

Underage Marriage from the Perspective of Islamic Family Law in Bireun Regency

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ABSTRACT

The rise of underage marriages in North Aceh due to certain factors, causes them to marry at an early age. As happened in Peusangan District. The objectives of the study: (1) to describe the underlying practice of early marriage in Peusangan District, Bireuen Regency, (2) to describe the views of the people of Peusangan District, Bireuen Regency towards the practice of early marriage, (3) to describe the views of Islamic Law towards the practice of early marriage that occurs in Peusangan District, Bireuen Regency. This research is a field study using qualitative methods with normative, carried out in Peusangan District. Data collection techniques through interviews, observation and documentation. Data analysis techniques are carried out through data reduction, data presentation and data verification. The results of the study show that: (1) the practice of underage marriage in Peusangan District occurs due to economic factors, education level factors, family factors, child factors, social media factors, and promiscuity, the consequences are the rights and obligations as husband and wife, interrupted education, the birth of children, providing educational guarantees for children, poverty, and domestic violence (KDRT), (2) the view of the Peusangan community towards the practice of underage marriage is that it is permissible if there are positive impacts, such as avoiding immoral acts or the occurrence of something undesirable. However, it is not permissible if underage marriage brings a lot of harm, (3) the view of Islamic law towards the practice of underage marriage that occurs in Peusangan District, namely even though it is said that underage marriage is originally permitted according to Islamic jurisprudence, it does not mean that it is absolutely permitted for all women in all circumstances..

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1. INTRODUCTION

The phenomenon of underage marriage has become a global issue that continues to receive serious attention from various sectors, including academics and policymakers in developing countries. This practice not only violates children's basic rights but also creates a cycle of poverty and ongoing gender inequality. Research conducted by Idawati et al. (2024) in rural areas of Aceh revealed that early marriage still commonly occurs in low and middle-income countries due to traditional factors and cultural beliefs that girls should be married off early. The study found that out of 507 female respondents who married under the age of 19 in Aceh, parental and economic factors were significantly associated with early marriage, where women from the poorest families were 2.23 times more likely to experience early marriage compared to women from the wealthiest families.

Bireuen District, as one of the regions in the Aceh Province that applies Islamic Sharia law, is not immune to the phenomenon of underage marriage, which continues to show significant numbers every year. Data from the Aceh Sharia Court recorded that as of June 2025, there were 19 cases of marriage dispensation handled in the Sharia Courts of Sigli and Bireuen, making it one of the areas with the highest dispensation applications in Aceh after North Aceh and Central Aceh. These figures reflect a concerning social reality amidst a community known for upholding Islamic values, where children still have to go through the court process to obtain permission to marry before reaching the age stipulated by the law. Reforming marriage laws in Indonesia through Law Number 16 of 2019, which raises the minimum marriage age to 19 years for both males and females, is a progressive step in the effort to protect children. However, the existence of a legal loophole in the form of marriage dispensation as regulated in Article 7 paragraph (2) actually creates room for practices that contradict the principles of child protection. A normative-juridical study conducted by Azizah et al. (2025) asserts that the practice of marriage dispensation is considered inconsistent with *maqāṣid al-syarī'ah*, especially in terms of protecting the life, intellect, lineage, and dignity of children. This study recommends the need for legal reconstruction that includes law reform, strengthening of law enforcement structures, and transforming the legal culture of society based on the values of the Qur'an.

The perspective of Islamic family law regarding underage marriage cannot be detached from the classical discourse on the wali's right to marry off his daughter. This concept is often misused, disregarding children's autonomy and their right to participate in decisions that alter their lives. Rifqi et al. (2025) found in their ethnographic research in the Pasuruan region that structural discrimination through the practice of *ijbar* in the interpretation of classical Islamic law continues to perpetuate child marriage practices. Traditional myths, such as the belief that rejecting too many marriage proposals will cause a girl never to marry, create immense social pressures, especially for children from low-income families with limited formal education. The complexity of the issue of underage marriage in Bireuen Regency cannot be separated from the socio-economic reality of the majority rural population with limited access to education and employment opportunities. Research by Idawati et al. (2024) confirms that economic factors play a dominant role in early marriage decisions in Aceh, where poor women are 1.68 times more vulnerable to early marriage compared to wealthy women. Furthermore, the study reveals that women with parents wielding strong influence are 10.34 times more likely to experience early marriage compared to women whose parents have a lesser role in marriage decision-making. These findings indicate that policy interventions should not only focus on formal legal aspects but also address changing the mindset and behavior of parents as the primary decision-makers in the family.

The Syar'iyah Court as the authorized judicial institution to adjudicate marriage dispensation cases in Aceh faces a dilemma between enforcing legal provisions and the social realities of the community. Data from the Aceh Syar'iyah Court shows that apart from handling marriage dispensation cases, the court also deals with thousands of divorce cases predominantly involving young couples due to continuous disputes and arguments. As of June 2025, there were 2,311 divorce cases and 612 divorce cases in Aceh, with North Aceh recording the highest number of 372 divorce cases, followed by Aceh Tamiang with 230 cases. This data serves as a crucial indicator that marriages at a young age tend to be vulnerable to divorce due to the couples' unpreparedness in facing household dynamics. A theological-juridical study

on the practice of marriage dispensation in Indonesia reveals a tension between the classic fiqh provisions that emphasize physical signs of maturity and the needs of progressive law that prioritize the well-being of children. Azizah et al. (2025), in their thematic analysis of Quranic verses, found that the Qur'an emphasizes not only biological readiness but also intellectual maturity (*rusyd*) as an ideal requirement for marriage. The principle of *rusyd* is often overlooked in the practice of granting dispensations in court, where considerations are more based on administrative aspects and the urge to avoid adultery without conducting a profound assessment of the psychological and mental readiness of the children. Yet, from the perspective of *maqasid al-shariah*, safeguarding progeny (*hifz al-nasl*) actually demands assurance that marriage will produce a generation of quality and protected individuals.

