

Revisiting the Role of KUA: Reducing Child Marriage through the Perspectives of *Maqasid al-Shariah* and the Sociology of Islamic Law

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Abstract

This study aims to analyze the effectiveness of prevention programs implemented by the KUA (Religious Affairs Office), evaluate the forms of collaboration between agencies and the community, and interpret the role of these institutions through the perspective of *Maqasid al-Syariah* and the sociology of Islamic law. This study uses a qualitative approach with a case study method. Data were obtained through in-depth interviews with the head of the KUA, religious leaders, and religious instructors, and strengthened by field observations and documentation studies. Analysis was conducted using the interactive model of Miles, Huberman, and Saldaña through a process of data reduction, data presentation, and drawing conclusions linked to the theoretical framework. The results show that the socialization and counseling programs implemented by the KUA are still conventional, focusing on lecture methods, and have not reached vulnerable groups such as adolescents in schools. The implementation of marriage document audits has been underway, but marriage dispensations and the practice of unregistered marriages remain a loophole exploited by the community. Furthermore, cross-sectoral coordination with educational institutions, health institutions, and village governments has not been systematically established, resulting in partial and administrative efforts to prevent child marriage. The implications of this study emphasize the importance of repositioning the role of the Office of Religious Affairs (KUA) as an agent of social change by strengthening its educational and preventive functions, expanding institutional collaboration, and developing a more contextual premarital curriculum. Integrating the values of *Maqasid al-Shariah*—particularly the protection of life (*hifz al-nafs*), reason (*hifz al-'aql*), and offspring (*hifz al-nasl*)—with an Islamic legal sociology perspective that emphasizes the dynamics of living law, can serve as a normative and sociological foundation for strengthening the national strategy for preventing child marriage.

Keywords: KUA; Maqasid al-Syariah; Child Marriage; Sociology Of Islamic Law; Counseling



ملخص

تهدف هذه الدراسة إلى تحليل فعالية برامج الوقاية التي ينفذها مكتب، وتقييم أشكال التعاون بين الجهات والمجتمع، (KUA) الشؤون الدينية وتفسير دور هذه المؤسسات من منظور مقاصد الشريعة وعلم اجتماع الشريعة الإسلامية. تعتمد هذه الدراسة على منهج نوعي ودراسة حالة جمعت البيانات من خلال مقابلات معمقة مع رئيس مكتب الشؤون الدينية، والقادة الدينيين، والمعلمين الدينيين، ودُعمت بالملاحظات الميدانية ودراسات التوثيق. أُجري التحليل باستخدام نموذج مايلز، وهوبرمان وسالدانا التفاعلي، من خلال عملية اختزال البيانات وعرضها واستخلاص استنتاجات مرتبطة بالإطار النظري. تُظهر النتائج أن برامج التنشئة الاجتماعية والإرشاد التي ينفذها مكتب الشؤون الدينية لا تزال تقليدية، وتركز على أساليب المحاضرات، ولم تصل إلى الفئات الضعيفة مثل المراهقين في المدارس. لا يزال تنفيذ عمليات تدقيق وثائق الزواج مستمرًا، إلا أن إعفاءات الزواج وممارسة الزواج غير المسجل لا تزال تمثل ثغرة يستغلها المجتمع. علاوة على ذلك، لم يُرسَ التنسيق بين القطاعات مع المؤسسات التعليمية والصحية وحكومات القرى بانتظام، مما أدى إلى بذل جهود جزئية وإدارية لمنع زواج الأطفال. وتؤكد آثار هذه الدراسة على أهمية كعامل للتغيير الاجتماعي (KUA) إعادة تحديد دور مكتب الشؤون الدينية، من خلال تعزيز وظائفه التعليمية والوقائية، وتوسيع التعاون المؤسسي وتطوير منهج دراسي أكثر ملاءمة للسياق قبل الزواج. إن دمج قيم مقاصد الشريعة الإسلامية - وخاصةً حفظ النفس والعقل والنسل - مع منظور علم الاجتماع القانوني الإسلامي الذي يُركز على ديناميكيات القانون الحي

يمكن أن يُشكل أساسًا معياريًا وسوسولوجيًا لتعزيز الاستراتيجية الوطنية لمنع زواج الأطفال.

الكلمات المفتاحية: مكتب الشؤون الدينية; مقاصد الشريعة; زواج الأطفال; علم اجتماع الشريعة الإسلامية; الإرشاد

Abstrak

Penelitian ini bertujuan untuk menganalisis efektivitas program pencegahan yang dilaksanakan KUA, mengevaluasi bentuk kolaborasi antar instansi maupun masyarakat, serta menafsirkan peran kelembagaan tersebut melalui perspektif *Maqasid al-Syariah* dan sosiologi hukum Islam. Penelitian ini menggunakan pendekatan kualitatif dengan metode studi kasus. Data diperoleh melalui wawancara mendalam dengan kepala KUA, penghulu, dan penyuluh agama, serta diperkuat dengan observasi lapangan dan studi dokumentasi. Analisis dilakukan dengan model interaktif Miles, Huberman, dan Saldaña melalui proses reduksi data, penyajian data, dan penarikan kesimpulan yang dihubungkan dengan kerangka teori. Hasil penelitian menunjukkan bahwa program sosialisasi dan penyuluhan yang dijalankan KUA masih bersifat konvensional, berfokus pada metode ceramah, dan belum menyentuh kelompok rentan seperti remaja di sekolah. Implementasi pemeriksaan dokumen perkawinan telah berjalan, namun dispensasi nikah dan praktik nikah siri masih menjadi celah yang dimanfaatkan masyarakat. Selain itu, koordinasi lintas sektor dengan lembaga pendidikan, kesehatan, maupun pemerintah desa belum terbangun secara sistematis sehingga upaya pencegahan perkawinan anak cenderung parsial dan administratif. Implikasi penelitian ini menegaskan pentingnya reposisi peran KUA sebagai agen perubahan sosial dengan memperkuat fungsi edukatif dan preventif, memperluas kolaborasi kelembagaan, serta mengembangkan kurikulum pranikah yang lebih kontekstual. Integrasi nilai-nilai *Maqasid al-Syariah*—khususnya perlindungan jiwa (*hifz al-nafs*), akal (*hifz al-'aql*), dan keturunan (*hifz al-nasl*)—bersama perspektif sosiologi hukum Islam yang menekankan dinamika *living law*, dapat menjadi fondasi normatif dan sosiologis dalam memperkuat strategi nasional pencegahan perkawinan anak.

