

The Validity of Long-Distance Marriages Conducted via Virtual Media in the Perspectives of Keruak's Ulama and Muslim Intellectuals

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Abstract

This study is motivated by the limited empirical research on the religious and socio-legal perspectives of local Islamic authorities regarding virtual marriage, despite its growing relevance in the context of digital communication and transnational mobility. The study aims to analyze how ulama and Muslim intellectuals in Keruak perceive the validity of long-distance marriages conducted via virtual media, to identify the legal and theological foundations underlying their views, and to examine the social implications of these perspectives. The research adopts a qualitative case study design, with 28 participants selected through purposive sampling, consisting of ulama, Muslim intellectuals, and community-administrative informants. Data were collected through semi-structured interviews, observations, and document analysis, and analyzed using thematic analysis. The findings reveal that virtual marriage discourse remains at a normative-theoretical level, with no empirical implementation in Keruak. Although participants acknowledge jurisprudential flexibility when essential pillars of marriage are fulfilled, they emphasize legal certainty, identity verification, and evidentiary reliability. Religious reasoning integrates classical *fiqh munakahāt* with *maqāṣid al-syarī'ah*, leading to a conditional, risk-sensitive stance prioritizing the protection of lineage, dignity, and social order. The study concludes that the absence of virtual marriage practice reflects regulatory ambiguity, institutional caution, and strong communal ritual norms rather than categorical theological rejection. Theoretically, the study contributes

to socio-religious legal scholarship on digital mediation in Islamic family law. Practically, it highlights the need for regulatory clarification and technological safeguards. Future research should explore comparative contexts and institutional pilot implementations.

Keywords: Virtual Marriage; Long-Distance Marriage; Islamic Family Law; Ulama Perspectives; Digital Mediation

INTRODUCTION

The rapid advancement of information and communication technology has significantly transformed social and religious practices, including the institution of marriage. One contemporary phenomenon that has generated considerable legal and theological debate is the implementation of long-distance marriage contracts conducted through virtual media. At the international level, Muslim scholars and fatwa institutions demonstrate divergent views regarding the validity of online marriage. Some consider virtual marriage contracts permissible provided that *ittihād al-majlis* (unity of the marriage session) can be fulfilled digitally, while others reject such practices due to the absence of physical presence and concerns over potential audio-visual manipulation (Hakim & Qodsiyah, 2022).

Within broader international discourse, virtual marriage is also examined through the lens of *maqāṣid al-sharī'ah*, which emphasizes the realization of the objectives of Islamic law. From this perspective, online marriage may be deemed valid when its benefits outweigh potential harms, particularly in response to global mobility constraints and transnational family needs (Taufiq et al., 2023). Empirical studies conducted within Muslim communities worldwide further indicate that online marriage contracts have been increasingly utilized as practical solutions during periods of restricted mobility, such as the COVID-19 pandemic, despite ongoing challenges related to the verification of witnesses and guardians (Iqbal & Akbarizan, 2025)

At the national level, the discourse on online marriage in Indonesia reveals substantial legal uncertainty. The absence of explicit regulations governing virtual marriage mechanisms within the Marriage Law and the Compilation of Islamic Law (KHI) has resulted in ambiguity regarding administrative and legal legitimacy (Ahmad, 2024). Nevertheless, several Indonesian studies argue that marriage contracts conducted via live streaming or virtual platforms may be considered valid under Islamic law, provided that the essential elements of

ijab and *qabul* are fulfilled, even when conducted from separate locations, in accordance with opinions from certain schools of Islamic jurisprudence that do not strictly require spatial unity (Basri et al., 2024). National scholarly discourse further underscores the urgency of reassessing Islamic family law to respond effectively to digital phenomena while preserving core Islamic legal principles and state administrative requirements (Huda, 2025).

Preliminary field observations in East Lombok, indicate that the practice of long-distance marriage conducted through virtual media has begun to emerge sporadically, primarily driven by migration, overseas employment, and mobility constraints. However, the phenomenon remains socially sensitive and administratively complex. Several local religious figures and KUA officers expressed hesitation toward recognizing fully virtual marriage contracts due to concerns over the verification of guardians and witnesses, as well as the absence of clear procedural guidelines. Community responses also reveal a divided perception: while some families view online marriage as a practical solution under urgent circumstances, others question its religious legitimacy and social propriety. These initial observations suggest a gap between technological possibilities, religious interpretation, and institutional readiness at the local level, which necessitates deeper scholarly investigation.

In responding to these international, national, and local issues, Islamic legal scholarship increasingly emphasizes interpretive flexibility grounded in classical principles. According to Mansoori (2021), Islamic family law does not merely emphasize classical procedural formalities but also engages with interpretive conflicts arising in contemporary practices to ensure conformity with sharia principles while allowing adaptation to evolving social contexts. Central to this evaluation are the *rukun* (pillars) of marriage—such as the presence of a guardian, witnesses, and the formulation of *ijab* and *qabul*—which remain fundamental criteria for determining marital validity and serve as benchmarks for assessing virtual marriage practices (Bakry et al., 2025). From a *maqāṣid al-shari'ah* perspective, technological mediation does not inherently negate the validity of marriage, provided that the objectives of Islamic law are fulfilled (Iqbal & Akbarizan, 2025).

