



The Impact of Early Marriage In The Perspective of Maqashid Syariah: A Systematic Literature Review

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Abstract: *Early marriage is a phenomenon that must be prevented because it has the potential to deprive children of their rights, such as the right to protection from discrimination, the right to education, the right to health, and social rights. The main drivers of early marriage include economic, religious, parental, and environmental factors. Early marriage has various consequences and impacts that are detrimental to personal well-being. This study used a systematic literature review method by taking data from Scopus and found 9 articles relevant to the research topic. The results showed that the impacts of early marriage on children include interruption of education, low economic status, stress, and the risk of maternal and child mortality. Therefore, the impact of early marriage is not in line with the principles of maqashid sharia which upholds human welfare. This study aims to determine the impact of early marriage and reveal that early marriage is not in line with the principles of maqashid sharia. The principles of maqashid sharia are protecting the mind (hifdz al-aql), protecting the soul (hifdz an-nafs), and protecting property (hifdz al-mal). In addition to discussing the impacts of early marriage and observing maqashid sharia, this study also provides recommendations for preventing early marriage.*

Keywords: *Early Marriage, Impact of Early Marriage, Maqashid Sharia, Masalah.*

Abstrak: Pernikahan dini merupakan fenomena yang harus dicegah karena pernikahan dini berpotensi merenggut hak-hak anak seperti hak perlindungan dari diskriminasi, hak atas pendidikan, hak kesehatan, hak sosial. Pendorong utama pernikahan dini meliputi faktor ekonomi, agama, orangtua dan lingkungan. Pernikahan dini menimbulkan berbagai konsekuensi dan dampak yang merugikan kesejahteraan pribadi. Penelitian ini menggunakan metode *systematic literature review* dengan mengambil data dari scopus dan ditemukan 9 artikel yang relevan dengan topik penelitian.. Hasil penelitian menunjukkan dampak pernikahan dini bagi anak antara lain meliputi putusnya pendidikan, ekonomi yang rendah, stress dan risiko kematian ibu dan anak. Maka dampak pernikahan dini tidak selaras dengan prinsip *maqashid syariah* yang menjunjung tinggi kemaslahatan manusia. Penelitian ini bertujuan untuk mengetahui dampak pernikahan dini dan mengungkap bahwa pernikahan dini tidak sejalan dengan prinsip-prinsip *maqashid syariah*. Adapun prinsip *maqashid syariah* tersebut yaitu melindungi akal (*hifdz al-aql*), melindungi jiwa (*hifdz an-nafs*), dan melindungi harta (*hifdz al-mal*). Selain membahas mengenai dampak pernikahan dini dan tinjauan *maqashid syariah* penelitian ini juga memberikan rekomendasi pencegahan pernikahan dini.

Kata kunci: *Pernikahan Dini, Dampak Pernikahan Dini, Maqashid Syariah, Masalah.*

1. Introduction

Early marriage is a marriage between a couple where one or both of them have not reached the age of 19 years. In Indonesia, the legal age for marriage is regulated by UU Number 16 of 2019, which establishes 19 years as the minimum age for both men and women. Therefore, any marriage occurring before this age is classified as early marriage, and the individuals involved are still considered minors.¹ While the term early marriage in Islam has no explicit evidence. But in Islam it is regulated that someone can get married when they have reached puberty. Puberty is generally recognized when boys begin to have nocturnal emissions and girls start haid.²

Early marriage isn't only a domestic issue but a global issue. According to UNICEF data, the largest number of early marriages occurs in India with 216.65 million cases, followed by Bangladesh with 41.58 million cases, China with 35.43 million cases, and then Indonesia. Indonesia holds the fourth position worldwide in terms of early marriage cases. In 2023, early marriage cases in Indonesia reached 25.53 million children married at early age.³ Based on 2023 BPS data, the percentage of early marriages reached 6.92%, although this figure decreased from 8.06% in 2022. The government continues its efforts to eradicate child marriage. The Ministry of Women's Empowerment and Child Protection, the Coordinating Ministry for Human Development and Culture, and the Ministry of National Development Planning/Bapennas, with the support of partners, launched a Practical Guide for the Implementation of the National Strategy for Child Marriage Prevention (STRANAS PPA).⁴

Early marriage is a common phenomenon. Its due to several factors, such as economic factors, cultural factors, parental factors, environmental factors, and religious factors.⁵ Poor economic conditions compel parents to arrange marriages for their children as a way to ease their difficulties. Furthermore, pregnant outside of marriage is a common factor in early marriage in Indonesia. Pregnant outside of marriage is often used as a reason to applying for a dispensation in religious courts. Parental factors, Children are forced to accept arranged marriages due to pressure from their parents, which typically occurs when the parents are deeply rooted in their traditions.⁶

In response to this situation, Indonesia has taken steps to limit the legal age of marriage, as stipulated in Law No. 16 of 2019, which amends Law No. 1 of 1974 about marriage. The regulation states that marriage can be conducted under the condition that the couple is not

¹ Desi Afrianti et al., "Implementasi Undang Undang Nomor 16 Tahun 2019 Perubahan Atas Undang-Undang Perkawinan Nomor 1 Tahun 1974 Tentang Pernikahan Di Bawah Umur," *Jurnal Manajemen Pendidikan Dan Ilmu Sosial* 4, no. 2 (2023): 715–24, <https://doi.org/10.38035/jmpis.v4i2.1661>.

