



THE PREVENTION OF UNDERAGE MARRIAGE IN INDONESIA: State, Religious Authority, and Human Rights

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Abstract: This paper strives to investigate dynamic interplays among the state, religious authority, and human rights surrounding early marriage among Muslims in contemporary Indonesia. More specifically, this paper will address the following problems: (a) how do religious authorities respond to the cases of early marriage in Indonesia; (b) what kind of religious understanding should be developed to prevent early marriage in Indonesia; (c) how do religious judges exert their agency in preventing early marriage in Indonesia amidst the pressure of state, religion, and human rights. This research employs a qualitative methodology, including interviews with religious scholars and judges and analyzing legal documents. The finding of the research states that while some religious authorities advocate early marriage based on conservative interpretations, progressive scholars argue for delaying marriage to safeguard children's health and rights. In addition, a more context-sensitive understanding, rooted in *maqāṣid al-sharīa* (objectives of Islamic law), is essential for preventing early marriage. Religious judges, meanwhile, play a pivotal role in navigating social, legal, and religious pressures, especially in cases involving pre-marital pregnancies in Indonesia. This study contributes to the sociology and politics of Islamic law, most notably in unraveling the complexity of power relations among the state, religious authority, and human rights regarding underage marriage.

Keywords: early marriage; religious judges; state authorities; children rights.

Abstrak: Artikel ini bertujuan untuk mengeksplorasi interaksi dinamis antara negara, otoritas agama, dan hak asasi manusia terkait pernikahan dini di kalangan umat Islam Indonesia kontemporer. Secara lebih khusus, tulisan ini akan mengkaji rumusan masalah berikut: (a) bagaimana otoritas agama merespon kasus pernikahan dini di Indonesia; (b) pemahaman agama seperti apa yang harus dikembangkan untuk mencegah pernikahan dini di Indonesia; (c) bagaimana hakim agama menggunakan kewenangannya dalam mencegah pernikahan dini di Indonesia di tengah tekanan negara, agama, dan hak asasi manusia. Penelitian ini menggunakan metode kualitatif,

termasuk wawancara dengan cendekiawan agama dan hakim, serta analisis dokumen hukum dan fatwa. Studi ini menyimpulkan bahwa sementara beberapa otoritas agama menganjurkan pernikahan dini berdasarkan interpretasi konservatif, para agamawan progresif berpendapat untuk menunda pernikahan demi menjaga kesehatan dan hak-hak anak. Pemahaman yang lebih peka terhadap konteks, yang berakar pada *maqāṣid al-syari'ah* sangat penting untuk mencegah pernikahan dini. Sementara itu, hakim agama memainkan peran penting dalam menavigasi tekanan sosial, hukum, dan agama, terutama dalam kasus-kasus yang melibatkan kehamilan pranikah di Indonesia. Kajian ini berkontribusi di bidang sosiologi dan politik hukum Islam, terutama dalam mengungkap kompleksitas relasi kuasa antara negara, otoritas agama dan hak asasi manusia terkait dengan pernikahan di bawah umur.

Kata Kunci: pernikahan dini; hakim agama; otoritas negara; hak anak.



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INTRODUCTION

In contemporary Indonesia, at least two authorities are essential in determining marriage: religious and state. Some conservative religious authorities advocate early marriage, with normative reasons, to avoid adultery. This kind of religious authority is certainly not in line with the concerns of state authorities, who are trying to prevent underage marriage on the grounds of protecting children's rights.

Indonesian state authorities since 2019 have set the minimum age of marriage at 19 years, considering that at that age, a person already has both emotional and biological maturity and will undoubtedly be better prepared to live a household life. Some religious authorities also understand Islamic teachings progressively, look at the context of the times, and pay attention to the benefit (*maṣlahah*). Underage marriage, according to this group, should ideally be prohibited because it will harm the prospective bride and groom and their future offspring.

Religion has a vital role in social control because it is related to the high respect of religious believers for religious doctrines and beliefs.¹ The problem of misinterpretation of religious texts by believers regarding the 'right' time of marriage for girls should be addressed by using the various forums and

¹ Naisiligaki Japhet, "Grassroots Muslim women in religious conflict prevention in Tanzania: roles, contributions, and challenges." *IJoReSH: Indonesian Journal of Religion, Spirituality, and Humanity* 1, no. 2 (December 7, 2022): 147-166. <https://doi.org/10.18326/ijores.v1i2.147-166>. See also: Dyah Tjaturrini, Chendy Arieshanty, Tri Asiati, Henggar Prasetyowati, and Zuyinatul Isro. "Calengsai and the intimate communications among faith believers." *IJoReSH: Indonesian Journal of Religion, Spirituality, and Humanity* 1, no. 2 (December 7, 2022): 215-240. <https://doi.org/10.18326/ijores.v1i2.215-240>.

opportunities available in routine religious activities. Accordingly, deep dialogue with parents, religious leaders, and traditional leaders is necessary.²

The problem of early marriage cannot be seen from one side, such as the law, but is a complex problem that certainly needs to be seen from several sides, such as economics, psychology, and sociology.³ Early marriage that is only seen from one side, will leave problems and cannot positively impact the benefit. Early underage marriage cannot be separated from economic issues. Reducing the number of early marriages cannot only be approached legally. Economic reasons often drive the issue of early marriage. Some parents give up their young children to get married because they see that they already feel heavy caring for their children, and one easy solution to overcome this is to marry off their children to reduce the burden on parents. Early marriage often occurs in low-income, poverty-stricken communities. In such contexts, the social pressure on unmarried young women is also relatively high.⁴ An economic approach must be applied to the problem of early marriage in such communities. Gradual economic empowerment of such communities will gradually reduce the number of early marriages.

From a psychological perspective, underage marriage has the potential to threaten family resilience.⁵ Marriages entered into by psychologically immature children will have the potential to experience relationship breakdown.⁶ This is because emotional maturity is needed in managing conflict in the family. Couples who lack emotional maturity will have difficulty managing potential conflicts in the family.

² Jimoh Amzat, "Faith effect and voice on early marriage in a Nigerian state." *Sage Open* 10, no. 2 (June 2, 2020): 1-9. <https://journals.sagepub.com/doi/pdf/10.1177/2158244020919513>

³ Rizkia Nabila, Roswiyani Roswiyani, and Heryanti Satyadi, "A Literature Review of Factors Influencing Early Marriage Decisions in Indonesia" (3rd Tarumanagara International Conference on the Applications of Social Sciences and Humanities (TICASH 2021), Atlantis Press, 2022), 1392-1402, <https://doi.org/10.2991/assehr.k.220404.223>.

⁴ Ali Sodiqin and Al-Robin Al-Robin, "Diversity in Determining Maturity Age in Indonesian Law: Maqāsīd Al-Sharīah Perspective," *Justicia Islamica* 18, no. 1 (April 16, 2021): 97-114, <https://doi.org/10.21154/justicia.v18i1.2621>.