Kata Kunci: KUA; *Maqasid al-Syariah*; Perkawinan Anak; Sosiologi Hukum Islam; Penyuluhan

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A. Introduction

Child marriage remains a longstanding issue that has yet to find a comprehensive solution or receive serious intervention. Data from the Central Bureau of Statistics (BPS) of Southeast Sulawesi for the period 2018–2021 indicate persistently high rates of child marriage despite regulatory changes to the minimum age requirement. In 2018, the rate of marriage at the age of 16 reached 24.34%. In 2019, marriages at age 16 accounted for 19.13%, while those at ages 17–18 were 27.50%. In 2020, the rate of marriage at age 16 was recorded at 22.00%, and at ages 17–18 it was 24.47%. In 2021, the rate of marriage at age 16 stood at 23.15%, while those at ages 17–18 were 21.18%. These figures demonstrate that amendments to the Marriage Law did not automatically reduce the prevalence of child marriage. To date, dominant approaches to addressing this issue have emphasized a mathematical perspective through the determination of minimum marriage age. However, such approaches often overlook more substantive conceptual aspects, such as the quality of children's lives and the protection of their rights. Preventive efforts undertaken by the Office of Religious Affairs (KUA) likewise remain focused primarily on enforcing age regulations, rather than enhancing public understanding of the negative consequences of child marriage.

Previous studies have shown that several factors influence the prevalence of child marriage and its negative consequences. Economic conditions are among the main drivers, as early marriage is often encouraged by parents and families as a means to ease financial burdens.¹ Dyah highlights that cultural factors frequently intersect, creating pressure and motivation to marry early without considering legal requirements or the long-term consequences sometimes even resulting in unregistered (*siri*) marriages.² Kartika further explains that juvenile delinquency and premarital relationships are often the result of weak parental control, which fails to safeguard children's futures and exposes them to adverse social influences. In addition, issues related to reproductive health pose significant risks,³ including the possibility of life-threatening complications and the loss of future opportunities for young brides.⁴

¹ Nurul Evi et al., *Hubungan Budaya Pernikahan Dini dengan Peningkatan Risiko Kejadian Kanker Serviks di Wilayah Kalimantan Selatan (Studi Literature Review)*, n.d.

² Ana Dyah Aliza, Chanda Paramitha Bherty, and Nur Laila Faizah, "Phenomenological Study: Overview Of Sirri Marriages On The Rights Of Women And Children In Family Care In Pulolor District, Jombang District," *Jurnal Ilmiah Kebidanan* 10, no. 1 (2024): 80–87, <https://doi.org/10.33023/jikeb.v10i1.2041>.

³ Kartika Adyani, Catur Leny Wulandari, and Erika Varahika Isnaningsih, "Faktor – Faktor yang Mempengaruhi Pengetahuan Calon Pengantin dalam Kesiapan Menikah," *Jurnal Health Sains* 4, no. 1 (January 2023): 109–19, <https://doi.org/10.46799/jhs.v4i1.787>.

⁴ Winny Kirana Hasanah et al., "Analisis Pelaksanaan Edukasi Pranikah Terkait Kesehatan Reproduksi Pada Pasangan Calon Pengantin Muslim," *Jurnal Kesehatan Masyarakat* 10, no. 2 (2022): 53–66.

Other studies have also shown that child marriage often leads to various problems, such as psychological distress,⁵ domestic violence, and divorce. The emergence of these pressures and forms of violence illustrates the lack of readiness to enter marriage and to deal⁶ with its responsibilities and consequences.⁷ Furthermore, premarital counselling is generally provided only to prospective couples who formally submit marriage applications at KUA.⁸ However, such programs primarily affect individual applicants, while vulnerable groups who are at greater risk of entering child marriage remain largely beyond the reach of KUA's authority and interventions.

The persistence of child marriage demonstrates a direct correlation with its adverse consequences, as the practice continues to occur at an early age. This study aims to explore the role of KUA in addressing the prevalence of child marriage and to identify concrete measures implemented through various programs and initiatives. The findings highlight that religious counsellors within KUA hold a strategic and urgent role, not only in the strict registration and documentation of marriages—ensuring that applications not meeting the minimum age requirement are rejected—but also in tracing and addressing the underlying causes that drive families and individuals to seek underage marriages before a dispensation request is submitted.⁹

Based on the concept of *al-Maqasid al-Shariah*, the principle of *al-dharuriyyat* represents fundamental human needs that must be fulfilled in order to shape a societal paradigm concerning the harmful impacts of child marriage. Such practices may endanger life and threaten the preservation of lineage. From the perspective of the Sociology of Islamic Law, these essential needs highlight the necessity of a reciprocal relationship between the formal norms governing marriage and the persistent social realities in which child marriage continues to occur and remains difficult to control.

⁵ Ahmad Habibi, "Pernikahan Dini Dalam Tinjauan Hukum Islam Dan Psikologi: Early Marriage In A Review Of Islamic Law And Psychology," *Mitsaqan Ghalizan* 2, no. 1 (June 2023): 57–66, <https://doi.org/10.33084/mg.v2i1.5276>.

⁶ Chrisdianti Yulita, Alya Yulandari, and Merry Delyka, "Gambaran Pengetahuan Remaja Putri Tentang Risiko Pernikahan Dini: Overview of Adolescent Girl's Knowledge About the Risk of Early Marriage," *Jurnal Surya Medika* 10, no. 3 (December 2024): 1–4, <https://doi.org/10.33084/jsm.v10i3.8937>.

⁷ Untung Suroso and Meilan Arsanti, "Perceraian dan Perkembangan Psikologis Anak: Analisis Tematis Temuan Tinjauan Literatur," *Legitima: Jurnal Hukum Keluarga Islam* 5, no. 2 (June 30, 2023): 331–46, <https://doi.org/10.33367/legitima.v5i2.3315>.