² Musdhalifah, "Batas Usia Perkawinan Dalam Pandangan Ulama Klasik Dan Kontemporer (Studi Analisis Praktik Perkawinan Dibawah Umur Masyarakat Kampung Nelayan Desa Saletreng Kabupaten Situbondo)," *HAKAM: Jurnal Kajian Hukum Islam* 6, no. 2 (2022): 110–15, <https://www.ejournal.unuja.ac.id/index.php/hakam/article/view/4747%0Ahttps://www.ejournal.unuja.ac.id/index.php/hakam/article/download/4747/1783>.

³ UNICEF, "Is an End to Child Marriage within Reach," UNICEF Data, 2023, <https://data.unicef.org/resources/is-an-end-to-child-marriage-within-reach/>.

⁴ KEMENKOPMK, "Kuatkan Pencegahan Perkawinan Anak Dengan Panduan Praktis Stranas PPA," 2024, <https://kemenkopmk.go.id/index.php/deputi-lisa-kuatkan-pencegahan-perkawinan-anak-dengan-panduan-praktis-stranas-ppa>.

⁵ Kusuma, A. P., & E. Erlina. "Problematika Pernikahan Usia Dini". *Alauddin Law Development Journal*; Vol. 3 No. 1 (2021); 45-52

⁶ Auliya Ibni Latifah, Aning Az Zahra, and Rayinda Faizah, "Makna Pernikahan Dini Pada Remaja Magelang," *Borobudur Psychology Review* 1, no. 2 (2021): 70–82, <https://doi.org/10.31603/bpsr.5821>.

less than 19 years old. If the age is less than 19, it is considered an early marriage.⁷ Indonesia's decision to limit the age of marriage is not without reason. The reason for this is the significant negative impact of early marriage, which deprives children of their right to education, protection from discrimination, social protection, health care, and development, as outlined in the philosophical foundation of Law No. 16 of 2019.⁸

In Islam, there is no explicit legal basis for marriage. It only states that marriage is permissible if a person has reached puberty and exhibits the signs of puberty. According to madzhab Hanafi opinion, the age of marriage is 18 (men) and 17 (women). Madzhab Maliki believes that it is 17 or 18, and the madzhab Syafi'i of thought believes that it is 15 for men and 9 for women.⁹ Although it is not regulated explicitly, Islamic law implicitly states that a person who marries must be mentally capable and ready and be able to understand the true meaning of marriage.¹⁰

Early marriage negatively impacts a child's life. Early marriage resulting from premarital pregnancy negatively impacts physical and mental health.¹¹ In addition, early marriage can impact household harmony, because their mental condition is not yet stable and mature resulting in them being less able to manage conflict, early marriage also results in domestic violence, a lack of understanding of each individual's role in the household and arguments that can even lead to disputes and divorce. Early marriage robs children of their right to pursue their education and realize their potential, resulting in children feeling inferior because they cannot pursue education like their peers. Early marriage robs social rights and has an impact on a person's economy, they cannot play or socialize like children their age because they have to shoulder greater responsibilities. Because of their young age, their economy is far from stable unless they get support from their parents.¹² Early marriage can impact family well-being. Well-being refers to a positive mental state, such as happiness, which includes satisfaction with life. Well-being can be measured by self-acceptance, good relationships with others, and self-control. Of course, every family desires a prosperous family, both economically and non-economically.¹³

⁷ Dede Nuryayi Taufik, "Penerapan Undang-Undang No. 16 Tahun 2019 Perubahan Atas Undang-Undang No.1 Tahun 1974 Tentang Batas Usia Perkawinan," *As-Sakinah* 1, no. 16 (2023): 16–24, <https://jurnal.staip.ac.id/index.php/sakinah/article/view/119/64>.

⁸ Sekretariat Negara Republik Indonesia, "Undang-Undang Republik Indonesia No 16 Tahun 2019 Tentang Perubahan Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan," *Undang-Undang Republik Indonesia*, no. 006265 (2019): 2–6, <https://peraturan.bpk.go.id/Home/Details/122740/uu-no-16-tahun-2019>.

