

Research Article

Analysis of the Problems of Early Marriage on Islam in Krucil Sumber Durian Village, Probolinggo

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Abstract. This study describes the analysis of the problems of early marriage in Sumber Duren Village. Early marriage has been a long-standing phenomenon, but is now re-emerging on the surface. This study aims to determine the motive behind this phenomenon. This study uses a qualitative approach to the type of case study. The data was obtained through observation and interviews. There were fourteen informants in this study, consisting of village heads, KUA officials, parents and children involved in early marriages. Data analysis uses data collection, data reduction, data display, and conclusions. As for the research results obtained, there are four things that are problematic for the occurrence of early marriage in Sumber Duren Village, namely matchmaking, self-will, low economy, and tradition. Matchmaking is one of the causes of early marriage in Sumber Duren Village, and this is because by choosing a partner for their child, the parents feel calmer. The son's or daughter's own will also causes early marriage in Sumber Duren Village. This happens for several reasons: feeling that they already understand marriage, not wanting to burden their parents, and pressure from the couple. Next is the economic factor that causes early marriage in Sumber Duren Village. The family's difficult economic conditions can trigger parents' mindsets to marry off their sons and daughters. It is intended that the financial problems experienced can be overcome. The ancestral tradition of marrying at an early or relatively young age is also one of the causes of early marriage in Sumber Duren Village. Most parents consider that early marriage is a positive and common thing, even considering that early marriage is an ancestral tradition that must be preserved and ignore the rules in marriage.

Keywords: Early Marriage; The Problems; Sumber Duren Village; Family's Difficult.

INTRODUCTION

Marriage is a stage in obtaining offspring and building a happy family as stipulated in the laws and regulations. Marriage is understood as a fitrah for humanity. For this reason, this becomes a recommendation that must be followed correctly and legally, in a different way, namely the wrong way, and bringing people closer to adultery (Eleanora & Sari, 2020). Currently, many marriageable ages may still need to be increased, such as Law No. 1 concerning the minimum age for marriage. 1/1974 Marriage is 19 years for men and 16 years for women (Hidayah & Komariah, 2021). However, as long as the bride and groom are under 21 years old, marriage can only take place with the permission of both parents. Early marriage can also be interpreted as a bond built by a man and a woman physically and mentally as husband and wife when they are young or teenagers (Sekarayu & Nurwati, 2021).

Sumber Duren Village is one of the villages in Krucil District, with many residents carrying out early marriages. This is similar to the data obtained from the Krucil District KUA and researchers' observations. Twenty residents in Sumber Duren Village married at an early age. The details 13 are female, and seven are male. Most girls are 14-16 years old, and boys 15-17 years old. From the perspective of child protection, 16 is the child's age. One of the legal bases is the interpretation that the age of adulthood, according to the Marriage Law, is 18 years. Furthermore, the Constitutional Court Decision Number 22/PUU-XV/2017 determines the difference in treatment between men and women. This has an impact on hampering the fulfillment of citizens' constitutional rights in the civil, political, economic, educational, cultural, and social fields (Susyanti & Halim, 2020).

At the same time, from a human rights perspective, this difference also constitutes discrimination based on sex. In addition to discrimination in implementing rights, following children's rights according to Articles 2 and B(2) of the 1945 Constitution. Setting different minimum age limits for marriage is also dangerous health-wise. Women who give birth before age 19 are twice as likely to die than women who give birth at 20 or more (Sekarayu & Nurwati, 2021).

Regarding education, the minimum age for marriage that applies to the bride and groom impacts their education. The Central Statistics Agency (BPS) revealed in a survey that 91.12% of girls who were married before 18 could not complete senior high school (SMA). Finally, following the quo decision, the Constitutional Court ordered legislators to amend Law 1/1974. The Constitutional Court believes that article 7 of law no.1/1974 is a discriminatory legal policy (Adha, 2023). The quo clause does not guarantee the protection of human rights and must be amended. Especially in education, getting married at 16 means the bride and groom have minimal opportunities to get an education, even if only to meet basic needs. In its decision, the Constitutional Court argued that the phrase "sixteen years" in Article 7(1) of Law No. 1 of 1974 was not legally binding and urged the legislature to change the minimum age limit for marriage. Regarding quantitative data, in 2018, BPS showed 1,220,900 women under 18 were married. On the other hand, for educational reasons, the average girl who is married before age 18 can only attend school up to grade seven (Aemanah, 2023).

