

Factors Affecting Marriage below the Age in Indonesia

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Abstract

Marriage is a bond that gives birth to the family as one element in the life of society and the state, which is governed by the rule of law, both Islamic law and positive law (state). In the Marriage Law it has been stipulated regarding the age limit for marriage (material requirements), one of which is the provisions regarding the minimum age limit contained in Article 7 paragraph (1) of Law Number 1 of 1974 concerning Marriage. In reality many marriages occur under the provisions of the marriage law, this has long been the case with so many actors, not only in big cities but not in remote areas. It is therefore interesting to analyze the legal study of underage marriages according to Law Number 1 of 1974 and the factors and impacts related to underage marriages. This research method is analytical descriptive and the approach method used is normative juridical. The technique of data collection through document study, as well as the analytical method is carried out in a normative qualitative manner. Based on the results of the analysis, that underage marriages according to Law Number 1 of 1974 have basically been regulated in Article 7 paragraph (1) of Law Number 1 of 1974 which states that "Marriage is only permitted if the male party reaches the age of 19 years and the woman has reached the age of 16 years. " However, deviations from the age limit can occur when there is a dispensation given by a court or other official appointed by both male and female parents as stipulated in Article 7 paragraph (2) of Law Number 1 of 1974. Factors of marriage underage, namely economic problems, low education, cultural understanding and certain religious values, so that underage marriages will have an impact on the law, education, psychology, biology, health and social affairs.

Keywords: *Marriage, Under the age.*

INTRODUCTION

Every human being born in general would want to have a life partner to be able to have a relationship and to get offspring, in this case the marriage takes place. Based on Pancasila, the first principle of Godhead, it means that marriage does not just happen according to the wishes of the parties but the gift of God to humans as civilized beings. then marriage has a very close relationship with religion / spirituality, so that marriage not only has an element of birth / body, but the mental / spiritual element also has a very important role in forming a happy family meeting relations with offspring, which is also the purpose of marriage, nurturing and education becomes the rights and obligations of parents.

Marriage is a bond that gives birth to the family as one element in the life of society and the state, which is governed by the rule of law, both Islamic law and positive

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law (state). Before the birth of the marriage law regarding marital procedures for Indonesians, it was generally regulated according to their respective religious and customary laws. and after the entry into force of the country's Law governing marital matters is Law Number 1 of 1974 concerning Marriage. but to form a marriage in the law of marriage law has set conditions such as regarding the age limit for marriage (material requirements) one of them is the provisions regarding the minimum age limit contained in Article 7 paragraph (1) of the Law Number 1 of 1974 which says that "Marriage is only permitted if the man has reached the age of 19 years and the woman has reached the age of 16 years".

This limit is intended to maintain the health of husband and wife and offspring. From this age limit, it can be interpreted that Law Number 1 of 1974 does not require the implementation of underage marriages that have been determined by Law Number 1 of 1974.

Underage marriage is not something new in Indonesia. This practice has long happened with so many perpetrators. Not in a big city, not in the interior. The reasons vary, due to economic problems, lack of education, cultural understanding and certain religious values, and so on.

However, in reality underage marriages in the past up to the present time there is still a lot happening. However, in the case of underage marriages, the Law No. 1/1974 still provides the possibility of irregularities.

This is regulated in Article 7 paragraph (2) of Law Number 1 of 1974, namely the existence of a dispensation from the Court for those who have not reached the minimum age limit. And this is given to avoid things that are not desirable in children such as adultery and others.

The law regulating the minimum age of a child to marry for a woman is 16 (sixteen) years, while for men is 19 (nineteen) years. As for the rules in BW article 29, it differs only in one year, women are 15 (fifteen) years, while men are 18 (eighteen) years.

