

The Phenomenon of Child Marriage after the Enactment of Law No. 16 of 2019 from the Perspective of Islamic Family Law

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Abstract

Marriage is intended to create a harmonious and loving family, but early marriage, defined as marriage below the legal age set by Indonesian law, often involves children aged 0-18 and is therefore categorized as child marriage. This study aims to examine the phenomenon of child marriage after the enactment of Law No. 16 of 2019 and analyzes it from the perspective of Islamic Family Law. The study employs a library-based approach, with data collected, analyzed, and organized from articles, books, and previous studies. The study highlights that the practice of child marriage engenders severe repercussions across multiple dimensions. Developmentally, it curtails the opportunity for married children to achieve physical and psychological growth. Educationally, it abrogates their fundamental right to schooling. Socially, it renders them disproportionately vulnerable to sexual violence. Medically, early pregnancy, a common outcome, exacerbates maternal mortality rates and correlates with a heightened prevalence of infant growth disorders and malnutrition. Within the Indonesian context, child marriage constitutes a grave and pervasive issue. Under the legal regime predating the amendment of Law Number 1 of 1974 on Marriage which prescribed 16 years for women and 19 years for men as the minimum age for matrimony the incidence of such unions was substantially elevated. Statistical evidence reveals that approximately 375 girls, representing one in every nine, enter into marriage prior to attaining 18 years of age each day.

Keywords: Early Marriage, Islamic Law, Marriage.

1. Introduction

Child marriage, often referred to as early marriage, is a serious problem that persists in developing countries, including Indonesia, and has significant legal and health implications. This situation requires urgent attention as it is directly linked to violations of children's rights and an increased risk of maternal and infant mortality. Therefore, efforts to identify the underlying causes are a crucial prerequisite for formulating strategic policies to prevent child marriage in developing countries (Sriono, 2024).

The factors contributing to child marriage can be grouped into several categories. Socio-economically, these include poverty, low levels of education and geographical conditions. Socio-cultural factors include gender inequality, social norms that perpetuate gender stereotypes, and the influence of religious interpretations and local traditions. Meanwhile, legal and administrative factors include the practice of marriage dispensations and the weak enforcement of existing regulations. This categorisation demonstrates that the issue of child marriage is multidimensional and therefore requires a comprehensive approach. As an ongoing subject of debate, early marriage engages multiple parties such as religious institutions, government (executive and legislative), and mass media (online, print, and



television) across various dimensions of study. Regarding this matter, Muslims are divided into two polarized groups: those who permit it and those who prohibit it (Badruddin, 2018).

Pursuant to Article 7 paragraph (1) of Law Number 1 of 1974 concerning Marriage, the criterion for adulthood is operationalized through prescribed age thresholds that must be satisfied as a prerequisite for entering into matrimony. These thresholds are established at 16 years for the prospective female spouse and 19 years for the male. The determination of such age limits is of paramount importance, as marriage necessitates not only biological readiness but also psychological maturity (Aziz, 2022).

The amendment to Article 7 of Law No. 1 of 1974, effected through Law Number 16 of 2019 on Marriage in October 2019, represented a significant legislative change. Notwithstanding this amendment, the practice of early marriage persists in Indonesia, with court applications for dispensations continuing to rise. In 2018, approximately 11.21 percent of women aged 20 to 24 had married prior to attaining 18 years of age. The period following the COVID-19 pandemic witnessed a further increase in early marriages. Data from the National Development Planning Agency for 2020 identifies West Java as the province with the highest contribution to underage marriage statistics, followed by East Java and Central Java, which together comprise the three provinces with the most elevated rates (Taufik & Karmila, 2023).

The 2018 BPS and UNICEF report on child marriage in Indonesia reveals that one in nine girls in the country are married. An estimated 1,220,900 women aged 20 to 24 had married before the age of 18 in 2018, with cases of child marriage among boys also reported. However, trend analysis for male child marriage is constrained by the availability of data covering only the 2015-2018 period. These statistics position Indonesia among the ten countries with the highest child marriage rates worldwide. Over the past decade, the reduction in child marriage prevalence has been modest, amounting to only 3.5 percent (Sabani et al., 2024).