⁸ Partono Nyanasuryanadi, "Layanan Bimbingan Pra Perkawinan Di Indonesia: Systematic Literature Review," *Jurnal Ilmu Negara dan Kebudayaan* 24, no. 1 (2024): 97–108.

⁹ Moh Makmun and Bahtiar Bagus Pribadi, "Efektifitas Pencatatan Perkawinan di Kantor Urusan Agama (KUA) Kecamatan Tembelang Kabupaten Jombang," *Jurnal Hukum Keluarga Islam* 1, no. 1 (2016): 17–32.

The concepts of *hifz al-nafs* and *hifz al-nasl* within the framework of *Maqasid al-Shariah* provide a strong ethical-religious foundation for addressing the practice of child marriage. *Hifz al-nafs* in this context extends beyond physical safety to encompass reproductive health, which is often compromised in early marriages. Young girls who marry too early face a high risk of pregnancy and childbirth complications, including maternal mortality. Meanwhile, *hifz al-nasl* emphasizes the importance of education and optimal cognitive development, both of which are frequently disrupted when children are forced into marriage prematurely.

This formal framework is reinforced through integration with state regulations, particularly the revised Marriage Law that raised the minimum legal age for marriage. The harmonization of religious values and positive law creates a layered system of protection that legitimizes efforts to prevent child marriage. Child protection regulations further strengthen this framework by emphasizing that underage marriage violates children's rights to grow and develop optimally. The integration of the *Maqasid al-Shariah* framework with the national legal system enables a comprehensive approach to addressing child marriage. This is highly strategic, given that in many communities religious legitimacy often serves as a primary consideration in social practices, including marriage, and thus can provide an epistemological foundation for implementing measures to minimize the prevalence of child marriage today.

B. Literature Review

1. The Role of KUA and the Practice of Marriage of Minors

Based on the Marriage Law Number 16 of 2019, KUA has a strategic position in preventing child marriage through the implementation of administrative and preventive duties.¹⁰ This regulation emphasizes that every marriage can only take place if the bride and groom meet the minimum age requirements that have been determined by law. In practice, KUA at the sub-district level plays an important role as an institution that conducts initial checks on bride-to-be documents, including identity verification and validation, birth certificates, and other documents that prove the fulfillment of the marriage age limit.¹¹ This process is not just a formality, but a legal instrument that ensures that marriage does not violate the age requirement and at the same time provides protection for the rights of children. KUA also has full authority to reject marriage applications if there is an age discrepancy with the applicable requirements,

¹⁰ Kartika Septiani Amiri and Rahmat Paputungan, "Efforts of the Office of Religious Affairs in Preventing Early Marriage in Lolak District, Bolaang Mongondow," *Al-Mujtahid: Journal of Islamic Family Law* 3, no. 2 (December 2023): 141, <https://doi.org/10.30984/ajifl.v3i2.2830>.

¹¹ Surahmat Surahmat, "THE ROLE OF FUNCTIONAL ISLAMIC RELIGIOUS EXTENSION WORKERS IN MARRIAGE DEVELOPMENT IN SLEMAN REGENCY (Islamic Counseling Review)," *Al-Manar* 10, no. 1 (June 2021): 50–69, <https://doi.org/10.36668/jal.v10i1.153>.

so that this institution functions as an initial filter in minimizing the occurrence of child marriage. With this role, KUA not only acts as a marriage registrar, but also as an important actor in efforts to prevent the negative impacts of early marriage, such as reproductive health problems, psychological vulnerability, and the perpetuation of structural poverty.¹²

In order to ensure that the community understands the true purpose of marriage and the rules that govern it, KUA has an obligation to organize a guidance program on an ongoing basis. This program is not intended as a purely ceremonial activity, but is not a systematic effort in providing legal, religious, and social education to the wider community. Ideally, the material is designed based on social realities that still encourage the high practice of underage marriage, so that it can answer the actual problems faced by the community. Economic factors are often the main drivers, where underprivileged families view child marriage as a strategy to reduce financial burdens.¹³ On the other hand, socio-cultural factors such as matchmaking traditions, stigma against late marriage, and environmental pressures also reinforce this tendency to practice. It is not uncommon for cases of promiscuity and pregnancy outside of marriage to be used as a reason for families to marry children even though their age does not meet the requirements.¹⁴ In this context, the guidance program serves to provide a healthier alternative perspective and in accordance with the law, namely that early marriage is not a solution, but rather raises new problems related to reproductive health, educational sustainability, and children's future.¹⁵

2. Collaboration and Institutional Integration in Suppressing the Practice of Underage Marriage

Underage marriage is a complex and multidimensional social problem, so its handling requires the involvement of various stakeholders. This phenomenon cannot be solved by just one institution, but requires structured, planned, and sustainable institutional cooperation. The cooperation includes synergistic cooperation between government institutions, non-governmental organizations, religious organizations,

¹² Ani Yumarni and Endeh Suhartini, "Perkawinan Bawah Umur dan Potensi Perceraian (Studi Kewenangan KUA Wilayah Kota Bogor)," *Jurnal Hukum Ius Quia Iustum* 26, no. 1 (April 2019), <https://doi.org/10.20885/iustum.vol26.iss1.art10>.

¹³ Siti Nurul Khaerani, "ECONOMIC FACTORS IN EARLY MARRIAGE IN THE SASAK COMMUNITY OF LOMBOK," *QAWWAM* 13, no. 1 (2019): 1–13, <https://doi.org/10.20414/qawwam.v13i1.1619>.

¹⁴ Nike Dwi Putri, "SOCIOECONOMIC FACTORS IN CHILD MARRIAGE IN SOUTH SULAWESI," *Journal of Social Sciences and Humanities* 11, no. 3 (2022): 562–71, <https://doi.org/10.23887/jish.v11i3.47789>.

¹⁵ Rizki Ramadhan and Ilham Mujahid, "Analysis of Factors Causing Underage Marriage at KUA Arcamanik Bandung," *Journal of Islamic Family Law Research* 4, no. 3 (2024): 129–34, <https://doi.org/10.29313/jrhki.v4i2.5247>.

educational institutions, and other elements of civil society in efforts to prevent and handle the practice of child marriage. In this context, the presence of a coordination forum or task force is important so that the work mechanism of each institution can run in an integrated and complementary manner.