Several contemporary studies further elaborate on the juridical dimensions of online marriage. Research on digital *ijab-qabul* emphasizes that temporal simultaneity and clarity of consent remain equally applicable in both digital and face-to-face contexts, as long as the pronouncements are clearly heard and mutually acknowledged (Candra & Abdullah, 2025). However, a major challenge lies in identity authentication and evidentiary verification of

witnesses, necessitating stricter technical standards in the digital era (Kholif, 2025). Classical fiqh schools also exhibit varying stances, although many permit marriage contracts conducted through mediated communication as long as the interaction is authentic and uninterrupted (Amrin, 2021). The persistence of legal ambiguity in Indonesia further strengthens calls for regulatory reform to address online marriage within positive law (Ahmad, 2024)

Previous research demonstrates substantial scholarly engagement with this issue. Studies indicate that when essential pillars—such as guardianship, witnesses, and *ijab-qabul*—are fulfilled within a continuous digital sequence, marriage contracts may be deemed valid (Salamah & Tirmidzi, 2022). Digital *fiqh mu'āmalāt* literature conceptualizes virtual marriage as a transformation of contractual form rather than a substitution of substantive legal elements (Nurwahyudin, 2025). Within Islamic family law, virtual *ijab-qabul* remains permissible provided it does not contravene fundamental legal principles and complies with administrative documentation requirements (Huda, 2025). Social analyses further reveal increasing societal acceptance of online marriage due to pragmatic needs arising from pandemics and geographical distance (Ramadhoni et al., 2025). Other scholars highlight permissibility grounded in the principle of *taysīr* (legal facilitation) within Islamic jurisprudence (Nurlina et al., 2024)

From the standpoint of Indonesian positive law, online marriage may attain both religious and legal legitimacy when Islamic pillars are fulfilled and the marriage is officially registered (Muslimah, 2025). Some studies also reinterpret the concept of “one session” (*satu majelis*) as unity of time and intent rather than mere physical co-presence (Harahap et al., 2025). Nonetheless, scholarly discourse consistently stresses the necessity of ensuring clarity and legitimacy of witnesses and guardians within digital contexts to safeguard both legal and social validity (Zahra et al., 2025).

Despite the growing body of literature, existing studies predominantly focus on normative legal analysis, jurisprudential debates, or institutional perspectives. Research such as that conducted by Haj & Hamidah, (2025), Zahra et al., (2025), Ahmad, (2024), and Nurwahyudin, (2025) provides valuable insights into fiqh schools, legal ambiguity, and digital contractual transformation. However, limited attention has been given to localized religious authority and intellectual discourse, particularly within specific Muslim communities such as

Keruak, where ulama and Muslim intellectuals play a central role in shaping religious norms and social acceptance.

This research addresses that gap by examining the validity of long-distance marriages conducted via virtual media from the perspectives of Keruak's ulama and Muslim intellectuals. Grounded in the theoretical frameworks of *fiqh munakahāt* (Qommaruddin, 2025), *maqāṣid al-sharī'ah* (Iqbal & Akbarizan, 2025), reinterpretation of *ittihād al-majlis* in digital contexts (Khotimah et al., 2022), and Indonesian Islamic family law and positive law (Ahmad, 2024), this study aims to analyze religious arguments, legal reasoning, and social implications surrounding virtual marriage practices.

Accordingly, the research focuses on understanding scholarly how do Keruak's ulama and Muslim intellectuals perceive the validity of long-distance marriages conducted through virtual media?; what legal foundations and religious arguments are employed by Keruak's ulama and Muslim intellectuals in assessing the validity of marriage contracts performed via virtual media?; and how do the perspectives of Keruak's ulama and Muslim intellectuals influence the practice and social acceptance of long-distance marriages conducted through virtual media?

METHODS

This study employs a qualitative approach to explore and interpret the perspectives of Keruak's ulama and Muslim intellectuals regarding the validity of long-distance marriages conducted via virtual media. Qualitative research is particularly appropriate for examining socially embedded religious interpretations, lived experiences, and contextual legal reasoning (Creswell & Poth, 2018). Such an approach allows researchers to understand how participants construct meaning based on cultural, theological, and institutional frameworks (Merriam & Tisdell, 2016).

The research adopts a descriptive case study design. Case study research enables an in-depth investigation of contemporary phenomena within real-life settings, particularly when boundaries between context and subject are blurred (Yin, 2018). This design is relevant for capturing diverse religious interpretations and their implications at the community level, as similarly applied in Islamic legal studies examining digital religious practices (Rahman, 2025).