The data on residents who married early in Sumber Duren Village differed when examined at the KUA of Krucil District. In his data, only five residents married

at an early age. The cause of this difference in data is that most residents implementing early marriages are married to Siri. Unregistered marriages are marriages that fulfill the pillars and conditions of marriage but have not or have not been registered at the competent authority and are legal according to Islamic law (Setiyadi et al., 2022). Unregistered marriage is a form of Islamic law teaching. When viewed from marriage law, namely Law Number 1 of 1974, unregistered marriage is prohibited by marriage law (Alif Utama et al., 2023).

However, if this is related to the existence of human rights, where marriage is a fundamental right guaranteed by the constitution or law, then unregistered marriages are legal (Hutapea et al., 2022). Therefore, the issue of siri marriage is a conflict of norms, namely the norms of Islamic law, marriage law, and human rights. Then apart from the debate about unregistered marriage, this research focuses on the problems or the reasons that become the motives for early marriage both at the KUA and with unregistered marriages in Sumber Duren Village, Krucil District.

There are several studies with similar themes. For example, research conducted by (Mujahiddin, 2023) describes that several factors are the cause of early marriage in Bagik Payung Selatan Village, Suralaga District, East Lombok, namely the low education of the bride and groom, the inadequate education of the parent's parents, parents' economic condition, environmental factors or promiscuity and lack of youth activities. The same research was also conducted by (Andy et al., 2023), who concluded that the factors leading to early marriage in Medan Denai District were economic, education, self-desire, parental wishes, and MBA (married by accident) factor, media, customs/culture.

A similar theme was also researched by (Tampubolon, 2021), who later obtained the result that the majority of factors influencing early marriage in Indonesia included the individual factors themselves, such as free sex among adolescents, family factors such as economic needs, environmental factors where the individual lived, for example, marriage culture, at an early age. Other research was also conducted by (Prameswari et al., 2023). This study explained that various factors, including a low level of education, usually cause early marriage. This indirectly affects the way people think in understanding existing problems. Economic factors also have a significant influence on the incidence of early marriage. The reason can reduce the burden of parental responsibility towards the family. Researchers surveyed the village of Kubasentan, and the data obtained showed that the poverty rate reached 30%. The unemployment rate for residents is also high, reaching 55%. The level of education in Kubah Sentang village could be better, with only primary and secondary schools. Based on the data above, this is also the cause of the rise of early marriage in the people of Kubah Sentang Village.

In some of the existing research, the majority explained that the causes of early marriage are economic factors, low education, and culture. The thing that differentiates this research from other existing studies is that, in this case, it has something to do with the process of unregistered marriage, which is a marriage that is legally religious but not recorded in the state administration. The purpose of this research is to find out the problems or motives that cause early marriage. For this reason, this research focuses on analyzing the issues of early marriage in Sumber Duren Village, Krucil District.

RESEARCH METHOD

This study uses a qualitative research method with a case study type. This research analyzes early marriage problems in Sumber Duren Village, Krucil District. Observations and interviews are a way for researchers to obtain data. Researchers set their research focus on January 20, 2023, and explained the research problem before going to the location and following the research report. Various data obtained by researchers are narrated systematically, reduced, and adapted to research needs to help researchers conclude. To get valid and reproducible data, the researcher interviewed several informants using the target sampling technique, namely fourteen people, namely M. Nufan Syaiful Yahya, S. Kep (NSY). NS as village head, Mahput Saifudin, S.Ag (MS) as Head of KUA, Mrs. Subaida (SUB) and Mr. Subair (SUA), Mrs. Sulipa (SUL) and Mr. Yusup (YU), Mrs. Sustrik (SU) and Mr. Harto (HR), Mrs. Maimuna (MA), and Mr. Jasri (JS) as parents of children who entered into early marriages, and Iin Rohimah (IR), Nur Hamidah (NH), Rizal (R), Herman (HR) as residents who got married at an early age. Researchers provide a structured explanation.

This is because field facts, in the form of points about what is being studied and about these conditions, can also be measured about the conditions at the research location, and then conclusions can be drawn (I. Arifin, 1994). This research is expected to fully and thoroughly describe early marriage problems in Sumber Duren Village, Krucil District. Data analysis was carried out concerning data collection, reduction, display, and conclusions (Milles & Huberman, 2014).

RESULT AND DISCUSSION

Early marriage, defined as marriage conducted before individuals reach the age of maturity (i.e., 16+ for women and 19+ for men), raises concerns due to the lack of necessary preparation and maturity. Such marriages are feared to expose young couples to significant risks, including health complications during childbirth (Friyadi & Azzahra, 2023). In the context of Islam, early marriage refers to a marriage that does not meet the government's requirements, particularly in terms of age, as it is believed that individuals at a young or tender age, typically under 20, may lack emotional stability and face challenges in achieving a secure and prosperous life for themselves, their families, and society (Umah, 2020). It is important to consider the Islamic perspective, which emphasizes the importance of ensuring the well-being and readiness of individuals before entering into marriage, taking into account their physical, emotional, and psychological development. Islam promotes responsible and well-informed decisions regarding marriage, with the aim of fostering healthy and fulfilling relationships.