Civil society organizations have a strategic role in the issue of child marriage because of their flexibility and reach that are able to penetrate marginalized communities and remote areas that are often not reached by government programs. With a participatory approach, these institutions are able to understand the local context and identify specific factors that influence child marriage practices. Through community-based research, civil society organizations can also produce valuable data and empirical evidence for the development of more effective policies and programs that meet the needs of the community.

In addition to playing an advocacy role, civil society organizations are often at the forefront of providing direct assistance to children who are at risk or have been victims of early marriage. This form of assistance includes psychosocial counseling, legal assistance, medical support, and facilitation so that children can continue their education. Institutions such as *the Women's Crisis Center*, LBH APIK, and the Women's Health Foundation have long had experience in integrated services in this field. In the realm of education and public campaigns, the creativity of civil society organizations can be seen through the use of art, culture, and digital media as a means to increase public awareness about the negative impact of child marriage and the importance of education for girls. The involvement of religious and community leaders as agents of change has also proven effective in changing the social perception that supports child marriage.

Optimizing cooperation programs between the government and civil society organizations requires a coordination mechanism that is institutional, sustainable, and equipped with a clear mandate. A coordination forum or task force on the prevention of child marriage should be established from the national to the local level with adequate resource support and participatory and transparent decision-making mechanisms. Thus, the expertise, experience, and networks that civil society organizations have can be effectively integrated into national strategies for preventing child marriage. On the other hand, mass media and digital platforms also have a strategic role in public campaigns. The Ministry of Communication and Information Technology together with media industry players need to develop educational content that is relevant, systematic, and in accordance with the local context and community literacy level, so as to strengthen collective awareness about the importance of postponing marriage to protect children's rights.

3. Child Marriage in the Perspective of Maqasid al-Syariah and the Sociology of Islamic Law

The practice of child marriage is a phenomenon in various countries, understanding the practice comprehensively that in the purposes of Islamic law and the Sociology of Islamic Law, it can provide a literal picture related to child marriage. In this context, it can be seen with social changes and the development of contemporary society. Al-Maqasid Syariah as a philosophical framework of Islamic law emphasizes that every sharia provision has the main purpose of realizing the benefit (good) of humans and preventing harm (badness).¹⁶ Imam al-Syatibi, a classical scholar known as the pioneer of the Maqasid theory, classified the goals of sharia into three levels: daruriyyat, hajiyyat, and tahsiniyyat. Daruriyyat includes protection of five fundamental aspects: *hifdz al-din*, *hifdz al-nafs*, *hifdz al-aql*, *hifdz al-nasl*, *hifdz al-mal*.

In the context of child marriage, Maqasid Syariah is associated mainly with the protection of the soul, intellect, and offspring. *Hifdz al-nafs* is concerned with the reproductive and physical health of girls. Various modern medical studies have proven that marriage and pregnancy at an early age have significant risks to maternal and child health, including maternal mortality during childbirth, low birth weight, and various other pregnancy complications. So, when viewed from the perspective of life protection, the practice of child marriage actually has the potential to cause harm that should be avoided according to basic sharia principles. The protection of *Hifdz al-aql* is related to the right of children to obtain adequate education. Child marriage often results in dropping out of school, thus hindering the intellectual development and potential of children. In the context of a complex modern society, education is a fundamental need to prepare individuals to face life's challenges. Thus, child marriage that hinders access to education can be considered a form of violation of the protection of reason within the framework of Maqasid Syariah. *Hifdz al-nasl* not only means as an encouragement to multiply offspring, but also includes aspects of the quality of offspring. Marriage of children who are physically and psychologically immature has the potential to give birth to a generation that is not optimal in childcare and education, thus having an impact on the quality of the next generation.¹⁷

¹⁶ Abdul Haq Syawqi, "Multiparadigma Sociology of Islamic Family Law," *Al-Manhaj: Journal of Indonesian Islamic Family Law* 4, no. 1 (June 2022): 66–89, <https://doi.org/10.19105/al-manhaj.v4i1.6200>.

¹⁷ Imelda Triadhari, "The Psychological Impact of Early Marriage (Case Study in Kua, District Prosecutor's Office, Cirebon City)," *Spiritualita: Journal of Ethics and Spirituality* 7, no. 2 (2023): 89–100.

The sociological framework of Islamic law is not only understood as a norm derived from the Quran and hadith in emphasizing the marriage of a child.¹⁸ Rather, considering the laws that live in the community can be converted in the changing times as a form of change into today's challenges. Islamic law is part of influencing social reality or vice versa, such as culture, economy can be considered.¹⁹ The practice of child marriage can be understood that the behavior that develops is part of the negative impact so that general rules can run dynamically and undergo a process that can form old mindsets and habits related to the problem of child marriage are still minors.²⁰

The practice of child marriage is a concrete example of how Islamic legal norms undergo a process of socialization and adaptation.²¹ In certain contexts, people interpret religious teachings by using a measure of biological maturity (puberty) as a legal condition for marriage, without considering psychological or social maturity. This interpretation was born from a social reality colored by patriarchal traditions, the value of maintaining family honor, and economic encouragement. Thus, legal interpretation does not stand alone, but is influenced by the social structure that shapes the way society interprets religious texts.²²

From the perspective of the sociology of Islamic law, this kind of practice shows that Islamic law has two faces, including a normative face (fiqh texts and doctrines) and a sociological face (real practice in society). The two do not always go in the same direction, but there is often tension. In the case of child marriage, religious norms that are supposed to protect the soul, intellect, and offspring as the purpose of *maqasid al-shari'ah* are actually reduced by social practices that maintain early marriage for cultural and economic reasons.

The relevance of the rules of *taghayyur al-ahkam bi taghayyur al-azminah wa al-amkinah* (changes in the law due to changes in time and place) is important to

¹⁸ Quentin Wodon, "Islamic Law, Women's Rights, and State Law: The Cases of Female Genital Cutting and Child Marriage," *The Review of Faith & International Affairs* 13, no. 3 (July 2015): 81–91, <https://doi.org/10.1080/15570274.2015.1075762>.