Apart from all that, the issue of early marriage is an ancient issue that was once buried under layers of history and has resurfaced. If examined more closely, the phenomenon of early marriage is not new in Indonesia. Our ancestors often married underage. In fact, at that time, marriage at a 'mature' age would create a bad precedent in society. Women who did not marry promptly would even receive negative responses or be commonly called *perawan kasep* (Sunarti, 2024).

However, as times have changed, this view has shifted significantly. The tide of globalisation has altered society's perspective on various aspects of life, including the institution of marriage. An understanding of the essence of democracy—encompassing rights, obligations and equality—has helped shape a new perception that early marriage is now viewed as undesirable, risky and potentially leading to various problems within family life, particularly regarding reproductive health, education and the future of both mother and child. The phenomenon of child marriage in Indonesia persists despite regulatory changes introduced by Law No. 16 of 2019 on Marriage, which raised the minimum marriage age, and Law No. 23 of 2002 on Child Protection, which reaffirms the protection of children's rights.

However, in practice, there remains a gap between legal norms and implementation on the ground, particularly through the mechanism of marriage dispensations, which are frequently used to legalise underage marriages. Several studies indicate that the ineffectiveness of these regulations stems from legal inconsistencies, socio-cultural factors, and the weak implementation of child protection within the judicial system, meaning that the objectives of child protection have not yet been fully achieved (Hariyanto, 2025; Santoso et al., 2026). Further, the high number of applications for marriage dispensations also indicates that

the change in the minimum marriage age has not yet been entirely successful in curbing the practice of child marriage in various regions of Indonesia (Zurbaniyah & Iman, 2025).

Based on the above, this article aims to analyse the legal gaps in the regulation and implementation of protection against child marriage in Indonesia, and to formulate alternative solutions that can strengthen the alignment between marriage law, child protection law, and the principles of Islamic law in the pursuit of comprehensive child protection.

2. Literature Review

2.1. Marriage

The Marriage Law of Indonesia, Law Number 1 of 1974, provides in Article 1 that marriage constitutes both an inner and outer bond between a man and a woman as husband and wife. Its purpose is the establishment of a happy and everlasting family, or household, grounded in the principle of belief in the One Supreme God (Sunarti, 2024). The purpose of marriage is to protect a person so that they do not fall into the abyss of sin (adultery), because if there is a wife or husband by their side, they will certainly be protected and kept far from such immoral acts. In addition to the definition provided by Law Number 1 of 1974 above, the Compilation of Islamic Law (KHI) in Indonesia also provides another definition that does not diminish the meaning of the statutory definition but adds explanation, contained in Article 2 of the Compilation of Islamic Law, with the understanding that marriage according to the KHI is marriage, namely a very strong contract or *mitsaqan ghalidzan* to obey the command of Allah and its implementation is an act of worship (Sunarti, 2024).

Marriage aims to create a household life that is *sakinah, mawaddah, and rahmah*. Marriage involves many aspects involving both parties (husband and wife), their descendants in a direct line downward and upward, property, concerning community relations through social contact, and legal relations through contact with the state (Saepullah et al., 2023). As a juridical act, marriage generates mutual responsibilities between husband and wife, necessitating a comprehensive legal framework to govern their respective rights and obligations. Concurrently, marriage corresponds to the natural human instinct to perpetuate one's lineage or progeny. In this regard, matrimony constitutes the sole appropriate means of forming a family and is an indispensable prerequisite for the establishment of a familial unit (Sholeha et al., 2025). Therefore, it is hoped that society will develop a better understanding of the impacts of early marriage, encourage the preparation of children's mental readiness before entering marriage while supporting the development of their future, and ultimately contribute to reducing the prevalence of child marriage.