⁹ Ania Nasyira, Faiza Nisrina, and Roselia Ariyanti, "Pengaruh Pernikahan Dini Mempengaruhi Kualitas Kehidupan Keluarga Dalam Perspektif Hukum Islam," *Deposisi: Jurnal Publikasi Ilmu Hukum* 2, no. 2 (2024): 400–410, <https://doi.org/10.59581/deposisi.v2i2.3235>.

¹⁰ Mita Sahara, "Pernikahan Dini Dalam Perspektif Hukum Islam (Studi Terhadap Tata Cara Pemenuhan Hak-Hak Anak Di Kabupaten Bener Meriah)" (UIN Ar-Raniry Banda Aceh, 2022).

¹¹ Dini Fadilah, "Tinjauan Dampak Pernikahan Dini Dari Berbagai Aspek," *Pamator Journal* 14, no. 2 (2021): 88–94, <https://doi.org/10.21107/pamator.v14i2.10590>.

¹² Ahsandy Ramadhan Suardi and Imanuddin Abil Fida, "Analisis Dampak Pernikahan Dini Terhadap Kehidupan Keluarga Di Desa Sumberkedawung Kecamatan Leces Kota Probolinggo," *USRAH: Jurnal Hukum Keluarga Islam* 4, no. 2 (2023): 156–67, <https://doi.org/10.46773/usrah.v4i2.1016>.

¹³ Holila & Qurottul Aini, "Hubungan Pernikahan Dini Dengan Tingkat Kesejahteraan Psikologis Ibu Rumah Tangga Di Desa Jenggawah Kecamatan Jenggawah Kabupaten Jember.," *National Multidisciplinary Sciences* 2, no. 5 (2023).

Therefore, the negative impacts caused by early marriage are not in accordance with the main objectives of *maqashid syariah* which prioritizes benefits and rejects harm.¹⁴ The impact of early marriage on reproductive health does not fulfill the principle of *Maqashid Syariah hifdz an-nafs* (protecting the soul) and should be avoided, early marriage also hinders the development of human reason (*hifdz al-aql*) because children are forced to mature and eliminate the instinctive nature of a child, and the impact of early marriage on the economy is not in line with protecting property (*hifdz al-mal*) because their economic readiness is low and their economy is unstable.¹⁵

This study aims to (1) identify the negative impacts of early marriage based on previous research, and (2) analyze these impacts from the perspective of *Maqashid Syariah* to determine their alignment with Islamic law and human welfare.

2. Literatur Review

a. Empirical Studies on Early Marriage and Its Impacts

Early marriage has a greater negative impact than its benefits. The impact of early marriage is the loss of the opportunity to continue their education. Early marriage is a barrier for children to continue their education, forcing them to stop due to the responsibilities of household life. Adolescence should be a productive age for them, and during this time, children should maximize their potential according to their interests, talents, and dreams. However, early marriage impacts children's education, thus denying them the right to continue developing their potential.¹⁶

Early marriage also impacts women's reproductive health. Women under 20 years of age, the cells in the uterus have not yet reached maturity. This is in contrast to women over 20, whose reproductive systems are ready and mature. An immature uterus results in a 10-12 times greater risk of uterine cancer compared to women who marry at age 20 or older. Furthermore, the risk of miscarriage in women under 20 is greater due to the uterus's still-weak condition. Pregnancy under 20 carries a risk of maternal death during childbirth.¹⁷

The economic impact of early marriage: Early marriage often contributes to poverty. Couples who marry at a young age are often financially unprepared, making them highly vulnerable to difficulties meeting family needs. Their relatively young age and inadequate skills make it difficult for them to find decent employment. Poor economic conditions impact family well-being and harmony. Unmet needs can lead to conflict within the family.¹⁸

The psychological impact of early marriage: Early marriage negatively impacts the psychological well-being of the couple. They are burdened with greater responsibilities and changing roles, making them vulnerable to conflict. This can occur due to their relatively young age, which leads to emotional instability. An unstable mental state can lead to domestic violence, which can cause trauma, stress, and anxiety. Furthermore, the interruption of their education can lead to a crisis of self-confidence. Therefore, every couple

¹⁴ Robi'Atul Adawiyah et al., "The Reconstruction of Aisyah's Marriage Age as a Resolution for Child Marriage Practices Phenomenon," *Al-Adalah* 19, no. 1 (2022): 69–98, <https://doi.org/10.24042/adalah.v19i1.11706>.

¹⁵ Imam Sukadi, Charles Gustaf Rudolf Banoet, and Zakia Amilia, "Perlindungan Hukum Terhadap Perempuan Dibawah Umur Akibat Perkawinan Dini Perspektif Maqashid Syariah," *EGALITA Jurnal Kesenjangan Dan Keadilan Gender* 19, no. 2 (2024): 97–114, <https://doi.org/10.18860/egalita.v19i2.29726>.