¹⁹ Colleen Murray Gastón, Christina Misunas, and Claudia Cappa, "Child Marriage among Boys: A Global Overview of Available Data," *Vulnerable Children and Youth Studies* 14, no. 3 (July 2019): 219–28, <https://doi.org/10.1080/17450128.2019.1566584>.

²⁰ Kausar Parvin et al., "A Cluster Randomized Controlled Trial for Measuring the Impact of a Social Norm Intervention Addressing Child Marriage in *Pirgacha* in Rangpur District of Bangladesh: Study Protocol for Evaluation of the Tipping Point Initiative," *Global Health Action* 15, no. 1 (December 2022): 2057644, <https://doi.org/10.1080/16549716.2022.2057644>.

²¹ Hoko Horii, "Pluralistic Legal System, Pluralistic Human Rights?: Teenage Pregnancy, Child Marriage and Legal Institutions in Bali," *The Journal of Legal Pluralism and Unofficial Law* 51, no. 3 (September 2019): 292–319, <https://doi.org/10.1080/07329113.2019.1683429>.

²² Kanykey Bayalieva Jailobaeva et al., "The Role of Faith in Child Marriage: Empirical Evidence from Mozambique, Nepal, and the Philippines," *The Review of Faith & International Affairs* 22, no. 3 (July 2024): 39–54, <https://doi.org/10.1080/15570274.2024.2375847>.

understand the dynamics of Islamic law. This rule opens up space for the sociology of Islamic law to affirm that Islamic law is not a rigid system, but is always open to social change.²³ These changes are not just a practical response to external conditions, but an internal mechanism of Islamic law to always be in accordance with the ever-evolving reality. In the context of increasing awareness about children's rights, the importance of education, and reproductive health risks, the practice of child marriage can be seen as a form of social deviation. This practice is contrary to the values of justice and benefit which are the spirit of Islamic law. From the perspective of the sociology of Islamic law, regulatory reform or fatwas will only be effective if it is in line with the values and social consciousness of the community. Therefore, formal legal changes alone are not enough. A transformation of collective consciousness is needed so that the interpretation of Islamic law is no longer used as a legitimacy for the practice of early marriage, but as a basis for protecting children's rights.²⁴ This is in line with the classic view in legal sociology that law is not only understood as *law in books*, but must also be seen in its implementation as *law in action*.

C. Research Methods

This study adopts a qualitative approach with a case study design. The use of a qualitative approach is considered appropriate because the research seeks to provide an in-depth understanding of social, religious, and institutional dynamics related to the prevention of child marriage within KUA. By employing a case study, the research focuses on exploring the strategic role of KUA in formulating preventive programs, conducting socialization efforts, and building institutional collaboration to address underage marriage. The primary data were collected through in-depth interviews with key informants, including the head of KUA, *penghulu* (marriage registrars), and religious counselors. These interviews were intended to capture their perceptions, experiences, and strategies in preventing child marriage. Complementary data were obtained through observation and documentation, which provided further insights into institutional practices and program implementation. The analysis of the data was carried out using the interactive model of Miles, Huberman, and Saldaña, which consists of three interconnected stages. The first stage, data reduction, involved selecting, focusing, and simplifying the raw data obtained from interviews, observations, and documentation to ensure its relevance to the research objectives. The second stage, data display, organized the information into descriptive narratives, program tables, and

²³ R. El Arab and M. Sagbakken, "Child Marriage of Female Syrian Refugees in Jordan and Lebanon: A Literature Review," *Global Health Action* 12, no. 1 (January 2019): 1585709, <https://doi.org/10.1080/16549716.2019.1585709>.

²⁴ Hattie Lowe et al., "'If She Gets Married When She Is Young, She Will Give Birth to Many Kids': A Qualitative Study of Child Marriage Practices amongst Nomadic Pastoralist Communities in Kenya," *Culture, Health & Sexuality* 24, no. 7 (July 2022): 886–901, <https://doi.org/10.1080/13691058.2021.1893821>.

direct quotations from informants, thereby allowing patterns and themes to emerge. The final stage, conclusion drawing and verification, was conducted by linking empirical findings with the theoretical framework of *Maqasid al-Shariah*—particularly *hifz al-nafs*, *hifz al-‘aql*, and *hifz al-nasl*—and the Sociology of Islamic Law, which emphasizes the concepts of *living law*, social change, and the interaction between religious norms and cultural practices.

D. Results and Discussion

1. Form of Child Marriage Practice Prevention Program

Programs and their implementation play a decisive role in determining the persistence of child marriage. Addressing this practice requires continuous efforts and sustainable initiatives, both in the short and long term. Educational measures can be carried out by designing programs that specifically target community groups most vulnerable to the impacts of child marriage.²⁵ Enhancing the capacity of KUA officers to conduct socialization and educational activities concerning the eradication of child marriage and its negative consequences constitutes a primary objective and a matter of particular concern within society.

a. Intensity of Socialization: Campaign on the impact of underage marriage

In this regard, that field findings related to socialization were carried out in the KUA environment to overcome the practice of child marriage as follows:

Program	Component	Result	Obstacles
The Negative Impact of Child Marriage Too Early	Social Media	There has been no implementation of the campaign through social media.	There is a dominance of administrative problems that hinder implementation.
	Extension	There is no collective mapping of the achievement of guidance results in the community. The method used is still limited to lecture techniques, and there are no activities yet in the form of seminars in the community.	Counseling materials tend to be general, with no specific topics focused on the issue of child marriage.

²⁵ Colleen Murray Gastón, Christina Misunas, and Claudia Cappa, “Child Marriage among Boys: A Global Overview of Available Data,” *Vulnerable Children and Youth Studies* 14, no. 3 (July 2019): 219–28, <https://doi.org/10.1080/17450128.2019.1566584>.

