

Legal Review of the Impact of Early Marriage on Health

¹Nur Saida, ²Muhammad As Ari. AM, ³Irabiah

^{1,2,3,4}Faculty of Law, Universitas Sembilanbelas November Kolaka, Indonesia

* Corresponding author's e-mail : asariarief01@gmail.com

ARTICLE INFO

Keywords :

Marriage, Law, Health

Submitted:

9 December 2024

Last revised:

16 December 2024

Accepted:

20 December 2024

ABSTRACT

Early marriage is a marriage event carried out by children under 19 years old for both men and women. As in Central Buton Regency, the number of early marriages always occurs, causing the village government to minimize the number of early marriages. This study aims to determine the background of early marriages. This study uses a normative empirical approach, described descriptively with data sources consisting of children or adolescents who have early marriages, the community, KUA and health authorities. The validity of the data in this study uses source triangulation techniques, and data analysis uses Milles and Huberman interactive analysis. This study produced several findings, namely that early marriages that occur in Central Buton Regency are caused by several factors, both internal and external. Internal factors that come from within are their own will, while external factors are the parents' economy, the parents' wishes, education and pregnancy outside of marriage. The public's view of early marriage in Central Buton Regency is to have a positive view because it is commonplace. The role of the government is very influential on the welfare of its people. The village government certainly regrets that children who are still of school age have to choose to get married because these children should get a decent education and must continue their education to a higher level. This has triggered the village government to overcome or minimize the occurrence of marriages by, in the initial stage, being advised by the KUA, the Health Department regarding the impact of early marriage on health, motivating parents to continue their children's education to a higher level, suspending marriage books, tightening the rules of the Marriage Law and its sanctions.

©2024 SNLR. Faculty of Law Universitas Sembilanbelas November Kolaka

1. Introduction

Marriage in Indonesia is regulated by Law Number 1 of 1974 concerning marriage (hereinafter referred to as the Marriage Law). Article 1 defines marriage as a physical and spiritual bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family or household based on the Almighty God. Indonesia is a country of law, therefore everything is regulated according to applicable laws, where a marriage carried out by a man and a woman will be considered valid if it is carried out according to marriage law in accordance with their respective religions and beliefs and must be registered with an authorized institution according to applicable laws.

As we know, marriage is not only based on likes and dislikes, but there must be an awareness that life in marriage will certainly face many problems and challenges in the life of husband and wife, if it is not supported by a mature personality to manage domestic life and descendants. Based on whether a marriage is valid or not, it is determined by whether or not the conditions and harmony are fulfilled.¹

¹ Septiani, S.W., & Rizka, S. A. (2020). *Implementasi Batas Usia Minimal Perkawinan Berdasarkan UU Nomor 16 Tahun 2019 tentang Perubahan atas UU Nomor 1 Tahun 1974 Tentang Perkawinan* (doctoral dissertation, Universitas Muhammadiyah Surakarta).

Based on the conditions for permitting marriage from the perspective of the prospective husband and wife, they must have met the specified age. This is regulated in Article 7 paragraph (1) of Law No. 16 of 2019 concerning amendments to Law No. 1 of 1974 concerning marriage, which reads as follows: "marriage may be permitted if the man and woman have reached the age of 19 (nineteen) years."²

As for prospective brides and grooms whose age is below that stipulated in Article 7 paragraph (1) of the Marriage Law, they are allowed to apply for a marriage dispensation to the court. This provision is stipulated in Article 7 paragraph (2) which reads as follows: "In the case of deviation from paragraph (1) of this article, a dispensation may be requested from the court or other official requested by both parents of the man or woman." The consequence of not fulfilling the requirements in terms of age limits or not having a dispensation permit will result in the legal annulment of the marriage that has been carried out. This is stipulated in Article 22 of the Marriage Law, which reads as follows: "a marriage may be annulled if the parties do not fulfill the requirements to carry out the marriage."