Based on medical considerations, there are times when marriages are not yet good for children's health, both in terms of physical or mental aspects of children who are married off early, so that failure often occurs in fostering their households. Obviously this event will more or less harm the superior growth in education. Education that should have been initiated, foundered in the middle of the road because of marital demands that prevented children from focusing on their learning.¹

Did not rule out a group of people asking for a minimum limit for marriage to be changed because they do not fit with the demands of modern times. Because it is very out of sync with the world of education, especially in women to marry 16 (sixteen) years. Few of the people complain about this minimum limit because it is not very suitable with the current conditions.

The provisions of Article 7 paragraph (1) of the Marriage Law resulted in many cases of forced child marriages, threatened the reproductive health of girls, threatened children's rights to education and discriminated against the fulfillment of rights between boys and girls.

Based on the results of the study, births that occur in women aged children or have not reached the age of 18 years are at risk of experiencing physical or psychological pain, disability and death, while in the mother will be at risk of experiencing malnutrition, depression to death. This threatens the right of everyone, especially women and children

¹Moch. Isnaeni, *Hukum Perkawinan Indonesia*, (Bandung: Refika Aditama, 2016), Page,53.

to live and has the right to defend their lives and lives as well as the right to survival, growth and development.²

Concerning the issue of underage marriage often occurs as an example experienced by a child named ulfah who was married by a man named Syeh Puji. Syeh Puji and Ulfa's marriage opened a space of controversy that underage marriage was apparently addressed differently by customary law, Islamic law, as well as national and international law.³

On the other hand the same thing happened with a marriage between Selamat who was only 16 years old and a grandmother named Rohaya who was 71 years old. This fact breeds, at a minimum, two legal issues. First, the harmonization of law between one legal system with another legal system. Second, the challenges to marital law legislation in Indonesia are related to underage marriages.

Islamic law does not set the age limit for a person to perform a marriage. Even Islamic law allows the marriage of children to be practiced when the child is young, such as the classical scholars (salaf) such as the priest, syafi 'i, Hambali and Hanafi they do not require mumayyiz (maturity of the prospective bride). the development of the level of human thought or maturity for the bride.⁴ For them, being honest and baliq is enough because, the Prophet himself married Aisha at a young age.

In contrast to the case that is getting enough attention from the community. Therefore, if it is dealt with in terms of positive law in Indonesia, this actually violates children's rights. Violate children's rights to grow and develop, socialize, learn, enjoy their children's lives. This is not appropriate because psychologically it's time to play.

As expressed by the Chairperson of the Palembang City Indonesian Child Protection Commission Romi Arfriansyah, the marriage of a 16-year-old teenager survived riyadi with an unusual Rohaya grandmother.

If viewed from a positive legal perspective, marriages performed by these two couples are really very unusual and many disadvantages for those who are young, and in terms of law can violate Law No. 35 of 2014 mentioning the role of parents to prevent marriages under age in this case is against the child protection law.

Based on the description above, it is interesting to study about:

1. What is the legal study of underage marriages according to Law Number 1 of 1974?
2. What are the factors and impacts related to underage marriages?

RESEARCH METHODS

The problem of this research which is at the same time an important object of research is described, considering its actuality has a significant correlation with the phenomena that occur at the present time. The specifications which are at the same time the nature of this research are descriptive. According to Moh. Nazir, the descriptive method is:

“A method of examining the status of a group of people, that is an object, a set of conditions, a system of thought, or a class of events in the present. While the purpose of

²Sonny Dewi Judiasih, *Perkawinan Bawah Umur di Indonesia* (Bandung: PT Refika Aditama, 2018), Page. 22.

³Mohammad (Fakultas Hukum Universitas Madura) Suara Merdeka, *Fakta Terbaru Syekh Puji dan Lutfiana Ulfa*, 30 October 2008

⁴Lutfil Hakim, Skripsi, Universitas Islam Negeri Sunan Kalijaga Yogyakarta 2010, dalam Syeh Hasan Ayyub. *Fikih Keluarga*, Jakarta Pustaka, Al- Kautsar, 2006, page 136

this descriptive study is to make a description, picture or painting in a systematic, factual and accurate manner about the facts, properties, and relationships between the phenomena investigated”⁵

This type of research is normative and philosophical juridical, therefore the type of data used is secondary data obtained from the literature, so that the type of data is also sourced from library materials, in the form of primary, secondary and tertiary legal materials. In the context of solving research problems the legislative approach method is used. The aforementioned legislation as already mentioned in the secondary data type of primary legal material.

