

Examining Marriage Age Restrictions: Mitigating Early Marriage in Indonesia

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Abstract. This study explores early marriage, defined as unions occurring below the legally recognized age of majority, through the lens of Islamic law and positive law. It examines principles from the Qur'an, Hadith, and national legislation, emphasizing the significance of psychological and physical maturity for a harmonious, lasting marriage. While Islamic teachings do not explicitly set a minimum age, they stress the importance of maturity and consent. The study also considers the Indonesian Fatwa Commission's stance on child marriage, addressing eligibility and maturity requirements. Using a normative qualitative analysis, the research investigates various scholarly interpretations of age limits in marriage. It evaluates the effectiveness of Indonesia's marriage age restrictions and the persistence of early marriages despite legal frameworks. Findings indicate that laws regulating marriage age are ineffective due to loopholes in marriage dispensation applications, leading to a high prevalence of early marriages. This study aims to provide a comprehensive understanding of the dynamics surrounding marriage age restrictions in Indonesia and suggests measures to mitigate the incidence of early marriages.

1 Introduction

In its definition, early marriage refers to marriages that occur at a relatively young age, often below the legally recognized adult age or the age deemed appropriate for marriage according to the law, as stipulated in Article 7 Paragraph (1) of Law Number 16 of 2019, which states that "Marriage is only allowed if the male and female parties have reached the age of 19 (nineteen) years"[1]. Meanwhile, in Islamic family law, marriage is considered a natural inclination and strongly encouraged for Muslims. It is viewed as the fulfillment of the human instinct (*ghorizah insaniyah*) that should be pursued through lawful means to avoid straying into sinful behavior. The principles and guidelines for marriage in Islam are derived from the Qur'an and the teachings of Prophet Muhammad (PBUH) as documented in the Hadiths. The marriage bond is marked by a strong agreement or contract known as "*misaqan galizan*". This contract holds the meaning of "*imsakun bil ma'ruf aw tasrihun biihsan*", which emphasizes the importance of treating each other with kindness and, if separation becomes necessary, doing so in a good and respectful manner [2]. The marriage contract is not an ordinary agreement but one that involves a connection with God.

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Marriage serves as the foundation for the birth and growth of humankind, as it is through the descendants of Adam that the responsibility to achieve peace and prosperity on Earth is entrusted [3]. The Qur'an acknowledges the significance of the lineage of Adam, as they are honored with the role of being God's representatives, or caliphs, on Earth (Q.s. al-Baqarah 2: 30).

Presidential Instruction Number 1 of 1991 regarding the Compilation of Islamic Law (KHI) highlights the objective of marriage as stated in Article 3. The main aim is to establish a "*sakinah, mawaddah, and rahmah*" family, which translates to a blessed, affectionate, and compassionate family. This emphasizes the principle of marriage to create a harmonious and loving family unit that strives to avoid divorce and raise pious offspring who are dedicated to their religion and country [4].

The concept of "*Sakinah*" refers to tranquility and peace within the family, where mutual respect, understanding, and support prevail. "*Mawaddah*" emphasizes the importance of affection, love, and kindness between spouses, fostering a strong emotional bond. "*Rahmah*" signifies mercy, compassion, and forgiveness, promoting a nurturing and caring environment within the family. By focusing on these principles, Islamic law emphasizes the importance of a stable and nurturing family environment that contributes positively to society. The goal is to prevent divorce and promote strong family values, leading to the upbringing of righteous and dedicated individuals who are committed to their faith and country.

To establish a *sakinah* family, it is essential to have a valid marriage that can fulfill both the physical and spiritual needs in a harmonious and balanced manner. This is characterized by an atmosphere of affection within the family and towards the surrounding environment. The members of a *sakinah* family strive to understand, practice, and deepen the values of faith, piety, and good morals. Similarly, the purpose of marriage as stated in Law Number 1 of 1974 is to form a bond of life and soul between a man and a woman, creating a happy and enduring household based on the belief in the One and Only God. Marriage is considered a *sunnah* (practice) of the Prophet, and the rewards obtained from it cannot be attained through other activities except by embracing married life.

Islam teaches that marriage is not merely a contractual agreement like buying and selling, but a sacred covenant in which both parties are united as life partners in the name of Allah SWT. Through a valid contract, it becomes easier to practice the *sunnahs* that can only be fulfilled within the bounds of marriage, aiming to draw closer to Allah and seek His blessings. It is crucial to realize that marriage is not a trivial matter but a fundamental aspect of life, carrying significant meaning and importance.