The existence of this age limit regulation is intended to prevent early marriage and the negative impacts that will arise after a young marriage occurs. Psychologically, early marriage is quite dangerous for both prospective husband and wife and endangers health, psychology and also mental. Because to realize this noble goal, among other things, it must be supported by physical or material readiness and mental maturity of each prospective bride and groom. For a young person, the age of entering the gates of marriage and married life is generally emphasized on physical maturity and mental maturity as well as his ability to bear his responsibilities in a household.

Marriage for humans is important because with a marriage a person will obtain a balance of life both biologically, psychologically and socially. Meanwhile, mentally or spiritually those who are married can better control their emotions and sexual desires. Emotional maturity is a very important aspect to maintain the continuity of marriage. The success of a household is largely determined by emotional maturity, both husband and wife.

In essence, marriage is not only a bond that aims to legalize biological relationships, but also to form a family that requires the parties to the marriage to be independent in thinking and solving problems in marriage. The purpose of marriage in religion is not only to have children but also to fulfill religious instructions in order to establish a harmonious, prosperous and happy family.³

Humans in their development process to continue their descendants need a life partner who can provide a successor according to what they want. Marriage as a way to realize a happy and eternal family or household based on the Almighty God. This means that the marriage should last a lifetime and should not end quickly. Marriage is generally carried out by adults regardless of profession, religion, ethnicity, poor or rich, living in a village or city. According to the National Commission on Violence Against Women, one of the mandates of the state parties that ratified the convention on the elimination of all forms of discrimination against women is the elimination of harmful practices for women and girls, namely child marriage. The age of marriage that is too young results in an increase in divorce cases due to a lack of awareness to be responsible in household life for husband and wife.

In addition, according to Duvall and Miller, marriage is a sacred relationship between a man and a woman who have reached or are considered to have reached a mature age and the relationship has been recognized legally and religiously. According to him, mental readiness to marry means a psychological emotional condition to be ready to bear various risks that arise during life in marriage, for example financing the family economy, raising and educating children, and financing family health.

The young age of marriage for women is a reflection of socio-economic changes. This shift not only affects the potential for births but is also related to the role in the development of education and the economy. As is known, the number of teenagers aged 10-19 years in Indonesia is 43 million or 19.61% of the total population of Indonesia of 220 million, around 1 million male teenagers (5%) and 200 thousand female teenagers (1%) openly stated that they had had sex.⁴ Based on statistical data and studies that have been conducted. Early marriage is still an important problem in Indonesia. Data from the National Development Planning Agency (BAPPENAS) shows that the number of child marriages in 2022 is around 33.28% of women who have been married under the age of 19 and in 2023 it will increase to 33.74%.⁵ Early marriage has an impact on the deprivation of children's rights because they are forced to enter adulthood instantly. Early marriage in

² Gojali, D., Abdurrahman, M., & Ali, H. (2020). Tinjauan Hukum terhadap Perkawinan dibawah umur dihubungkan dengan Undang-Undang Nomor 1 Tahun 1974 tentang perkawinan. *Jurnal perspektif*, 4(1), 1-11.

³ Adam, A. (2020). Dinamika Pernikahan Dini. *Al-wardah*, 13(1), 14

⁴ Astuti, S. Y. (2013). Faktor-faktor Penyebab Terjadinya Perkawinan Usia Muda Dikalangan Remaja di Desa Tembung Kecamatan Percut Sei Tuan Kabupaten Deli Serdang. *Welfare State*, 2(1).

⁵ <https://www.kemenpppa.go.id/page/view/NTE3Ma==#:text=Pada%20tahun%20222023%20angka%20perkawinan,92%20persen%20pada%20tahun52022-2023>. Diakses pada tanggal 19 oktober 2024. Pukul 20.27 WITA

Indonesia is influenced by many factors such as low family economic levels, low education, and pregnancy outside of marriage.⁶

Cultural and religious values that develop are also factors that drive early marriage. For example, married women, even though they are still children, are more valued than unmarried women. Negative impacts such as divorce and widowhood are not a problem. Understanding religious doctrine textually is one of the factors that drives underage marriage. Parents often worry that children who have reached puberty, if they are not married off immediately, will commit acts that are prohibited by religion.