In this research, the method of data collection is carried out with literature study, because the research is normative legal research or library law research, that is, research is conducted by examining library materials.⁶

The data analysis method used is qualitative, meaning that the data obtained that leads to a theoretical study in the form of principles, conceptions, legislation, legal doctrines and the content of the rule of law is first described systematically, then an analysis is carried out qualitatively.

DISCUSSION

1. Legal Review of Underage Marriage According to Law Number 1 of 1974

Marriage is an inner and outer bond between a man and a woman who gives birth to a family as one element in community and state life, which is governed by the rule of law, both Islamic law and positive law (state).

Legal arrangements regarding marriages have the same effect on all citizens therefore, every citizen must comply with applicable laws, including marriage laws which are the basis for creating legal certainty, both in terms of family law, property, material and legal consequences. marriage.”⁷

Marriage is an inner and spiritual bond between a man and a woman as husband and wife with the aim of forming an eternal home based on the Godhead. "An inner and outer bond is a bond that can be seen ".

“In civil law the element of age has an important role because it is associated with skills in acting and the birth of certain rights”.⁸

Islamic law, in this case the Qur'an and the hadith do not specify specifically the minimum age for marriage. General requirements that are commonly known are baligh, common sense, able to distinguish good from bad so that they can give their consent to get married.

In the Qur'an, it does not specifically address the age of marriage as only specifying by signs and cues, so that it is submitted to the fiqh realm and to Muslims to determine the appropriate age limit in accordance with the terms and signs that have been determined, and adjusted to the place where the law will be enacted.⁹

⁵Moh. Nazir, *Metode Penelitian* (Jakarta: Ghalia Indonesia, 2003), page 54.

⁶Soerjono Soekanto dan Sri Mamudji, *Penelitian Hukum Normatif Suatu Pengantar* (Jakarta: Raja Grafindo Persada, 2001), page.14.

⁷K. Wajik Saleh, *Hukum Perkawinan Indonesia*, (Jakarta: Ghalia Indonesia, Jakarta, 1982), Page 3

⁸J. Satrio, *Hukum Kepribadian Bagian I Persoon Almah cet 2*, (Jakarta: Grasindo, 1998), page 12

⁹Kamal Muchtar, *Asas-asas Hukum Islam tentang Perkawinan*, (Jakarta: Bulan Bintang, 1974), page 44.

Likewise, in customary law there is no age limit for marriage, but usually the maturity of a person in customary law is measured by signs of body parts, if a girl is menstruating (coming months), the breasts are protruding, meaning they are already mature. For men the size can be seen from the change in voice, body posture and semen or already have sexual appetite.¹⁰

Since the enactment of the state law governing marital matters is Law No. 1 of 1974 concerning Marriage. To be able to realize the purpose of marriage, one of the conditions is that the parties to the marriage have matured body and soul.

Therefore in Law No. 1/1974 the minimum age limit for marriage is determined. Provisions regarding the minimum age limit are contained in Chapter II Article 7 paragraph (1) of Law Number 1 of 1974 which states that "Marriage is only permitted if the male has reached the age of 19 years and the woman has reached the age of 16". From this age limit, it can be interpreted that Law Number 1 of 1974 does not require the implementation of underage marriages.

Even though the Law regulates the age limit of marriage, in practice there is still underage marriage. Underage marriages may be done with certain conditions, namely when notified to the KUA by attaching a marriage dispensation. So that marriage is not only legal according to religion but also legal according to the State.¹¹

If there is a marriage carried out by minors in this case the government has provided a policy in setting the minimum age of marriage is certainly through a process and various considerations or commonly referred to as dispensation.