Marriage is a sacred union between two individuals that aim to establish a harmonious and loving domestic life. While the concept of marriage is deeply rooted in Islam, it is also intertwined with state matters. For a marriage to be considered valid, it must adhere to the laws of God as stated in the Qur'an and Hadiths, as well as comply with the requirements of state law. It is essential for marriage to be restricted to adults who are capable of being accountable for their actions. Adult individuals generally possess a more developed psychological maturity compared to those who marry at a younger age. This psychological maturity enables adults to think and act responsibly in their marital relationships. In contrast, individuals who have not yet reached the stage of maturity may struggle with making thoughtful decisions and acting responsibly. Overall, the ideal of marriage goes beyond religious principles and encompasses the legal framework of the state. By ensuring that individuals are of a mature age, both psychologically and legally, the aim is to promote responsible and fulfilling marital relationships [5].

2 Methodology

The research conducted in this study used a normative qualitative analysis approach. This approach involves analyzing legal material, especially Islamic law and positive law, to identify new principles and collect information related to the dynamics of age restrictions in marriage. The aim is to explore issues around age limits in marriage through a comprehensive study of Islamic Law and Positive Law. Thus, this research is included in the category of normative legal research. Furthermore, this study uses a prescriptive analytic approach. Prescriptive research focuses on studying the purpose of law, values of justice, legal validity, legal concepts, and legal norms. Data for this study were collected through library research, which involved references to laws, regulations, documents, books, and journal articles that were relevant to the research topic.

3 Results and Discussion

3.1 Marriage Age Limitation Based on the Islamic Law

Marriage is a type of God's favor that is a gift to humanity as a manifestation of the Majesty. It is a relationship that prevents His followers from doing things that He forbids, and it has become a decree of Allah to have two separate genders. For men and women, different people have a desire to know, understand, and love one another, and it is on this basis that humans make a pledge to a sacred relationship. The introduction of the Compilation of Islamic Law as a guideline for judges in Religious Courts has been positively received by the public. Law No. 16 of 2019, which amended Law No. 1 of 1974 on Marriage, established the minimum marriage age for women to be the same as that for men, which is 19 years old. According to Article 7, Paragraph (2) [6], if there is a deviation from the age requirement mentioned in Paragraph (1), the parents of the individuals can request a dispensation from the court based on extreme urgency, supported by sufficient evidence. The court must then listen to the opinions of the prospective parties before granting permission for the dispensation. This permission from the court serves as the basis for the Marriage Registration Officer to include the necessary information in the marriage examination documentation. From a legal positivism perspective, the provisions regarding the marriage age in Law No. 16 of 2019 raise complex issues. The problematic aspect lies in the dispensation process, which allows the court or other designated officials to grant permission for underage marriage based on the request of the parents. Some argue that this diminishes the sanctity of marriage [7].

One of the principles emphasized in the Marriage Law is that prospective spouses should be psychologically and physically mature to ensure a harmonious marriage, prevent divorce, and have healthy offspring. While Islamic family law does not specify a particular marriage age, it does require *baligh* (reaching the age of maturity) as a condition. Marriage is viewed as a legal event in Islamic law, with associated rights and obligations, suggesting that it should involve individuals who are adults capable of giving their consent, the issue of marriage age and dispensation poses challenges in terms of legal resolution. While the law seeks to ensure the well-being of the parties involved, there are concerns about the interpretation and implementation of dispensations, as they may impact the sacredness of marriage. Islamic law, while not specifying a precise age, emphasizes the importance of maturity and consent in marriage, indicating the involvement of adults.

The Islamic legal system regulates various aspects of marriage, including the requirements for everyone's eligibility to marry. However, this law simply relates to biological changes, particularly puberty, and does not specifically address the age restriction. Therefore, he has the right to marry and can do so legally after a male and female are deemed

to have reached puberty [8]. Islamic teachings do not explicitly specify a minimum age limit for marriage. The issue of maturity in marriage falls under the domain of *ijtihad*, which is the process of deducing legal rulings based on Islamic principles. In Islamic concept, the pillars of marriage include the presence of the prospective groom, prospective bride, guardian, witnesses, and the consent (*ijab qabul*) in marriage. The age of maturity for marriage is not considered one of the pillars of marriage.