In addition, legally, different regulations in the law on the age limit for someone to be called a child also add to the polemic of early marriage in Indonesia. Law Number 35 of 2013 concerning Amendments to Law Number 23 of 2002 concerning Child Protection states that a child is an individual under the age of 18 and parents are required to prevent early marriage. Meanwhile, Law Number 1 of 1974 concerning Marriage states that the age limit for marriage is 16 years for women and 19 years for men. Regarding this, the age limit for marriage needs to be revised considering the various negative impacts that arise from this marriage model, for example women's reproductive problems, family economic problems, and divorce.⁷

The prohibition on child marriage is stated in Article 7 paragraph (1) of Law No. 16 of 2019 concerning marriage which reads: "marriage may be permitted if the man and woman have reached the age of 19 (nineteen) years". However, child marriage still occurs throughout Indonesia, especially in Central Buton Regency. This can be seen from the many cases of child marriage that occur each year. As recorded by BPS data in Central Buton Regency, which shows that child marriage under the age of 16 is around 16.56% and children aged 17-18 are around 21.81%.⁸ Therefore, this underage marriage has a very negative impact on the young generation of the nation. This happens along with the development of the current era.

Based on the above phenomenon, the author wants to know how the impact of child marriage on health. And the author wants to know more about the problem based on the provisions of Law No. 16 of 2019 concerning the amendment to Law No. 1 of 1974 concerning marriage. Based on this, the purpose of this study is to determine the relevance of changes in the age of marriage with the impact on health and to determine the impact of early marriage in the civil law system and KHI.

2. Method

This type of research is normative-empirical legal research. According to Abdulkadir Muhammad, what is meant by normative-empirical legal research is research that uses normative-empirical legal case studies in the form of legal behavior products.⁹ Normative-empirical legal research begins with written positive legal provisions that apply to legal events in concreto in society. Judging from its form, this research is included in the form of descriptive research intended to provide data that is studied as thoroughly as possible about humans, conditions or other symptoms, as stated by Setiono, that the form of perspective research is a study to get suggestions on what should be done to overcome certain problems. Analysis based on deductive logic¹⁰ The data and information obtained from this study will be processed and analyzed empirically. The data analysis technique in this study uses the Miles and Huberman interactive analysis model. Data collection is carried out to obtain the information needed to achieve the research objectives, this data analysis or collection stage can be done using interview techniques, observation, collecting data and so on.¹¹

3. Result and Discussion

3.1. Relevance of Changes in Age of Marriage to Health Impacts

Early marriage cases are not taboo to talk about in Indonesia because almost every region has cases of early marriage with various impacts and causal factors.¹² Where underage marriages that have not met the age limit for marriage, in essence are still called children or children as stated in Article 81 paragraph 2 of Law Number 23 of 2002, a child is someone who is

⁶ Musfiroh, M. R. (2016). Pernikahan Dini dan Upaya Perlindungan Anak di Indonesia. *De Jure: Jurnal Hukum dan Syariah*, 8(2).

⁷ *Ibid*

⁸ <https://sultra.bps.go.id/statictable/2023/08/11/3836/persentase-perempuan-yang-pernah-kawin-berumur-10-tahun-ke-atas-menurut-kabupaten-kota-dan-umur-perkawinan-pertama-2021.html>. diakses pada tggil 14 november 2023 pukul 4.20 WITA

⁹ Abdulkadir Muhammad, 2004, *Hukum dan Penelitian Hukum Cet-1*, PT Citra Aditya Bakti, Bandung, hlm 52.