⁵ Vania Zulfa, Uswatun Hasanah, and Fitriana Kusaini, "The Phenomenon of Early Marriage and Its Impact on Family Resilience," *Journal of Family Sciences*, February 29, 2024, 48-58, <https://doi.org/10.29244/jfs.vi.49929>.

⁶ Aysen Ufuk Sezgin and Rajja-Leena Punamäki. "Impacts of early marriage and adolescent pregnancy on mental and somatic health: the role of partner violence." *Archives of women's mental health* 23, no. 2 (2020): 155-166. <https://link.springer.com/article/10.1007/s00737-019-00960-w>. See also: Farel Rifandanu and Ayu Febrianti. "Early Marriage and Implications for Future Orientation in Islamic Law." *Contemporary Issues on Interfaith Law and Society* 2, no. 2 (December 9, 2023): 187-214. <https://doi.org/10.15294/ciils.v2i2.69114>

Pretittore⁷ discusses the issue of child marriage concerning family law reforms in Morocco and Jordan and, more specifically, the role of the judiciary in overseeing child marriage. Nisa⁸ discusses the approaches governments, civil society organizations, and young people take regarding early marriage. Talukder *et al.*⁹ discuss factors associated with the increasing rate of early marriage among adolescent girls in Bangladesh.

Abubakar¹⁰ explores the differences in legal regulations regarding early marriage in Indonesia and Pakistan. Berliana et al.¹¹ analyze the factors that cause early marriage in adolescent girls in Indonesia. Setiadi¹² examines the views and experiences of adolescent Muslim girls and local actors involved in early marriage in rural areas in Java.

One of the primary drivers of early marriage in Indonesia is the socio-cultural context, where marriage is often viewed as a means to prevent premarital sexual relations, particularly in Muslim communities. This cultural norm is reinforced by religious teachings that promote early marriage as a form of piety.¹³ Furthermore, the historical context of marriage laws in Indonesia has contributed to the persistence of early marriages. The 1974 Marriage Law, which set the minimum marriage age at 16 for women, has been criticized for being inadequate in preventing early marriages, leading to calls for reforms.¹⁴ The recent amendments to increase

⁷ Paul Scott Pretittore, "Family law reform, gender equality, and underage marriage: A view from Morocco and Jordan." *The Review of Faith & International Affairs* 13, no. 3 (2015): 32-40. <https://doi.org/10.1080/15570274.2015.1075758>

⁸ Eva F. Nisa, "Battling marriage laws: Early marriage and online youth piety in Indonesia." *Hawwa* 20, no. 1-2 (2020): 76-102. https://brill.com/view/journals/haww/20/1-2/article-p76_5.xml

⁹ Ashis Talukder, Muhammad M. Hasan, Shaharior R. Razu, and Zobayer Hossain, "Early marriage in Bangladesh: A cross-sectional study exploring the associated factors." *Journal of international women's studies* 21, no. 1 (2020): 68-78. <https://vc.bridgew.edu/jiws/vol21/iss1/6/>.

¹⁰ Fatum Abubakar, "Islamic family law reform: Early marriage and criminalization (A comparative study of legal law in Indonesia and Pakistan)". *Al-Ahkam: Jurnal Ilmu Syari'ah dan Hukum* 4 no 2 (December 8, 2019): 97-118. <https://doi.org/10.22515/alahkam.v4i2.1667>

¹¹ Sarni Maniar Berliana, Putu Arry Novelina Kristinadewi, Praba Diyan Rachmawati, Rista Fauziningtyas, Ferry Efendi, and Angeline Bushy, "Determinants of early marriage among female adolescent in Indonesia." *International journal of adolescent medicine and health* 33, no. 1 (April 3, 2021): 20180054. <https://www.degruyter.com/document/doi/10.1515/ijamh-2018-0054/html>

¹² Setiadi Setiadi, "Getting married is a simple matter: Early marriage among Indonesian Muslim girls in rural areas of Java." *JSW (Jurnal Sosiologi Walisongo)* 5, no. 2 (December 1, 2021): 143-154. <https://doi.org/10.21580/jsw.2021.5.2.7970>.

¹³ Agung Dwi Laksono, Ratna Dwi Wulandari, and Ratu Matahari, "Does education level matter in women's risk of early marriage?: Case Study in Rural Area in Indonesia." *Medico Legal Update* 21, no. 1 (April 7, 2021): 24-28. <https://doi.org/10.37506/mlu.v21i1.2273>

¹⁴ Dyah Anantalia Widyastari, "Revisiting the New Indonesia's Marriage Act 2019: will it be effective to prevent adolescent marriage." *Insights in Public Health Journal* 1, no. 1 (2020): 3-7. <https://doi.org/10.20884/1.iphj.2020.1.1.2657>. See also: Aditya, Rizky Irfano, and Lisa Waddington. "The

the minimum age for marriage to 19 years for women aim to address this issue, but the effectiveness of these legal changes remains to be seen.¹⁵

To the best of the author's knowledge, there has been no detailed study on preventing early marriage in Indonesia, which pays special attention to the role of religious authorities, state authorities, and human rights discourse. This study is expected to contribute to the sociology and politics of Islamic family law by utilizing a qualitative approach involving in-depth interviews with the judges and community leaders and an analysis of legal documents and relevant literature. The interviews are designed to elicit perspectives and practices related to early marriage, while the document analysis seeks to understand the legal and religious frameworks that govern marriage in Indonesia. This multi-faceted methodology enables a thorough exploration of the complex interactions between religious authority, state authority, and human rights in the context of early marriage in contemporary Indonesia.

PROBLEMS OF EARLY MARRIAGE IN INDONESIA

The rate of early marriage in Indonesia is relatively high, as many parents marry off their children at or before puberty. In some societies in Indonesia, where marriage is a family prerogative, children are often not asked about marriage or engagement. Besides family, religion is another institution strongly associated with marriage.¹⁶ In Indonesia, religion is the most prominent identity of an individual. Religious authorities play a significant role in determining public and family life, including influencing a person's decision to marry or a parent's decision to marry their child.

In the context of a modern state, the issue of child marriage is not only a domain entrusted to the family and religion but also a state concern. This can be seen, among other things, in laws related to the age of marriage, employment, and legal responsibility. In modern societies, the appropriate age of marriage is an

Legal Protection Against Child Marriage in Indonesia." *Bestuur* 9, no. 2 (December 5, 2021): 126-134. <https://doi.org/10.20961/bestuur.v9i2.55144>.

¹⁵ Yetta, Yasin, Ahmad Rajafi, and Syahrul Mubarak Subeitan, "Understanding the Implications of Marriage Law Amendments: Marriage Dispensation Cases in Indonesian Religious Courts." *Al-Istinbath: Jurnal Hukum Islam* 9, no. 1 (June 2, 2024): 121-136. <http://journal.iaincurup.ac.id/index.php/alistinbath/article/view/8979>. See also: Budi Prasetyo, Edy Sanjaya, and Indira Hastuti. "Marriage Law Perspective Against Underage Marriage." *International Journal of Educational Research & Social Sciences* 3, no. 1 (April 5, 2022): 518-524. <https://doi.org/10.51601/ijersc.v3i1.304>.