2.2. Child Marriage

Early marriage is defined as a marriage contracted below the minimum age prescribed by the Child Protection Law and the Marriage Law of the Republic of Indonesia, attributable to a variety of causal factors. It specifically refers to marriages involving children, who, according to the nationally accepted definition, are persons aged between 0 and 18 years. If a person marries or is married at that age, the marriage is considered a child marriage or early marriage (Nugraha & Jamilah, 2021).

As for the understanding of Islamic legal experts regarding the term of the limit of early marriage, most define it as a marriage carried out by a person who has not yet reached the age of puberty (*baligh*), that is, when a male has a nocturnal emission resulting in the release of semen and menstruation for a female. Islamic scholars differ in determining the age limit for a person considered to have reached puberty (*baligh*). Shafi'i and Hanbali scholars state that

boys and girls are considered *baligh* when they have reached the age of 15. Hanafi scholars set the age at which a person is considered *baligh* as 18 years for boys and 17 years for girls. Whereas scholars from the *Imamiyyah* school state that a boy is considered *baligh* at the age of 15 and a girl at the age of 9 (Nugraha & Jamilah, 2021).

Although there is no explicit text in the Qur'an and Sunnah regarding the age limit for marriage, the theory of *Maqasid shari'ah* is capable of reaching the intent and purpose of Islamic law so that it can formulate an ideal age limit for entering into marriage. This ideal age limit from the perspective of *maqasid shari'ah* certainly takes into account many aspects, such as a study of the texts of the Qur'an and Sunnah regarding the purpose of marriage, as well as the views of contemporary sciences such as medicine, psychology, anthropology, sociology, and others, so that the resulting understanding is comprehensive and integral.

3. Methods

This study employs a literature review method using a normative legal approach of a descriptive-analytical nature. This approach is used to analyse the applicable legal provisions and examine legal issues based on written legal sources and relevant academic literature.

In the data collection process, the researcher examined various primary, secondary and tertiary legal sources. Primary legal sources include legislation, specifically Law No. 16 of 2019 amending Law No. 1 of 1974 on Marriage, as well as relevant provisions of Islamic law. Secondary legal sources consist of academic books, scientific journal articles such as Suci (2023), as well as previous research discussing child marriage from the perspective of Islamic family law. Meanwhile, tertiary legal sources were used as supporting material, such as legal dictionaries and relevant encyclopaedias, to clarify legal terms.

The data collected was then analysed using normative qualitative analysis techniques, namely by interpreting the content of legal materials, comparing the views of experts, and linking provisions of positive law with the perspective of Islamic family law. The results of this analysis were then systematically organised to draw conclusions that address the research focus.

4. Results and Discussion

4.1. Research Results

4.1.1. The Phenomenon of Child Marriage in Indonesia After the Enactment of Law No. 16 of 2019 on the Age Limit for Marriage

The practice of child marriage engenders severe repercussions across multiple dimensions. Developmentally, it curtails the opportunity for married children to achieve physical and psychological growth. Educationally, it abrogates their fundamental right to schooling. Socially, it renders them disproportionately vulnerable to sexual violence. Medically, early pregnancy, a common outcome, exacerbates maternal mortality rates and correlates with a heightened prevalence of infant growth disorders and malnutrition. Within the Indonesian context, child marriage constitutes a grave and pervasive issue. Under the legal regime predating the amendment of Law Number 1 of 1974 on Marriage which prescribed 16 years for women and 19 years for men as the minimum age for matrimony the incidence of such unions was notably high. According to data, approximately 375 women, or 1 in 9 girls, marry before the age of 18 every day (Yahuza & Masrokhin, 2025).

In 2019, the Indonesian government enacted Law Number 16 of 2019, which uniformly raised the minimum marriage age for both men and women to 19 years. This legislative reform was anticipated to curtail the incidence of child marriage. However, its implementation continues to encounter obstacles, notably the persistent grant of marriage dispensations by religious courts, accompanied by a discernible increase in applications. The caseload at the Tasikmalaya City Religious Court illustrates this trend: 31 cases in 2018, 279 in 2019, 940 in 2020, 1,021 in 2021, 775 in 2022, 632 in 2023, and a decrease to 222 in 2024. Consequently, the average annual number of marriage dispensations at the Tasikmalaya City Religious Court stands at 571 (Usman, 2025).