That said, the issue of early marriage is an old issue, hidden and resurfaced by piles of historical pages. If you look closely, the phenomenon of early marriage in Indonesia is not new. Many of our ancestors married underage. Still, getting married at a "mature" age would set a bad precedent for society. Women who don't get married immediately get strange answers or are usually called spinsters (Ria & Febriani, 2020). But over time, that view changed 100%. Globalization has changed the perspective of society. An understanding of the essence of democracy, namely rights, obligations, and equality, makes marriage at a young age seen as unfair, dangerous, and taboo and

can cause significant problems in family life, especially for the future mother and children (Susyanti & Halim, 2020).

Sumber Duren Village, Krucil District, is inseparable from its location, which is also experiencing the phenomenon of early marriage, which is relatively high compared to several other villages. For this reason, it is necessary to know more deeply the supporting factors or the motives behind this phenomenon. Knowing these factors or problems is hoped that the authorities can overcome or provide a way out by considering these causal factors. Not much different from the majority of causes of early marriage in various regions in Indonesia, the cause of early marriage in Sumber Duren Village, Krucil District, is motivated by four things, namely regarding arranged marriages or agreements between parents, self-will, low economic factors, and a tradition. This was conveyed by the village head of Sumber Duren, M. Nufan Syaiful Yahya, S. Kep. NS in his interview as follows:

"Based on several incidents of early marriage that I encountered in the last few years, there are several reasons for early marriage in this village. One of them is the matchmaking system, which means that between one parent and the other parent, they have agreed to choose a partner for their child, so that they are old enough or not, so that they can quickly have children, besides, there is already a candidate, so marry them off. Then it is indeed the desire of the child, to want to marry young like that. Then the economic factor is low, so that the marriage of their children, even though they are still at a relatively low age, is the way out. And the last one is because of habit, tradition, mas (NSY-1)."

From this explanation, it can be understood that four things cause early marriage in Sumber Duren Village: arranged marriages or agreements between parents, the desire of the bride and groom to marry at a very young age, low economic factors, and a preserved tradition. However, the phenomenon of early marriage in Sumber Duren Village is mainly done through siri or Hidden.

The most substantial reason is that they were refused when they wanted to marry at the KUA because they were considered underage. This was conveyed by Mahput Saifudin, S.Ag as part of the KUA management, in his interview as follows:

"Yes, sir, there is data that is out of sync that you might find. Because the majority of those who marry at an early age are done by siri, so when they are old enough some are left without being taken care of by the KUA, and some are taking care of it like that (MS-1)."

From this explanation, it can be understood that most early marriages in Sumber Duren Village are carried out in secret or hidden ways. This is because the KUA only accepts them. After all, they are still at an age calculated to be less than the provisions in state regulations. This then gave rise to two forms of treatment, and some continued the marriage process to the KUA when they were old enough. Some let it go because they thought unregistered marriages were legal. The second reason is that they still have to handle several files, so they think it's difficult. This was conveyed by an early marriage partner, namely Herman, in his interview as follows:

"I used to marry siri, because at that time he was still 16 so he was not allowed to be with the KUA. But a few years after I turned 19, I started to go to the KUA, because I think it's important. Later you will get a marriage certificate there too, which can be made to take care of the needs of the children as well, so it won't

be a hassle (H-1)."

Different things were conveyed by Nur Hamidah in her interview as follows:
"My marriage used to be done with siri, because he was still not old enough. At that time it was due to several factors. Until now, we haven't taken care of it at the KUA, because apart from there are many things that need to be prepared, because unregistered marriages are also valid, bro (NH-1)."

From the two explanations, it can be understood that siri marriage is one of the ways that can be used as a way to get married at an early age. Two forms of continuity emerged from the unregistered marriage, one that ended in only a siri marriage and one that continued to the KUA.

Matchmaking

Matchmaking is one of the causes of early marriage in Sumber Duren Village, and this is because by choosing a partner for their child, the parents feel calmer. Before determining a mate for their child, of course, the parents have searched in depth about the candidate of their child. So when he thinks it's suitable, it's also the best for his child. This was conveyed by the parents of Mrs. Subaida and Mr. Subair in their interview as follows:

"Matchmaking is one of our efforts to provide the best partner for our daughter, mas. Before matchmaking, of course, we have to find out in advance about family background and so on. Every parent wants the best for their child, one of our efforts is to find him a future husband. Usually the children of our friends who are very close, already know the strengths and weaknesses of each family. There are also those who are indeed entrusted, for example, from their grandmother they have to marry this, the goal is so that the kinship is not broken, that's how it is, bro. So, when there is a candidate, what are you waiting for, hurry up and get married (SUD-1; SUA-1)."