This research was conducted from September to October 2025 in Keruak District, East Lombok Indonesia, as a localized religious and socio-legal context. The population consists of religious authorities and Muslim intellectuals in Keruak who possess expertise or involvement in Islamic family law and marriage practices. A purposive sampling technique was used to select participants with specific knowledge and authority relevant to the research focus (Palinkas et al., 2015). Purposive sampling is widely recommended in qualitative studies where participants are chosen based on their capacity to provide rich and relevant information (Etikan, 2017). The sample includes 28 respondents: 10 ulama, 12 Muslim intellectuals, and 6 community and administrative informants.

Data were collected through semi-structured interviews, non-participant observations, and documentation. Semi-structured interviews allow flexibility in exploring participants' legal reasoning while maintaining thematic consistency (Kallio et al., 2016). Observation was used to capture institutional and social responses toward virtual marriage practices (Angrosino, 2016). Supporting documents such as marriage records, administrative reports, and local religious references were also analyzed to strengthen data triangulation (Bowen, 2017).

Data were analyzed using thematic analysis following the interactive model of data reduction, display, and conclusion drawing (Miles, Huberman, & Saldaña, 2014). This method facilitates systematic interpretation of qualitative data derived from interviews and observations. Coding and categorization were conducted to identify patterns in religious arguments, legal foundations, and social implications. The analysis emphasizes interpretive depth and contextual understanding, which are central to socio-religious legal research (Nowell et al., 2017).

RESULTS

1. Perspectives of Ulama and Muslim Intellectuals in Keruak on the Validity of Long-Distance Marriages Conducted via Virtual Media

The findings indicate that discussions regarding the validity of long-distance marriages conducted via virtual media in Keruak District remain entirely at the level of normative religious discourse, as no empirical case of such a marriage has ever occurred in the area. During the research period (September–October 2025), data from interviews, observations, and document analysis consistently showed that virtual marriage practices have

not been implemented in Keruak due to the absence of formal legal regulation in Indonesia governing such procedures.

This institutional position was firmly conveyed by the Head of the Religious Affairs Office (KUA) of Keruak, who explained that marriage administration must adhere strictly to nationally recognized procedures:

“So far, there has never been a virtual or long-distance marriage in Keruak. We cannot facilitate such a marriage because there is no legal basis from the government regulating it” (P01, Male, Head of KUA Keruak, Keruak, Personal Interview, September 3, 2025).

Non-participant observation at the KUA office reinforced this statement. All observed administrative processes required the physical presence of the bride, groom, guardian (wali), and witnesses during the ijab–qabul session (Observation, October 15, 2025). Likewise, examination of marriage registration documents revealed no record of digitally mediated marriage contracts (Document Review, October 4, 2025). These findings confirm that marriage practice in Keruak operates within a legal-administrative framework that prioritizes procedural conformity and institutional accountability.

Although no practical case exists, ulama and Muslim intellectuals in Keruak articulated thoughtful theological reflections when discussing the hypothetical validity of virtual marriage. Most participants acknowledged that Islamic jurisprudence contains interpretive flexibility in addressing new technological realities. However, they emphasized that religious permissibility cannot be separated from issues of legal certainty and social order. As one Islamic legal scholar in Keruak noted:

“In theory, Islamic law discusses the pillars and conditions of marriage, not the technology. But implementation must consider legal certainty. Without state regulation, it risks becoming socially and administratively problematic” (P11, Male, Islamic Law Lecturer, Keruak, Personal Interview, September 24, 2025).

This perspective illustrates a dual consideration: theological reasoning (fiqh-based assessment) and regulatory awareness (state law compliance). Religious scholars in Keruak tend to position the state as a legitimate authority in organizing public aspects of marriage, especially concerning registration, documentation, and legal consequences.

Another important dimension emerging from the data is the socio-cultural understanding of marriage. Several ulama stressed that marriage in the Keruak Muslim

community is not merely a legal contract but a socially visible and morally symbolic event. Physical co-presence is perceived as strengthening the sacredness (*kesakralan*) and public legitimacy of the contract:

“Marriage here is a communal religious event. Direct presence gives moral assurance and social recognition. If it is only through a screen, people may question its seriousness and validity” (P05, Male, Tuan Guru, Keruak, Personal Interview, October 1, 2025).

This statement highlights that local religious reasoning integrates fiqh principles, communal norms, and moral perceptions of ritual propriety. The preference for physical presence is thus not solely doctrinal but also rooted in social expectations and the lived religious culture of Keruak.

In summary, the perspectives of ulama and Muslim intellectuals in Keruak demonstrate a cautious–contextual stance. They acknowledge that Islamic legal discourse allows room for debate regarding virtual marriage but refrain from supporting its practical implementation in Keruak due to (1) the absence of national legal regulation, (2) concerns over administrative legitimacy, and (3) the importance of maintaining social acceptance and ritual solemnity. Consequently, virtual marriage remains a theoretical legal issue rather than a practiced institution within the socio-religious landscape of Keruak.