¹⁶ Rizkia Nabila, Roswiyani Roswiyani, and Heryanti Satyadi, "A literature review of factors influencing early marriage decisions in Indonesia." In *3rd Tarumanagara International Conference on the Applications of Social Sciences and Humanities (TICASH 2021)*, pp. 1392-1402. Atlantis Press, 2022.

important legal issue.¹⁷

Divorce among early-married women is also common. Marriage has long been an almost universal institution among Javanese, arranged nationwide at a young age and initiated by parents. Thus, if the age of first marriage among Indonesian women increases, divorce trends will decline during the second half of the 21st century. Increasing age at first marriage is accompanied by increased self-selected marriages, associated with higher levels of marital satisfaction and commitment, lower levels of conflict and reduced likelihood of divorce.¹⁸

Underage marriage has severe social and psychological consequences for girls. These marriages, which usually lead to early childbirth, are associated with school dropouts and low education, reducing their chances of future financial and social independence through employment.¹⁹ Underage marriage is also associated with poor health among girls. Young married girls have significantly higher maternal mortality and morbidity rates than adult women.²⁰

THE COMPLEXITY OF JUDGES' DECISIONS ON MARRIAGE DISPENSATION REQUESTS

Law Number 16 of 2019 stipulates that the minimum age of marriage is 19 years, whereas previously, the minimum age for women was 16 years. This change in the minimum age of marriage has impacted the number of marriage dispensation cases filed in religious courts. The Religious Courts can grant or deny the applications for these marriage dispensation cases. According to a judge at the Sragen Religious Court, by 2023, all marriage dispensation applications were granted. The normative

¹⁷ Susan Blackburn and Sharon Bessell, "Marriageable age: Political debates on early marriage in twentieth-century Indonesia." *Indonesia* 63 (1997): 107-141. <https://ecommons.cornell.edu/server/api/core/bitstreams/>.

¹⁸ Ahmad Kamal, "Early Marriage in the Perspective of Islamic Law: A Case Study in Indonesia." *FITRAH: Jurnal Kajian Ilmu-ilmu Keislaman* 10, no. 1 (2024): 45-60. <https://doi.org/10.24952/fitrah.v10i1.11146>. See also: Widyastari, Dyah Anantalia, Pimonpan Isarabhakdi, Patama Vapattanawong, and Marc Völker, "Marital dissolution in postmodern Java, Indonesia: Does early marriage increase the likelihood to divorce?." *Journal of divorce & remarriage* 61, no. 8 (2020): 556-573. <https://doi.org/10.1080/10502556.2020.1799308>

¹⁹ Susilo, Singgih, Novia Fitri Istiawati, Muhammad Aliman, and Muhammad Zulfi Alghani, "Investigation of early marriage: A phenomenology study in the Society of Bawean Island, Indonesia." *Journal of Population and Social Studies [JPSS]* 29 (2021): 544-562. <https://so03.tci-thaijo.org/index.php/jpss/article/view/254038>. See also: Oba, Issa Babatunde, "The dynamics of Islamic marital jurisprudence in Islamic courts: the experience of the Kwara state and Zanzibar." *IJoReSH: Indonesian Journal of Religion, Spirituality, and Humanity* 2, no. 1 (2023): 43-67. <https://doi.org/10.18326/ijores.v2i1.43-67>.

²⁰ Yuana Dwi Agustin, Hosaini Hosaini, and Leni Agustin, "Analysis of the impact of early marriage on adolescent reproductive health based on health perspectives and Islamic religion." *UNEJ e-Proceeding* (December 11, 2021): 103-107. See also: Ahmad Faris Hilmi and Muhammad Zawil Kiram, "The Under-age Marriage during the Pandemic: The Best Interest of the Child Principle." *El-Usrah: Jurnal Hukum Keluarga* 6, no. 1 (June 6, 2023): 71-80. <http://dx.doi.org/10.22373/ujhk.v6i1.11303>

reason often expressed by the family is to avoid unwanted things happening, in this case, to prevent adultery. In the Mungkid Religious Court, there were also cases of refusal of marriage dispensation applications. The judge decided this considering that the female applicant was a student who became pregnant outside of marriage, while the male applicant was not yet working. According to the head of the Sragen Religious Court, applications for marriage dispensation in Sragen are sometimes made by the prospective bride (because she is under 19 years old), sometimes by the prospective groom (because he is less than 19 years old), or sometimes by both prospective brides (because both are under 19 years old).²¹

The judges recognized that these underage marriages were vulnerable and less likely to support family resilience. These judges noticed that some of the underage marriages that went through the marriage dispensation procedure became problematic several years later and eventually filed for divorce with the Religious Courts. One judge said that he often encountered divorce cases of young couples who had married through the marriage dispensation procedure.

The Religious Court, in this case, is passive in the sense that it does not seek cases and is also not obliged to conduct counseling related to the prevention of underage marriage. Prevention of underage marriage is carried out by other agencies, including the Women's Empowerment Office. According to one judge, the religious court can give a decision by refusing marriage dispensation to prevent underage marriage. However, on the other hand, some applicants for marriage dispensation are already pregnant, so if the application is rejected, it will complicate the prospective child's status.

The marriage dispensation hearing usually takes place once. The hearing features the applicant's parents and is usually not preceded by mediation. The marriage dispensation hearing is a form of application. At Sragen Religious Court, marriage dispensation hearings occur on Mondays, Tuesdays, and Wednesdays. Some advocates have read the opportunities of marriage dispensation, so they offer their services to the community to manage the requirements for submitting a marriage dispensation application to the Religious Court. Some villages require that marriage dispensation applications be recommended by the village head to reduce the number of underage marriages.

The rise of underage marriage, according to a judge at the Sragen Religious Court, is partly due to the development of information technology, which makes it

²¹ KH, *interview*, February 7, 2024.

possible for children to read information and watch indecent videos. With the consumption of such videos, some children are tempted to try them out, resulting in some girls becoming pregnant before marriage. This pre-marital pregnancy is often the reason for children to apply for marriage dispensation.

The rise of marriage dispensation applications in the Religious Courts cannot only be seen as a legal issue. When a judge wants to decide to refuse a marriage dispensation application, he must also consider the benefits aspects of his decision. Ideally, underage marriage should be prevented. But in some cases, when a marriage dispensation application is refused, it creates new problems for the legal status of the child-to-be. This is because, often, marriage dispensation applications are filed by girls who are already pregnant outside of marriage.