Classical Islamic jurisprudence does not provide a solid regulation on early marriage and instead focuses on the concept of *baligh*, which signifies the onset of adulthood. For men, *baligh* is associated with experiencing wet dreams, while for women, it is marked by the onset of menstruation. These restrictions are not pillars of marriage but rather conditions for marriage. Some scholars, like Abu Hanifah, argue that the marriage of a young child can be arranged with the consent of the father, based on various historical examples such as the marriages of Aisha and Umm Kalsum.

In the Qur'an and Hadith, marriage is viewed in the context of the individual's ability and maturity. The concept of *baligh*, which signifies reaching adulthood, is derived from the Arabic term *balagha*, meaning to reach or achieve. It indicates the end of childhood limitations and the beginning of legal obligations under Sharia law, including religious practices and transactions. Signs of *baligh* for men include experiencing wet dreams, while for women, it is marked by the onset of menstruation. Different scholars have differing opinions on the age limit, but the majority argue that it is around 15 years old for both men and women. According to Imam Ghazali, reaching the *baligh* phase signifies a person's intellectual maturity, enabling them to distinguish between right and wrong.

It is important to note that interpretations and understandings of Islamic teachings may vary among scholars and schools of thought. The issue of age limitations in marriage is subject to ongoing debates and considerations within Islamic jurisprudence. There are different interpretations regarding the age of Sayyidah Aisyah when she married Prophet Muhammad PBUH.

Some scholars argue that this specific historical marriage cannot be generalized. For instance, Ibn Syubramah suggests that historical marriages should be understood within their historical, sociological, and cultural contexts. It is mentioned in certain narrations that Prophet Muhammad married Sayyidah Aisyah when she was seven years old, and they lived together when she was nine. However, this is seen as a special case specific to the Prophet Muhammad, and not a practice that could be immediately followed by others, similar to his ability to marry more than four women [9].

According to the decision of the Indonesian Fatwa Commission III in 2009, the perspective of Islamic jurists regarding child marriage is discussed. In Islamic jurisprudence literature, there is no specific mention of a minimum or maximum age limit for marriage. However, the Fatwa Commission has established certain legal provisions: Islam does not set an absolute minimum age limit for marriage, as eligibility depends on an individual's ability to act and receive rights. Child marriage is considered permissible if it fulfills the requirements and pillars of marriage, but it becomes prohibited if it causes harm. Maturity is regarded as an indicator for achieving the goals of marriage, such as the well-being of the household, community life, and ensuring security and the ability to conceive. To ensure the benefits of marriage, it is recommended to adhere to the age requirements stipulated in Law No. 16 of 2019 on Marriage.

In essence, Islamic teachings do not explicitly prohibit child marriage or specify a particular age limit for marriage. However, Islam does not encourage or approve of child marriages that are not supported by physical, psychological, and mental readiness, as well as the rights of children. The term "age" in Islamic jurisprudence emphasizes that individuals of all age levels can marry based on their physical, biological, and mental capabilities.

3.2 Marriage Age Limitation and Marriage Dispensation Based on the Positive Law

According to the provisions of Article 288 of the Constitution of the Republic of Indonesia of 1945, it is declared that everyone has the right to build a family and continue offspring through the process of lawful marriage. In addition, the state upholds children's rights to life, growth, and development, as well as the right to be shielded from both physical and mental abuse and from discrimination of any kind [10].

Early Marriage in Indonesia has reached a dangerous point that puts the future of both children and women in danger [11]. One young woman in Indonesia out of every nine got married in 2018, according to official statistics. It is estimated that there were around 1,220,900 women aged 20-24 years old who were married before the age of 18 in 2018, and this data places Indonesia among the top 10 countries with the highest absolute rate of child marriage in the world. The review of the data on child marriage focused on women between the ages of 20 and 24 who got married before they aged 15 or 18, as well as marriages between males under the age of 18 in developing countries.

Furthermore, in terms of health, women who married before the age of 16 are more at risk for illnesses, particularly reproductive health and the ability to bear children. According to UNICEF data, women who give birth between the ages of 15 and 19 are twice as likely to die as women who give birth at the age of 20. Pregnancy and delivery were the leading causes of adolescent fatalities in 2014, according to WHO data. Pregnancy at that age raises the chance of death for both the mother and the fetus, particularly in developing nations. Babies born to women under the age of 20 have a 50% chance of dying before birth.