¹⁶ Agustina Tresendi Ndala et al., "Menikah Muda: Menggali Dampak Tersembunyi Pada Pendidikan Dan Karir," *Aspirasi: Publikasi Hasil Pengabdian Dan Kegiatan Masyarakat* 2, no. 6 (2024): 66–77.

¹⁷ Dwi Rifiani, "Pernikahan Dini Dalam Perspektif Hukum Islam," *De Jure: Jurnal Hukum Dan Syariah* 3, no. 2 (2011): 127–42, <https://doi.org/10.18860/j-fsh.v3i2.2144>.

¹⁸ Junita Friska et al., "Analisis Sosial Ekonomi Dampak Pernikahan Dini Dikalangan Remaja," *Aliansi: Jurnal Hukum, Pendidikan Dan Sosial Humaniora* 2, no. 1 (2025): 41–62.

planning to marry must possess maturity and a stable mental state to create a harmonious household.¹⁹

b. Theoretical Framework of Maqashid Syariah and Its Application to Early Marriage

According to scholars, the principles of sharia are the meanings, objectives, and wisdom behind the creation of sharia law. *Maqashid Syariah* is the most important concept that emphasizes that Islam exists to realize the welfare of humanity and reject harm. According to Imam Ghazali, the essence of *maqashid syariah* is the effort to protect life by rejecting harm and gaining benefits. Therefore, *maqashid syariah* can be interpreted as the foundation for achieving welfare and rejecting all harm. In general, *maqashid syariah* is the goals and secrets to be achieved, as desired by Allah in every law contained in syariah. The essence of this goal of sharia is to create welfare for all humanity, while rejecting harm. Meanwhile, the basic principles (mabadi) emphasize the main values of Islam, such as justice, equality, and freedom. Imam Ghazali formulated five types of benefits, namely, *hifdz ad-din* (protecting religion), *hifdz an-nafs* (protecting the soul), *hifdz al-aql* (protecting the mind), *hifdz al-mal* (protecting wealth), *hifdz an-nasl* (protecting descendants).²⁰

As the principle of *Maqashid Syariah* always prioritizes the *maslahah*, which is very contrary to early marriage because the negative impacts are greater than the *maslahah*. The negative impact of early marriage, which brings greater harm, is not in line with the principles of *Maqashid Syariah*.²¹ The negative impact of early marriage on psychological health is not in line with the principle of *hifdz al-nafs* (protecting the soul). In addition, early marriage prevents children from continuing their education, thus disrupting children from developing their potential, thus it does not fulfill the principle of *hifdz al-aql* (protecting the mind). Early marriage has an economic impact because the lack of skills and experience makes them unable to work properly. This results in unmet household needs, and financial difficulties are not in line with *hifdz al-mal* (protecting wealth).²²

3. Methods

This research uses a systematic literature review method. A systematic literature review is a library research process that involves reading various journals relevant to the research topic. The goal is to produce a paper that discusses a specific topic.²³ This study followed the PRISMA protocol for systematic reviews, including identification, screening, eligibility, and inclusion stages. Data were analyzed thematically to identify patterns in the negative impacts of early marriage in the perspective Maqashid Syariah framework. A systematic literature review was conducted in this study by searching journal articles in Scopus. The selected articles were articles with the research topics of early marriage, the impact of early marriage, and Islamic law. The keywords used were "early marriage" or "child marriage" and "Islamic" and "law". In the search, the author sorted out articles that were relevant to the topic to be studied. The author conducted a review of articles with a 5-year limit (2021 to 2025). The article format is PDF, and the language used is English. The journal articles selected were open access articles. The number of filtered and open access articles N:68.

¹⁹ Imelda Triadhari, Mumtaz Afridah, and Hana Haifah Salsabila, "Dampak Psikologis Pernikahan Dini Di KUA Kecamatan Kejaksaan Kota Cirebon," *Spiritualita: Journal of Ethics and Spirituality* 7, no. 2 (2023): 89–100, <https://doi.org/10.30762/spiritualita.v7i2.1328>.

²⁰ Paryadi, "Maqashid Syariah : Definisi Dan Pendapat Para Ulama," *Cross-Border* 4, no. 2 (2021): 201–16.

²¹ Ghofar Shidiq, "Teori Maqashid Al-Syari'Ah Dalam Hukum Islam," *Majalah Ilmiah Sultan Agung* 44, no. 118 (1970): 117–30.

²² Rita Defriza et al., "Dampak Pernikahan Dini Ditinjau Dari Aspek Ekonomi Dan Sosial Di Kabupaten Mandailing Natal," *Innovative: Journal Of Social Science Research* 3, no. 6 (2023): 5534–46.