There are several cases where the Religious Courts have rejected proposed marriage dispensation applications. This can be seen, for example, in the judge's decision on a marriage dispensation application by parents for their 15-year-old son to marry their 15-year-old daughter. One of the judges justified the rejection of the marriage dispensation application by stating that the area had a relatively high rate of underage marriage and that this was a severe social problem. This underage marriage is something that is not good and should not be allowed, so it becomes followed by many people. This kind of marriage will have severe health impacts, especially for wives who are too young and whose reproductive organs are not yet ready, which, of course, has the potential to threaten their lives, as well as the babies who are born with the potential to experience stunting.²²

In deciding marriage dispensation cases, judges normatively refer to Supreme Court Regulation (PERMA) Number 5 of 2019 concerning Guidelines for Adjudicating Marriage Dispensation Cases. One of the articles that judges often refer to is article 14 of PERMA Number 5 of 2019, which reads, "In the examination at the trial, the judge identifies the child submitted in the application as knowing and agreeing to the marriage plan." In addition, judges also consider the psychological condition and benefits of the prospective bride and groom.

Article 2 of PERMA Number 5 of 2019 states that judges hear applications for dispensation of marriage based on the principles of the best interests of the child, the right to life and growth of the child, respect for human dignity, non-

²² Ridwan Anwar, "PA Selong Tolak Perkara Dispensasi Nikah", assessed April 5, 2024, <https://badilag.mahkamahagung.go.id/seputar-peradilan-agama/berita-daerah/pa-selong-tolak-perkara-dispensasi-nikah-5-8>

discrimination, gender equality, equality before the law, justice, expediency and legal certainty.

The prevention of underage marriage is partly to protect children's rights, especially from sexual violence in marriage. Children who are married off too early, especially to older and polygamous men, are often vulnerable to sexual violence. Sometimes, due to financial constraints, some parents force their daughters to marry much older men to reduce the financial burden on the parents or for more grievous reasons, such as giving their daughters as a substitute for debt repayment to loan sharks.

MAQĀṢID AL-SHARĪĀ AND THE PREVENTION OF UNDERAGE MARRIAGE

Classical Islamic law does not deal with the minimum age of marriage. In classical Islamic legal literature, the criterion for marriage for men and women is to reach the *bulūgh* category, provided that women have menstruated and men have had wet dreams. Classical Islamic law that does not emphasize the minimum age of marriage is, in some ways, less in line with concerns for child protection.

One of the things that need to be developed in the context of contemporary Islamic legal thought is to look at *al-ḍarūrāt al-khams* (five necessities)²³ related to marriage, especially *ḥifẓ wa tanmīyat al-dīn* (protecting and developing religion), *ḥifẓ wa tanmīyat al-nasl* (protecting and developing offspring) and *ḥifẓ wa tanmīyat al-naḥs* (protecting and developing the soul). Marriage should ideally also be developed to maintain the continuity of religion in the family. Marriage is also ideally developed to maintain the continuity of offspring. Early marriage will result in the emergence of wives who are not biologically mature enough to reproduce to realize a quality generation. Marriage should also pay attention to the continuity of life safety. Early marriage for biologically immature women will threaten their safety when they give birth.

The provisions of Law No. 16 of 2019, which raise the minimum age of marriage to 19 years, can thus be seen from the perspective of *maqāṣid al-sharī'ah*, which is primarily for the benefit of the prospective bride and groom and to improve the quality of future generations. The age of 19 has already passed the age category of children (which, according to UNICEF, is up to 18). With a minimum age limit of 19 years, the bride and groom are better prepared for marital life.

²³ Moosa, Ebrahim. "On Reading Shāṭibī in Rabat and Tunis." In *Maqāṣid al-Sharī'a and Contemporary Reformist Muslim Thought: An Examination*, edited by Adis Duderija, 177-192. New York: Palgrave Macmillan US, 2014.

From the perspective of *maqāṣid al-sharia*, getting married at a mature age allows husbands and wives to maintain and develop religion (*ḥifẓ wa tanmiyat al-dīn*), especially in developing a healthy and broad religious pattern, both related to personal life, family, and society. Marrying at a mature age allows husband and wife to understand religious rules related to husband-wife relations more openly and rationally because their thinking is no longer in the child phase. People who understand the teachings of Islam narrowly and textually will tend to understand that the wife must serve the husband in any condition. People understand this from the classic book *'uqūd al-lujjāyn*, among others. This kind of understanding puts women in an inferior position based on religious arguments. Scholars and women activists, such as Siti Musdah Mulia (b. 1958) and Sinta Nuriyah Wahid (b. 1948), have sharply criticized this understanding.

What needs to be developed in the context of maintaining and developing religion in the context of husband-and-wife relations is *fiqh mubadalah* (reciprocal Islamic law).²⁴ This kind of *fiqh* looks more at equality in husband-and-wife relations. This kind of *fiqh* sees women and men in an equal position by looking at the contemporary context. There are texts in the Qur'an and hadith that indicate the different positions of women compared to men. Such texts should be seen in the historical context in which they appeared, where patriarchy was still deeply rooted, and women were still in a very inferior position. The moral ideal (*maghẓā*) of some religious rules related to women requires a gradual increase in the dignity and honor of women. It ultimately leads to equality between men and women.

Marriage at a mature age also allows husband and wife to protect and develop their minds (*ḥifẓ wa tanmiyat al-'aql*). Husbands and wives who marry at a mature age are ideally finished with themselves and do not think childishly, as in the child phase. They are more mentally prepared than people who marry under the age of 19. The maintenance of common sense can be seen in their maturity in addressing household and community issues. The world of households will confront people with several issues, especially the issue of livelihood and offspring, as well as the household's relationship with the surrounding environment. Dealing with such issues requires clarity and breadth of thought to resolve these issues. Minors are often still not thinking independently and are not finished with themselves.

A marriage planned and carried out at a mature age also allows people to

²⁴ Faqihuddin Abdul Kodir, *Qira'ah mubadalah: Tafsir Progressif untuk Keadlian Gender dalam Islam*. (Yogyakarta: IRCiSoD, 2019).

protect better and develop offspring (*hifz wa tanmīyat al-nafs*). Biologically and psychologically mature age makes it easier for people to develop quality offspring. Islam, sometimes understood by some, only teaches its followers to develop and multiply offspring for the sake of the continuity of humanity. These people eagerly marry at a young age to produce offspring, often with little regard for quality. Others take a moderate stance, namely developing offspring with attention to quality to improve the next generation of Islam (*khayr ummah*). Meanwhile, a small number of Muslims are at the other extreme, who do not want to get married (lifelong celibacy) to devote their entire lives to the development of religion.

Maqāṣid al-sharia, especially *hifz wa tanmīyat al-nafs*, is more in line with a moderate attitude in addressing the development of offspring, considering the quality of offspring. From the perspective of health science, men who marry very young are still not ready to produce quality offspring (both in terms of physical endurance and intelligence). The seeds (sperm) in them are still too young to perform quality fertilization. Likewise, in women who marry too young, their bodies, and especially their reproductive organs, are not ready to receive fertilization and conceive optimally.