(SMP & SMA)	Socialization in ²⁶ adolescent age groups (junior high and high school) as a vulnerable group has not been carried out.	There is no integrated socialization program at the school level.
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The socialization of the impacts of child marriage should be adapted to contemporary developments by utilizing technology and social media as platforms to build public awareness.²⁷ Such efforts should not only focus on the issue of underage marriage but also encompass the enhancement of community knowledge regarding various aspects of marriage regulation, particularly the legal provisions on minimum age for both men and women.²⁸ Through intensive socialization programs, the community is expected to gain factual and scientific information about the negative consequences of child marriage, thereby fostering the development of critical and preventive attitudes within social life.²⁹

Socialization serves as an indirect form of education, particularly concerning the risks associated with early marriage. The risks of child marriage are often rooted in several fundamental factors, including the lack of mental readiness, health vulnerabilities, and economic constraints, which collectively hinder the attainment of a harmonious family life. Accordingly, the findings from the field suggest that long-term initiatives should be designed to provide meaningful implications and contributions for the community, particularly for parents of children at risk of early marriage.

²⁶ S S. Sharifah Syahirah et al., "Child Marriage in the 21st Century: Sentiment And Semantic Analysis Via Social Media Intelligence," in *Proceedings of the 7th International Conference on Kansei Engineering and Emotion Research 2018*, ed. Anitawati Mohd Lokman et al., Advances in Intelligent Systems and Computing (Singapore: Springer Singapore, 2018), 739:748–57, https://doi.org/10.1007/978-981-10-8612-0_78.

²⁷ S S. Sharifah Syahirah et al., "Child Marriage in the 21st Century: Sentiment And Semantic Analysis Via Social Media Intelligence," in *Proceedings of the 7th International Conference on Kansei Engineering and Emotion Research 2018*, ed. Anitawati Mohd Lokman et al., Advances in Intelligent Systems and Computing (Singapore: Springer Singapore, 2018), 739:748–57, https://doi.org/10.1007/978-981-10-8612-0_78.

²⁸ S S. Sharifah Syahirah et al., "Child Marriage in the 21st Century: Sentiment And Semantic Analysis Via Social Media Intelligence," in *Proceedings of the 7th International Conference on Kansei Engineering and Emotion Research 2018*, ed. Anitawati Mohd Lokman et al., Advances in Intelligent Systems and Computing (Singapore: Springer Singapore, 2018), 739:748–57, https://doi.org/10.1007/978-981-10-8612-0_78.

²⁹ Esra Bayhantopçu, "Child Marriages: The Role of Twitter on the Child Marriages Problem in Turkey," *Kadin ve Demokrasi Dernegi* 7, no. 2 (January 2022): 191–218, <https://doi.org/10.21798/kadem.2022.57>.

On the other hand, steps in the institution are carried out in the prevention of marriage by conducting strict document checks, among others:³⁰

Program	Indicator	Result	Obstacles	Information
Examination of the bride-to-be's documents	Verify Bride-to-be's data	For prospective brides who do not meet the age standards according to the provisions of the law, rejection has been made. However, many of them later applied for marriage dispensation through legal channels.	Generally, newlyweds face the KUA after the family reaches an agreement to get married, so preventive measures are more difficult to take.	Marriage regulations and provisions are still often ignored by some people.
Early marriage survey	Early marriage survey	Surveys on child marriage practices are not carried out regularly by the KUA, so the data available is limited	The lack of integration with other agencies causes data related to child marriage to be not well documented.	There is a need for institutional reform and transformation in KUA so that child marriage data can be documented and accessed systematically.

Strict document verification constitutes an essential part of marriage administration, as it primarily serves to record and verify the age of prospective couples. However, such verification alone is insufficient to minimize child marriage, since societal paradigms regarding regulations and the impacts of early marriage remain ambiguous within the community. Social and cultural values further reinforce this issue, as traditions in certain communities continue to normalize the practice of

³⁰ Wawancara Langsung di Kantor KUA Terkait Proses Pemeriksaan Dokumen dan Survei Perkawinan Anak (Kepala KUA, Konda, Moramo, Wolasi, Ranomeeto, dan Aere, 2024)

marrying off children below the legal age.³¹ In practice, when prospective couples mutually consent and both families agree, social pressure often drives efforts to “facilitate” the marriage, even if one or both parties have not yet reached the legally required age. The dispensation mechanism, intended as an exception in specific cases, has instead become a “loophole” that systematically enables child marriage. This creates a paradox in which a safeguard mechanism designed to protect children effectively undermines the spirit of child protection embedded in the legal minimum age of marriage. The consequences of this phenomenon are highly complex, with the potential to hinder children’s optimal development. This gap underscores the urgent need for a comprehensive approach that not only strengthens but also integrates sustained community education on the risks of early marriage and the importance of protecting children’s rights.

b. Cross-Sector Coordination: Cooperation in Minimizing Child Marriage Practices³²

Program	Indicator	Result	Obstacles	Carrying capacity
Cross-sector coordination (Education, Health, and Protection of Women and Children)	(seminars, webinars, and other social activities)	Prevention activities have been carried out, but the intensity is still low and not sustainable	This program is a short-term program at the agency	Absence of institutional and policy support that encourages the implementation of the program

Cross-sectoral coordination and collaboration in combating child marriage is a systemic approach that integrates various social elements to produce a comprehensive and sustainable impact. Social intervention in this issue relies heavily on synergy between communities, government institutions, educational institutions, and religious organizations working together. This collaborative approach is able to build an ecosystem of change that encourages the dissemination of values, information, and practices to prevent child marriage both vertically and horizontally at the societal level. This pattern creates a space for continuous dialogue so that people not only understand the rule of law, but also realize the social consequences of child marriage. Education that is carried out collaboratively is an important instrument in expanding public knowledge, especially related to reproductive health, psychological aspects, and the

³¹ Elif Keskiner, “Marriage Decisions of Turkish Second-Generation Women in Strasbourg: Not a Fate but a Refuge,” *Ethnic and Racial Studies* 43, no. 16 (December 2020): 231–48, <https://doi.org/10.1080/01419870.2020.1767797>.

³² Wawancara terkait *Terkait Lintas Sektor di KUA* (Kepala KUA, Konda, Moramo, Wolasi, Ranomeeto, dan Aere, 2024)

social implications of early marriage, so that this issue can be understood more contextually and applicatively according to the needs of the local community.