¹⁰ Setiono, 2005, *Pemahaman Terhadap Metodologi Penelitian Hukum*, Program Pasasarjana UNS, Surakarta, hlm 6.

¹¹ Males dan Huberman, 1984, *Metode Penelitian Kualitatif*, Bandung : Alfabate, hlm. 15-21

¹² Fadilah, D. (2021). Tinjauan dampak pernikahan dini dari berbagai aspek. *Jurnal Pamator. Jurnal Ilmiah Universitas Trunojoyo* 14(2), 88-94

not yet 18 years old is categorized as a child, also including children who are still in the womb, if they get married it is clearly said to be an underage marriage. While early marriage according to BKKBN is a marriage that takes place at an age below the reproductive age, namely less than 20 years for women and less than 25 years for men. Early marriage is susceptible to reproductive health problems such as increasing morbidity and mortality during childbirth and postpartum, giving birth to premature babies and low birth weight babies and being prone to stress.

Early marriage has a significant impact on the education of young girls. When they marry at a very young age, they are often forced to leave school. Education becomes a secondary priority after their role as wives and mothers. This is what triggers low levels of education for girls who marry at a young age. When young girls are unable to complete their formal education, they have limited employment opportunities. This means they are more likely to work in the informal sector with low pay and poor working conditions. In addition, early marriage also hinders their opportunities to develop their full potential. They miss out on opportunities to pursue higher education, take skills training, or start a successful career.¹³

From the results of the research conducted by researchers with observation techniques and short interviews with informants, almost early marriages occur in Central Buton Regency. With the categories of many, moderate and quite found in various regions. The following are the results obtained regarding the number of cases of early marriage in the surrounding environment. Data obtained from researchers from several people from various circles who have married early. The data taken is related to how many cases of early marriage occur in the environment around the informant.

Through the interview technique conducted by the author, the cause of early marriage is due to pregnancy outside of marriage, self-will, coercion and free association. In one of the cases, there was a woman who had difficulty giving birth to the point of severe bleeding and had to be referred to a hospital with complete facilities. From the results of observations made by researchers, cases of early marriage that occur in villages have at least an impact on the condition of their children, early marriages that end in divorce make children neglected and not cared for by either their father or mother. Thus, from this case, there are several children who live and are cared for by their grandparents or closest relatives.

Referring to the data obtained, it can be concluded that early marriage often occurs due to factors of pregnancy outside of marriage (married by incident). Pregnancy outside of marriage is basically a disgrace that someone does, and should not be done considering the many risks that will occur after experiencing the incident. Free association, lack of faith, affection, and parental education often lead children to negative deviations. Moreover, considering that adolescence is a time to want to try new things and find their identity. If children are not educated properly and correctly, their associations are at stake, and incidents of pregnancy outside of marriage can also occur. In cases of pregnancy outside of marriage, parents and family will usually immediately marry the couple because they are afraid of being ridiculed by others, whether they like it or not, they have to marry their child even though the child is still young. In fact, in cases of pregnancy outside of marriage, the couple should not be married first until the child is born, especially referring to Islamic law and teachings.

In addition to the factor of getting pregnant outside of marriage, the most sad cause of the data found by researchers is also due to the desire of oneself. Children under the age of 19 can think of being ready to build and foster a household and carry out new tasks that cannot be categorized as easy. The mindset of wanting to get married young is also motivated by the social environment that can encourage teenagers to think like that, or it could be because technology is already widespread and young marriage is often imitated by artists so that teenagers imitate it, it could even be based on religion that forbids and prohibits dating so the alternative of early marriage is chosen as the solution.

Whatever the background of one's own desire to marry early, it is not something that is allowed considering the many bad impacts that can occur. Various alibis are used to carry out this early marriage, but society does not know why this early marriage is strictly prohibited and denied by most people. In addition to the reasons for the mental psyche of adolescents who are not yet mature, health is also a major factor in early marriage.