This is intended so that both parties are really ready and mature in terms of physical, psychological and mental to make a marriage, because it reminds marriages that are carried out so that later can be built eternal eternally based on the Godhead of the Almighty until life separates the two and to support the program population.¹²

But deviations from the age limit can occur when there is a dispensation given by the court or another official appointed by both male and female parents. "In accordance with the sound Article 7 paragraph (2). In the case of deviations from paragraph (1) of this article may request dispensation from the Court or other Officer appointed by both male and female parents."

Basically, Article 7 paragraph (2) of the Marriage Law encourages wider child marriages, especially by using the phrase deviation without any more rigid explanation of the deviation. The argument against the provisions of Article 7 paragraph (1) of the Marriage Law has been well explained, for this reason it is necessary to tighten the provisions of Article 7 paragraph (2) especially the tightening of the phrase deviation and the elimination of the phrases of other officials.

In addition this tightening provision is held to maintain the health of husband and wife and offspring, and therefore it is deemed necessary to explain the age limit for marriage

¹⁰Hilman Hadikusumah, *Hukum Perkawinan Indonesia Menurut Perundangan, Hukum Adat dan Hukum Agama*, (Bandung: Mandar Maju, 1990), page 53.

¹¹Try Sa'adurrahman HM. Kafrawi, Kurniati, Nur Taufiq Sanusi, *Tinjauan Hukum Islam Dan Hukum Nasional Terhadap Pemberian Dispensasi Nikah Pada Pengadilan Agama Maros*, Jurnal Diskursus Islam Volume 06 No. 2, August 2018.

¹²Zulfiani, *Kajian Hukum Terhadap Perkawinan Anak Di Bawah Umur Menurut Undang-Undang Nomor 1 Tahun 1974*, Jurnal Hukum Samudra Keadilan, Volume 12, Nomor 2, Juli-December 2017, page 7.

in the Marriage Law.¹³ One of the principles or principles of marriage that can thus prevent the marriage of minors.¹⁴

The Compilation of Islamic Law (KHI), which was disseminated through Presidential Instruction Number 1 of 1991 contains more or less the same thing. Article 15 KHI states that the marriage age limit is the same as Article 7 of Law no. 1 of 1974, but with additional reasons: for the benefit of family and household.

In this case, it can be seen the sound of the article relating to Article 15 paragraph (1) "For the benefit of the family and household, marriage can only be done by the bride and groom who has reached the age specified in Article 7 of Law Number 1 of 1974, namely the prospective husband at least - at least 19 years old and prospective wife at least 16 years old. While the sound of paragraph (2) For prospective brides who have not reached the age of 21 years must obtain permission as regulated in Article 6 paragraph (2) of Law Number 1 of 1974, parental consent is reasonable because those who are not 21 years old are considered to be immature according to law.

Today the provisions governing the granting of dispensation to marriages that take effect since the ratification of the Marriage Law in full are regulated in Minister of Religion Regulation Number 3 of 1975 Obligations of Marriage Registration Employees and Work Procedures of the Religious Courts in Implementing Marriage Legislation for who are Muslim

While for the judge's sole discretion Article 6 paragraph (2) of Law Number 1 of 1974 has provided an arrangement by stating as follows:

” To get married a person who has not reached the age of 21 (twenty one) years must obtain permission from both parents”.

Thus the court will issue a marriage license that has not reached adulthood through the legal process established by the court. In the context of children's rights, it is very clearly stated in Article 26 paragraph (1) point c of Law Number 23 Year 2002 concerning Child Protection which states that parents have the obligation and responsibility to prevent marriages at the age of children, and follow up on changes to the Act Law Number 23 of 2002, namely Law Number 35 of 2014 concerning Child Protection, in which the role of parents can also prevent the marriage of minors.

However, underage marriages can be prevented and canceled. According to Article 60 KHI states that marriage prevention can be carried out if the prospective husband or prospective wife does not meet the requirements to carry out the marriage according to Islamic law and legislation.