²³ Alan B Carr, "Systematic Reviews Of The Literature: The Overview And Meta Analysis," *Dental Clinics Of North America* 46, no. 1 (2022): 79–86, [https://doi.org/10.1016/s0011-8532\(03\)00051-x](https://doi.org/10.1016/s0011-8532(03)00051-x).

The number of excluded articles N:52 (not relevant to the topic to be discussed). The number of articles tested for eligibility N:16. The number of articles relevant to the topic N:9.

Table 1. Selection Criteria

Criteria	Inclusion	Exclusion
Year of publication	2021-2025	Before 2021
Language	English	Non English
Quality	Scopus indexed in quartile to 3	Other Indexed and Non Quartile
Distribution	Open access	Close access

4. Results And Discussion

a. Impact of early marriage Findings From SLR

Early marriage has become a global phenomenon because its negative impacts outweigh its consequences. Early marriage robs children of their rights, including the right to protection from discrimination, access to healthcare, education, and physical and mental violence.²⁴ Therefore, many researchers have conducted research on the impacts of early marriage. Based on an analysis of data sources, the author will describe the impact of early marriage:

The impact of early marriage on education. Adolescence is the most productive age, during which children should maximize their potential according to their interests, talents, and dreams. However, early marriage has the effect of cutting off a child's education and development, preventing them from reaching their full potential.²⁵ Early marriage results in hampered career readiness in the future because children cannot continue their education.²⁶

The impact of early marriage on women's reproductive health, women who have sex early or under the age of 16 years, the risk of uterine cancer is 10-12 greater than that of women aged 20 years and above.²⁷ In addition, the risk of miscarriage in women who are pregnant under 20 years old is greater because the condition of the uterus is still weak and pregnancy at the age of under 20 years old carries the danger of mortality for the mother and baby during childbirth.²⁸ In women under 20, the cells in the uterus have not yet reached maturity. This contrasts with women over 20, whose reproductive capacity is already ready and mature. An immature uterus can lead to other reproductive health issues.²⁹

The economic impact of early marriage often contributes to poverty. Their relatively young age and lack of adequate experience make it difficult for them to find decent employment. Poor economic conditions impact family well-being and harmony. Unmet

²⁴ Nazir Ullah, "Child Marriages: International Laws And Islamic Perspective," *Journal Of Educational And Social Research* 11, no. 3 (2021), <https://doi.org/https://doi.org/10.36941/jesr-2021-0051>.

²⁵ Arne Huzaimah, "Controversy Of Early Marriage Between Religious Doctrine And Customs In Minoritu Areas In Indonesia," *Jurnal Ilmiah Al-Syir'ah* 22, no. 2 (2024): 139–51, <https://doi.org/10.30984/jis.v22i2.2344>.

²⁶ Ndala et al., "Menikah Muda : Menggali Dampak Tersembunyi Pada Pendidikan Dan Karir."

²⁷ Adawiyah et al., "The Reconstruction of Aisyah's Marriage Age as a Resolution for Child Marriage Practices Phenomenon."

²⁸ Qodariah Barkah et al., "The Manipulation of Religion and The Legalization of Underage Marriages in Indonesia," *Samarah* 7, no. 1 (2023): 1–20, <https://doi.org/10.22373/sjkh.v7i1.13316>.

²⁹ Rifiani, "Pernikahan Dini Dalam Perspektif Hukum Islam."

needs can lead to conflict and even divorce.³⁰ Early marriage often contributes to poverty rates, thus creating structural poverty.³¹ Early marriage can lead to economic dependence on the family, making them unable to live independently.³² Early marriage can slow down economic growth in Indonesia because of the loss of career. They lose the opportunity to build a decent career due to not having enough education and experience.³³

The psychological impact of early marriage is that it forces them to end school and leave their childhood behind. They are burdened with greater responsibilities and changing roles, making their households vulnerable to conflict. Furthermore, their emotional instability and immaturity can lead to conflict.³⁴ Therefore, maturity and a stable mental state are crucial for building a household. An unstable mental state can lead to constant conflict, which can lead to divorce. An unstable mental state can lead to domestic violence, which can cause trauma, stress, and anxiety.³⁵ Furthermore, the interruption of their education can lead to a crisis of self-confidence. Therefore, every couple planning to marry must possess maturity and a stable mental state to create a harmonious household.³⁶ Maturity is crucial in married life. Marriage without maturity leads to neglect of responsibilities, domestic violence, and marital instability, thus increasing the risk of divorce.³⁷

The positive impact of early marriage is fostering independence. Furthermore, early marriage prevents adultery, which violates religious and social norms.³⁸ Even though it has a positive impact, early marriage has a greater negative impact.