Mature age allows people to enter into marriage more independently and responsibly. This marriage makes protecting and developing their souls easier (*hifz wa tanmīyat al-nafs*). Couples who marry at a mature age will be better equipped to plan for their physical and psychological health. Conversely, couples who marry at an early age have the potential to harm their health. This is especially true for wives who are less than 19 years old, who, from a health science perspective, are not yet ready to become pregnant because their reproductive organs are not yet perfect. In Indonesia, there have been cases of young women dying during childbirth because they were too early to conceive and their reproductive organs were not yet perfect. Domestic life, with its unique problems, is also more appropriate for people of mature age. Early marriage often leads to depression for the couple, which will affect their physical and psychological health.

Mature marriage also allows husband and wife to protect and develop property (*hifz wa tanmīyat al-māl*). By the age of 19, people have usually completed their secondary education (high school) and are ready to enter the world of work or college. At this age, a person is usually relatively more financially independent than children under 19. With such economic independence, the couple will undoubtedly be more likely to strengthen the economic resilience of the ummah and the nation.

Marriage at a mature age also allows people to protect and develop the

environment (*ḥifẓ wa tanmīyat al-bī`ah*). One of the concerns of environmentalists today is the world population explosion. Overpopulation can thus be a severe trigger of the environmental crisis. In this world, there should ideally be a balance between the number of humans and other creatures. Humans need plants and clean air to live a healthy life, and nature is needed to sustain itself. Early marriage often leads to low-income family planning. Early couples often produce offspring early and without planning. The production of offspring without careful planning often leads to a population explosion, which harms environmental sustainability.

The COVID-19 pandemic that has shocked the world since the end of 2019 has made humans realize the importance of preserving the environment. Underage marriage also, in this context, needs to be prevented, not only for the sake of family resilience and protection of children's rights but also to maintain the sustainability of nature. Islamic teachings, thus, are ideally understood not only to maintain and develop the benefit of humanity (*maṣāliḥ al-nas*) but also to concern the benefit and sustainability of the universe (*maṣāliḥ wa istimrār al-'ālam*). One of the things that religious leaders can do is to prevent underage marriage, which in turn will have an impact on the explosion of the world's population.

MAQĀṢID AL-SHARĪA AND HUMAN RIGHTS' VIEW ON EARLY MARRIAGE

The notion of *maqāṣid al-sharīa* has also been extended to cover a broader scope than the individual, including the community, nation, or humanity. Ibn Ashur, for example, emphasizes the *maqāṣid* that prioritizes the nation's interests (*ummah*) over the *maqāṣid* concerned with the individual. Rashid Rida, as a second example, includes 'reform' and women's rights in his theory of *maqāṣid*. Yusuf al-Qaradhawi, for a third example, includes human dignity and rights in his theory of *maqāṣid*.²⁵

Concerning underage marriage, the nation's benefit must also be considered an essential part of *maqāṣid*. A nation with a high rate of underage marriage will find it difficult to compete with other countries in the world because it is not easy for it to offer a quality generation, which in turn will have an impact on the decline in the human development index. The nation will be preoccupied with complicated domestic issues, such as low family resilience, domestic violence, stunting, the death of young mothers during childbirth, and so on.

Rashid Ridha's idea to include 'women's rights' in *maqāṣid* theory is also

²⁵ Jaser Auda, *Maqāṣid al-Sharīah: an introductory Guide*. (Herndon: International Institute of Islamic Thought, 2008), 7.

interesting to look at underage marriage. Women, as wombs that give birth to humans and civilizations, should ideally be respected and given the rights they deserve. Prevention of marriage of underage women should be intensified by state officials, community leaders, and also religious leaders. This prevention is mainly to give women the right to develop themselves, both in terms of education and mental maturity before they determine independent steps to take marriage at a mature age.

Yusuf al-Qaradawi's idea to include human rights in the *maqāṣid al-sharia* theory is actual and follows the development of contemporary society. This idea of al-Qaradawi is essential to look at the case of underage marriage. Underage marriage in the third world, according to experts, is partly carried out by parental coercion in the form of forced marriages. This forced marriage is certainly not in line with the principle of human rights, which gives individuals freedom in determining their lives and futures. Parents, concerning underage arranged marriages, often act and make decisions regarding their child's marriage without considering the child's readiness and future.

The international human rights system has used underage marriage, early marriage, and forced marriage interchangeably to describe marriages where one or both parties are under 18. The underlying assumption is that anyone under the age of 18 is a child, and the marriage is a 'forced marriage.'²⁶ In some Muslim countries, there are several violations of children's rights, as seen in the United Nations Convention on the Rights of the Child (CRC). These violations are particularly severe for adolescent girls, namely 'honor violence' (girls are subjected to violence for reasons of maintaining family honor related to sexuality norms), early marriage, and sexual harassment. Early marriage is accepted by some communities and even expected by some. These early marriages are often through arranged marriages and often through coercion.²⁷

The CRC was first ratified in Indonesia through Presidential Decree Number 36 in 1990). The ratification of CRC by the Indonesian government has an impact on regulations on the protection. This can be observed, for instance, from the addition of Article 28B paragraph (2) of the 1945 Constitution, which states that "every child has the right to survive, grow and develop and has the right to protection from

²⁶ Shamin Asghari, "Early marriage in Iran: a pragmatic approach." *Journal of Human Rights Practice* 11, no. 3 (December 4, 2019): 569-588. <https://doi.org/10.1093/jhuman/huz035>.

²⁷ Pernilla Ouis, "Honourable traditions? Honour violence, early marriage and sexual abuse of teenage girls in Lebanon, the occupied Palestinian territories and Yemen." *The International Journal of Children's Rights* 17, no. 3 (2009): 445-474.

violence and discrimination." In 2002, we observed the emergence of Act Number 23 on the Protection of Children.²⁸

State intervention in setting the minimum age of marriage is thus a form of state attention in maintaining the continuity of children's rights. In the Indonesian context, Act 16/2019 was issued primarily for child protection and for realizing family resilience for prospective brides. This Act stipulates that the minimum age of marriage is 19 years old. This law is an amendment to Act Number 1 of 1974, which states that the minimum age of marriage for women is 16 years old, and for men is 19 years old.

RELIGIOUS AND STATE AUTHORITIES IN PREVENTING EARLY MARRIAGE IN INDONESIA

The role of Islamic authorities in preventing early marriage in Indonesia is critical, given that the majority of the population adheres to Islam, and religious beliefs significantly influence social norms and practices. Islamic authorities, including religious leaders and institutions, have the potential to reshape the discourse surrounding early marriage. Early marriage is often seen as an attempt to protect young girls from Western Influences that can lead to promiscuity and premarital pregnancy. Another common pro-marriage belief is that marriage is an essential area for socio-cultural achievement. If a young girl's sense of the future includes only motherhood, then early marriage does not jeopardize other opportunities but enables self-fulfillment. The traditional value of giving birth and staying connected to extended family is also an incentive for early marriage.²⁹

However, the increasing awareness of the adverse effects of early marriage, such as health complications and limited educational opportunities, has prompted some Islamic scholars and leaders to advocate for delaying marriage until individuals are more mature and capable of handling marital responsibilities.³⁰ The

²⁸ Failin, Failin, Anny Yuserlina, and Eviandi Ibrahim, "Protection Of Children's Rights And Women's Rights As Part Of Human Rights In Indonesia Through Ratification Of International Regulations." *JCH (Jurnal Cendekia Hukum)* 7, no. 2 (December 2, 2022): 312-328. <https://e-jurnal.stih-pm.ac.id/index.php/cendekeahukum/article/view/557>. See also: Ridwan Arifin, Rodiyah Rodiyah, and Fadhilah Rizky Afriani Putri. "The Legal and Social Aspect for Underage Marriage Women's Education Rights in the Perspective of Human Rights: Contemporary Issues and Problems." *Sawwa: Jurnal Studi Gender* 15, no. 2 (December 7, 2020): 219-240.