As for who can prevent marriage are families in a straight line up and down, siblings, marriage guardians, guardian guardians of a prospective bride, husband or wife who are still bound in marriage with one prospective wife or prospective husband, and officials appointed to oversee marriages (Articles 62, 63 and 64 KHI)

In addition, the judge is also a law enforcer, every application of the law or legal decision made by the judge must be in line with the legal objectives to be achieved by the shari'ah. If the application of a formula will contradict the results with human benefit, then the application of the law must be deferred. For the benefit of the benefit which is the main objective of the application of the laws, legal exceptions need to be applied.

¹³CST. Kansil, *Pengertian Ilmu Hukum dan Tata Hukum Indonesia*, (Jakarta : Balai Pustaka, 1989), page. 230

¹⁴Sudarsono, *Hukum Perkawinan Nasional, cet. III* , (Jakarta : Rineka Cipta, 2005), page.

2. Factors and Impacts Related to Underage Marriage

a. Factors

Underage marriages have long been carried out by people in Indonesia, especially in rural communities which are categorized as not yet advanced in their level of education, economy or because of the traditions of the local community. Although the age limit for marriage has been determined that men are at least 19 years old and women aged 16 years, indeed in religious teachings there are instructions for everyone to get married but that does not mean teaching underage marriage or marriage at a young age.¹⁵

Along with the development of underage marriages increasingly prevalent and these events are caused by various factors appearing in the community both in rural and urban communities, although the law has prohibited the implementation of underage marriages, but the dispensation of marriages is still given to child by a court institution filed by the child's parent.

Factors for underage marriages are caused by two factors:

1) Internal factors (Desire of self)

Factors affecting young marriages can come from internal, namely factors that originate from within the individual. The desire of children who choose to marry of their own desires because they have been mentally ready in the face of married life. This couple married because of feelings of mutual love and already felt fit. This condition ultimately makes the decision to get married at a young age without thinking about what problems will be faced in the future.

In addition, the child marries at a young age due to the child's self-concept. They assume that after marriage at a young age does not make them feel inferior or insecure either in the community or their relationships. Only a few of the children limit their relationships after marriage because they already have the responsibility to take care of the household.

Another factor that encourages children to marry at a young age comes from the wishes of parents. Parents who have the highest position compared to others must be respected, obeyed, and obeyed. Parents want their children to get married immediately because of the fear from within the parents if the child someday does something that embarrasses the good name of the parents. In addition, there are also those who marry their children to be helped in terms of work. Support from parents who influence marriages at a young age where parents are concerned about being exposed to disgrace because their daughters are dating men who are so sticky that they marry off their children.

2) External factors

Based on observations in the community also revealed external factors that cause children to marry at a young age such as those caused by:

- a) Economic factors, the lack of economy causes parents to marry off their children at a young age, rather than sending their children to a higher level. Parents who have many children are more likely to experience financial difficulties when compared to those who have fewer children. And these young marriages often occur in people who live in villages. Usually children come from underprivileged families. This will certainly affect both children and their parents. The child can get a decent life and the burden on his parents can be reduced.

¹⁵Budi Prasetyo, *Perspektif Undang-Undang Perkawinan Terhadap Perkawinan Di Bawah Umur*, Jurnal Ilmiah UNTAG Semarang, 2017, page 2.

- b) pregnancy factors out of wedlock, social factors, i.e. many children who get pregnant out of wedlock and are caused by the association of free culture that they get through internet features so that makes them want to try it. The influence of the internet which often includes pornographic sites or displays pornography. They only favor the desire to emulate what is seen without filtering. pregnancy factors outside marriage are commonly referred to as unwanted pregnancy. Unwanted pregnancy is a condition where the couple does not want the birth process of a pregnancy. And this happens due to promiscuity known as originating from premarital sex or free sex.
- c) Dropout factors caused by low levels of community education. Most of the school dropouts are caused by a poor family economy and also the influence of the environment, as well as the desire of the child not to go to school. In fact they say it is better to work that can make money than a school that is not necessarily successful and even spend parents' money.
- d) Biological Factors, Biological factors arise one of them because of the Mass Media and Internet Factors above, with easy access to information earlier, children come to know things they should not know at their age. Then, there is an extramarital relationship that can become pregnant out of wedlock. So, like it or not, parents must marry their daughters.

b. Impact

As already described about underage marriages of someone who marries, especially at a young age, it will certainly bring various kinds of impacts, such as legal, educational, health, psychological, biological, sexual behavior, and social impacts.