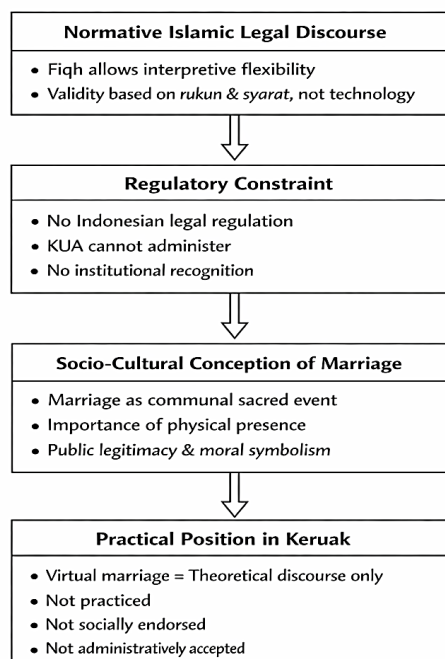


Figure 1: Conceptual Model of Religious and Institutional Perspectives on Virtual Marriage in Keruak

Figure 1 illustrates a conceptual model explaining why virtual marriage remains a purely theoretical issue in Keruak. The model shows a sequential relationship between three major determinants. First, at the normative religious level, Islamic jurisprudence is viewed as interpretively flexible, where validity depends on the fulfillment of rukun and syarat rather than the technology used. Second, this theological openness is constrained by regulatory factors, as the absence of Indonesian legal provisions prevents KUA from administering or recognizing such marriages. Third, socio-cultural understandings of marriage in Keruak emphasize physical presence, communal witnessing, and moral symbolism, reinforcing traditional practices. These three layers collectively shape the practical position in Keruak, where virtual marriage is discussed normatively but remains unpracticed, socially unsupported, and institutionally unrecognized.

2. Legal Foundations and Religious Arguments Used by Ulama and Muslim Intellectuals in Keruak

The findings reveal that although no case of virtual marriage has occurred in Keruak, ulama and Muslim intellectuals articulated structured religious reasoning when assessing the hypothetical validity of long-distance marriages conducted through virtual media. Their arguments are grounded in three interconnected dimensions: *fiqh munākahāt* (Islamic marriage jurisprudence), *maqāṣid al-syarī'ah*, and compliance with positive law.

a. Fiqh-Based Foundations (Rukun and Syarat Nikah)

Participants consistently emphasized that Islamic law determines marriage validity based on the fulfillment of essential pillars (*rukun*) and conditions (*syarat*), namely the bride and groom, *wali*, two witnesses, and the clarity of *ijab-qabul*. According to several ulama, classical *fiqh* does not explicitly regulate digital media; therefore, the legal focus remains on whether the contractual elements are properly fulfilled.

"In fiqh, what determines validity is the presence of the bride, groom, wali, witnesses, and the ijab-qabul being clearly pronounced and heard. Technology is only a medium, but the pillars must not be compromised" (P03, Male, Tuan Guru, Keruak, Personal Interview, September 10, 2025).

However, many scholars highlighted the concept of *ittihād al-majlis* (unity of session) as a point of debate. While some acknowledged contemporary interpretations that consider real-time digital communication as a form of unity in time, most respondents in Keruak

expressed caution, arguing that classical understandings emphasize physical co-presence to prevent ambiguity and dispute.

“Some scholars reinterpret ‘one session’ as unity in time, even if separated by place. But we must be careful, because physical presence ensures certainty and avoids doubts (syubhat)” (P07, Male, Mosque Imam, Keruak, Personal Interview, October 2, 2025).

Observation data at KUA Keruak further showed that all marriage procedures follow the physical assembly model, reflecting a practical alignment with the more conservative interpretation of itihād al-majlis (Observation, October 15, 2025).

b. Maqāṣid al-Syarī‘ah Considerations

Beyond formal jurisprudence, Muslim intellectuals frequently invoked maqāṣid al-syarī‘ah, emphasizing that marriage aims to protect lineage (ḥifẓ al-nasl), dignity (ḥifẓ al-‘ird), and social order. They argued that any new method of conducting marriage must safeguard these objectives.

“If virtual marriage truly protects rights, lineage, and public morality, it can be discussed within maqāṣid. But if it opens doors to identity fraud or legal disputes, then the maḥsadat may outweigh the maslahat” (P12, Female, Sharia Researcher, Keruak, Personal Interview, September 26, 2025).

Concerns over identity verification, authenticity of consent, and witness credibility were repeatedly mentioned. Participants argued that technological mediation may weaken the safeguards traditionally ensured through physical interaction. This concern was also reflected in administrative document review, which showed that identity validation procedures in Keruak rely on direct verification (Document Review, October 4, 2025).