Data from Religious Courts in several regions of Indonesia provides evidence of the high rate of underage marriage practices carried out through applications for marriage dispensation to courts. The following is the marriage dispensation data from Religious Courts in several regions of West Java Province in 2020.

Table 1. Marriage Dispensations in Religious Courts of West Java Province, 2020

Administrative Region	Total
Bandung Regency	449
Bandung Barat Regency	292
Bekasi Regency	49
Bogor Regency	370
Ciamis and Pangandaran Regency	808
Cirebon Regency	544
Cianjur Regency	543
Garut Regency	397
Indramayu Regency	761
Karawang Regency	203
Kuningan Regency	389
Majalengka Regency	444
Purwakarta Regency	258
Subang Regency	188
Sukabumi Regency	252
Sumedang Regency	481
Tasikmalaya Regency	909
Bandung City	218
Banjar City	76
Bekasi City	61
Bogor City	66
Cimahi City	55
Cirebon City	53
Depok City	81
Sukabumi City	81
Tasikmalaya City	248
West Java Province	8,276

As demonstrated in Table 1, the volume of marriage dispensation applications submitted to Religious Courts across West Java Province has been considerable since the statutory marriage age was raised to 19 years under the amended Marriage Law. The data shows that Tasikmalaya Regency recorded the highest number of applications, with 909 cases. The Ciamis Religious Court, exercising jurisdiction over Ciamis Regency and Pangandaran Regency, recorded the second highest number, with 808 applications for age dispensations. The third highest number of applications for marriage age exceptions up to the period of December 2020 was the Indramayu Regency Religious Court with 761 applications. Thus,

through the table above, it has been established that within one year of the Marriage Law coming into effective force in Indonesia, the number of marriage dispensation applications in West Java Province had reached 8,276 applications (Judiasih, 2023). The practice of underage marriage continues to be prevalent in society even though there are new rules regarding the age limit for marriage. This can be seen in data from Religious Courts regarding marriage dispensation applications received throughout 2022 in several regions of Indonesia.

Table 2. Marriage Dispensations at Religious Courts in 2024

Administrative Region	Total
Malang Regency	1,434
Kediri Regency	569
Indramayu Regency	564
Ponorogo Regency	191
Cianjur Regency	177
Kulonprogo Regency	527
Pacitan Regency	308
NTB	710
Bandung City	143

Overall, the marriage dispensation applications recorded at the Badilag MA RI as of December 13, 2024 totaled 14,868. From this data, the highest number of underage marriages was found in West Java, Central Java, and East Java. West Java alone recorded 8,607 marriage dispensation applications. The marriage dispensation application data for 2024 mentioned above was most commonly caused by the reason that the girl was pregnant out of wedlock. This illustrates that the reason for underage marriage is no longer dominated by the family's economic reasons, but rather due to children's free social behavior without parental supervision and the easy access to pornographic content available through mobile devices.

Other data from the Central Statistics Agency (BPS) states that during the year 2024, 1.74 million underage marriages were recorded, with West Java ranking first at 346,484 cases, East Java at 298,543 cases, and Central Java at 277,060 cases. From this data, it was also found that on a national scale, 19.88% of underage marriages occurred in West Java. The number of underage marriages in Indonesia, particularly in West Java Province, remains high because of Article 7 Paragraph (2) of the Marriage Law, which still includes provisions regarding exceptions to the minimum marriage age requirement. Where a proposed marriage deviates from the age thresholds prescribed in Paragraph (1), the parents of either or both parties are authorized to apply to the Court for a dispensation. The application must demonstrate the existence of urgent circumstances and be accompanied by sufficient supporting evidence.