The phenomenon of underage marriage in Bireuen Regency cannot be separated from the strong influence of patriarchal culture deeply rooted in Acehese society. An ethnographic study by Rifqi et al. (2025) in rural areas with similar characteristics to Bireuen demonstrates that child marriages are often viewed not as a choice but as potentially the only way out of economic constraints. Parents regard marrying off their daughters as a solution to alleviate the family's financial burden and simultaneously protect their children from potentially dishonorable acts. However, this research also reveals that beneath the pretext of protection lies a systematic disregard for the child's right to determine their own future, which within the framework of human rights law constitutes a form of structural discrimination. The marriage dispensation as a legal gateway for underage marriage has undergone significant changes following the revision of the Marriage Law, whereby the application procedure has become more stringent and now focuses more on child protection efforts. A study conducted by Al Mahya (2025) on Decision Number 1838/Pdt.P/2020/PA.Kab.Mlg indicates that the presence of testimonial evidence is a mandatory requirement for proving the existence of compelling reasons, and the court must provide comprehensive consideration by taking into account the psychological and physical conditions of the child. However, the study also warns that there is still a risk of abuse in practice if the process is not carried out with caution, necessitating the implementation of new regulations that emphasize supervision, public awareness, and more optimal child protection efforts.

Bireuen Regency, as part of a province that applies special autonomy in the field of Islamic law, faces unique challenges in addressing child marriage issues. On one hand, the Bireuen community is known to be religious and obedient to religious teachings, but on the other hand, underage marriage practices continue with various normative justifications. Idawati et al. (2024) affirm that parental factors play a dominant role in early marriage occurrences in Aceh, where parents with a strong role are actually at a higher risk of marrying off their children at a young age. These findings indicate that partial and non-contextual religious understanding, especially regarding the concepts of guardian and the right to consent, contribute to the perpetuation of child marriage within the community. The long-term implications of underage marriage not only impact the reproductive and psychological health aspects of children but also have the potential to create intergenerational poverty. Early-married children commonly drop out of school, thus losing opportunities to enhance their self-capacity and contribute economically. A study conducted by Rifqi et al. (2025) revealed that child marriage in rural areas often becomes part of a difficult-to-break poverty cycle, where poverty serves as both the cause and consequence of such practices. Therefore, addressing child marriage requires more than just legal reforms but also cultural changes, localized educational initiatives, and financial support programs that offer meaningful alternatives to impoverished families.

In the contemporary context, the phenomenon of underage marriage in Bireuen District cannot be separated from the evolving social dynamics, including the influence of digital technology and changing patterns of adolescent socialization. Data from the Aceh Sharia Court indicates that continuous disputes and conflicts, the main reasons for divorce in Aceh with a total of 2,447 cases, often occur among young couples and are triggered by various factors, including the potential influence of social media such as online gambling and TikTok applications. This suggests that the challenges of young marriage are increasingly complex in the digital era, where couples are not only faced with internal household issues but also external pressures from technological advancements that are not balanced with emotional and

spiritual maturity. Based on the complexity of the issues outlined above, research on early marriage in the perspective of Islamic family law in Bireuen Regency is of utmost urgency. Bireuen Regency, with the characteristics of an agrarian society, strong Islamic traditions, and a notably high rate of marriage dispensations, provides a culturally rich social laboratory to examine how Islamic family law is interpreted and implemented within a local context. This research is expected not only to make academic contributions to the development of Islamic family law, but also to provide practical policy recommendations for the Bireuen Regency Government, the Sharia Court, and other stakeholders in efforts to more effectively and justly prevent and address underage marriages.

2. METHODS

This study employs a qualitative approach and utilizes field research, involving direct immersion in the field to gather data from informants believed to provide necessary information in Gampongs and the KUA, regarding underage marriage in the Peusangan District of Bireuen Regency from the Perspective of Islamic Family Law. This research is conducted through purposive sampling, selecting samples based on predetermined criteria. The researcher aims to describe findings from the field based on data collected through interviews with informants and analyze this data qualitatively. Furthermore, this study is categorized as descriptive research, meaning it provides an objective description of the researched subject by asking informants questions to obtain the required answers. The research location is in Bireuen Regency, which comprises 7 villages and 1 KUA, including: Gampong Cot Bada Tunong, Cot Buket, Cot Girek, Cot Ijue, Cot Keumudee, Cot Keuranji, Cot Nga, and the KUA of Peusangan District. The researcher chose this location due to the relevance of cases related to the research topic, presenting valuable issues for further investigation. Additionally, the accessibility of the research location makes it a practical choice for the researcher.

This research employs a normative legal approach, thus becoming normative-empirical research, such as legal review, to understand how the law functions as a guide for societal behavior. This type of research focuses on examining the inventory of positive law, principles, and legal doctrines, as well as studying specific legal cases, legal systems, comparisons between different legal systems, and the history of legal development. Essentially, normative legal research delves into the study of law as norms or rules that shape and influence behavior in society. In light of the information provided, the author deliberately chose to utilize the normative legal research technique to conduct a comprehensive examination and analysis of the available thesis. This decision was made to ensure a thorough and comprehensive exploration of the topic through the lens of legal research methods, making this type of research field research. The types of data in this study can be categorized into two, namely primary data and secondary data. In this study, the author utilized both sources of data. The primary data in this research consists of 1 head of KUA, 1 KUA staff, 6 village heads, 1 Tgk. Imum Gampong, 4 Tuha Peut, 2 community figures, 3 parents of underage couples, and 3 underage married couples in Peusangan Sub-District, Bireuen Regency.

Secondary data in this research includes primary legal materials and secondary legal materials. Primary legal materials are the most important and authoritative legal sources, including laws, regulations, official documents, court decisions, legal journals, and other materials with legal authority (Marzuki, 2010). In this study, primary legal materials include: Fiqh Munakahat, Compilation of Islamic Law (KHI), al-Bajuri's book, *Ianatul Thalibin*, *Bidayatul Mujtahid*, *al-Ahwal al-Syakhshiyah*, and others. Secondary legal materials, such as textbooks, play a crucial role in legal research by presenting established perspectives from leading scholars, and in this research, secondary legal materials consist of scientific books, academic journals, and articles in the legal field that offer valuable insights and analyses to support research findings.