Marriage of underage children is frequently problematic due to the presence of numerous conflicting variables, particularly age and health in child protection [12]. Married couples who are not yet fully developed carry out considerably of marriages. They are not physically or psychologically prepared. The nature of a marriage is undoubtedly understood by the husband and wife. On the other hand, prospective husband and wife are aware of and understand their rights and responsibilities as they relate to creating a home [13].

Early marriage is a discriminatory practice, particularly toward young girls. It is also a violation of human rights in general and should be prohibited everywhere in the entire world. Specifically, this should be the case for females. However, child marriages continue to take place in a few different countries. The influence of religion and tradition is the primary factor responsible for the existence of gender-based discriminatory practices against women in a number of regions of the world [14]. Women are always considered as minorities and often as second-class citizens, people whose faces can be seen but whose voices are unable to be heard. This treatment is consistent across all cultures. The institution of child marriage in Indonesia is inextricably linked to the economic, cultural, and religious factors that exist within the community and contribute to its continued growth and development. Religious beliefs have a significant bearing on the institution of child marriage in Indonesia.

The minimum marriage age is the age at which a person is considered mature and capable of taking on responsibilities and is therefore permitted to marry. Within the context of law, the idea of a marriage between people who are too underage to legally be married gives rise to three significant issues. To begin, it is commonly believed that marrying a child who is under the age of majority violates Constitution No. 35 year 2014 for Child Protection [15]. Children are defined as those who are younger than 18 years of age, which includes unborn children and those Children, according to this constitution, are not yet fully formed because they are still growing inside their mothers' wombs [16]. Girls must be at least 16 years old before they can be married, while boys must be at least 19 years old before they can get

married in most countries. The Constitution of Marriage, in the meantime, demonstrates a high level of tolerance for the practice of marrying minors. "Marriage is only considered legal if the man has reached the age of 19 (nineteen) years of age and that the woman has reached the age of 16 (sixteen) years of age," according to Article 7 paragraph 1 of Constitution No. 1 year 1974. According to Article 1 Paragraph 1 of the Constitution No. 35 of 2014 about Child Protection, "Children are people who have not reached the age of eighteen (eighteen) years, including those who are still in the womb," children are defined as those who have not yet reached the age of eighteen. This article makes it abundantly clear that those who have not yet attained the age of 18 are still considered to be children even though they have reached this age. Consequently, people who are still deemed to be children according to the Constitution of Marriage are those who fall within the age range that is defined there [17].

Law No. 16 of 2019 on Amendments to Law No. 1/1974 on Marriage increased the age limit for marriage from 16 years for women and 19 years for men to 19 years for both genders. Prior to this amendment, the age limit for marriage was 16 years for women and 19 years for men. The state has made this modification, which is a positive step forward considering that the number of child marriages in Indonesia is rather serious. This is especially true when taking into consideration that Indonesia is the second largest country in Southeast Asia in terms of the prevalence of the practice of child marriage. A National Strategy for the Prevention of Child Marriage has also been introduced by the government, in addition to the recently passed Law 16/2019. But unfortunately, the practice of marrying off children is still common in this sector. In addition, throughout the epidemic, the circumstances surrounding child marriage became more prevalent [18].

Previously, the minimum age of marriage for women was set at 16 years, while the minimum age of marriage for men was set at 19 years. This was specified in article 7 paragraph (1) of Law No. 1 of 1974 on Marriage, which was issued by the Constitutional Court. The judgement does not have the force of law behind it. Therefore, members of the public can disobey the rules anyway they see appropriate. In considering the age restriction that has been imposed, one could argue that this is a relatively early age for a person to get married. The average age at which Indonesian youngsters have just made the transition from childhood to adulthood is 16 years old. This indicates that the child's mental health is not stable at this age. Because of this, it has a significant chance of ending in divorce. Additionally, the age of 16 years is the age when Indonesian children have just entered high school on average. This indicates that if the minimum age of marriage is set at 16, many students will drop out of school, and the quality of education in Indonesia will suffer as a direct result of this [19].