Changes in collective perception are more effective when new information is conveyed by a variety of publicly recognized authorities, rather than just from a single source. These interventions can also be developed in local contexts. In societies with strong patriarchal characteristics, for example, the involvement of religious leaders and indigenous leaders in education opens up a more inclusive dialogue space regarding the interpretation of traditional values in the context of child protection. Meanwhile, formal educational institutions can integrate material on children's rights and reproductive health into the curriculum, creating a generation with a more progressive understanding. In parallel, the health sector provides scientific evidence-based education about the medical risks of early marriage, while the economic sector can demonstrate the correlation between delayed marriage and increased productivity and well-being.

This collaborative lies in its ability to create a reinforcing system of influence, where changes in one aspect of society strengthen transformation in another. As the collective perception of child marriage begins to shift, the social legitimacy of the practice weakens, creating conditions conducive to the implementation of formal policies and the strengthening of social norms that protect children. In the long term, this socio-cultural transformation will not only reduce the incidence of child marriage, but also reconstruct society's paradigm regarding the concept of childhood, educational values, and capacity building of the younger generation as fundamental social investments.

c. Premarital Curriculum: Openness and Implementation to the Community³³

Program	Indicator	Result	Obstacles Faced
Premarital education curriculum	Modules on reproductive health, family management, and marriage law	Education about reproductive health has not been optimally implemented in the premarital program. However, material on family management and marriage law has been provided, although it is still limited to the	The implementation of the curriculum has not been running optimally, especially for prospective brides who have obtained marriage dispensation from religious courts.

³³ *layanan Wawancara terkait Kurikulum Pranikah dan Sistem Informasi KUA* (Kepala KUA, Konda, Moramo, Wolasi, Ranomeeto, dan Aere, 2024)

		perspective of religion and the concepts of applicable marriage law.	
Information system	Unified database on child marriage	There is no unified database on child marriage.	There is no information system that can integrate child marriage data thoroughly.

The curriculum has a fundamental position to establish work standards to build programs related to child marriage. The system requires collective collaboration and movement between KUA and the community in realizing the curriculum. The significance between preventive mechanisms that provide a comprehensive understanding of marriage before the bride-to-be and vulnerable groups before marriage. The premarital collectivity is not only applicable and can be applied to certain areas, but can also encourage to determine policies on the protection and maturation of future generations who have the potential to be affected by the practice of child marriage.

Through the curriculum, it is designed with a multidisciplinary approach so that brides-to-be can be equipped with essential knowledge about aspects of marriage law, reproductive health, family psychology, conflict management, and household financial planning. This education plays a strategic role in building a resilient marriage foundation and mitigating the risk of family dysfunction that is often the justification for early marriage in the next generation. The defense does not have a positive effect because it is only individual, so comprehensively the program should focus on mentoring families (communities) and vulnerable generations of groups practicing child marriage.

Premarital curriculum-based assistance does not only involve community leaders and religious leaders as well as other community groups. Rather, it offers a transformative platform to reflect on the development of technology as a link between programs and communities. Through the media, the educational program can have a positive impact by building a societal paradigm related to the purpose of premarital and marriage rules. The use of this technology is a form of positive transformation that can be developed and utilized by every KUA.

The socio-cultural approach is a concept that can be elaborated by technology in influencing society. The concept is flexible for each region and designs programs according to their respective cultures related to socialization or premarital assistance for vulnerable community groups. This premarital education curriculum can be designed and implemented contextually so that each region can adjust and minimize the practice of marriage. A facilitative dialogue involving various elements of society,

the curriculum can integrate alternative narratives that promote maturity, education, and capacity building as fundamental prerequisites for quality marriage. This approach gradually renovated the social construction of marriage from an institution based solely on biological readiness to an institution that required psychological, social, and economic maturity.

The premarital education curriculum also plays a role in empowering girls and adolescents to be actively involved in decision-making regarding their future. Through the components of legal literacy and knowledge of reproductive rights, children and adolescents—especially women—are equipped with the capacity to reject harmful practices of early marriage and fight for the right to education and self-development. This empowerment-based approach is a catalyst for generational transformation that shifts decision-making dynamics from traditional patriarchal patterns to a more egalitarian and participatory model. The delay of child marriage is positively correlated with their future accumulation to develop themselves and explore their future potential.

2. Building a Community Paradigm on the Impact of Child Marriage Practices

The implementation of child marriage prevention programs as a form of preventive intervention requires a comprehensive approach. This effort cannot only focus on vulnerable groups, but must cover a wider spectrum of society, including the elderly, religious leaders, indigenous leaders, and society as a whole. This departs from the premise that education about the consequences of early marriage is a fundamental component in building collective awareness. The dynamics of decision-making related to child marriage are generally not in the hands of the child himself, but are determined by the structure of authority in the family and society. Therefore, internalizing knowledge about the negative impacts of early marriage at the family level is an important prerequisite for encouraging a shift in social paradigm from a permissive mindset to a protective mindset for children's rights.

Empirical findings in the field show that there is an imbalance in the implementation of marriage counseling programs. The educational content provided to the community still predominantly emphasizes religious aspects, while important issues such as reproductive health risks, psychological impacts, and the social consequences of child marriage are only conveyed in a limited and superficial manner. This inequality results in the formation of distortions of understanding in society. The dominant theological narrative without formal legal explanations tends to encourage society to interpret the practice of child marriage as long as it conforms to religious norms, even if it is contrary to positive law.

This phenomenon establishes an epistemological contradiction between doctrinal-religious understanding and the obligation to comply with state legal instruments. When religious narratives dominate public discursive spaces without being balanced by juridical knowledge, society's understanding of the legal implications, socio-psychological impacts, and health risks of early marriage is degraded. As a result,

government structural intervention programs that can reduce child marriage rates are often hampered by collective perceptions based on partial information.

This condition has implications for the marginalization of child protection aspects in public awareness. Religious narratives that are not contextualized with formal law have the potential to give birth to justifications for the practice of child marriage based on selective interpretation of religious texts. This creates cognitive dissonance among society, where religious obedience is often perceived separately or even higher than compliance with state laws. As a result, an artificial dichotomy emerges that undermines efforts to comprehensively prevent child marriage.