Women who marry at an early age then they get pregnant, the impact is not only on the mother, but also on the child who will be born. Babies born to teenagers have a higher risk of death and are likely to die at the age of 1 year and under. In addition, those who give birth at an early age have an impact on babies who are born prematurely and are malnourished. According to Mason, the cause is because women who give birth at an early age are still in the process of growth and nutritional fulfillment so that it will be divided with the fulfillment of fetal nutrition. The parenting pattern given to children will also be different, usually young mothers will be easily irritated and annoyed when facing children.¹⁴

¹³ <https://citalahab.desa.id/pernikahan-dini-dan-pendidikan-mengapa-masa-depan-mereka-terancam/#:~:text=2%20Apa%20dampak%20pernikahan%20dini,mengembangkan%20potensi%20mereka%20secara%20penuh>. Diakses pada tanggal 12 agustus 2024, pukul 20.54 WITA

¹⁴ Fadilah, D. (2021). Tinjauan dampak pernikahan dini dari berbagai aspek. *Jurnal Pamator. Jurnal Ilmiah Universitas Trunojoyo* 14(2), 88-94.

Then the impact that usually occurs due to early marriage is a higher risk of divorce. When early marriage occurs, one or both of them, either women or men, are under the age of 19. That means that their thought processes and emotional maturity are still unstable. Still not used to dealing with household problems, or even confused and stressed about household problems. This condition can cause domestic violence from young divorce due to early marriage. This reinforces that early marriage has many negative impacts on the couple, family, environment, and even children.

So many impacts caused by early marriage, not a few make people aware of the dangers of these problems. Then as someone who knows and understands the dangers of early marriage, must be able to invite the entire community to stop doing early marriage again. We can make various efforts to embrace all elements of society so that they always care about the future of Indonesian youth. Examples of efforts that must be made include strengthening the law prohibiting marriage at a young age, providing counseling and socialization so as not to engage in early marriage, providing direction and appeals regarding the impacts that occur if early marriage is still carried out, making formal education a place to educate children about the dangers of early marriage as well as reproductive health education and its dangers, providing a description of cases related to the impacts that occur due to early marriage. Although making preventive efforts is not easy, it would be better to work together to raise public awareness, such as creating an organization that supports healthy youth movements and not marrying at a young age, educating the public, and helping each other stop cases of early marriage, because if we are not the ones who are aware of this problem, who will raise awareness and solve the problem. It can be in the community or in the child's school environment. Then provide counseling and socialization to the community that still adheres to early marriage, and provide direction and appeals to stop early marriage.¹⁵

3.2. The Impact of Early Marriage in the Civil Law System and KHI

In the civil code, marriage is explained as a legal relationship between a man and a woman for a long time. Based on Law Number 1 of 1974 concerning marriage, it explains the conditions that must be met by prospective brides and grooms before carrying out a marriage, according to article 6 paragraph (1) of Law Number 1 of 1974: marriage must be based on the agreement of both prospective brides and grooms, article 6 paragraph (2) of Law Number 1 of 1974: to carry out a marriage, a person who has not reached the age of 21 must obtain permission from both parents, article 7 of Law Number 1 of 1974: marriage is only permitted if the man has reached the age of 19 years and the woman has reached the age of 16 years.

In addition, based on Law Number 23 of 2002, preventing child marriage is where in article 1 concerning Child Protection, the definition of a child is someone who is not yet 18 years old, including a child who is still in the womb. Every child has rights and obligations as stated in article 4 of Law Number 23 of 2002: every child has the right to live, grow, develop, and participate fairly in accordance with human dignity and dignity, and receive protection from violence and discrimination, article 9 of Law Number 23 of 2002: "every child has the right to receive education and teaching in the context of developing his/her personality and level of intelligence according to his/her interests and talents".¹⁶