Because the regulation specifies that the minimum age of marriage for women is 16 years and the minimum age of marriage for males is 19 years, Article 7 paragraph (1) of Law No. 1 of 1974 on Marriage must be examined. The regulation needs to be reviewed because it states that the minimum age of marriage for women is 16 years. This is not in accordance with and runs counter to the spirit of Law No. 23 of 2002, which was enacted to control the protection of children but was later revised by Law No. 35 of 2014. Both of these laws were passed in 2002 [20]. In addition, the legislation stipulates that the minimum age for a woman to be married is 16, while the minimum age for a man to get married is 19. In accordance with the first paragraph of article 1, which states that "a child is someone who is not yet 18 (eighteen) years old, including children who are still in the womb," children are defined as anyone who has not yet attained the age of 18. If we look back at Article 7 paragraph (1) of legislation Number 1 of 1974, which states that the minimum age of marriage for women is 16, the legislation is highly contradictory to Law Number 23 of 2002 on the Protection of Children because it states that the minimum age of marriage for women is 16 years. This is because Law Number 23 of 2002 states that the minimum age of marriage for women is 16 years [21].

The Constitutional Court also deems that the age restriction requirement, particularly for women, has been modified to take into consideration variables related to economy, cultural, social, and health. Raising the minimum age for retirement does not ensure a decline in divorce, illness, or other social issues [22]. Limitation of age itself is not the only factor that can help avoid child marriage, which generates many issues [23]. Additionally, the DPR raised and standardized the minimum age of marriage to 19 years old for both men and women, up from the previous regulation of 16 years for women and 19 years for males. In times past, individuals had to be at least 16 years old to get married. Recent events have resulted in the government repealing the previous marriage laws and replacing them with law number 16 of 2019. According to Article 7 of Law Number 16 of 2019, both men and women are required to reach the age of nineteen before they are legally able to get married.

Based on Article 7 of the Marriage Law, which says that the minimum age for women to be married is 16 years and that the minimum age for males to be married is 19, the conversation over an increase in the minimum age for getting married has been going on for a considerable amount of time. In addition, the legal age of marriage has been raised to 19 years old for both men and women following the passage of Law No. 16 of 2019 regarding amendments to the Marriage Law. This law was passed after the Marriage Law was amended [24]. Even before it was made mandatory by Law No. 16 of 2019, the legal requirement that couples be at least the minimum age to marry was commonly disregarded. The couple has the option of performing a *Nikah Siri*, which is more often known as an unregistered marriage. They do not give any thought to the repercussions of their choice to have a *nikah Siri* ceremony before they go through with it.[25] They are free to file an application for marriage legalization (also known as *forman isbat*) without having to worry about whether or not the marriage isbat will be granted. There is nothing novel about people not being concerned about the legal consequences of having weddings that are not registered. They do not give any consideration to the welfare of the wife and children in the event that a legal event takes place, such as the death of the husband or the woman divorcing the husband)[26].

The marriage law, specifically Article 7 paragraph 1, has been appropriate since it is crucial to give parents and the community knowledge on child associations. The guardian's parents may submit an application for a marriage dispensation (*diskah*) to the local court, along with supporting evidence, if an early marriage is required due to a deviation between the provisions of Article 7 paragraph (1) of Law No. 1 of 1974 jo Law No. 16 of 2019 article 7 (1) [27]. The existence of a state-facilitated marriage dispensation is an alternative for a marriage emergency, but its existence is regarded as the legitimacy of child marriage. Additionally, it can undermine the intentions of implementing child protection because of its detrimental effects, such as early divorce and other economic, social, and health problems [28].

Article 7 of Law (UU) Number 16 of 2019 on Amendments to Law Number 1 of 1974 on Marriage regulates marriage dispensation. According to the Religious Courts Agency, 50,673 dispensation marriages were dissolved in 2022. The marriage dispensation data that was decided by the Religious Courts shows this instance of child marriage. A dispensation is when someone is given permission to get married even if they are under the legal marriage age. The Religious Courts Agency (*Badilag*) reported that 50,673 dispensations for nullified marriages were granted in 2022. In Indonesia, the number of marriage exemptions increased sharply in 2020 in conjunction with the Covid-19 pandemic's appearance. According to Komnas Perempuan, this condition developed because of the pandemic's widespread economic hardships, which led many families to decide to marry off their young children. This exemption is frequently granted in addition to the female already being pregnant or being worried about having sexual activity. In addition, there are parents who believe that young marriage is required to prevent adultery [29].