Data is gathered from both primary and secondary sources, utilizing various methods including documentation studies, literature review, interviews, and observations. Soekanto and Mamudji (2003) categorize data collection tools into three main types: document analysis, observation, and interviews. Document analysis, often referred to as documentation studies, is considered a fundamental step in legal

research, encompassing normative and sociological perspectives (Soekanto & Mamudji, 2003). Observation serves as an important research activity aimed at directly observing the phenomenon of underage marriage at the research site. An interview is a structured conversation in which an interviewer, referred to as the interviewer, asks questions to another person, referred to as the interviewee, to gather information for research or investigation purposes (Bungin, 2005). This exchange can be conducted face-to-face or remotely, and may or may not involve a series of predefined questions to guide the discussion. According to Soekanto (2003), during interviews, interviewers may choose to use interview guides outlining important topics to be discussed during the conversation, or alternatively, they may opt for structured questionnaires containing a list of predetermined questions to ensure systematic and thorough interrogation of the interviewee.

Gulo (2002) explains that an interview is a form of verbal communication aimed at obtaining information. As for interview types according to Sugiyono (2018), there are three: structured interviews used when interviewers have a clear idea of the information they want to gather and typically prepare a set of predefined questions with multiple-choice answers (Amiruddin & Asikin, 2006), semi-structured interviews, a specific form of in-depth interview allowing more flexibility in its execution (Soekanto, 2003), and unstructured interviews where researchers do not systematically follow a predefined set of questions (Sugiyono, 2018). There were 21 informants for the interview researchers. Documentation studies involve collecting various documents relevant to the research issue, which may include a variety of materials such as maps, statistical data, employee and student records, population data in graphical form, images, letters, photos, and official documents (Danial & Warsiah, 2009). These documents serve as valuable sources of information that can aid the research process and help draw accurate conclusions. Therefore, in conducting documentation study data collection techniques, researchers seek various data sources, including documents and photos collected during interviews, which can be utilized to analyze research data and refine the overall research process.

Continuous data analysis is a process that occurs before, during, and after field research, meaning researchers need to analyze their data at various stages of their research journey to gain a comprehensive understanding of their findings (Sugiyono, 2013). Data analysis involves the systematic examination and categorization of data collected from interviews, records, and other sources to gain deeper insights and effectively communicate findings (Gunawan, 2015). The data analysis process begins with a thorough examination of all accessible information, including data collected from various sources such as observations, interviews, and personal notes (Moleong, 2011). The systematic preparation of this data analysis ensures that the data is thoroughly described and conclusions are drawn. Systematically consider the role of each component and how they interact with each other so that the stated goals can be fully achieved (Azmi et al., 2022). This study employs data analysis techniques based on the Miles and Huberman model, which provides a comprehensive and detailed approach to analyzing data with three stages: data reduction, data display, and conclusion drawing or verification (Sugiyono, 2013).

Data reduction involves condensing, selecting, and focusing data, a complex process that demands intelligence and a deep understanding of information collected from various sources such as observations, interviews, and documentation on underage marriage in the Peusangan District, Bireuen Regency from the Islamic Family Law Perspective. Presenting data collected from field research findings is crucial for drawing conclusions because by presenting this data, understanding events and formulating future action strategies becomes easier based on the insights gained, by summarizing data obtained through observations, interviews, and documentation. Information gathered from various sources and through observations is collected and adjusted to align with specific research objectives, so after research findings are presented in a narrative format and analyzed thoroughly, a conclusion is drawn that is specifically tailored to the focus of the study on underage marriage in the Peusangan District, Bireuen Regency from the Islamic Family Law Perspective.

3. FINDINGS AND DISCUSSION

Factors Underlying Early Marriage in Bireuen District

Early marriage refers to marriage below the legal age, where a child or adolescent is not fully prepared, be it mentally, emotionally, or even in terms of material readiness. When marriage takes place at a young age, teenagers do not yet possess sufficient knowledge about marriage, family dynamics, and conflict resolution skills. This lack of understanding can lead to family disputes and result in an unharmonious marriage. The changing times and the modern freedom of children often lead them into undesirable situations, such as engaging in marital relationships outside of wedlock. In Peusangan Sub-District, Bireuen District, there are still numerous cases of early marriage, defined as marriages involving individuals under 19 years old that require a judicial process.

The factors contributing to early marriage in Peusangan Sub-District, Bireuen District, include economic conditions, low education levels, lack of religious knowledge, family influences, the children's willingness, social media, and a culture of free mingling. Based on an interview with Zulfikri, a husband who married at a young age, he revealed that he got married at 17 years old whereas his wife was 16 years old. They decided to marry due to the fear of something happening to his wife as both families were concerned about their relationship, which was then at a courtship stage. Nuraini confirmed that their parents arranged the marriage due to religious concerns and the cultural scrutiny they faced, with rumors often circulating in the community due to her husband's frequent visits. Results of interviews with Boihaki, a member of Tuha Lapan, indicated that the occurrence of underage marriages in the village is often attributed to initial connections made on social media platforms. After connecting on social media and meeting in person, couples find themselves compatible. Following a series of introductions, they eventually meet each other's parents and proceed to get married. Similarly, in an interview with Sayuti, a participant of an underage marriage, expressed that the couple met through social media, motivated by mutual love. They sought parental approval before entering into marriage.

Interview findings from Ismail Jamil, the Geuchik of the village, revealed that the prevalent cause of underage marriages in modern times is commonly linked to promiscuity, leading to undesirable consequences and eventual coerced marriages. It is increasingly challenging to discipline children today, as harsh measures may result in legal consequences, putting parents in a dilemma. Likewise, Muhazar mentioned that marrying off his underage child was necessitated by the child's promiscuity despite being sent to religious schools multiple times. The child's interactions with a negative peer group and involvement with young girls raised concerns, ultimately leading to the forced marriage.

Furthermore, Muhammad Yusuf, a parent of an underage married couple, admitted to marrying off his child due to financial constraints hindering the child's education. Concerned about their child's idleness at home, they chose to arrange a local marriage. However, the marriage was short-lived due to mutual stiffness and frequent domestic disputes. Consequently, the child is now a widow, adding to the burden on the family. Differing from the results of the interview with Razali Ben, stating that the low level of education is also a factor in the occurrence of underage marriages in this village. Meanwhile, the interview results with Zarkasyi, the Tuha Peut of the village, state that sometimes underage marriages occur due to the pure desire of the individuals themselves, as they have been in a relationship and love each other, eventually leading to marriage. However, on average, underage marriages do not last long.