Table 2. Data Sources from the Systematic Literature Review Analysis

Article	Author	Source	Quartil	Negative Impact
The reconstruction of aisyah's marriage age as a resolution for child marriage practices phenomenon	Robiatul Adawiyah, dkk (2022)	Al-'Adalah	Q1	Psychological Health Economic Social
The urgency of maturity to get married and its relevance to family life goals	Zikri Darussamin, dkk. (2023)	Al-Istinbath: Jurnal Hukum Islam	Q1	Economic Health Psychological Domestic violence Educational

³⁰ Friska et al., "Analisis Sosial Ekonomi Dampak Pernikahan Dini Dikalangan Remaja."

³¹ Shella Oethary Gunawan, "Impacts of Early Childhood Marriage in Indonesia Viewed from Child Protection Laws Perspectives," *El-Usrah: Jurnal Hukum Keluarga* 6, no. 2 (2023), <https://doi.org/10.22373/ujhk.v6i2.20262>.

³² Friska et al., "Analisis Sosial Ekonomi Dampak Pernikahan Dini Dikalangan Remaja."

³³ Mariani Amberi, "Efforts to Prevent Child Marriage Based on Philosophy of Islamic Law and Indonesian Positive Law," *Samarah* 7, no. 1 (2023): 239–60, <https://doi.org/10.22373/sjhk.v7i1.12404>.

³⁴ Zikri Darussamin & Armansyah, "The Urgency of Maturity to Get Married and Its Relevance to Family Life Goals."

³⁵ Muljan et al., "Preventing Child Marriage in Bone District, South Sulawesi: Perspective of Islamic Family Law," *El-Usrah* 7, no. 1 (2024): 110–27, <https://doi.org/10.22373/ujhk.v7i1.22482>.

³⁶ Triadhari, Afridah, and Salsabila, "Dampak Psikologis Pernikahan Dini Di KUA Kecamatan Kejaksaan Kota Cirebon."

³⁷ Zikri Darussamin & Armansyah, "The Urgency of Maturity to Get Married and Its Relevance to Family Life Goals."

³⁸ Farel Rifandanu & Ayu Febrianti, "Early Marriage and Implication for Future Orientation in Islamic Law," *Contemporary Issues On Interfaith Law & Societas* Vol. 02, no. 2 (2023), <https://doi.org/10.15294/ciils.v2i2.69114>.

Impacts of early childhood marriage in Indonesia viewed from child protection laws perspectives	Shella Oetharry, dkk. (2023)	El-usrah: Jurnal Hukum Keluarga	Q1	Psychological Health Economic Social Educational
The manipulation of religion and the legalization of underage marriages in Indonesia	Qodariah Barkah, dkk. (2023)	Samarah: Jurnal Hukum Keluarga dan Hukum Islam	Q1	Health
Efforts to prevent child marriage based on philosophy of Islamic law and Indonesian positive law	Mariani Amberi. (2023)	Samarah: Jurnal Hukum Keluarga & Hukum Islam	Q1	Health Psychological Domestic violence Educational
Preventing child marriage in bone district, south Sulawesi: perspective of Islamic family law	Muljan, dkk. (2024)	El-Usrah: Jurnal Hukum Keluarga	Q1	Economic Health
Controversy of early marriage between religious doctrine and customs in minority areas in Indonesia	Arne Huzaimah, dkk. (2024)	Jurnal Ilmiah Al-Syir'ah	Q1	Education Domestic violence Quality of life Divorce
Early Marriage and implications for future orientation in Islamic law	Farel Rifandanu, dkk. (2023)	Contemporary issues on interfaith law & society	Q2	Psychological Health Economic Educational
Child marriage: international laws and Islamic laws perspective	Nazir ullah, dkk. (2021)	Journal of educational and social research	Q3	Educational Health Psychological

b. Problems And Solutions to Early Marriage

Based on analysis of previous research, this study aims to provide information and a perspective based on the principles *maqashid syariah* regarding the impact of early marriage. This study provides recommendations for preventing early marriage. In addition to discussing the findings, the authors also provide recommendations and analysis of further studies. Based on this research, the following unresolved issues related to the practice of early marriage are identified:

- 1) The interpretation of religious arguments as an effort to defend the permissibility of early marriage. In fact, some religious figures support and practice early marriage.³⁹
- 2) Problems related to the negative impacts of early marriage which are dangerous for the health and future of children.
- 3) Problems related to the harm caused by early marriage are greater.⁴⁰

³⁹ Barkah et al., "The Manipulation of Religion and The Legalization of Underage Marriages in Indonesia."

⁴⁰ Amberi, "Efforts to Prevent Child Marriage Based on Philosophy of Islamic Law and Indonesian Positive Law."