From this explanation, it can be understood that matchmaking is part of parents' efforts to find the best partner for their child. The form of the arranged marriage could be from acquaintances of the parents or the grandmother's or family's side. Matchmaking comes from the word mate, which means partner or (which item is suitable for a partner), so the match itself means engaged, married, or married (Hikmawati & Wijaya, 2020). In its truest sense, it is an attempt to make or unite two people into one party with an element of coercion. According to some scholars, an arranged marriage is a marriage or marriage that is carried out not of one's own will, and there is also an element of pressure or pressure from parents or parties who want to arrange an arranged marriage (Margareta et al., 2022). Matchmaking is a pre-marital process where two people (male and female) are brought together in a relationship made at the will of both parents.

Most parents are based on their child's best interests, and some believe so when they do. It brings bad luck, which over time becomes a habit and is common in certain areas/villages. Some say that juduan is an attempt to plan a marriage between two parties, limited only to promises that have no rights or obligations from both parties (Andini & Agustang, 2021). Most Madurese are still looking for or choosing partners for their children. Parents arrange their daughters because they are worried that their daughters will grow old and lose their jobs (there are no men to propose to or marry).

When a girl grows up, and no family members or people come to present directly from the man's side, the girl's parents become anxious because their daughter has not yet proposed (Juhariyanto, 2022). For this reason, parents take the lead in finding partners for their children from relatives and close friends.

The arranged marriage then raises several responses to the matched child or object. Among them are rejection and acceptance. Rejection is the most common thing, but then parents persuade their children to be willing. Acceptance is a response that occurs after rejection or indeed becomes a form of a child's surrender to his parents' choice regarding his partner. This was conveyed by Iin Rohimah, who is one of the children who got married at an early age, in her interview as follows:

"At first I refused, mas, because I didn't know him, nor did he understand his family. But then chose to accept when my parents begged and persuaded me. Accepted as a form of my efforts to make them happy. With that intention, I hope that in the future I can build a happy family, armed with the blessing of my parents (IR-1)."

From this explanation, it can be understood that matchmaking has two possibilities: being accepted and being rejected by the child. When retracted, the parents will do several ways, such as persuading to convince the child. An effort made by each individual regarding the truth of what he describes is the meaning of persuading. Persuading can be one of the things that some parents do with the aim that their children are willing to be matched. This happens because some children will agree to the match after persuasion (Andini & Agustang, 2021). Matchmaking is a strong will on the part of parents, and for that, a child must be given the confidence to be willing to accept the arranged marriage. Also included in the category of persuading is giving an understanding to the child both from a good and bad point of view. This is intended so that the child can make decisions by looking at various points of view on the good and bad sides of arranged marriage. When the match is approved, the parents will make plans for the wedding immediately, even though the child's age is still in the less category.

Therefore, it can be understood that the occurrence of marriage at a young age is caused by the desire of parents to match their children. Often, some parents force their children to marry at a young age. Also, some parents are worried that their children will get involved in association-free. Therefore parents took the initiative to immediately marry off their children (D. Arifin, 2021).

Self Desired Motives

The son's or daughter's own will also causes early marriage in Sumber Duren Village. This happens for several reasons: feeling that they already understand marriage, not wanting to burden their parents, and pressure from the couple. This was conveyed by Rizal, one of the residents who married at an early age, in his interview as follows:

"Actually, because I'm not continuing my schooling, so that I don't become a burden to my parents, it's better to have a family like that. In addition, already have a household view with a girlfriend. Therefore, the urge to get married at the age of 17 was very strong (R-1)."

From this explanation, it can be understood that early marriage can also occur because of self-motivation. This encouragement can come from the thought of not wanting to be a burden to the parents because they have stopped going to school, then it comes from their partner. The motive is understood as something that makes humans willing to carry out something with specific goals (Ernawati, 2021). This is not much different from motivation, which is defined as encouragement, strength, enthusiasm, and pressure in a person's psychological aspects so that he can achieve the goals he wants (Idhayanti et al., 2020), which in this case is the motive for getting married at an early age.