²⁹ Dorit Segal-Engelchin, Efrat Huss, and Najlaa Massry, "The experience of early marriage: Perspectives of engaged and married Muslim women in Israel." *Journal of Adolescent Research* 31, no. 6 (2016): 725-749. <https://journals.sagepub.com/doi/10.1177/0743558415605167>

³⁰ Amrin Nurfiyeni, "The Impact Law Number 16 of 2019 about Marriage Age Dispensation on The Child Marriage Gap." *Indonesian Journal of Law and Islamic Law (IJLIL)* 5, no. 2 (2023): 50-61. <https://doi.org/10.35719/ijlil.v5i2.330>

involvement of Islamic authorities in educational initiatives can significantly impact the prevention of early marriage. By promoting educational attainment and awareness about the implications of early marriage, religious leaders can help shift cultural norms. For instance, community programs incorporating religious teachings with messages about the importance of education and personal development have shown promise in changing attitudes toward early marriage.³¹ Furthermore, religious leaders can play a pivotal role in disseminating information about the legal implications of early marriage under Indonesian law, which has recently been amended to raise the minimum marriage age.³²

The 'Early Marriage Movement' is an interesting social phenomenon, as it is promoted by the urban Muslim middle class, who tend to be more educated than the general population. This movement differs in its starting point and orientation from young marriages among the lower middle class, especially in rural areas, which are usually more economically driven.

The 'Early Marriage Movement' among the urban upper middle class is a choice and comes from the consciousness of the people involved.³³ This movement is an ideological choice to provide an antithesis to Western lifestyles that tend to be lax in sexuality norms. Early marriage, for the advocates of the 'Early Marriage Movement,' is an effective solution to move forward while maintaining Islamic values regarding sexuality. For them, dating is haram and must be avoided so that the younger generation remains in the corridor of Islamic morals.

Although with different orientations and starting points, these two social phenomena (the phenomenon of young marriage among the lower middle class and the 'Early Marriage Movement' among the urban middle-class Muslims) pose a severe challenge to the government's efforts to prevent underage marriage. Economic, educational, and psychological approaches must be taken to raise awareness and empower the first group. For the second group, the root of this problem is religious understanding. This kind of religious understanding requires

³¹ Saudah, Noer, Indah Lestari, Heni Frilasari, Chasiru Zainal Abidin, Yudisa Diaz Lutfi Sandi, Henri Setiawan, and Esti Andarini. "Communication, Information, and Education on Self-Awareness about Marriage Age Maturation among Adolescent Girls." *Jurnal Kesehatan Masyarakat* 18, no. 3 (December 8, 2023): 325-333. <https://doi.org/10.15294/kemas.v18i3.3674>.

³² Amrin Nurfiendi, "The Impact Law Number 16 of 2019 about Marriage Age Dispensation on The Child Marriage Gap," 50-61.

³³ Rahman Ralman, Ilyas Ilyas, Zulfahmi Alwi, & Zailani Zailani. Nikah muda: the hijrah movement of anti-dating communities from progressive to conservative in Indonesia (a critical study of hadith). *Millah: Journal of Religious Studies*, 23 no. 1 (February 1, 2024): 67-102. <https://doi.org/10.20885/millah.vol23.iss1.art3>

gradual awareness regarding the primary purpose of marriage, especially concerning the *maqāṣid al-shari'ah*. This second group only sees marriage from the normative side to avoid adultery, without seeing the impact that early marriage may have. Understanding Islam broadly will be more likely to sensitize the second group.

In the Indonesian Women Ulema Congress (*KUPI*) held in Cirebon on April 27, 2017, several recommendations were made, one of which was related to the elimination of underage marriage. *KUPI* proposed that the government raise the minimum age of marriage for women from 16 to 18 years. This is based on UNICEF's categorization of children as those under the age of 18. According to *KUPI*, the marriage of girls will give birth to several negative impacts, especially the risk of maternal death and defects in the babies they give birth to, because the girls are not biologically mature, especially from their reproductive organs. *KUPI* thus became one of the essential actors who played a role in fighting for the elimination of underage marriage. *KUPI* sees that the issue of marriage is not only seen from a religious perspective but also the protection of children's rights. The *maṣlahah*, especially *ḥifz al-nafs* (protecting the soul) and *ḥifz al-nasl* (protecting offspring), are thus the main concerns of *KUPI*.

The issue of underage marriage is not only a religious issue (which is thus the domain of religious authority) but also social and national (which is thus the domain of state authority). This is also because, in the context of the nation-state, religion must also pay attention to the benefit and sustainability of the nation. An example of the state's involvement in marriage is the mandatory registration of marriages. The necessity of marriage registration is not in classical Islamic legal literature. However, in the nation-state context, marriage registration is essential in managing population administration and giving legal status to children born from the marriage. Modern countries are very concerned about population administration as a state's responsibility to provide the identity and legal status citizens need.

Thus, the state must take part in managing and preventing underage marriage as a form of state responsibility for the development of the nation's welfare, both psychologically and materially. The high level of underage marriage in a country will have an impact on stunting, young maternal mortality, and household vulnerability, which, of course, in turn, will lead to a low human development index in the country. Internationally, the state's attention to the prevention of underage marriage is also in line with recommendations from UNICEF that prohibit underage marriage. In addition, since 1990, Indonesia has ratified the Convention on the

Rights of the Child as stipulated in Presidential Regulation No. 36 of 1990.

Child-Friendly City/District (*Kota/Kabupaten ramah anak*) is a program launched by the Local Government to develop a development system based on children's rights by protecting children's rights, especially in preventing underage marriage, where children are often in a position of victims. This collaborative program includes the District Court, Religious Court, Ministry of Religious Affairs, Health Office, Women's Empowerment Office, and Strategic Organizations.

A Child-Friendly City/District thus pays close attention to children's rights to develop and learn until they can determine themselves and their future, especially their life partners and marriage plans. In line with this, several villages in Indonesia conducted public consultations regarding the Draft Village Regulation (*Perdes*) on Underage marriage Prevention.