- 4) Based on the findings of problems regarding early marriage, researchers recommend prevention of early marriage that is appropriate to the conditions, namely:
- 5) Religious leaders play an active role in raising understanding the harmful effects of early marriage and speaking out firmly and concern about its risk and prohibitions. Collaboration with religious leaders can be carried out to minimize early marriage, including through education about the negative impacts.⁴¹
- 6) Conduct outreach, education, and campaigns for teenagers and parents. Promote the need to provide a safe, harmonious, and communicative environment for children, and raise awareness about fulfilling children's rights and the dangers of child marriage.⁴² Conducting education and providing education regarding HKSR or sexual and reproductive health rights education to adolescents.⁴³
- 7) Optimize existing laws and provide strict sanctions and encourage the public to voice their opinion that early marriage is illegal.⁴⁴

Table 3. Early Marriage Police Alternatives

Aspects	Problems	Solutions
Environment	<p>Lack of education regarding HKSR or sexual and reproductive health rights</p> <p>Culture of early marriage</p> <p>Promiscuity and lack of parental supervision</p> <p>Economic factors, which are the reason parents prefer to marry off their daughters to reduce the burden rather than finance their children's education.</p>	<p>Educating adolescents about sexual and reproductive health rights can be done in collaboration with community health centers (<i>Puskesmas</i>), PMR (red cross youth)</p> <p>Conducting outreach to the community and adolescents about the dangers of early marriage.</p> <p>Equipping children with knowledge and skills in social and sexual life. This aims to empower them to make confident decisions.</p> <p>Compulsory 12-year education program, free of charge.</p>
Government	<p>High rates of early marriage</p> <p>Providing recommendations for marriage dispensations easily.</p>	<p>Educate and emphasize the importance of child protection and regulations related to early marriage.</p> <p>Refuse to grant marriage dispensations, except in cases of premarital pregnancy.</p>

⁴¹ Amberi.

⁴² Muljan et al., "Preventing Child Marriage in Bone District, South Sulawesi: Perspective of Islamic Family Law."

⁴³ Shella Oethary Gunawan, "Impacts of Early Childhood Marriage in Indonesia Viewed from Child Protection Laws Perspectives."

⁴⁴ Amberi, "Efforts to Prevent Child Marriage Based on Philosophy of Islamic Law and Indonesian Positive Law."

Religion	Differences of opinion ulama about the minimum age for marriage Religion has not explicitly regulated early marriage, and there is a gap between religious and state regulations.	Considering the greater harm caused by early marriage, applying the principles of <i>maqasid syariah</i> is a solution to ensure that married life aligns with the goals of marriage, namely prosperity and harmony. Increasing public understanding of Islamic law by adapting to current circumstances. The aim is to explore the appropriate age for marriage by considering developments in science, health, and psychology.
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c. The perspective of *Maqashid Syariah* In the impact of early marriage

In Islam, there is no explicit in Al-Qur'an or hadith text that explicitly regulates the age limit for marriage. Research by Mariani Amberi suggests that classical Islamic jurisprudence only provides the definition of puberty. In marriage, puberty is merely a prerequisite for marriage. According to Imam Ghazali, puberty is defined as the intellectual maturity of a person, capable of distinguishing between good and bad, right and wrong. According to the Islamic school of thought, puberty is defined as the onset of ihtilam (wet dreams) for men and the onset of haid for women. However, there are differing opinions regarding the age limit for puberty if the aforementioned signs do not appear. According to the madzhab Hanafi, puberty is 18 or 19 years old (men) and 17 years old (women) if no signs of puberty are present. According to some madzhab Malikiyah, the age limit for both men and women is 17 or 18 years old (provided no signs of puberty are present). According to Imam Shafi'i, puberty is 15 years old for boys and 9 years old for girls (provided that the signs of puberty have already been experienced). Imam Shafi'i's opinion refers to the hadith about the Prophet Muhammad SAW marrying Aisha R.A. when Aisha was 6 years old and brought to the Prophet's house when she was 9 years old.⁴⁵

Based on research written by Qodariah Barkah, the study explains the reasons of early marriage among muslims in Indonesia, which is caused by the absence of Islamic law regulations regarding early marriage. This leads them to believe that marriage is obligatory because Islam encourages it. In fact, according to the research, religious leaders permit early marriage because it protects half of one's religious commitment. This rationale becomes a weapon for those who practice early marriage, manipulating religion to justify it.⁴⁶

According to Imam Ghazali, the essence of the *maqashid syariah* is the effort to protect life by rejecting harm and gaining benefits. Thus, *maqashid syariah* can be interpreted as the foundation for achieving benefits and rejecting all harm. In general, *maqashid syariah* is the goals and secrets to be achieved as desired by Allah SWT in every law contained in *syariah*. The main goal of *maqashid syariah* is to create welfare for all humanity while preventing *mafsadat*. Imam Ghazali formulated *maslahah* into five, namely, *hifdz ad-din* (protecting religion), *hifdz al-aql* (protecting the mind), *hifdz an-nafs* (protecting the soul), *hifdz al-mal* (protecting the wealth), *hifdz an-nasl* (protecting descendants).⁴⁷

⁴⁵ Amberi.