1) Impact on Law

Violation of the Law that has been established in the Republic of Indonesia such as:

- a) Law Number 1 of 1974 concerning Marriage Article 7 paragraph (1) Marriage is only permitted if the male has reached the age of 19 and the woman has reached the age of 16. Article 6 paragraph (2) To get married, a person who has not reached the age of 21 must obtain permission from both parents.
- b) Law Number 23 of 2002 concerning Child Protection Article 26 (1) Parents have the obligation and responsibility to: nurture, nurture, educate and protect children, grow and develop children according to their abilities, talents and interests and; prevent marriages at the age of children.

2) Impact of education

That a person who marries, especially at a minor age. his desire to continue schooling or pursue higher education will not be achieved or will not be realized. This can happen because the learning motivation of a person will begin to slacken due to the many tasks they have to do after marriage. In other words, underage marriage is a factor hampering the process of education and learning.¹⁶

3) Psychological impact

In terms of the social aspects of underage marriages can reduce family harmony. This is caused by emotions that are still unstable, turmoil in young blood and immature way of thinking. Seeing underage marriages from various aspects does have many negative impacts. Psychologically children are also not ready and understand about sex, so that it will cause prolonged psychological trauma in the child's psyche that is difficult to cure.

¹⁶ Linda SW, *Stop Pernikahan Di Bawah Umur*, <http://sosbud.kompasiana.com/2016/04>.

The child will be depressed and regret his life which ended in a marriage that he himself did not understand the decision of his life. Therefore, in civil law it is regulated that a person's marriage must be over the age of 19 years for men and 16 years for women. Indeed, underage marriages are seen by some as having more negative effects.

4) Biological impact

Children are biologically reproductive organs are still in the process of maturity so they are not ready to have sex with the opposite sex, especially if you get pregnant then give birth. If forced it will occur trauma, extensive tears and infections that will endanger the reproductive organs to endanger the lives of children.

5) Health impact

Women who marry at an early age of less than 15 years have many risks, even though they have menstruated or menstruated. There are two medical effects caused by this early marriage, namely the impact on the womb and obstetrics. Gynecology that affects a lot of women who marry early, including infections of the womb and cervical cancer. This happens because the occurrence of the transition of children cells into adult cells is too fast. In fact, in general the growth of cells that grow in new children will end at the age of 19 years.¹⁷

6) Social impact

This social phenomenon is related to socio-cultural factors in a patriarchal society that is gender biased, which places women in a low position and is only considered a complement to male sex. This condition is very contrary to the teachings of any religion, including Islam that respects women (Rahmatan lil Alamin). This condition will only preserve a gender-biased patriarchal culture that will give birth to violence against women.

From the description it is clear that underage marriage (children) more harm than benefits. Therefore it is worth opposing. Parents must be made aware not to allow marrying / marrying their children at an early age or children and must understand the laws and regulations to protect children.

CLOSING

The country's law governing marital matters is Law No. 1 of 1974 concerning Marriage. but to form a marriage in the marriage law, conditions have been set such as the age limit for marriage (material requirements), one of them is the provisions regarding the minimum age limit contained in Article 7 paragraph (1) of Law Number 1 of 1974 which says that "Marriage is only permitted if the man has reached the age of 19 years and the woman has reached the age of 16 years". From this age limit, it can be interpreted that Law Number 1 of 1974 does not require the implementation of underage marriages as determined by Law Number 1 of 1974.