CONCLUSION

In present-day Indonesia, we see two authorities, the religious and state authorities, playing an essential role in determining marriage. These two authorities are sometimes in line but also sometimes at odds. Religious authorities in Indonesia show varying responses to early marriage, depending on how they interpret Islamic teachings. Some authorities, who adopt a literal interpretation of religious texts, often support early marriage to prevent perceived social evils like adultery. These authorities believe that early marriage aligns with traditional Islamic values. However, progressive religious figures advocate against early marriage, recognizing the negative consequences it can have on children's health, rights, and future well-being. These progressive authorities emphasize the importance of interpreting religious teachings in a way that considers contemporary issues, such as children's rights and social welfare. A progressive and context-sensitive religious understanding should be developed to prevent early marriage in Indonesia. This understanding would emphasize the principles of *maqāṣid al-sharīa*. Marriage should be framed as a union requiring emotional and biological maturity to ensure the well-being of both individuals and their future children. A shift towards *fiqh mubadalah*, which promotes gender equality and mutual respect in marriage, is also necessary.

Religious judges in Indonesia are uniquely positioned, balancing pressures from state laws, religious teachings, and human rights considerations. They are tasked with adjudicating marriage dispensation cases, where underage individuals seek permission to marry. While some judges grant dispensations, especially in cases of pre-marital pregnancy, others reject these requests, citing concerns about

the future stability of underage marriages and the potential harm to the parties involved. Despite their ability to reject marriage dispensation applications, judges are often constrained by the social and religious pressures to permit early marriages, especially in cases involving pre-marital pregnancy. Nonetheless, their decisions play a crucial role in shaping the prevention of early marriage by either granting or denying these requests based on legal, religious, and social considerations. This study pays special attention to religious authorities, state authorities, and human rights discourse and activism in preventing early marriage among contemporary Indonesian Muslims. Thus, the scope of this paper is primarily the sociology and politics of Islamic family law. This study has not touched on the disciplines of psychology, economics, and education, which could also be employed as rich perspectives to analyze the problem of early marriage among Indonesian Muslims.

REFERENCES

- Abubakar, Fatum. "Islamic family law reform: Early marriage and criminalization (A comparative study of legal law in Indonesia and Pakistan)." *Al-Ahkam: Jurnal Ilmu Syari'ah dan Hukum* 4 no 2 (December 8, 2019): 97-118. <https://doi.org/10.22515/alahkam.v4i2.1667>.
- Aditya, Rizky Irfano, and Lisa Waddington. "The Legal Protection Against Child Marriage in Indonesia." *Bestuur* 9, no. 2 (December 5, 2021): 126-134. <https://doi.org/10.20961/bestuur.v9i2.55144>.
- Agustin, Yuana Dwi, Hosaini Hosaini, and Leni Agustin. "Analysis of the impact of early marriage on adolescent reproductive health based on health perspectives and Islamic religion." *UNEJ e-Proceeding* (December 11, 2021): 103-107.
- Amzat, Jimoh. "Faith effect and voice on early marriage in a Nigerian state." *Sage Open* 10, no. 2 (June 2, 2020): 1-9. <https://journals.sagepub.com/doi/pdf/10.1177/2158244020919513>.
- Anwar, Ridwan, "PA Selong Tolak Perkara Dispensasi Nikah", assessed April 5, 2024, <https://badilag.mahkamahagung.go.id/seputar-peradilan-agama/berita-daerah/pa-selong-tolak-perkara-dispensasi-nikah-5-8>.
- Arifin, Ridwan, Rodiyah Rodiyah, and Fadhilah Rizky Afriani Putri. "The Legal and Social Aspect for Underage Marriage Women's Education Rights in the Perspective of Human Rights: Contemporary Issues and Problems." *Sawwa: Jurnal Studi Gender* 15, no. 2 (December 7, 2020): 219-240. <https://doi.org/10.21580/sa.v15i2.5165>
- Asghari, Shamin. "Early marriage in Iran: a pragmatic approach." *Journal of Human Rights Practice* 11, no. 3 (December 4, 2019): 569-588. <https://doi.org/10.1093/jhuman/huz035>.

- Auda, Jaser,. *Maqāṣid al-Shariāh: an introductory Guide*. (Herndon: International Institute of Islamic Thought, 2008).
- Berliana, Sarni Maniar, Putu Arry Novelina Kristinadewi, Praba Diyan Rachmawati, Rista Fauziningtyas, Ferry Efendi, and Angeline Bushy. "Determinants of early marriage among female adolescent in Indonesia." *International Journal of Adolescent Medicine and Health* 33, no. 1 (April 3, 2021): 20180054. <https://www.degruyter.com/document/doi/10.1515/ijamh-2018-0054/html>.
- Blackburn, Susan, and Sharon Bessell. "Marriageable age: Political debates on early marriage in twentieth-century Indonesia." *Indonesia* 63 (1997): 107-141. <https://ecommons.cornell.edu/server/api/core/bitstreams/99a8c757-1ad3-4031-aca5-3c60b4ffbb4e/content>.
- Failin, Failin, Anny Yuserlina, and Eviandi Ibrahim. "Protection Of Children's Rights And Women's Rights As Part Of Human Rights In Indonesia Through Ratification Of International Regulations." *JCH (Jurnal Cendekia Hukum)* 7, no. 2 (December 2, 2022): 312-328. <https://e-jurnal.stih-pm.ac.id/index.php/cendekiahukum/article/view/557>.
- Hilmi, Ahmad Faris, and Muhammad Zawil Kiram. "The Under-age Marriage during the Pandemic: The Best Interest of the Child Principle." *El-Usrah: Jurnal Hukum Keluarga* 6, no. 1 (June 6, 2023): 71-80. <http://dx.doi.org/10.22373/ujhk.v6i1.11303>
- Japhet, Naisiligaki. "Grassroots Muslim women in religious conflict prevention in Tanzania: roles, contributions, and challenges." *IJoReSH: Indonesian Journal of Religion, Spirituality, and Humanity* 1, no. 2 (December 7, 2022): 147-166. <https://doi.org/10.18326/ijores.v1i2.147-166>.
- Kamal, Ahmad. "Early Marriage in the Perspective of Islamic Law: A Case Study in Indonesia." *FITRAH: Jurnal Kajian Ilmu-ilmu Keislaman* 10, no. 1 (2024): 45-60. <https://doi.org/10.24952/fitrah.v10i1.11146>.
- Kodir, Faqihuddin Abdul. *Qira'ah mubadalah: Tafsir Progressif untuk Keadlian Gender dalam Islam*. (Yogyakarta: IRCiSoD, 2019).
- Laksono, Agung Dwi, Ratna Dwi Wulandari, and Ratu Matahari. "Does education level matter in women's risk of early marriage?: Case Study in Rural Area in Indonesia." *Medico Legal Update* 21, no. 1 (April 7, 2021): 24-28. <https://doi.org/10.37506/mlu.v21i1.2273>.
- Moosa, Ebrahim. "On Reading Shāṭibī in Rabat and Tunis." In *Maqāṣid al-Sharī'a and Contemporary Reformist Muslim Thought: An Examination*, edited by Adis Duderija, 177-192. New York: Palgrave Macmillan US, 2014.
- Nabila, Rizkia, Roswiyani Roswiyani, and Heryanti Satyadi. "A literature review of factors influencing early marriage decisions in Indonesia." In *3rd Tarumanagara International Conference on the Applications of Social Sciences and Humanities (TICASH 2021)*, pp. 1392-1402. Atlantis Press, 2022.

