

ABSTRAK

TINJAUAN HUKUM ISLAM TERHADAP PENGUATAN KEBOLEHAN *TAUKIL QABUL* NIKAH DALAM PERATURAN MENTERI AGAMA NOMOR 30 TAHUN 2024 TENTANG PENCATATAN PERNIKAHAN

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Perkawinan dengan metode *taukil qabul* adalah perkawinan dimana kehadiran mempelai laki-laki di majelis akad nikah diwakilkan oleh orang lain. Metode ini dipandang mengurangi kesakralan perkawinan karena dipandang tidak memenuhi rukun perkawinan Islam. Permasalahan dalam penelitian ini mengenai syarat dan prosedur pelaksanaan perkawinan dengan metode *taukil qabul* serta penguatan pengaturan yang tercantum dalam Peraturan Menteri Agama Nomor 30 Tahun 2024 tentang Pencatatan Pernikahan.

Penelitian ini merupakan penelitian hukum normatif dengan tipe penelitian deskriptif. Pendekatan yang digunakan adalah pendekatan perundang-undangan. Teknik pengumpulan data dilakukan melalui studi kepustakaan dan wawancara. Data yang terkumpul kemudian diolah melalui tahap pemeriksaan, penandaan, rekonstruksi, dan sistematisasi data, selanjutnya dianalisis secara kualitatif.

Hasil penelitian menunjukkan bahwa Peraturan Menteri Agama Nomor 30 Tahun 2024 tentang Pencatatan Pernikahan telah memperjelaskan syarat dan prosedur pelaksanaan yang telah disesuaikan dengan rukun dan syarat agama Islam, termasuk keharusan surat kuasa dan dapat dipertanggungjawabkan. Melalui peraturan ini, kebolehan pelaksanaan *taukil qabul* nikah diperkuat antara lain dengan memperketat proses verifikasi pihak yang mewakili mempelai laki-laki melalui tahapan verifikasi final, serta menganjurkan mempelai laki-laki untuk hadir melalui *video daring*. Namun, di beberapa KUA efektivitas penerapan peraturan ini belum sepenuhnya maksimal. Hal ini didukung oleh faktor-faktor penghambat yang bersumber dari internal maupun eksternal.

Kata Kunci: Hukum Islam, Perkawinan, Taukil Qabul Nikah.

ABSTRACT

AN ISLAMIC LEGAL REVIEW OF THE REINFORCEMENT OF THE PERMISSIBILITY OF TAUKIL QABUL MARRIAGE IN MINISTER OF RELIGIOUS AFFAIRS REGULATION NO. 30 OF 2024 ON MARRIAGE REGISTRATION

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Marriage conducted through the taukil qabul method is a marriage in which the presence of the groom at the marriage contract assembly is represented by another person. This method is considered to reduce the sacredness of marriage because it is viewed as not fulfilling the pillars of Islamic marriage. The issues examined in this research concern the requirements and procedures for implementing marriage through the taukil qabul method, as well as the strengthening of regulatory provisions contained in the Regulation of the Minister of Religious Affairs Number 30 of 2024 on Marriage Registration.

This research is normative legal research with a descriptive research type. The approach used is a statutory approach. Data collection techniques were carried out through literature studies and interviews. The collected data were then processed through stages of examination, classification, reconstruction, and systematization of data, and subsequently analyzed qualitatively.

The results of the study indicate that the Regulation of the Minister of Religious Affairs Number 30 of 2024 concerning Marriage Registration has clarified the requirements and procedures for implementation in accordance with the pillars and conditions of Islamic law, including the obligation to provide a power of attorney that is accountable. Through this regulation, the permissibility of conducting taukil qabul marriage is strengthened by tightening the verification process of the representing party through a final verification stage, as well as encouraging the groom to be present via online video. However, in several KUA, the effectiveness of the implementation of this regulation has not yet been fully optimal. This is supported by inhibiting factors, both internal and external.

Keywords: Islamic Law, Marriage, Taukil Qabul.