Thus, from a maqāṣid perspective, respondents did not reject virtual marriage absolutely, but framed it as conditional and risk-sensitive, depending on whether it preserves or undermines the higher objectives of Islamic law.

c. Positive Law and Institutional Legitimacy

A significant portion of religious reasoning was intertwined with awareness of state law. Ulama and intellectuals in Keruak stressed that marriage in Indonesia is not only a religious act but also a legal institution requiring state recognition.

“Marriage has legal consequences—inheritance, lineage, and civil rights. Without clear state regulation, even if religiously discussed, it becomes problematic administratively” (P09, Male, Islamic Law Lecturer, Keruak, Personal Interview, October 6, 2025).

The Head of KUA Keruak reaffirmed that the absence of explicit national regulation prevents any institutional acceptance of virtual marriage:

“We must follow existing legal procedures. If there is no government rule, we cannot legalize or record such a marriage” (P01, Male, Head of KUA Keruak, Keruak, Personal Interview, September 3, 2025).

This illustrates how religious authorities in Keruak integrate fiqh reasoning with legal compliance, viewing obedience to state regulation as part of maintaining public order (maṣlaḥah ‘āmmah).

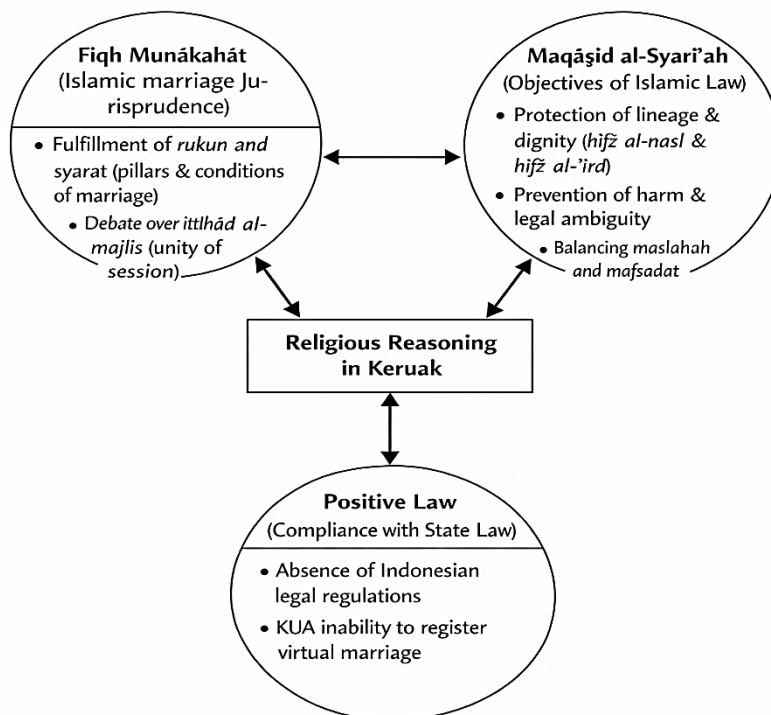


Figure 2: Three Dimensional of Legal and Religious Foundation in Assessing the Validity of Virtual Marriage in Keruak

Figure 2 illustrates that the assessment of the validity of long-distance marriages conducted via virtual media in Keruak is constructed upon three interconnected foundations: fiqh munākahāt, maqāṣid al-syarī'ah, and positive law. The fiqh dimension emphasizes the fulfillment of the pillars and conditions of marriage and highlights debates surrounding ittihād al-majlis (unity of session). The maqāṣid dimension focuses on safeguarding lineage,

dignity, and preventing harm, while the positive law dimension stresses compliance with state regulations and the institutional limitations of the KUA in registering virtual marriages. These three aspects converge in a process of religious reasoning in Keruak, showing that local religious perspectives are not purely theological but represent a synthesis of classical jurisprudence, the higher objectives of Islamic law, and state institutional legitimacy.

3. Social Implications and Community Acceptance of Virtual Marriage in Keruak

The findings show that in Keruak District, the perspectives of ulama and Muslim intellectuals significantly shape community attitudes toward the idea of long-distance marriages conducted via virtual media. Although no such marriage has ever taken place, religious discourse has already influenced social perceptions, levels of acceptance, and imagined consequences of this practice.

a. Influence of Religious Authority on Social Perception

Keruak society places strong trust in religious leaders (tuan guru, ulama, and KUA authorities) as moral and legal references in family matters. As a result, the cautious stance adopted by ulama—who emphasize legal uncertainty and the need for regulatory clarity—directly translates into community hesitation toward virtual marriage.

“People here follow what religious leaders say. If the ulama say it is still unclear and risky, the community will avoid it” (P18, Male, Community Leader, Keruak, Personal Interview, October 8, 2025).