The impact of early marriage will cause losses to the rights and obligations between the two parties, both in their relationships with themselves, towards their respective families. The impacts caused by early marriage include: 1). The impact on husband and wife cannot be denied that in couples who have married at a young age cannot fulfill or do not know the rights and obligations of husband and wife. This arises because their physical and mental maturity tends to both have a high selfish nature, 2). The impact on their children, society has married at a young age or under age, early marriage also has an impact on their children. Because for women who marry under the age of 20, if they are pregnant they will experience disorders in their pregnancy and many of them also give birth to children, 3). The impact on each family, in addition to having an impact on the husband and wife and their children, early marriage will also have an impact on each family. If the marriage between their children goes smoothly, it is good of course it will benefit their respective parents. But if on the contrary their household situation is not happy and finally what happens is divorce. This will result in increasing their living expenses and the worst thing is it will break the family ties between the two parties.¹⁷

In Islamic law, marriage is a contract or agreement between a prospective husband and a prospective wife, therefore it takes place through *ijab qabul* or handover. If the marriage contract has been carried out, then they have promised and are willing to create a harmonious household, will live and die in running a household together. The substance of Islamic law is to create social benefits for humans both now and in the future. Islamic law is flexible and flexible, humanist and always brings mercy to all humans in this world. Included in the realm of thinking about this are the verses and hadiths of the Prophet which discuss the issue of marriage, because in principle all the actions of Muslims who have reached puberty cannot be separated from Sharia law. Initially the law on marriage is *Sunnah* in accordance with the *Al-Quran*. *Surah An-*

¹⁵ *Ibid*

¹⁶ Dorondos, S. (2014). *Perkawinan Anak di Bawah Umur dan Akibat Hukumnya. Lex Et Societatis*, 2(4).

¹⁷ Yulianti, R. (2010). Dampak yang ditimbulkan akibat perkawinan usia dini. *Jurnal Pamator: Jurnal Ilmiah Universitas Trunojoyo*, 3(1).

Nisa verse 3: "And if you are afraid that you will not be able to do justice to (the rights of) orphaned women (if you marry them), then marry (other) women that you like: two, three or four. Then if you are afraid that you will not be able to do justice, then (marry) just one person, or the slaves you own. That is closer to not committing wrongdoing" the commandment to marry on This verse is a demand to get married, but this demand is sunnah, not an obligation because there is the permission to choose between marriage and owning slaves.

However, this law from the Sunnah can change to become obligatory, haram or makruh, if a person cannot maintain his personal purity and morals except by getting married, then marriage becomes obligatory for him. Because maintaining purity and morals is obligatory for every Muslim. As for early marriage, namely marrying at a teenager or young age, not old age, the law is sunnah or mandub, according to Imam Taqiyuddin An-Nabhani based on the hadith of the Prophet which means: "O young people, whoever is able to get married, because with getting married will lower your gaze and will maintain your honor more. If you cannot afford it, fast, because fasting will be a shield for you" (HR. Bukhari and Muslim).

One thing that needs to be underlined from the hadith above is the command to marry for young people on the condition that they are able, meaning they are ready to marry. Readiness to marry in the perspective of Islamic law includes 3 things, namely: 1). Readiness of knowledge, namely the readiness to understand the laws of fiqh that are related to the issue of marriage, both the law before marriage, such as khitbah (proposing), at the time of marriage such as the conditions and pillars of the marriage contract, and after marriage such as supporting the family, divorce, reconciliation. This first condition is based on the principle that it is fardu 'ain for a Muslim to know the law of daily actions that he does or will do; 2). Readiness of wealth or material, what is meant by wealth here is of two types, namely wealth as a dowry and wealth as a husband's livelihood to his wife to meet the basic needs of his wife in the form of clothing, food and shelter which must be given in a reasonable amount; c) physical readiness or health, especially for men, namely being able to carry out his duties as a husband, impotent. This shows that this one physical readiness needs attention.¹⁸

Even though it is said that early marriage is originally permitted according to Islamic law, it does not mean that it is absolutely permitted for all women in all circumstances. Because in some women there are several conditions. Because in some women there are several conditions that indicate that it is better for them not to marry at an early age. There are several provisions that need to be considered in an early marriage so as not to cause negative effects as reported by various groups, the majority of whom are of the view that early marriage has bad connotations.