- Nisa, Eva F. "Battling marriage laws: Early marriage and online youth piety in Indonesia." *Hawwa* 20, no. 1-2 (2020): 76-102. https://brill.com/view/journals/haww/20/1-2/article-p76_5.xml.
- Nurfieni, Amrin. "The Impact Law Number 16 of 2019 about Marriage Age Dispensation on The Child Marriage Gap." *Indonesian Journal of Law and Islamic Law (IJLIL)* 5, no. 2 (2023): 50-61. <https://doi.org/10.35719/ijlil.v5i2.330>.
- Oba, Issa Babatunde. "The dynamics of Islamic marital jurisprudence in Islamic courts: the experience of the Kwara state and Zanzibar." *IJoReSH: Indonesian Journal of Religion, Spirituality, and Humanity* 2, no. 1 (2023): 43-67. <https://doi.org/10.18326/ijores.v2i1.43-67>.
- Ouis, Pernilla. "Honourable traditions? Honour violence, early marriage and sexual abuse of teenage girls in Lebanon, the occupied Palestinian territories and Yemen." *The International Journal of Children's Rights* 17, no. 3 (2009): 445-474.
- Prasetyo, Budi, Edy Sanjaya, and Indira Hastuti. "Marriage Law Perspective Against Underage Marriage." *International Journal of Educational Research & Social Sciences* 3, no. 1 (April 5, 2022): 518-524. <https://doi.org/10.51601/ijersc.v3i1.304>.
- Prettitore, Paul Scott. "Family law reform, gender equality, and underage marriage: A view from Morocco and Jordan." *The Review of Faith & International Affairs* 13, no. 3 (2015): 32-40. <https://doi.org/10.1080/15570274.2015.1075758>.
- Rifandanu, Farel and Ayu Febrianti. "Early Marriage and Implications for Future Orientation in Islamic Law." *Contemporary Issues on Interfaith Law and Society* 2, no. 2 (December 9, 2023): 187-214. <https://doi.org/10.15294/ciils.v2i2.69114>
- Ralman, Ilyas Ilyas, Zulfahmi Alwi, & Zailani Zailani. Nikah muda: the hijrah movement of anti-dating communities from progressive to conservative in Indonesia (a critical study of hadith). *Millah: Journal of Religious Studies*, 23 no. 1 (February 1, 2024): 67-102. <https://doi.org/10.20885/millah.vol23.iss1.art3>.
- Saudah, Noer, Indah Lestari, Heni Frilasari, Chasiru Zainal Abidin, Yudisa Diaz Lutfi Sandi, Henri Setiawan, and Esti Andarini. "Communication, Information, and Education on Self-Awareness about Marriage Age Maturation among Adolescent Girls." *Jurnal Kesehatan Masyarakat* 18, no. 3 (December 8, 2023): 325-333. <https://doi.org/10.15294/kemas.v18i3.36740>.
- Segal-Engelchin, Dorit, Efrat Huss, and Najlaa Massry. "The experience of early marriage: Perspectives of engaged and married Muslim women in Israel." *Journal of Adolescent Research* 31, no. 6 (2016): 725-749. <https://journals.sagepub.com/doi/10.1177/0743558415605167>.
- Setiadi, Setiadi. "Getting married is a simple matter: Early marriage among Indonesian Muslim girls in rural areas of Java." *JSW (Jurnal Sosiologi Walisongo)* 5, no. 2 (December 1, 2021): 143-154. <https://doi.org/10.21580/jsw.2021.5.2.7970>.

- Sezgin, Aysen Ufuk, and Raija-Leena Punamäki. "Impacts of early marriage and adolescent pregnancy on mental and somatic health: the role of partner violence." *Archives of Women's Mental Health* 23, no. 2 (2020): 155-166. <https://link.springer.com/article/10.1007/s00737-019-00960-w>.
- Sodiqin, Ali, and Al-Robin Al-Robin. "Diversity in Determining Maturity Age in Indonesian Law: Maqāsid al-Sharīa Perspective." *Justicia Islamica* 18, no. 1 (April 16, 2021): 97-114. <https://doi.org/10.21154/justicia.v18i1.2621>.
- Susilo, Singgih, Novia Fitri Istiawati, Muhammad Aliman, and Muhammad Zulfi Alghani. "Investigation of early marriage: A phenomenology study in the Society of Bawean Island, Indonesia." *Journal of Population and Social Studies [JPSS]* 29 (2021): 544-562. <https://so03.tci-thaijo.org/index.php/jpss/article/view/254038>.
- Talukder, Ashis, Muhammad M. Hasan, Shaharior R. Razu, and Zobayer Hossain. "Early marriage in Bangladesh: A cross-sectional study exploring the associated factors." *Journal of International Women's Studies* 21, no. 1 (2020): 68-78. <https://vc.bridgew.edu/jiws/vol21/iss1/6/>.
- Tjaturrini, Dyah, Chendy Ariesanty, Tri Asiati, Henggar Prasetyowati, and Zuyinatul Isro. "Calengsai and the intimate communications among faith believers." *IJoReSH: Indonesian Journal of Religion, Spirituality, and Humanity* 1, no. 2 (December 7, 2022): 215-240. <https://doi.org/10.18326/ijoresh.v1i2.215-240>.
- Widyastari, Dyah Anantalia, Pimonpan Isarabhakdi, Patama Vapattanawong, and Marc Völker. "Marital dissolution in postmodern Java, Indonesia: Does early marriage increase the likelihood to divorce?" *Journal of divorce & remarriage* 61, no. 8 (2020): 556-573. <https://doi.org/10.1080/10502556.2020.1799308>.
- Widyastari, Dyah Anantalia. "Revisiting the New Indonesia's Marriage Act 2019: will it be effective to prevent adolescent marriage." *Insights in Public Health Journal* 1, no. 1 (2020): 3-7. <https://doi.org/10.20884/1.iphj.2020.1.1.2657>.
- Yetta, Yasin, Ahmad Rajafi, and Syahrul Mubarak Subeitan. "Understanding the Implications of Marriage Law Amendments: Marriage Dispensation Cases in Indonesian Religious Courts." *Al-Istinbath: Jurnal Hukum Islam* 9, no. 1 (June 2, 2024): 121-136. <http://journal.iaincurup.ac.id/index.php/alistinbath/article/view/8979>.
- Zulfa, Vania, Uswatun Hasanah, and Fitriana Kusaini. "The Phenomenon of Early Marriage and Its Impact on Family Resilience." *Journal of Family Sciences*, February 29, 2024, 48-58. <https://doi.org/10.29244/jfs.vi.49929>.