In the interview with Hasanuddin, the Geuchik of the village, it is stated that in addressing issues like this, there is always an emphasis on socializing about the age limits set by the government, as well as consistently encouraging positive activities and promoting teenagers in the village to be active in their community. Furthermore, parental supervision over teenagers should be stricter. This approach focuses more on parental supervision and guiding activities with positive impacts, as those who often experience early marriages are individuals with incomes below average, aside from global issues, beliefs, and others. The initial stage of these relationships often starts on social media. Essentially, social media allows us to stay updated and access activities before any physical contact.

Furthermore, when a daughter reaches the age of 16 or above, men visit their homes on behalf of the parents to accelerate the relationship into a serious one. Some communities believe that if a man proposes to their daughter, the proposal must be accepted without any other reasons. According to their beliefs, if the proposal is declined, the daughter may face difficulties finding a replacement in the future. Some even believe that if by that age no proposals have been made, parents seek help from shamans to assist their daughter in finding a partner. The government is also not stringent in making decisions regarding underage marriages. While there are regulations in place, there are still loopholes that allow underage marriages to take place, despite being below the legal age, as evidenced by their ability to proceed with the marriage.

The fact is that underage marriage is often influenced by local traditions, even though there are regulations governing it. The rooted tradition of underage marriage is connected to the persistent belief in myths about daughters. According to customs, if a family has a daughter who has been proposed to by someone, it is obligatory to accept the proposal. Failure to do so can lead to the daughter remaining unmarried for a long time, as some believe that rejecting a proposal may bring danger to the family. Underage marriage has become a common occurrence among teenagers nowadays due to various reasons for engaging in such marriages. Fundamentally, this issue remains unresolved to this day, with no definitive solution found for Indonesian society. Many argue that early marriage is a solution to preserve the honor of adolescents today, based on the reasoning that early marriage establishes a legitimate relationship and socialization between two individuals.

This is believed to help prevent potential issues considering the current atmosphere of liberal and boundary-less social interactions. The advancement of an increasingly modern era and the growing freedom in contemporary adolescent social interactions have led some teenagers to engage in behavior that goes beyond the teachings of Islam. This includes engaging in marital-like relationships outside of wedlock, particularly among those who are still in school and under the legal age. Such actions have diminished the sanctity of marriage, reducing it to a mere connection used to hide family shame. Marriages at a very young age are considered taboo due to the perceived negative impact, especially on the female party. Despite efforts to address this, instances of underage marriages can still be found, especially in regions with low educational attainment levels (Rifiani, 2011). The practice of underage marriages persists in many communities, such as the prevalence in Peusangan Subdistrict, Bireuen Regency. According to Saifullah, the head of the local Islamic Affairs Office in Peusangan, underage marriages are frequent in that area. It may seem peculiar to witness such marriages, which occur annually with more than one couple, as the local community has normalized marrying at a young age. Remarkably, this tradition in the village stands out not due to premarital pregnancies as seen elsewhere, but rather as an established practice unique to the community.

Community figures in the village also mentioned the necessity of strict parental guidance and supervision over their children, coupled with attention, to prevent undesirable occurrences. This is especially crucial given the high prevalence of early marriage cases that nearly happen each year in villages. The lack of parental supervision and deficiencies in education are common factors. Consequently, children are at risk of being ensnared in undesirable social circles and unforeseen circumstances. Some regions still adhere to superstitious beliefs, where neighbors often intimidate families if a marriage proposal is rejected. This situation causes parental concerns as people worry about societal perceptions if a woman exceeds 20 years of age without being married, leading to discussions about her worthiness. Therefore, the prevailing community norm is that once a daughter is married, all is well a principle upheld by society. Nevertheless, these views are contingent on substandard human resources, as those with higher education do not always adhere to such principles.

Based on interviews with key informants, it is understood that early marriage is considered acceptable due to the persistently low education levels and societal beliefs associating unmarried individuals under 20 years old with undesirable labels such as being "old maids." There is a prevailing belief that remaining unmarried equates to lifelong inadequacy. Consequently, the research interviews with community leaders regarding the issue of early marriage revealed widespread disapproval of such

unions. However, parents profoundly support these marriages and are willing to pay considerable costs, despite the challenges in preventing marriages at a young age. In the field, there are still many communities who enter into underage marriages due to the lack of knowledge among the public regarding existing regulations. Typically, those who seek to marry at a young age are mostly females under the age limit. The underage individuals referred to are those who are below 19 years old and do not meet the minimum age requirement for marriage, as stipulated in Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage, where the legal marriage age for females and males is 19 years old. From a normative standpoint, an underage marriage can be considered legally valid under Islamic law and positive law; according to Islamic law, there is no specific minimum age for marriage. Even though Islamic law states that a person is only bound to perform actions or legal responsibilities once they have reached the age of maturity. In legislations, despite being below the age limit set by the Law, these individuals have obtained marriage dispensation.

Based on observations in the field, it is evident that underage marriages occurring in villages ('*gampong*') can be solemnized at the local Religious Affairs Office (KUA) if the couple holds a marriage dispensation letter. The marriage dispensation letter issued by the Sharia Court serves as a significant and essential consideration for the Peusangan KUA in conducting underage marriages. As explained by Saifullah, an underage marriage at the Peusangan KUA is no different from a regular marriage, except for the requirement of an additional document, namely the marriage dispensation from the Sharia Court. Once the prospective couple obtains this document, the KUA is then authorized to solemnize the marriage. Generally, there are several underlying factors contributing to early marriage in Peusangan District, Bireuen Regency. The research categorizes them into 4 factors, namely education, belief, personal willingness, and premarital pregnancy. The majority of early marriage cases are attributed to belief factor. In this context, belief refers to the community's conviction that if a family has an unmarried daughter aged 19 or older, it is considered taboo in the local society, commonly known as a superstition or taboo belief.

Moreover, the community typically perceives that if an unmarried girl under the age of 19 has a male visitor at her home, the girl's parents will automatically offer her hand in marriage to the man. If the man agrees and they get married, the parents feel proud and successful. Islam does not recognize marriage solely based on belief or tradition; if early marriage is solely due to belief or tradition, it is not permissible in Islam. A marriage is deemed valid in Islam if its conditions and pillars are fulfilled, and it is recognized by the state if accompanied by a marriage dispensation from the Religious Court.