The phenomenon of an increase in applications for marriage dispensations following the enactment of Law No. 16 of 2019 highlights a gap between the law on the statute book and its implementation in practice. Empirically, reforming the minimum age for marriage has not automatically reduced the rate of child marriage; rather, it has shifted the practice into formal legal mechanisms through the courts. This indicates that the provision on dispensations in Article 7(2) functions as a legal loophole that allows the practice of child marriage to continue to be legally valid. Thus, the law does not fully serve as a preventive instrument, but can also function as a mechanism for social legitimisation of a practice that the law actually seeks to reduce. This finding is consistent with (Nurfieni, 2023; Setiawan et al., 2021) which indicates that the raising of the minimum marriage age has not been accompanied by a significant reduction in the practice of child marriage, as the number of applications for dispensations remains high across various regions of Indonesia.

The persistence of child marriage in Indonesia is driven by a combination of interrelated factors that can be grouped into three main categories: economic pressures, socio-cultural norms, and legal loopholes.

1. Economic pressures (poverty and financial hardship)

Economic hardship remains one of the main factors driving child marriage in Indonesia. For some families, marrying off their daughters is seen as a strategy to ease the household's financial burden. Parents often see marriage as a way of shifting economic responsibility onto the husband, thereby reducing the burden of providing for the child. Similarly, some girls also view marriage as a means of improving their economic circumstances through dependence on their partner (Mukhid & Muthiah, 2024). This indicates that poverty and limited economic opportunities continue to influence families' decisions regarding child marriage.

2. Socio-cultural norms (customs, peer pressure and parental shame)

Socio-cultural factors play a significant role in normalising child marriage within certain communities. In some regions, this practice is passed down through generations, with parents who themselves married at a young age tending to repeat the same pattern with their children. Furthermore, cultural norms also play a role, particularly in societies where it is considered unacceptable to refuse a marriage proposal, even if the girl is underage. Once a girl has reached puberty, social pressure often arises to marry her off immediately. Peer influence also reinforces this practice, as teenagers may be encouraged to follow friends who have already married and are seen as having gained freedom in life. Furthermore, parents' sense of shame regarding their daughter's unmarried status by a certain age further reinforces the tendency towards early marriage (Sugiarto & Sulistiyono, 2024).

3. Legal loophole (provisions regarding marriage dispensations)

From a legal perspective, the continued prevalence of child marriage is largely influenced by the existence of dispensation mechanisms within Indonesian marriage law. Although Law No. 16 of 2019 has raised the minimum marriage age to 19 years for both men and women, Article 7(2) still allows parents to apply for a marriage dispensation from the court in urgent circumstances. This legal exception creates a structural loophole that allows child marriage to continue, as reflected in the high number of dispensation applications across various Religious Courts in Indonesia.

The phenomenon of child marriage in Indonesia cannot be understood solely as a failure of the law, but also as a structural issue involving the interplay of poverty, education, social norms, and access to information. UNICEF emphasises that child marriage is the result of a combination of multidimensional factors that reinforce one another, meaning that legal intervention alone is insufficient to eradicate the practice. In this context, the law is merely one element of a broader social system, necessitating a holistic approach that integrates policies on education, reproductive health, and family economic empowerment.

From a normative perspective, the existence of the marriage dispensation mechanism in Article 7(2) of Law No. 16 of 2019 highlights a tension between the objective of child protection and the flexibility of marriage law in Indonesia. Although this legislative amendment aims to raise the minimum marriage age to 19 years, the scope of discretion granted to the courts in practice creates a "legal loophole" that permits the normalisation of child marriage through formal legal channels. This indicates that legal reform has not yet been fully preventive, as it still affords judges broad discretion without strict parameters regarding urgency. From a child protection perspective, this situation has the potential to conflict with the principle of the best interests of the child as set out in the Convention on the Rights of the Child (CRC) (UNICEF, 1989; Hariyanto, 2025; Kania & Fatoni, 2025).