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¹⁷Patresia Kirnandita - 9 Maret 2018, *Mengorek yang Terjadi di Pernikahan Bawah Umur "Zaman Now"*, (tirto.id - Sosial Budaya)

Meanwhile, for the judge's own consideration Article 6 paragraph (2) of Law Number 1 of 1974 has provided an arrangement by stating as follows: "To carry out a marriage a person who has not reached the age of 21 (twenty-one) years must obtain permission from both parents". Thus the court will issue a marriage license that has not reached adulthood through the legal process established by the court. In the context of children's rights, it is very clearly stated in Article 26 paragraph (1) point c of Law Number 23 Year 2002 concerning Child Protection which states that parents have the obligation and responsibility to prevent marriages at the age of children, and follow up on changes to the law Law number 23 of 2002, namely Law Number 35 of 2014 concerning the protection of children in which the role of parents can also prevent the marriage of minors.

The factors that cause the marriage of minors, due to factors such as economic problems, low education, cultural understanding and certain religious values, and others.

References

- Hadikusumah, Hilman, *Hukum Perkawinan Indonesia Menurut Perundangan, Hukum Adat dan Hukum Agama*, Bandung: Mandar Maju, 1990.
- HM. Kafrawi, Try Sa'adurrahman, Kurniati, Nur Taufiq Sanusi, *Tinjauan Hukum Islam Dan Hukum Nasional Terhadap Pemberian Dispensasi Nikah Pada Pengadilan Agama Maros*, *Jurnal Diskursus Islam* Volume 06 Nomor 2, Agustus 2018.
- Hakim, Lutfil, *Skripsi Universitas Islam Negeri Sunan Kalijaga Yogyakarta 2010*, dalam Syeh Hasan Ayyub. *Fikih Keluarga*, Jakarta Pustaka, Al- Kautsar, 2006.
- Indonesia, *Kitab Undang-Undang Hukum Perdata*.
- _____, *Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan*.
- _____, *Kompilasi Hukum Islam*.
- Isnaeni, Moch., *Hukum Perkawinan Indonesia*, Bandung: Refika Aditama, 2016.
- Judiasih, Sonny Dewi, *Perkawinan Bawah Umur di Indonesia*, Bandung: Refika Aditama, 2018.
- Kansil, CST., *Pengertian Ilmu Hukum dan Tata Hukum Indonesia*, Jakarta: Balai Pustaka, 1989.
- Kirandita Patresia, *Mengorek yang Terjadi di Pernikahan Bawah Umur "Zaman Now"*, (tirto.id - Sosial Budaya) 9 Maret 2018
- Mohammad (Fakultas Hukum Universitas Madura) *Suara Merdeka, Fakta Terbaru Syekh Puji dan Lutfiana Ulfa*, 30 Oktober 2008.
- Muchtar, Kamal, *Asas-asas Hukum Islam tentang Perkawinan*, Jakarta: Bulan Bintang, 1974.
- Nazir, Moh., *Metode Penelitian*, Jakarta: Ghalia Indonesia, 2003.
- Prasetyo, Budi *Perspektif Undang-Undang Perkawinan Terhadap Perkawinan Di Bawah Umur*, *Jurnal Ilmiah UNTAG Semarang*, 2017.
- Satrio J., *Hukum Kepribadian Bagian I Persoon Almhiah cet 2*, Jakarta: Grasindo, 1998.
- Soekanto, Soerjono dan Sri Mamudji, *Penelitian Hukum Normatif Suatu Pengantar*, Jakarta: Raja Grafindo Persada, 2001.
- Sudarsono, *Hukum Perkawinan Nasional, cet. III*, Jakarta: Rineka Cipta, 2005.
- SW, Linda, *Stop Pernikahan Di Bawah Umur*, <http://sosbud.kompasiana.com/2016/04>.
- Wajik Saleh, K., *Hukum Perkawinan Indonesia*, Jakarta: Ghalia Indonesia, Jakarta, 1982.
- Zulfiani, *Kajian Hukum Terhadap Perkawinan Anak Di Bawah Umur Menurut Undang-Undang Nomor 1 Tahun 1974*, *Jurnal Hukum Samudra Keadilan*, Volume 12, Nomor 2, Juli-Desember 2017