Therefore, it is not appropriate if that reason is used as the basis for early marriage. The meaning of the education factor encompasses adolescent education and parental education. Low levels of education and knowledge among children can lead to a tendency to marry at a young age. Parental education also plays a role in decision-making for their children within a family environment. Planning for the sustainability of underage marriages fundamentally involves parents' levels of knowledge, which are also linked to their level of education. Parents also play a significant role in preventing their children from marrying at a young age. Parents who marry off their children at a young age consider that by doing so, the family's economic burden will be alleviated. This factor is associated with the family's economic status. There is also an assumption that when a daughter is married, her responsibilities are transferred to her husband. Furthermore, parents who marry off their children at a young age also hope that their children will improve their parents' lives after marriage. The factor of personal willingness in early marriage partners refers to a commitment to oneself that greatly influences the desire to marry at a young age. Such early marriages have been planned in advance, with the couple acknowledging the consequences of early marriage. Curiosity drives individuals to experience life after marriage without considering the future impacts of married life. Upholding one's honor and family's honor can be a reason, but the ability to fulfill family responsibilities and adhere to community norms is essential. Marriage can bring life balance, yet the journey afterwards can be immensely challenging. Therefore, one must be physically and mentally strong to navigate through it.

The occurrence of early marriage is due to early pregnancy in Kuta Makmur District; the source does not want to disclose information regarding this issue. Therefore, the researcher proceeds with caution in investigating the matter. Interestingly, a different scenario unfolds when adolescent marriages are preceded by illicit activities, such as engaging in sexual intercourse outside the legal framework of marriage. These marriages are commonly referred to as pregnancies out of wedlock resulting in marriage. Similarly, in the village, there are young adolescents who, due to early pregnancy, enter into marriages without considering the long-term impacts that may arise after starting a family according to traditional societal norms. In such cases, marriage becomes necessary to safeguard the child's status and to shield the family's honor from gossip within the community.

Negative impacts of early marriage include increased divorce rates, and medically, research indicates that women marrying at a young age, engaging in sexual activities before marriage, and subsequently becoming pregnant unprepared often face negative consequences such as cervical cancer. On the positive side, early marriage can help clarify marital status and shield individuals from societal moral judgments. In Peusangan, Bireuen Regency, families in underage marriages currently maintain harmonious relationships within their households. They have successfully built their households without encountering divorce issues and have welcomed children. Looking at early marriages in villages, based on accounts from married couples, no negative impacts have been reported; they claim to lead harmonious lives to this day. In Peusangan Subdistrict, it is found that economic factors, low education, traditional beliefs, and free association are the main causes of early marriage. This aligns with the research conducted by Alfaris and Rosyid (2024), which discovered that early marriage in indigenous communities is caused by internal factors such as values, customs, emotions, and external factors such as culture, economy, religion, education, and technology. Another finding from a systematic review of nine articles indicates that child marriage in Indonesia is influenced by beliefs, limited access to education, culture, environmental factors, and gaps in law enforcement (Determinants of Child Marriage in Indonesia: A Systematic Review, 2024). The community's belief that marrying off young girls can preserve family honor, as well as poverty and economic instability, makes child marriage more socially acceptable.

Trust and myths found in Peusangan, such as the belief that unmarried girls will become old maids or undesirable, are also noted in other studies. Research in Banjarsari Village, Jember, shows that the community holds a positive perception of early marriage influenced by age, gender, education, and deep-rooted religious influences (Community Perceptions of Early Marriage Across Various Religions in Banjarsari Village, 2024). Similarly, a study by Asriani et al. (2025) reveals that traditional gender norms and limited knowledge of reproductive health collectively reinforce the practice of child marriage. These findings are corroborated by a study by Salma and Ramadani (2025) stating that underage marriage occurs due to the prevalent belief among most indigenous or rural communities that marriage is a bond for procreation and parental concerns about their daughters being at risk of becoming spinsters if not married off early.

Public Perception of Early Marriage in the Peusangan District of Bireuen Regency

Marriage at a young age is when an individual has not yet reached maturity or is not yet adult. Generally, early marriages are carried out by young men and women who have not reached the ideal stage to enter into a marriage. They can be considered immature emotionally, financially, and not ready physically and psychologically. The author found several informants from the Office of Religious Affairs and Community Figures in Peusangan. During an interview with Saifullah, it was stated that every year there are cases of underage marriage, and usually the couple applies for dispensation of marriage to the Sharia Court first. The request for age dispensation in marriage gives the right to marry to someone even though they have not reached the minimum age for marriage. The determination of the marriage age by the government is not contrary to Islamic law; in fact, this policy is in line with the goals of Islamic law (*maqasidu al-shari'ah*), in safeguarding the life of the child (*hifzu al-nafs*), continuing the child's education (*hifzu al-aql*), and ensuring the well-being of the offspring (*hifzu al-*

nash). The age limits set are based on the prevailing customs in society with the consideration of promoting the welfare of society. It is permissible for someone to marry outside the established regulations if they are in a state of "necessity" and there are no other options (*ultimum remedium*). In the Marriage Law, a "deviation" can be approved through a request made by the parents of one or both prospective spouses. For adherents of Islam, this falls under the jurisdiction of the Sharia Court. The "necessity" referred to is urgent circumstances or a situation where there are no other options and marrying is deemed necessary due to the already established relationship before the marriage.

These reasons must be genuinely proven and not merely claimed; the Marriage Law makes an effort to accommodate this by requiring sufficient evidence, including a certificate stating the ages of both prospective spouses are below the legal age and a health certificate supporting the parents' statement that the marriage is urgent. Additionally, regarding the parents of the prospective spouses, if previously the judge only heard testimony from the applicant (requesting dispensation), for the Marriage Law, the judge is required to hear testimonies from both prospective spouses, which are the applicant and statements from the prospective in-laws. In general, many members of society do not fully support early-age marriages, especially when there is no urgent need or compelling reason for such marriages to take place. Marriage is not merely about legitimizing relationships with non-mahram individuals or avoiding unwanted behaviors like adultery. It is also a profound religious practice that requires extensive time and learning. However, with the increasing societal freedom and environmental influences, some parents seek permission from the Sharia Court to marry off their underage children to prevent adultery, without necessarily considering the potential legal consequences. Marrying before the designated age might not be as blissful as being a young bride or groom on the wedding day.