Observation of religious gatherings and community interactions showed that discussions about marriage procedures consistently refer to KUA standards and traditional face-to-face ceremonies (Observation, October 12, 2025). This indicates that religious authority functions as a gatekeeper of social legitimacy in marriage practices.

b. Perceived Social and Moral Risks

Participants widely expressed concerns about the social and moral implications of virtual marriage. These concerns are not limited to legal validity but extend to issues of trust, transparency, and communal recognition.

“Marriage is not only a contract; it is a social declaration. If done online, people may doubt whether it is serious or even real” (P06, Male, Tuan Guru, Keruak, Personal Interview, October 3, 2025).

Respondents feared that virtual marriage could weaken public witnessing, which traditionally ensures social control and moral accountability. The absence of physical gathering was perceived as potentially reducing the symbolic solemnity and communal blessing associated with marriage rituals.

Document review of local marriage practices showed that ceremonies in Keruak involve strong community participation, reinforcing marriage as a collective religious and social event rather than a purely private legal act (Document Review, September 29, 2025).

c. Conditional Acceptance Linked to Regulation and Technology

Despite prevailing caution, the data also reveal that rejection is not absolute. Some Muslim intellectuals expressed that community attitudes might shift if technological and legal safeguards were clearly established.

“If someday the government provides strict rules, identity verification systems, and clear procedures, society may gradually accept it. But without that, it is difficult” (P14, Male, Islamic Education Lecturer, Keruak, Personal Interview, October 10, 2025).

This suggests that social acceptance is regulatory-dependent. The community's resistance is rooted less in theological prohibition and more in fears of misuse, fraud, and legal uncertainty. Thus, ulama's emphasis on legal compliance indirectly reinforces a culture of procedural caution within society.

d. Reinforcement of Traditional Marriage Norms

An important implication of this discourse is the strengthening of traditional norms. The absence of virtual marriage cases, combined with religious caution, has reaffirmed the community's preference for conventional procedures involving physical presence and communal participation.

“Direct presence gives peace of mind (ketenangan). Everyone can see, witness, and be sure. That is why people still prefer the normal way” (P22, Male, Village Elder, Keruak, Personal Interview, September 28, 2025).

Observation of marriage events during the research period showed consistent adherence to face-to-face rituals, suggesting that religious discourse contributes to the maintenance of established socio-religious practices (Observation, October 18, 2025).

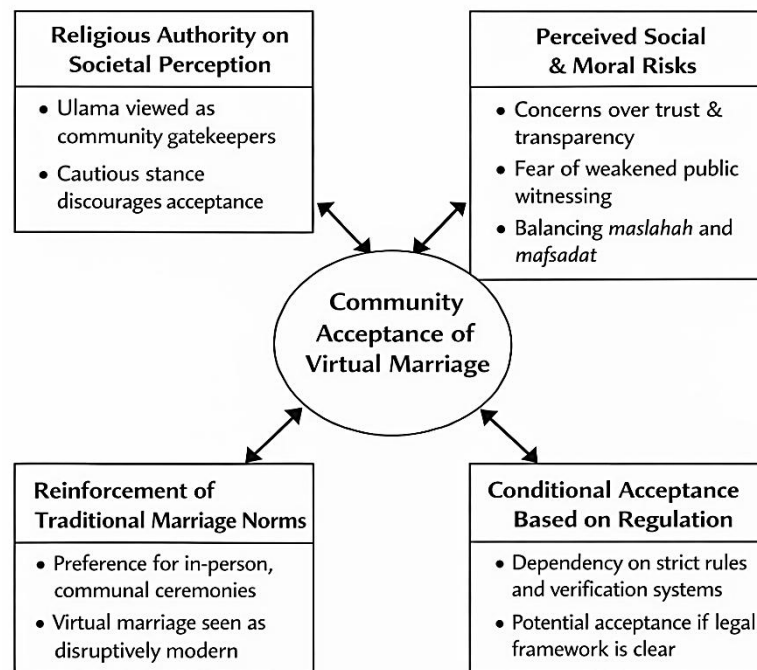


Figure 3: Factors Influencing Community Acceptance of Virtual Marriage in Keruak

Figure 3 shows that community acceptance of virtual marriage in Keruak is shaped by four interconnected forces. Religious authorities act as key gatekeepers, and their cautious position leads society to be hesitant toward the practice. At the same time, people perceive significant social and moral risks, particularly related to trust, transparency, and the weakening of public witnessing. Acceptance is therefore conditional, depending on the existence of strict legal regulations and reliable verification systems. In the absence of these safeguards, traditional face-to-face marriage norms are reinforced, making conventional ceremonies the socially preferred and culturally legitimate model.