In addition to creating a legal framework that allows child marriage to continue, the dispensation mechanism also has the potential to lead to inconsistencies in the application of the law. This is due to the lack of truly uniform standards for assessing the ‘compelling reasons’ on which the granting of dispensations is based. Consequently, decisions are highly dependent on the judge’s subjectivity, which can result in variations in rulings across regions. This situation indicates that the dispensation policy has not yet fully met the principles of legal certainty and equal protection for children within the judicial system.

In theory, raising the minimum marriage age through Law No. 16 of 2019 should serve as the primary instrument in reducing child marriage rates. However, the empirical findings of this study indicate that this legal reform has not yet been fully effective in achieving its normative objectives. This indicates that the success of a regulation is determined not only by changes in legal norms, but also by the state’s ability to control implementation and limit the scope of discretion that may obscure the policy’s primary objective. Consequently, the existence of the dispensation mechanism can be understood as a factor that diminishes the deterrent effect of the marriage age limit regulations.

One of the reasons for early marriage in Indonesia is the economy. Early marriage appears to be a way to escape a number of financial challenges. According to a survey, some parents of the female party as well as the women themselves stated that they practiced early marriage to improve the family’s finances. They hoped that once they married, their financial situation would improve because they would be able to rely entirely on their partner. From the parents’ side, marriage also allows them to release their obligations toward their child, so they feel their obligation to provide for the family has been fulfilled and the family’s financial burden is reduced after marrying off their child (Maulana et al., 2023).

The first factor that influences it is the local culture and customs. This culture occurs because the parents themselves married at an early age, which then also happens to their daughters, and this continues to happen, becoming an ongoing cultural practice. This can also occur because of local customs where if a man wishes to propose, the parents are not allowed to refuse the proposal even if the girl is still very young. Moreover, if a girl has visibly grown (reached puberty), she must be immediately married off; this commonly happens in villages. In addition, the environmental factor where teenage girls see their peers already married and their independence to live apart from their parents leads them to want to follow in their friend’s footsteps. It can be concluded that socio-cultural factors influence the occurrence of early marriage among teenage girls (Sugiarto & Sulistiyono, 2024). A lack of knowledge about the impacts of early marriage and minimal knowledge about applicable law. Furthermore, parents feel ashamed if they have a daughter who is not yet married past the age of 20, so parents marry off their daughters at a young age to a man who proposes to them (Sugiarto & Sulistiyono, 2024).

Compared to other countries, Indonesia still has a relatively permissive regulatory framework as it continues to maintain a mechanism for marriage dispensations. In contrast to Indonesia, the Philippines, through Republic Act No. 11596 (2021), has explicitly banned child marriage without any exceptions based on dispensations, and has even criminalised those involved in child marriages. UNICEF also notes that countries with strict restrictions on dispensations tend to experience a significant decline in child marriage rates compared to countries that still allow for legal exceptions. This indicates that the existence of overly flexible dispensations can undermine the effectiveness of child protection policies (Nurfieni, 2023; Zurbaniyah & Iman, 2025).

From a normative perspective, the effectiveness of Law No. 16 of 2019 remains open to question, as the high number of dispensations indicates that the primary objective of

restricting the minimum age of marriage has not yet been fully achieved. In the context of legal effectiveness theory, a regulation is not merely measured by its formal existence, but also by the extent to which it is capable of altering social behaviour within society. Dispensations remain the primary instrument used to legalise child marriage; consequently, it can be argued that this legal reform remains partial and has not been supported by strengthened implementation controls or sufficient social change (Hulu et al., 2025).

In the academic discourse on child marriage, there is a debate between the legal-formal approach and the sociological approach. The legal approach emphasises the need to tighten regulations and eliminate legal loopholes such as dispensations, whilst the sociological approach highlights that legal changes will not be effective without a transformation of social values within society. The findings of this study reinforce the view that these two approaches cannot be separated, as the effectiveness of the law is heavily influenced by the surrounding social structure. Consequently, legal reform must be accompanied by long-term social change in order to significantly reduce the incidence of child marriage.

4.2. Discussions

Early marriage and marriage dispensation are complex issues in Indonesia. Rather than being an effort to protect the future of the nation's children, early marriage, even with dispensation, actually has a great potential to threaten children's futures from various aspects, including health, education, and socio-economic welfare.