It is natural that there are concerns from certain parties that early marriage will hinder studies or be prone to conflict leading to divorce, due to the mental unpreparedness of both immature partners. According to Ibn Syubromah, religion prohibits early marriage (marriage before puberty). According to him, the essential value of marriage is to fulfill biological needs and perpetuate offspring. While these two things are not found in children who have not reached puberty. He emphasizes more on the main purpose of marriage.¹⁹

According to science, one of the most important factors in marriage preparation is the age factor. Because a person will be able to determine whether he is mature enough in and mature from each candidate. In Islam, there are no explicit rules that determine the age limit for marriage, based on Islamic law, basically all age levels can enter into marriage. In general, in Islamic law regarding underage marriage, there are opinions of Islamic legal experts, including: the opinion of Ibn Syubrumah and Abu Bajr al-Ashan, as stated in Fath al-Bari, volume 9, page 237, which states that early marriage is prohibited, and states that the practice of the Prophet's marriage with Aisyah is a special characteristic of the Prophet.

In the discourse of Islamic jurisprudence, there is no rule that determines the age limit for marriage. Therefore, according to Islamic jurisprudence, all age groups can marry on the basis that they are physically, psychologically and mentally capable. This policy is a restriction on children's rights to obtain the right to live as teenagers who have the potential to grow and develop and have positive potential according to what is underlined by religion.²⁰

4. Conclusion

Early marriage according to civil law has several impacts, including: Deviation of the child's age, Non-fulfillment of children's rights, Social impacts, Poverty and economic dependence. Early marriage is not recommended because it is contrary to the provisions of laws and regulations. The Marriage Law stipulates that marriage is only permitted if the man and woman have reached the age of 19 years. While Islamic law, in this case the Qur'an and Hadith, do not specifically

¹⁸ Rifiani, D.(2011). Pernikahan dini dalam perspektif hukum islam. De Jure: Jurnal Hukum dan Syari'ah, 3(2).

¹⁹ Almahisa, Y.S.,& Agustian, A. (2021). Pernikahan Dini Dalam Perspektif Undang-Undang Perkawinan Dan Komplikasi Hukum Islam. *Jurnal Rechten: Riset Hukum Dan Hak Asasi Manusia*, 3(1), 27-36

²⁰http://repository.unisma.ac.id/bitstream/handle/123456789/4063/S1_FH21701021181_RD.%20A.%20Fa%20qih%20Al%20Kamili.pdf?sequence=2&isAllowed=y#:~:text=Sedangkan%20dalam%20Undang%20Undang%20Perkawinan,Anak%2C%20Hukum%20Islam%2C%20Perkawinan.

mention the minimum age for marriage. The general requirements that are commonly known are being mature. Being of sound mind, able to distinguish between good and bad so that they can give their consent to marriage. Article 16 of the compilation of Islamic law states that: marriage is based on the consent of the prospective bride and groom. In the compilation of Islamic law, a marriage can be canceled if it violates the age limit for marriage as stipulated in Article 7 of the Marriage Law. In health, early marriage has a significant impact on the health of mothers and children. Cases of bleeding, miscarriage, and difficulty giving birth occur in young pregnant women, as well as infant deaths due to premature birth with low birth weight (LBW). Early marriage has an intergenerational impact. Babies born to girls who marry at a young age have a higher risk of death. Babies who are born are more likely to be born prematurely, with low birth weight and malnutrition.