DISCUSSION

1. Results Analysis

a. Normative Legitimacy and Institutional Constraints

The findings reveal not merely an absence of virtual marriage practice in Keruak, but a structural disjunction between theological permissibility and institutional enforceability. Although religious discourse has entered the normative–theoretical space, institutional actors continue to anchor legitimacy in face-to-face administrative procedures. This indicates that

legality is not a neutral technical requirement but a regulatory filtering mechanism that determines which religious interpretations can materialize socially. In this sense, the state does not simply administer marriage; it defines the operational boundaries of fiqh in practice. The situation reflects the broader Indonesian context in which “the absence of explicit regulations governing virtual marriage mechanisms within the Marriage Law and the Compilation of Islamic Law (KHI) has resulted in ambiguity regarding administrative and legal legitimacy” (Ahmad, 2024). Thus, doctrinal flexibility alone is insufficient; without regulatory translation, religious reasoning remains symbolically valid but institutionally inert.

This condition exposes a normative paradox. Islam strongly promotes marriage as a socially regulated institution. The Qur'an commands, “*Marry the single among you...*” (Qur'an 24:32), and the Prophet ﷺ framed marriage as part of his sunnah and a safeguard of moral order (al-Bukhari, 1987; Ibn Majah, 1846). However, while the normative system encourages facilitation of marriage, institutional structures adopt a risk-averse posture that may indirectly restrict alternative lawful mechanisms. The tension here is not theological but bureaucratic: scriptural imperatives prioritize moral accessibility, whereas administrative systems prioritize procedural certainty. This reveals how modern legal rationality can reshape the operational meaning of religious norms, transforming marriage from a primarily moral-legal covenant into an administratively conditioned status.

Participants' tendency to equate religious validity with state recognition further demonstrates the internalization of legal positivism within religious reasoning. Marriage is treated simultaneously as a sacred covenant and a civil legal act, yet the second dimension increasingly determines the first in practice. This supports arguments that Islamic family law in contemporary Muslim societies functions within national legal frameworks rather than autonomously (Ahmad, 2024; Huda, 2025). Critically, the Keruak case shows that the absence of regulation does not produce legal pluralism but rather regulatory silence that suppresses practical innovation. Consequently, institutional inertia—not doctrinal prohibition—emerges as the primary barrier to virtual marriage implementation.

b. Jurisprudential and Maqāṣid-Based Reasoning

The jurisprudential reasoning articulated by ulama reflects fidelity to classical fiqh munākahāt, yet its contemporary application demonstrates selective conservatism. Classical jurists debated linguistic forms, intentionality, and evidentiary clarity, not communication technologies. Marriage, as defined by Shāfi'ī jurists, is a contract rendering lawful spousal

relations through explicit formulas of *nikāḥ* or *taẓwīj* (al-Bajury, 1996). All four Sunni madhāhib agree on *ijab-qabul* as essential pillars, though they differ in linguistic flexibility (al-Kāsānī, 1986; al-Dardīr; al-Nawawī, 2005; Ibn Qudāmah, 1981). These classical debates suggest that substance (clarity of consent) historically outweighed physical setting.

However, Keruak scholars' emphasis on physical co-presence reflects a shift from semantic validity to spatial authenticity. *Ittihād al-majlis* is interpreted materially rather than functionally, despite the fact that classical discourse did not conceptualize "presence" through digital mediation. This indicates that contemporary caution stems less from textual prohibition than from epistemic anxiety over verification, identity fraud, and evidentiary reliability. Their stance parallels global scholarly divergence: some jurists accept digital simultaneity if witnesses hear the contract in real time, while others reject it due to risks of manipulation (Himma et al., 2025; Asnawi, 2020; (Hakim & Qodsiyah, 2022). The debate therefore reveals how technological change reconfigures the meaning of legal certainty, shifting focus from doctrinal wording to procedural trust infrastructures.

From a *maqāṣid al-syarī'ah* perspective, the reasoning is framed through risk prevention. Protection of lineage (*ḥifẓ al-nasl*), dignity (*ḥifẓ al-'ird*), and social order are prioritized. Yet this protective logic also illustrates a preventive dominance where potential harm outweighs potential benefit. While *maqāṣid* theory allows contextual flexibility, its application here leans toward *sadd al-dhara'i'* (blocking the means) rather than facilitation. Critically, this raises the question of whether over-emphasis on hypothetical risk may unintentionally obstruct legitimate social needs, particularly for geographically separated couples. Thus, *maqāṣid* reasoning functions both as a tool of adaptability and a mechanism of restraint.

c. Socio-Religious Authority and Communal Norms

At the communal level, religious authority acts not only as a source of legal guidance but as a cultural stabilizer. Ulama caution translates into collective hesitation, showing that social legitimacy in Keruak is mediated through trusted religious figures rather than abstract legal rulings. Scriptural portrayals of marriage as a morally safeguarding institution (al-Bukhari, 1987) reinforce expectations that its solemnization must be publicly witnessed. Studies similarly note that acceptance of online marriage depends on religious authority endorsement and communal trust (Ramadhoni et al., 2025).

Yet this pattern reveals a deeper sociological dynamic: marriage in Keruak functions as a ritualized public performance, not merely a contractual exchange. Physical co-presence carries symbolic capital—representing moral assurance, communal blessing, and social recognition. Virtualization therefore challenges not only legal form but also ritual aesthetics and collective emotional experience. The resistance to virtual marriage is thus cultural as much as legal, rooted in perceptions that digital mediation reduces the sacramental gravitas of the event.