According to Walidin, the *Geuchik*, refusing to proceed with early-age marriages is justified due to various factors that need to be carefully considered, unless the situation necessitates marriage due to prior actions or pregnancy. The unborn child deserves protection and acknowledgement, as they should not bear the consequences of their parents' actions. Research indicates a rising trend in early-age marriages in Peusangan, Bireuen Regency. However, during interviews with Saifullah, it was revealed that marriages at a young age occur annually. Upon reporting to the Office of Religious Affairs, individuals were advised that conducting marriages below the legal age is not permissible as it contradicts the established governmental regulations. During the interview with Hasanuddin, the village head, he expressed his disagreement with underage marriage. He stated that emotionally, they are not prepared, as the phenomenon of students marrying while still in school often results in the interruption of their education due to underage marriage. This is caused by the immaturity in the way young couples think when facing marital issues, especially financial ones. Such immaturity is the primary trigger for conflicts that ultimately lead to divorce.

According to Tgk. M. Jamil, the community leader, he mentioned that based on his religious understanding, underage marriage is permissible, but it is not allowed according to state law. On the other hand, Tgk. Walidin advised against underage marriage, suggesting that it is better to wait until both parties are more mature. Marriages at a young age often result in divorce, although they may be permissible in religious guidelines but not in accordance with national laws. Tgk. Ismail shared a similar sentiment, stating that while it may be acceptable to marry at a young age, it should be avoided to prevent unforeseen consequences. Marriage can only be conducted upon obtaining a dispensation from the Sharia Court, which must be requested by both the parents of the groom or the bride. However, parties may disregard directives from the Office of Religious Affairs and proceed with the marriage without formal registration. They believe that seeking dispensation through the court would entail a cumbersome process, preferring instead to marry solely through religious rites without registration. Those who marry through religious ceremonies view the current process as streamlined for obtaining birth certificates for children. This is facilitated by the existence of the Absolute Responsibility Statement (SPTJM), which is a declaration confirming the accuracy of the birth data

made by the individual, their guardian, or applicant, under full responsibility and recognized by two witnesses.

Likewise, confirming the authenticity of a marital relationship, indicated in the Family Card (Kartu Keluarga) as a married couple and in the SPTJM. This statement is made by the biological parents or applicant, and even a guardian, taking full responsibility for verifying someone's marital status and acknowledged by two witnesses. Therefore, individuals marrying religiously and bypassing marriage registration with the presence of the SPTJM, for which the applicant holds full responsibility, can simplify citizens' processes for birth certificates, providing legal protection. According to Khairuddin, an official of the Office of Religious Affairs in Peusangan Subdistrict, the purpose of determining the minimum age for marriage is to reduce divorce rates resulting from immaturity in understanding the rights and obligations as husband and wife. Furthermore, early marriages also have implications for population issues, as divorces are predominantly associated with marriages at a young age. Child marriage refers to a marriage conducted by individuals who are below the legal age for marriage and are often not ready for marriage, leading to negative consequences when they enter marital life. However, a significant issue arises as many individuals marry off minors below the age stipulated by the Marriage Law, raising concerns that those marrying before the legal age may not fully comprehend the purpose of marriage. In Islam, marriage aims to fulfill both the physical and spiritual needs of individuals, establish families, maintain lineage, prevent adultery to ensure peace and tranquility for the individuals involved, harmony within families, and in society.

The Qur'an provides guidance to married couples on fostering tranquility, love, and mercy in their household. This is achieved through fulfilling their respective obligations as husband and wife. The husband's obligations towards his wife include providing a marriage dowry, reasonable financial support according to his means, clothing and shelter, treating his wife kindly, protecting her from sin, and offering love and affection. Similarly, the wife is obligated to obey her husband, reside where her husband chooses, fulfill her husband's biological needs unless there are Shariah obstacles, safeguard herself in her husband's absence, and not go out without his permission. As proposed by M. Jamil Tengku Imum, early marriage occurs as a means to conceal the shame brought about by a child's premarital pregnancy. Parents opt to marry off their underage children for the well-being of the child. In today's era, romantic relationships have become a trend among teenagers, leading to out-of-wedlock pregnancies. Marrying off a child at a young age is deemed preferable to bearing the disgrace of their actions. Imum asserts that marrying early is better than remaining single, despite not being emotionally or physically prepared for marriage.

This sentiment mirrors that of Ismail, known as Tuha Peut, who believes that marrying young is beneficial. He argues that unmarried individuals may interact and socialize freely with strangers, possibly through social media introductions, leading to risky behavior. However, once married, a child's conduct significantly improves. Ismail Jamil asserts that underage marriage refers to marriages conducted by children who do not understand the legal implications that may arise from marriage. This lack of understanding could lead to negative consequences when a child enters into a marital relationship. Issues such as frequent arguments, difficulties in adapting to a mother-in-law, inability to integrate into the family and society, incapacity to work independently, and continued reliance on parental support may arise. Similarly, Mahmuddin, the village head of Lhok Jok, states that while early marriage is permitted by Islamic law, it does not mean it is universally permissible for all women in all circumstances. Some women may be in situations where marrying at a young age is inadvisable. Specific guidelines should be observed in early marriages to prevent negative outcomes that are often associated with such unions in society. The prevailing notion that early marriages are unfavorable stems from inadequate explanation regarding the minimum age limit for marriage. According to Mahmuddin, if an individual feels ready to get married or be married, they may proceed with the marriage regardless of the age restrictions set by the Marriage Law. Fakhrizal, as the elder of Lapan, affirms that marrying at a young age involves individuals who are not yet adults. He emphasizes the

importance of disseminating information on the age restrictions for marriage as outlined in the Marriage Law.

This information is typically communicated to specific parties, such as village heads or community leaders during meetings. The standard set is that marriage can only occur when the intending parties are at least 19 years old, whether male or female. Once communicated, the village head or community leaders instruct the residents that marriage should only take place when the designated age requirement is met. According to Muhammad Yusuf, as a parent who married off his child at a young age, he believes that getting married when one is capable and when suitors have come is a measure to prevent undesirable incidents. Hence, it is better to proceed with the marriage promptly. Marriages conducted at a young age carry both negative and positive impacts. The negative consequences arise from a lack of preparation before marriage, leading to an inability to handle household issues, potentially resulting in divorce and early widowhood or widowerhood. On the other hand, the positive impact of marrying young is that it can prevent adultery. It may be considered a better choice to marry young rather than remaining single but unable to resist engaging in prohibited actions or committing sins, regardless of their magnitude.