The response from parents with children with the motive of wanting marriage early on is quite high, including giving directions and permitting. This was conveyed by Ms. Sulipa and Mr. Yusup in their interviews as follows:

"The initial response was to ask, sir, what made him want to get married at such a young age. Yes, he said he didn't want to burden us anymore, meaning he wanted to learn to live independently but had someone to accompany him. Because he was no longer in school, we finally gave him permission to avoid adultery too, right? Our other goal is to quickly become a responsible person. If you don't have a wife, working isn't as encouraging as that. If he already has a wife, like it or not, he must know and be able to meet his needs (SU-1; YU-1)."

From this explanation, it can be understood that parents' response to their child's motives or desires is to view this positively, namely to teach responsibility lessons to their children.

In perpetuating the relationship, many teenagers choose to marry at a young age to clarify their relationship status, marriage with the reason of perpetuating the relationship is something that is deliberately done because the two teenagers have prepared carefully to get married, even though they are still underage, most of them think of getting married soon. Get married to avoid actions that are not following religious and societal norms (D. Arifin, 2021).

Economy

Next is the economic factor that causes early marriage in Sumber Duren Village. The family's difficult economic conditions can trigger parents' mindsets to marry off their sons and daughters. It is intended that the financial problems experienced can be overcome. By getting married, the son/daughter will become the responsibility of another person so that the level of need can be reduced. This was conveyed by Mrs. Sustrik and Mr. Harto in their interviews as follows:

"Our family's economic condition, which is arguably difficult, made us think about marrying off our daughter, mas. Marriage is the solution, this is because by getting married our daughter will become the responsibility of her husband, so the needs in this family will also decrease. Economic conditions like this of course make us no longer take into account the age of our daughter, that's all, mas. So, once someone applies, they are immediately accepted (SU-1; HR-1)."

From this explanation, it can be understood that early marriage is a solution for parents when economic conditions are quite complex or low. Economics is understood as something that can be used as a guide in fulfilling what is needed in carrying out life. Closely related, a low economy or poverty is one of the most

substantial reasons for early marriage, especially in Indonesia, a developing country (Octaviani & Nurwati, 2020). Allowing their daughter to marry a man considered adequate and capable of lightening the family's economic burden is an option that most parents highly favor with a reasonably high poverty level.

When parents want their children to marry because of economic factors, most will accept it because they feel it is the only way. This was conveyed by Nur Hamidah in her interview as follows:

"At that time I was 15 years old, I really had no other choice, my intention was to help my family because at that time the one who applied for me was already working so at least I could help my parents (NH-1)."

From this explanation, it can be understood that economic conditions can be one of the causes of early marriage. Economic factors are very influential on marriage at a young age because difficulties in the economy make it very difficult for a person to live his life coupled with the lack of employment, which is increasingly gripping a family who has economic problems and is unable to provide for their children's needs and is also no longer able to pay for their children's education. Their children because of that, many parents choose to marry their children and hope that the economic problems they face can be resolved. The same goes for a child; sometimes, they don't want to burden their parents, so they accept the marriage (D. Arifin, 2021).

Tradition

The ancestral tradition of marrying at an early or relatively young age is also one of the causes of early marriage in Sumber Duren Village. Most parents consider that early marriage is a positive and common thing, even considering that early marriage is an ancestral tradition that must be preserved and ignore the rules in marriage. This was conveyed by Ms. Maimuna and Mr. Jasri in their interviews as follows:

"Back then, I got married before I graduated from elementary school, and now it's okay, so what's wrong with imitating the old concept. It's just a matter of how everyone responds to it, if it is seen as a negative thing then it can also have negative consequences such as divorce and so on (MA-1; JS-1)."

From this explanation, it can be understood that early marriage is considered a positive thing and is part of ancestral traditions that are recommended to be preserved. It is as if the Law that has regulated it is being ignored without touching the mind (Hardianti & Nurwati, 2020). Indonesia has many tribes and cultures in various provinces, making Indonesia famous for its diverse customs and culture. Likewise, the influence of businesses is one of the causal factors of marriage at a young age, for example, the belief that it is not permissible to propose to a woman even though she is under the age of 18 which is sometimes considered to be trivial and insulting which makes parents have to marry off their daughters (D. Arifin, 2021).

CONCLUSION

From the presentation of the data, it can be concluded that the problems of early marriage in Sumber Duren Village, Krucil District, are divided into four things, including matchmaking factors, desire from within themselves, low family economic factors, and tradition factors. The implications of this research are to be followed up

by the authorities, for example, by providing socialization regarding marriage or educating parents so that they are wiser in responding to marriage problems at an early age and understanding the impact of unregistered marriages. This research is limited to analyzing the issues of early marriage in Sumber Duren Village. For this reason, further research is needed regarding the impact and what happens to early marriage.

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