⁴⁶ Barkah et al., "The Manipulation of Religion and The Legalization of Underage Marriages in Indonesia."

⁴⁷ Paryadi, "Maqashid Syariah : Definisi Dan Pendapat Para Ulama."

Based on the review of *Maqashid Syariah* regarding early marriage, according to research by Robi'atul Adawiyah early marriage violates the principle of *Maqashid Syariah*, namely *hifdz al-aql* (protecting the mind). This is because the negative impact of early marriage can hinder intellectual development. Children forced to mature before their age will eliminate their instinctive nature as children. They must shoulder responsibilities and face changing roles. They are required to mature while they are still children.⁴⁸ Maturity is the most important requirement for building a successful marriage. Without maturity, dealing with marital problems can lead to excessive anxiety, which can lead to stress and depression. If problems in a marriage are not addressed with maturity, they can lead to marital discord.⁴⁹

The principle of *Maqasid Syariah* (protecting wealth) is inconsistent with the economic impact of early marriage. This can occur because early marriage causes them to be compelled to leave school. They are unable to learn and lack skills. Their limited experience makes it difficult for them to find decent work.⁵⁰ Without skills and education, they are forced to do informal work with small wages.⁵¹ The low economy makes it difficult for them to meet their living needs so that their quality of life is not good enough.⁵²

Furthermore, early marriage is't in line with the principle of *Maqashid Sharia hifdz an-nafs* (protecting the soul). This is because early marriage can impact reproductive health. This can occur due to the immaturity of the reproductive organs.⁵³ Apart from that, their relatively young age means they don't know about children's needs, so their needs and nutrition are ignored.⁵⁴

5. Conclusion

Early marriage is a marriage phenomenon that has a greater negative impact. The government has taken steps to prevent early marriage by limiting the minimum age of marriage to 19. This is regulated in Law No. 16 of 2019. Finding and analysis using a systematic literature review suggest that the adverse consequences of early marriage are significant. These negative impacts significantly impact life, particularly reproductive health, psychology, education, and the economy. These negative impacts are inconsistent with and threaten the principles of *Maqashid Syariah*. The impact on reproductive health is inconsistent with *hifdz an-nafs* (protecting the soul). Furthermore, the psychological impact is conflict with the principle of *hifdz al-aql* (protecting the mind). Getting early marriage may obstruct the growth and maturation of an individual's mental capacities, leading to stress, depression, and excessive anxiety due to the immaturity of the psychological state at that

⁴⁸ Adawiyah et al., "The Reconstruction of Aisyah's Marriage Age as a Resolution for Child Marriage Practices Phenomenon."

⁴⁹ Elprida Riyanny and Nunung Nurwati, "Analisis Dampak Pernikahan Dini Terhadap Psikologis Remaja," *JUrnal Pekerjaan Sosial* 3, no. 1 (2002): 29–38.

⁵⁰ Farel Rifandanu & Ayu Febrianti, "Early Marriage and Implication for Future Orientation in Islamic Law."

⁵¹ Raul Manuel Costa Alves and Laode Moh Safei, "Pengaruh Pernikahan Usia Dini Terhadap Kondisi Ekonomi Masyarakat Sapa Timur," *Journal of Islamic Economics Law* 4, no. 2 (2024): 109–20, <http://journal.iain-manado.ac.id/index.php/JI>.

⁵² Arne Huzaimah, "Controversy Of Early Marriage Between Religious Doctrine And Customs In Minoritu Areas In Indonesia."

⁵³ Peny Ariani et al., "Dampak Pernikahan Usia Dini Pada Kesehatan Reproduksi," *Jurnal Pengabdian Masyarakat Putri Hijau* 1, no. 3 (2021): 24–32, <https://doi.org/10.36656/jpmph.v1i3.707>.

⁵⁴ Zikri Darussamin & Armansyah, "The Urgency of Maturity to Get Married and Its Relevance to Family Life Goals."

age. Furthermore, the economic impact of early marriage is inconsistent with *hifdz al-mal* (protecting wealth), as it significantly increases economic vulnerability. This occurs because they lack the skills and experience to work, forcing them to take any available, low-paying job. Early marriage can be prevented by educating the community about the dangers of early marriage for children and providing education about sexual and reproductive health rights.

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