the name of the husband or wife and guardian based on Law number 23 of 2006 concerning Population article 52 reads that the registration of name changes is carried out based on the determination of the district court where the applicant is. in changing the names of the husband, wife and guardian of the district court. As the marriage contract was held on Thursday 09-09-1993 coinciding with 22 Friday early 1414 H at 07.00 husband's name: Kardi bin Kadira place of birth date Cirebon. Wife's name Noriah bint Yono, place of birth, Cirebon, 17 years old, Indonesian citizen Occupation: farmer, where he lives in Kreyo village, last education- status before marriage: virgin father Yono's mother Wartesi's mother. She came to the Office of Religious Affairs in Klagenan District on 21 July 2022 wants to correct the name of the husband's mother whose name is Kardi bint Cium to Kardi bint Umaeni, the aim is to take care of BPJS. Based on Article 38 paragraph one / (1) Changes in the name of the husband or wife on the Marriage Certificate are carried out by the District Religious Affairs Office based on a new birth certificate. (2) The recording of changes in individual data in the form of place, date, month, year of birth, population identification number, citizenship, occupation, and address is carried out by the District Religious Affairs Office based on a certificate from the population and civil registration office. In Article 38 paragraphs one and two does not regulate the change in the name of the husband's biological mother, namely Kardi bin Cium, who wants to be changed to Kardi bint Umains. So, the head of the Office of Religious Affairs in the Klagenan District gave a certificate of different names based on the theory of Islamic justice or the theory of masalah mursalah. is a certificate from the village of Kreyo and the legal structure of the Office of Religious Affairs in the District of Klagenan provides a certificate of different names based on the certificate from the village of Kreyo Number 470/08-Dec/2022.

Legal culture is attitudes and values related to shared behavior related to law and its institutions.¹⁵ In legal culture to correct errors in recording the names of husbands and wives and guardians in contact with village or sub-district government agencies and agencies for example, a wedding was held on Friday, December 1, 2004 coinciding with 18 Shawwal 1425 H with Marriage Certificate number: 773/03/XII/2004, with the following data: Name of the groom / Husband Name: Sutarjo Bin Tarbin, Place of birth: Cirebon, 04-04-1984, Citizen : Indonesia , Religion : Islam Status : Young man, Address: Slangit Village, Klagenan District, Cirebon Regency , Name of the Bride/ Wife, Name: Taniri Binti Daryani Place of Date, Birth: Cirebon, 09-12-1985 Citizen: Indonesia, Religion: Islam, Status: Virgin, address: Slangit Village, Klagenan District, Cirebon Regency.

Repair of husband's name: Sutarjo based on Minister of Religion Regulation number 20 of 2019 Article 38 paragraph one or (1) Changes in the name of the husband or wife on the Marriage Certificate are carried out by the District Religious Affairs Office based on a new birth certificate. Even though Sutarjo does not yet have a new birth certificate but he has a certificate from the Slangit Baru State Elementary School named Muhamad Sudaryo. He wants to make a duplicate book of the marriage certificate to the Office of Religious Affairs in the Klagenan District. Then the Head of the Office of Religious Affairs in the Klagenan District submitted an application to the Head of Guidance at the Ministry of Religion of Cirebon Regency, but the Head of Guidance at the Ministry of Religion of Cirebon Regency did not grant the application of the Head of the Religious Affairs Office of the Klagenan Sub-district regarding a duplicate marriage book, the reason is that Muhamad Sudaryo must sit in court in accordance with the Minister of Religion Regulation number 19 of 2018 which reads Article 34 (1) is the recording of changes in the names of husband, wife, and guardian, must be based on a district court decision Muhamad Sudaryo has a Slangit Baru State Elementary School certificate. Muhamad Sudaryo should be able to get justice in correcting errors in recording the husband's name from the Head of Guidance, Ministry of Religion, Cirebon Regency in the form of a duplicate marriage book and printed or printed at the District Religious Affairs Office. Klagenan because Muhamad Sudaryo has a diploma. Based on the theory of justice in Islamic law or the theory of masalah mursalah, it is considered good to correct errors in recording the husband's name in the marriage certificate citation book based on the certificate of the State Elementary School of Baru Slangit. Based on the existing legal culture in Indonesia in repair of names of husband, wife and guardian as well as place, date, month and year of birth and others based on a certificate from the head of the village/kelurahan. And in accordance with article 34 paragraph two / (2) it reads that the recording of changes in individual data in the form of place, date, month and year of birth, population identification number, citizenship, occupation, and address must be based on a cover letter from the kelurahan/village head.

Article 38 paragraph two is the recording of changes in individual data in the form of place, date, month, year of birth, population identification number, citizenship, occupation, and address carried out by the District Religious Affairs Office based on a certificate from the Population Service and registration civil Affairs. In practice, the Klagenan District Office of Religious Affairs when a community / Wardatu wants to correct a writing error on the date, month and year of Wardatu's birth, the Klagenan

¹³ L.M. Friedman, . *The legal system: A social science perspective* . Russell Sage Foundation.1975.