Consequently, the absence of virtual marriage practice reflects a convergence of legal ambiguity, epistemic caution, and ritual conservatism. Religious doctrine, administrative rationality, and cultural symbolism operate together to preserve traditional modalities. Rather than a simple rejection of technology, this represents a multi-layered negotiation over authority, authenticity, and the social meaning of sacred contracts.

2. Comparison with Previous Studies

The results both align with and extend prior scholarship. Similar to international discussions, this study confirms that debates on virtual marriage center on the interpretation of *ittihād al-majlis* and the technological mediation of consent (Candra & Abdullah, 2025). The conditional acceptance expressed by Keruak scholars corresponds with maqāṣid-oriented arguments that validity depends on whether benefits outweigh harms (Taufiq et al., 2023)

However, unlike studies emphasizing increasing practical adoption of online marriage in other Muslim contexts (Iqbal & Akbarizan, 2025; Ramadhoni et al., 2025), Keruak presents a case of discursive awareness without practical implementation. This difference highlights the importance of local institutional readiness and socio-cultural norms. The findings also support research noting Indonesia's legal ambiguity regarding online marriage (Ahmad, 2024), but add a localized dimension: even when theological discussion exists, administrative absence effectively suspends practice.

Moreover, this study contributes to literature arguing that Islamic legal adaptation involves negotiation between classical doctrine and contemporary governance (Mansoori, 2021). In Keruak, ulama integrate fiqh reasoning with obedience to state regulation as part of maintaining public order (*maṣlaḥah 'ammah*), illustrating how religious authority internalizes legal pluralism.

3. Implications of Findings

Theoretically, the study advances understanding of how Islamic legal interpretation operates at the local level. It shows that religious validity is not determined solely by textual jurisprudence but emerges through a triadic synthesis of *fiqh* principles, *maqāṣid* considerations, and positive law. This model helps explain why technological permissibility does not automatically lead to social or institutional acceptance.

Practically, the findings indicate that regulatory clarity is central to social acceptance. Community resistance is driven less by theological prohibition than by fears of legal uncertainty and misuse. Therefore, any future policy on virtual marriage in Indonesia must address identity verification, witness authentication, and procedural standardization to align religious reasoning with administrative feasibility.

4. Research Limitations

Several limitations should be acknowledged. First, the study is geographically limited to Keruak District, which may not represent other Indonesian regions with different institutional or cultural dynamics. Second, the absence of empirical cases of virtual marriage means that findings are based on hypothetical reasoning rather than experiential evaluation. Third, qualitative data derived from interviews may reflect normative positions rather than actual behavioral intentions. Future research could examine areas where virtual marriage has been practiced to compare discursive and practical realities.

CONCLUSION

This study demonstrates that the discourse on virtual marriage in Keruak remains confined to the normative–theoretical domain rather than empirical practice. Although Islamic jurisprudence provides interpretive space for contractual validity based on the fulfillment of *ijab–qabul*, guardianship, and witnesses, institutional and socio-religious structures prevent this doctrinal flexibility from materializing operationally. Institutional legality functions as a decisive gatekeeping mechanism, where the absence of explicit regulatory frameworks within national marriage law sustains administrative caution. At the same time, religious reasoning among ulama integrates classical *fiqh munākahāt* principles with *maqāṣid al-syari‘ah* considerations, resulting in a conditional and risk-sensitive stance. The protection of lineage, dignity, and legal certainty is prioritized over technological adaptation.

Socially, communal norms further reinforce this position, as marriage is understood as a publicly witnessed ritual event carrying symbolic, moral, and cultural weight beyond its contractual dimension. Consequently, the non-existence of virtual marriage practice in Keruak reflects not theological prohibition but a convergence of regulatory ambiguity, epistemic caution, and ritual-cultural expectations.

Nevertheless, this study is subject to several limitations. The research was conducted within a single socio-religious context, which may limit the generalizability of findings to regions with different legal cultures or technological acceptance levels. The qualitative design, relying on interviews with religious authorities and community figures, may also reflect normative perspectives more strongly than grassroots experiential views. Furthermore, the absence of actual virtual marriage cases restricts analysis to perceptions and anticipatory reasoning rather than lived institutional practice.

Future research should therefore expand to comparative regional studies examining areas where digital marriage practices have been attempted or regulated, allowing for empirical evaluation of legal, technological, and social outcomes. Further interdisciplinary inquiry integrating Islamic legal theory, digital governance, and socio-legal studies would help clarify how evidentiary standards, identity verification technologies, and regulatory reforms could bridge the gap between doctrinal possibility and institutional legitimacy. Such work is essential for understanding how Islamic family law can respond to digital transformation while maintaining its ethical and legal foundations.

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