The new Marriage Law (Law No. 16, 2019) has regulations for dispensation of marriage, like those stipulated in Marriage Law No. 1 of 1974. However, these rules are formulated in a different way than those found in Marriage Law no. 1 of 1974 [30]. Dispensation is a special permission granted to a person who is younger than the legal age to get married, which is now 19 years old. If both a man and a woman are at least 19 years old, then they are of legal age to get married in most countries. Even if one or both partners have not reached the age requirement, it is still possible to proceed with a marriage if at all possible [31].

As a result, males and females who desire in getting married but have not yet reached the age of 19 are given a chance to petition the court with acceptable reasons for a marriage dispensation to get married before they reach the age of 19. This chance is provided by Article 7 paragraph 3 of Law no. 16 of 2019, which was passed in 2019. Given that one of the administrative conditions that must be satisfied by prospective married couples is the submission of a marriage *isbat* in a religious court, this clause is feared to cause the possibility of submitting a marriage *isbat* in a religious court because it is one of the administrative conditions that must be satisfied by prospective married couples.

Because the judge's decision will serve as the conclusion of the case, the role that the judge plays in a marriage dispensation case is one that bears a great deal of relevance and significance. This decision must, however, be made with some consideration for the welfare of the community as a whole [32]. The Big Indonesian Dictionary describes a marriage dispensation as a permission to be released from an obligation or ban. As a result, the dispensation is a permission to carry out or do something that is not authorized. The phrase "marriage dispensation" describes the lowering of a restriction, notably the age restriction, in the course of establishing a marriage between a man and a woman acting as husband and wife [33].

It is possible for a party's guardian or parents to get a dispensation from a marriage for their child if the child is under the legal marriage age. Because they are still considered minors, a party or child who is not yet old enough to legally marry is not permitted to make an application for a dispensation from the marriage requirement [34]. But being physically and emotionally mature, as well as psychologically prepared, is not enough to really enter the world of marriage [35]. people also need to be financially (and economically) prepared. This is significant since divorce rates are high in Indonesia and financial (economic) issues are a common reason for divorce. In general, a male teenager desires to accomplish their highest potential in both their academic and professional lives. Men at this age tend to find marriage more difficult because they are not financially stable [36].

The National Population and Family Planning Agency (BKKBN), a government organization, also suggests a minimum marriage age of 21 for women and 25 for males. According to the BKKBN, a few factors to consider are Parenting styles will be impacted by psychological age that is still unstable. Age and mental maturity can have an impact on children's nutrition and health. A young woman's health from an early pregnancy and her chance of cervical cancer are both increased by early marriage. When adolescents under 20 engage in sexual activity, their cervix [37].

Because of the enactment of Law Number 16 of 2019, there has been an increase in requests for marriage dispensation because the age limit has changed, namely that both bride and groom must be 19 years old, and Supreme Court Regulation Number 5 of 2019 as a judge's standards for guidelines, the determination of the Religious Courts in using the provisions of Article 7 paragraph (1)) Law Number 1 of 1974 as amended by Law Number 16 of 2019 on Marriage, Then, following the issuance of Supreme Court Regulation Number 5 of 2019 on Guidelines for Trialing Applications for Marriage Dispensation, the Religious Courts take a stand and are based on the handling process, a judge must have presumptions and consider the benefits and harms in determining the application for marriage dispensation.

4 Conclusion

Although in law the minimum age limit for marriage, but in Islam it is stipulated that marriage must have readiness both physically and spiritually to form a family that is *sakinah*, *mawaddah*, and *warahmah*. The minimum age of marriage stipulated in Article 7 of Law number 16 of 2019 is 19 years for men and women, this needs to be reviewed because the age is too early for men and women where they still need more time to prepare themselves both mentally and financially. The marriage age limit of 21 years for women and 25 years for men is considered the most ideal because at that age a person is considered ready both mentally and financially to reduce the adverse effects of early marriage. In addition, Article 7 paragraph 3 of Law No. 16 of 2019 which regulates marriage dispensation is one of the causes of the high increase in early marriage in Indonesia so that the law regulating marriage dispensation the law regulating the age limit for marriage less effective because the community can still apply for marriage dispensation which causes high cases of early marriage in Indonesia. Here the role of the government and parents is urgently needed to prevent and reduce underage marriage. The government as a perpetrator of legal instruments should be able to make truly binding regulations so that there is no loophole for people to be able to carry out underage marriages. The government and parents should be able to work together to prevent underage marriage seeing the many adverse effects that occur.

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