¹⁴ <https://gudangilmuh.blogspot.com/2014/11/struktur-hukum.html>

¹⁵ Derita Prapti Rahayu , Faisal, Yokotani, Rafiqah Sari, Ndaru Satrio , Law Enforcement in the Context of Legal Culture in Society Master of Law, Faculty of Law, Universitas Diponegoro, Law Reform, 16(2), 2020, pp.276-289.

District Religious Affairs Office provides a certificate of different date, month, and year of birth based on a photocopy of Wardatu's diploma and certificate of different date, month and year of birth from the village head or from the lurah. Why is that because the Civil Registry Office of Cirebon Regency does not want to provide a certificate to Wardatu which is different in the date, month and year of birth that is on the identity card and family card with the one in the marriage certificate quote book because the family card and identity card date, month and Wardatu's year of birth is the same as the certificate.

Wardatus Sa'adah has a diploma or a letter of completion of study from the State 1 Klagenan Junior High School with the name Wardatu and a certificate of different date, month and year of birth from Kreyo village. Another example The wedding was held on Friday, December 1, 2004 coinciding 18 Shawwal 1425 H with the Marriage Certificate number : 773/03/XII/2004, with the following data : Name of the groom / Husband Name : Sutarjo Bin Tarbin, Place of birth : Cirebon,04-04-1984, Citizen : Indonesia , Religion : Islam Status : Young man, Address: Slangit Village, Klagenan District, Cirebon Regency , Name of the Bride/ Wife, Name: Taniri Binti Daryani Place of Date, Birth: Cirebon, 09-12-1985 Citizen: Indonesia, Religion: Islam, Status: Virgin, address: Slangit Village, Klagenan District, Cirebon Regency. His guardian Karnada address: Slangit village Based on Article 38 paragraph two is recording changes in personal data in the form of place, date, month, year, birth, population identification number, citizenship, occupation, and address shall be carried out by the District Religious Affairs Office based on a certificate from the Population and Civil Registration Service. Muhamad Sudaryo corrected writing errors Date, month and year of birth to the Office of Religious Affairs, Klagenan District. It was written in the marriage certificate or book of marriage certificate quotations. Muhamad Sudaryo place and date of birth Cirebon, 09 August 1983.

Construction of the Minister of Religion Regulation Number 20 of 2019 concerning procedures for recording errors in identity registration in marriage certificates based on the value of justice. Prior to the reconstruction of PMA Number 20 of 2019 concerning Marriage Registration, Article 37 (1) "(1) If there is an error in digital or manual writing on the Marriage Book as referred to in Article 36, Marriage certificate can be replaced. Article 37 paragraph two (2) In the event that the availability of the Marriage Book is limited, errors in writing as referred to in paragraph (1) can be made by:

- a. cross out two lines on the wrong writing;
- b. write the correction in capital letters;
- c. Head of KUA (Religious Affairs Office) initials
- d. on the far right on the crossed out word; and
- e. The head of the sub-district KUA puts an official stamp on the wrong word.

Weaknesses, In practice, the norming of Article 37 paragraph (1) is if there is an error in digital or manual writing on the the marriage book. what is meant in article 36 is corrected by erasing the wrong writing with a stip or tip ex that is given powder. Article 37 Paragraph (2) Weaknesses: The marriage book is so ugly to look at because of the many scribbles, stamps.

After the Reconstruct on of PMA No. 20 year 2019, Article 37 Paragraph (1):

- (1) If there is an error in digital or manual writing in the Marriage Book. as referred to in Article 36, it is possible to replace the Marriage Book in the form of issuing a duplicate of the Marriage Book. When there is an error in the recording in the marriage certificate quote book, the Head of KUA (Religious Affairs Office) only gives a certificate of different names for the husband, wife, guardian. Duplicate marriage book.

Article 38

1. Changes in the name of the husband or wife on the Marriage Certificate are carried out by the District KUA (Religious Affairs Office) based on the new birth certificate.
2. The recording of changes in individual data in the form of place, date, month, year of birth, population identification number, citizenship, occupation, and address is carried out by the District KUA (Religious Affairs Office) based on a certificate from the population and civil registration office.
3. The procedure for writing changes as referred to in paragraph (1) and paragraph (2) determined by Decree of the Director General.

The weakness is contrary to Law No. 33 of the year 2006 concerning Population in article 52. The weakness is that the Disdukcapil Service does not provide a certificate.

After the Reconstruct on of PMA No. 20 year 2019 Article 38:

1. Changes in the name of the husband or wife on the Marriage Certificate are carried out by the District KUA (Religious Affairs Office) based on the old birth certificate/certificate.
2. If the old birth certificate/certificate does not exist, it must tried in Court. The recording of changes in individual data in the form of place, date, month, year of birth, population identification number, citizenship, occupation, and address is carried out by the District KUA ((Religious Affairs Office) based on a certificate from the village head. Head of village.
3. The procedure for writing changes as referred to in paragraph (1) and (2) are stipulated by a Decree of the Director General which is recorded in the record sheet in the marriage book, preferably written with a certificate signed by the head of the KUA (Religious Affairs Office).

CONCLUSION

That the weakness of the regulation on the procedure for recording errors of identity in the Marriage Certificate Quotation Book b is in the legal substance, legal structure and legal culture, so it is necessary to reconstruct the Articles of the Regulation of the Minister of Religion Number 20 of 2019.

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