A. Early Marriage: Definition and Negative Impacts

Law Number 16 of 2019, amending the Marriage Law, sets the minimum marriage age at 19 years for both sexes. Consequently, marriages solemnized below this age fall within the legal definition of early marriage or child marriage. The impacts are very detrimental. In terms of reproductive health, the risk of pregnancy and childbirth complications such as eclampsia, infection, and hemorrhage increases for adolescent mothers, while babies born are also at high risk of prematurity and low birth weight (LBW). Early marriage often causes school dropout, hindering children's opportunities to develop their potential and skills, which in turn impacts the family's economic welfare in the future. Mental unpreparedness can further trigger domestic violence (KDRT), conflict, divorce, and other psychological problems. Beyond these consequences, child marriage is considered a form of human rights violation, as it deprives children of their right to grow and develop optimally.

B. Marriage Dispensation: Exceptions and Problems

Marriage dispensation is permission granted by the Religious Court (or District Court for non-Muslims) to prospective spouses who have not yet reached the minimum age limit set by law to marry. This application is submitted by parents/guardians with urgent reasons, such as an unwanted pregnancy or coercion. Although it aims to provide a legal solution to emergency situations, the granting of marriage dispensation is also problematic. Dispensation effectively becomes a "shortcut" that legalizes child marriage, even though its negative impacts are already clear. Judges granting dispensation should consider the "best interests of the child," not just the wishes of the applicant, which includes ensuring parents' commitment to the child's education, health, and welfare after marriage. Furthermore, the high number of dispensation applications often reflects moral decadence, minimal reproductive health education, and socio-economic conditions that lead parents to choose to marry off their children earlier.

C. Efforts to Protect the Future of the Nation's Children

Protecting the future of the nation's children from the threat of early marriage requires a comprehensive approach, not merely legalizing it through dispensation. More effective efforts include raising the marriage age limit to 19 years, which is a positive step taken by the government. Providing education and socialization on the importance of education, reproductive health, and the negative impacts of early marriage to adolescents and parents is also necessary. Strengthening family economies to reduce the burden on parents who may marry off their children due to poverty is equally important. Strict oversight of the enforcement of laws and the rejection of dispensation applications if there is no truly urgent reason and one that is in the best interests of the child must also be ensured. Finally, creating a community environment that supports children's growth and development and prevents all forms of exploitation, including early marriage, remains a critical effort. In conclusion, early marriage and the ease of dispensation are not solutions for protecting the future of the nation's children, but rather serious challenges that must be addressed through strengthened regulation and holistic education.

5. Conclusion

Marriage carries the meaning of a legal relationship in a shared and eternal life that is officially recognized by the state, occurring between a man and a woman. Mental and physical readiness must be truly prepared between the two parties. Therefore, the statutory regulation of marriage age limits originated with Law Number 1 of 1974 on Marriage. Article 7 paragraph (1) of this Law provided that marriage is permitted only when the male party has reached 19 years of age and the female party has reached 16 years of age.

Law Number 16 of 2019, ratified by the Indonesian government in 2019, amended the minimum marriage age for women to 19 years, aligning it with the age limit applicable to men. This change was anticipated to curtail the incidence of child marriage. However, the implementation of this change still faces challenges, particularly regarding marriage dispensations still being granted by religious courts, which are often misused, allowing child marriages to still occur despite the raised age limit. The existence of patriarchal culture, low levels of education, and economic pressure are the main factors driving the practice of child marriage.

Although there have been improvements in regulations and fatwas, implementation in the field still faces major challenges. Therefore, the effectiveness of changes to the marriage age limit and these legal policies still need to be strengthened so that they truly have an impact on reducing the number of child marriages in Indonesia. However, its success is highly dependent on the support of legal regulations, social policies, and comprehensive education. Synergy between the government, religious institutions, community organizations, and the education and economic sectors is needed so that this change can be well implemented and have a real impact.

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