References

- Abdulkadir Muhammad, 2004, *Hukum dan Penelitian Hukum Cet-1*, PT Citra Aditya Bakti, Bandung.
- Adam, A.(2020). Dinamika Pernikahan Dini. *Al-wardah*, 13(1), 14
- Almahisa, Y.S., & Agustian, A. (2021). Pernikahan Dini Dalam Perspektif Undang-Undang Perkawinan Dan Komplikasi Hukum Islam. *Jurnal Rechten: Riset Hukum Dan Hak Asasi Manusia*, 3(1), 27-36
- Astuti, S. Y. (2013). Faktor-faktor Penyebab Terjadinya Perkawinan Usia Muda Dikalangan Remaja di Desa Tembung Kecamatan Percut Sei Tuan Kabupaten Deli Serdang. *Welfare State*, 2(1).
- Dorondos, S. (2014). Perkawinan Anak di Bawah Umur dan Akibat Hukumnya. *Lex Et Societatis*, 2(4).
- Fadilah, D. (2021). Tinjauan dampak pernikahan dini dari berbagai aspek. *Jurnal Pamator. Jurnal Ilmiah Universitas Trunojoyo* 14(2), 88-94
- Fadilah, D. (2021). Tinjauan dampak pernikahan dini dari berbagai aspek. *Jurnal Pamator. Jurnal Ilmiah Universitas Trunojoyo* 14(2), 88-94.
- Gojali, D., Abdurrahman, M., & Ali, H. (2020). Tinjauan Hukum terhadap Perkawinan dibawah umur dihubungkan dengan Undang-Undang Nomor 1 Tahun 1974 tentang perkawinan. *Jurnal perspektif*, 4(1), 1-11.
- http://repository.unisma.ac.id/bitstream/handle/123456789/4063/S1_FH21701021181_RD.%20A.%20Faqih%20Al%Kamili.pdf?sequence=2&isAllowed=y#:~:text=Sedangkan%20dalam%20Undang%2DUndang%20Perkawinan,Anak%2C%20Hukum%20Islam%2C%20Perkawinan.
- <https://citalahab.desa.id/pernikahan-dini-dan-pendidikan-mengapa-masa-depan-mereka-terancam/#:~:text=2%20Apa%20dampak%20pernikahan%20dini,mengembangkan%20potensi%20mereka%20secara%20penuh.> Diakses pada tanggal 12 agustus 2024, pukul 20.54 WITA
- <https://sultra.bps.go.id/statictable/2023/08/11/3836/persentase-perempuan-yang-pernah-kawin-berumur-10-tahun-ke-atas-menurut-kabupaten-kota-dan-umur-perkawinan-pertama-2021.html>. diakses pada tggl 14 november 2023 pukul 4.20 WITA
- <https://www.kemenpppa.go.id/page/view/NTE3Ma==#:~:text=Pada%20tahun%20222023%20angka%20perkawinan,92%20persen%20pada%20tahun52022-2023.> Diakses pada tanggal 19 oktober 2024. Pukul 20.27 WITA
- Males dan Huberman, 1984, *Metode Penelitian Kualitatif*, Bandung : Alfabate
- Musfiroh, M. R. (2016). Pernikahan Dini dan Upaya Perlindungan Anak di Indonesia. *De Jure: Jurnal Hukum dan Syariah*, 8(2).
- Rifiani, D.(2011). Pernikahan dini dalam perspektif hukum islam. *De Jure: Jurnal Hukum dan Syari'ah*, 3(2).
- Septiani, S.W., & Rizka, S. A.(2020). *Implementasi Batas Usia Minimal Perkawinan Berdasarkan UU Nomor 16 Tahun 2019 tentang Perubahan atas UU Nomor 1 Tahun 1974 Tentang Perkawinan (doctoral dissertation, Universitas Muhammadiyah Surakarta)*.
- Setiono, 2005, *Pemahaman Terhadap Metodologi Penelitian Hukum*, Program Pasasarjana UNS, Surakarta