Similar sentiments are expressed by Mustafa Kamal, a civil servant in the local community, who highlights that early marriage, or marriages that do not meet the established age criteria commonly known as underage marriage often lead individuals to underestimate the post-marriage effects and consequences. Those who enter such marriages tend to trivialize the issues and challenges that may arise within their future household. According to Muhammad Nasir, as a parent of the underage marriage couple in Meureubo village, he stated that he entered into the underage marriage without understanding the legal age limits for marriage, even though he was unfamiliar with the provisions of Law No. 1 of 1974 concerning Marriage. Nevertheless, he went through with the marriage out of necessity due to economic constraints that forced him to work to support his family financially. He believes that marrying at a young age is a commendable act as it helps avoid inappropriate behaviors like dating. Engaging in romantic relationships is considered unfavorable because many young people, especially girls, struggle to restrain themselves from engaging in socially unacceptable behaviors, resulting in high rates of unwed pregnancies.

Early marriages often occur in families living in poverty, where daughters are married off to individuals deemed capable in order to alleviate the financial burden on their parents. Addressing the family's economic concerns, parents see a potential son-in-law coming to propose marriage as an opportunity for their daughter to become independent and no longer rely on them, as she would have a husband ready to provide for her. This scenario unfolds even if the daughter has not yet reached physical or mental maturity. The divided views of the community in Peusangan on early marriage, between allowing it to prevent immorality and rejecting it due to various negative impacts, align with findings from various studies. Deputy Minister of Women's Empowerment and Child Protection, Veronica Tan, emphasizes that marrying too young makes couples mentally unprepared and irresponsible, resulting in a decrease in the quality of child-rearing. Families formed through early marriage are vulnerable to various social issues, including violence (Early Marriage as the Root of Women's and Children's Issues, 2025). Dra. Fransisca Mudjijanti, M.M from Widya Mandala University Surabaya, also points out that early marriage leads to the deprivation of children's rights, such as the right to education and protection from exploitation. Girls aged 10 to 14 are five times more likely to die in cases of pregnancy and childbirth (Changing the Mindset on Early Marriage, 2025).

The feared impacts of early marriage in Peusangan, such as divorce, dropping out of school, and mental unpreparedness, are also found in the study by Alfaris and Rosyid (2024). They note that the consequences of early marriage include physical deterioration, disrupted education, health issues, selfishness of one partner, and a risk of undermining marital happiness. Asriani et al. (2025) emphasize that economic pressures and weak collective policy enforcement reinforce child marriage practices. This is reflected in findings in Peusangan where economic reasons are one of the factors parents marry off their children, even though the marriage could potentially add a new economic burden.

Islamic Legal Perspectives on Underage Marriage in Peusangan District, Bireuen Regency

Islamic law aims to create social welfare for humanity, both in the present and the future. Islamic law is broad, flexible, humanistic, and always merciful to all individuals in this world. Central to this discussion are the verses of the Qur'an and the sayings of the Prophet that delve into the issue of marriage. Essentially, every action of a mature Muslim is bound by Sharia law, as expressed in the principle of Sharia law that the foundation of actions is based on the commands of Sharia law. Initially, marriage in Islamic law is considered a recommended practice (sunnah), in line with Surah An-Nisa verse 3 of the Qur'an. According to the Shafi'i school of thought, marriage under the legal age is permissible, and a father may even marry off his young child without the child's prior consent. However, contemporary scholars and other jurists hold differing opinions on this matter. Hanafi scholars believe that marriages of underage children arranged by parties other than the father or grandfather depend on the child's choice upon reaching adulthood (khiyar al-bulugh). In the Compilation of Islamic Law (KHI) Article 15 paragraphs (1) and (2), it is stipulated that for the welfare of the family and household, marriage is only permissible for prospective spouses who have reached the ages specified in Article 7 of Law No. 1 of 1974, which mandates that the prospective husband must be at least 19 years old and the prospective wife must be at least 16 years old. Furthermore, for prospective spouses under the age of 21, parental consent is required. From the description above, it is clear that in Islam there is no specific age limit for marriage. Islamic law does not establish a definite age limit for marriage, but what is most important in Islam is that both prospective spouses are considered mature and capable of responsibility (adult and sane). Nevertheless, scholars emphasize the importance of the readiness and capability of the couple in terms of physical, mental, social, and financial aspects. For instance, when Umar bin al-Khattab once granted a one-year deferment to a man (husband) who was impotent to seek medical treatment. This illustrates that readiness in terms of "physical" aspect deserves serious attention.

Although early marriage is said to be permissible according to Islamic law, it does not mean that it is universally allowed for all women in all circumstances. For some women, there are conditions indicating that it is better for them not to marry at a young age. There are specific provisions to consider in an early marriage to avoid negative effects, as highlighted by many who predominantly view early marriage in a negative light. Firstly, a woman must be physically ready, as many women might have reached puberty but are not prepared for marriage due to physical weaknesses or illnesses that prevent them from being in optimal physical condition to fulfill their duties as a wife. Secondly, she should be mentally mature and educated enough to take on responsibilities. This does not imply that she must have a perfect understanding of married life when interacting with her husband, caring for children, and other related tasks. Both of these points deserve more attention based on a hadith of the Prophet, where he did not command all young men to marry except for those deemed to have *al-ba'ah*, the ability to provide sustenance.

Thirdly, in marriages involving very young women, it is preferable if she and her prospective husband are not too far apart in age, unless there are justifiable reasons. Imam An-Nasa'i has narrated in his *Sunan*, as well as Ibn Hibban in his *Sahih*, and Al-Hakim in his *Al-Mustadrak*, and deemed the narrations authentic based on the criteria set by Bukhari and Muslim which were agreed upon by Adh-Dhahabi from Buraidah. They mentioned that Abu Bakr and Umar proposed to Fatimah, but the Prophet Muhammad then married Fatimah to Ali. The conclusion drawn from the hadith is that the age of potential husband needs to be considered, preferably not far from the woman's age. The closeness in age is expected to foster harmony between husband and wife, and help maintain their marriage. Regarding the marriage of the Prophet Muhammad (peace be upon him) with Aisha, there are several hadiths indicating that the marriage was based on a dream, and the dreams of prophets are true. Therefore, it is a decree from Allah specific to the Prophet Muhammad (peace be upon him) and is not necessarily to be followed as the Sunnah of the Prophet, similar to the Prophet having more than four wives, which should not be directly implemented by his followers under the pretext of following his Sunnah. This is a particularity for the Prophet that does not apply to his followers in general.

The marriage of Prophet Muhammad with Aisha based on this dream is narrated in a hadith from Aisha recorded by Imam Muslim, in which the Prophet Muhammad (peace be upon him) said: "You were shown to me in a dream for three nights. An angel brought you on a silk cloth. The angel said, 'This is your wife.' I then uncovered your face, and it was you. I said, 'If this is from Allah, then He will bring it to pass.'" This blessed marriage brought about great goodness, as Aisha – by His will – became one of the Mothers of the Believers capable of mastering thousands of Hadiths and being the life reference. So many lessons that can be explored from the wisdom of enacting a law whether it is permissible, recommended, obligatory, disliked, or forbidden. Upon closer scrutiny, it is evident that early marriage can have positive impacts on well-being if carried out without any elements of coercion, be it due to parental consent or forced marriage because of premarital pregnancy. Some of the positive effects resulting from early marriage are: First, minimizing the occurrence of indecent acts and deviant behavior among young people. Second, if the age gap between parents and children is close, when the child requires financial support for education costs, it is hoped that the parents are healthy and able to fulfill this obligation (Carell, in Azhari, 2024). Third, while unmarried, young people are constantly plagued by disturbing thoughts. Seeking gratification of desires becomes the primary goal, especially when they are engrossed in courting the opposite sex. Therefore, to avoid negative consequences, the decision to enter into an early marriage can be justified. Fourth, having a high likelihood of pregnancy. The likelihood of pregnancy for women who marry at a young age is higher compared to marriages at a "very mature" age. Fifth, increasing the population of the Muslim community.

Due to their considerably long productive span, they can produce a much larger offspring. It is hoped that not only will the population increase quantitatively, but also that there will be a greater quantity and quality of prospective successors for the next generation. Sixth, alleviating the burden of parents who are too impoverished and channeling the husband's desires in a Sharia-compliant manner. Seventh, fostering independence for a married couple to bear their responsibilities without becoming dependent on others. In addition to the positive impacts of early marriage outlined above, the negative effects of delaying marriage will also be discussed, including: women at high risk of pregnancy complications for those whose first pregnancy occurs at a certain age due to continually postponing marriage, which can endanger both the pregnant mother and the fetus; leading to reluctance or weakening of young people's spirits to marry, resulting in the phenomenon of living single becoming a choice or lifestyle; as the age of marriage delays, the enthusiasm for marriage decreases, a trend observed in many Western countries, leading to many women giving birth out of wedlock; the percentage of breast and cervical cancer is lower for women who have been pregnant at a young age compared to those who have pregnancies at a very mature age; the likelihood of ectopic pregnancies is higher for women of an advanced age compared to those aged between 15-24; American scientists state that the number of abortion cases among women over 35 is 3 to 4 times higher compared to those pregnant below that age; the risks of cesarean section, premature birth, physical disabilities, and fetal death in the womb increase as the mother's age during pregnancy increases.

Islamic legal perspectives on early marriage in Peusangan Subdistrict affirm that underage marriage is initially permissible under Islamic law but not unconditionally, in line with the studies of Zainal Abidin and Mat Jubri Shamsuddin (2025) who found that early marriage can align with Maqasid al-Shariah when adhering to Islamic principles and prioritizing individual well-being, yet necessitates careful consideration of psychological readiness, social support, and economic stability to maintain the long-term welfare and happiness of all involved parties. This research emphasizes the importance of a holistic understanding of Maqasid al-Shariah in evaluating the practice of early marriage. Salma and Ramadani (2025) affirm in their study that there is a discrepancy regarding the minimum age for marriage according to Islamic law and Indonesian positive law. Islamic law does not definitively specify the minimum age for marriage, while national law stipulates the minimum age for marriage at 19 years old for both men and women. This disparity gives rise to legal pluralism; however, Islamic law and national law complement each other and are not contradictory. Islam fundamentally discourages underage marriage due to its numerous impacts and consequences.

The viewpoint of Hanafi scholars granting the right of *khiyar al-bulugh* (the option upon reaching maturity) for underage marriages conducted by someone other than the father and grandfather demonstrates that Islam protects the child's right to make choices when they reach adulthood. This aligns with findings in Peusangan, where some community figures like Mahmuddin state that although early marriage is initially permissible in Islamic law, it does not mean it is universally allowed for all females in all circumstances, as there are certain conditions indicating that it is better for them not to marry at a young age.

4. CONCLUSION

This study concludes that early marriage practices in Peusangan Subdistrict, Bireuen Regency are influenced by several main factors, namely economic factors, low education levels, family factors, individual willingness of the child, social media influence, and free association, leading to various repercussions such as suboptimal rights and obligations of spouses, interrupted education, the birth of children in unprepared parental conditions, poverty, and domestic violence. The community's perspective in Peusangan on early marriage is divided between allowing it to avoid immoral acts or unwanted circumstances, and rejecting it as it is perceived to bring more harm to marital life. Meanwhile, from an Islamic legal perspective, although underage marriage is originally permissible according to Islamic law, it does not mean it is universally allowed for all women in all circumstances, due to several provisions that need to be considered to avoid negative effects, contrary to the prevailing view that early marriage always carries negative connotations.

The outcomes of this research can be implemented through strengthening the roles of the Office of Religious Affairs and Sharia Courts in socializing the marriage age limits in accordance with Law Number 16 of 2019, and tightening the granting of marriage dispensations by considering the physical, mental, and economic readiness of prospective spouses more comprehensively. Local governments, together with community leaders and village officials, need to enhance education and outreach programs on the negative impacts of early marriage and the importance of continuing education, while simultaneously changing the cultural paradigms and societal beliefs that view young-age marriages as acceptable. Parents also need to be educated on the importance of monitoring their children's interactions and providing guidance on social media use. Additionally, family economic empowerment programs are necessary to address poverty, a significant factor contributing to early marriages in the region.

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