3. Integration of KUA and Village Governments in Building a Narrative of the Impact of Child Marriage

Collaboration between the Office of Religious Affairs (KUA) and the Village Government is a fundamental strategic approach in efforts to prevent child marriage. The KUA has a function as a formal authority institution that is administratively authorized as well as having religious legitimacy in marriage matters. Meanwhile, the Village Government has a structural closeness with the community at the grassroots level. The integration of the roles of the two can result in a more comprehensive, consistent, and contextual prevention mechanism in building and disseminating narratives about the negative impact of child marriage.

In the operational framework, KUA plays a role in providing progressive normative-religious interpretations. The religious authority attached to the KUA can be directed to affirm that the postponement of the age of marriage is not contrary to the sharia, but is in line with religious principles that emphasize the benefits (*maslahah*) and welfare of the family. The Village Government has a practical function in implementing structural policies and initiatives, such as the establishment of a marriage consultation forum, an integrated marriage reporting and registration system, and the implementation of sustainable public education campaigns. Thus, the KUA provides a normative framework and religious legitimacy, while the Village Government provides a social and administrative implementation channel.

Another crucial aspect is policy harmonization. Policies at the village level must be aligned with national regulations, especially the Marriage Law and regulations related to child protection. This normative coherence is important to prevent the occurrence of regulatory dualism or the legitimacy of child marriage practices through gaps in local laws and cultures. The harmonized policy integration will strengthen the position of the Village Government as an effective implementing agency for child marriage prevention policies, while ensuring that the role of KUA remains consistent with the national legal framework and the values *of maqasid al-shari'ah*.

In this regard, the head of KUA confirmed that it is related to integration with the village government in legalizing the practice of child marriage as follows:

“relationship with the village government does not take place formally, but marriage recommendations (administration) and the reach of KUA, each village has a village IMAM to take care of and connect the community related to marriage issues and marriage registration. Their role is not burdened by the problem of socialization of the negative impact of child marriage is still easy. This is a form of limitation in reaching and reaching vulnerable groups in child marriage.”³⁴

The results of the field findings show that the relationship between KUA and the Village Government in the context of child marriage prevention is still dominated by an informal interaction pattern and limited to administrative aspects.³⁵ The institutional relationship between these two entities is generally manifested in the form of administrative coordination, especially the issuance of marriage recommendation letters as a prerequisite for official registration. This narrow relational pattern shows that substantial integration has not been built in preventive efforts to suppress the practice of early marriage. In practice, the Village Government implements a representation system through the existence of the Village Imam which functions as an extension of the KUA.³⁶ The Village Imam has an important role as a mediator who facilitates the administrative needs of marriage and marriage registration of the community at the grassroots level, especially in remote areas. However, the description of duties and authorities attached to the Village Imam is still limited to administrative functions, so it does not include socialization or education aspects regarding the negative impact of child marriage. These limitations indicate significant gaps in the prevention system at the local level.

The implications of this condition can be seen in the effectiveness of prevention campaigns that are not optimal. The lack of socialization makes vulnerable groups, such as girls from poor families, low-literacy communities, and people in remote areas, remain in the reproductive cycle of child marriage practices. This structural limitation causes the public's understanding of the long-term consequences of early marriage to be partial, making it difficult to form a collective consciousness that protects children's rights. To strengthen the effectiveness of prevention, it is necessary to restructure the institutional relationship between KUA and the Village Government. This reformulation should be outlined in a comprehensive formal framework, with a clear division of roles and responsibilities for each party. The role of the Village Imam, for example, is not only limited to administrative facilitators, but needs to be expanded to become a socialization and education agent who actively campaigns for the negative

³⁴ (KUA Konda, 2024).

³⁵ Enny Fitriahadi et al., “Strategies for Child Marriage Prevention in Indonesia: A Case Study,” *Jurnal Kesehatan Masyarakat* 21, no. 1 (July 2025): 156–65, <https://doi.org/10.15294/kemas.v20i3.13732>.

³⁶ Fitriahadi et al.

impact of child marriage. In addition, the establishment of community or village forums that focus on child protection issues can be an additional strategy to expand the reach of prevention programs in a sustainable manner.³⁷

The practice of child marriage has loopholes that can be carried out by the community and is legally legal. So that the practice of child marriage basically has a dilemmatic side and extra efforts in preventing and destroying the practice. This is explained by the local KUA as follows:

*“Prevention of underage marriage has a dilemma to be resolved and minimized, because there are two factors that people often do when they want to carry out marriage. Marriage dispensation applications in court most of the applications are granted and the marriage will be done later after the marriage is old enough to apply for a marriage isbat”*³⁸

The prevention of underage marriage shows a very complex problem with the regulation of age limits to carry out marriage with the socio-cultural of the local community.³⁹ The implementation of regulations is a substantial challenge in preventing child marriage, especially since the aspect of the regulation does not contain sanctions for violations committed by the community.⁴⁰ So that the mechanism for resolving the practice of child marriage is a systemic problem in child protection. Applications for marriage dispensation submitted to religious courts received an affirmative decision.⁴¹ This phenomenon indicates a discrepancy between the normative goals of child marriage prevention regulations and their practical implementation in the judicial context. Courts, which are supposed to function as institutions for the protection of children's rights, in practice often accommodate socio-cultural, religious, promiscuity, and out-of-wedlock considerations. In fact, the indications and evidence presented are not objective verification, but witnesses as a

³⁷ Mukhid Mukhid and Sindi Muthiah, “PERNIKAHAN DI BAWAH UMUR PERSPEKTIF UNDANG-UNDANG DAN HUKUM ISLAM,” *Ar Rasyiid: Journal of Islamic Studies* 2, no. 1 (February 2024): 39–48, <https://doi.org/10.70367/arrasyiid.v2i1.18>.

³⁸ (Kepala KUA Aere, 2024)

³⁹ Nurmin K. Martam and Yayan Hanapi, *Tinjauan Yuridis Sosiologis Terhadap Pelaksanaan Perkawinan Dibawah Umur*, 2, no. 1 (January 2025): 136–49, <https://doi.org/10.62383/hukum.v2i1.136>.

⁴⁰ Ririn Nurfaathirany Heri et al., “Juridical Analysis of Child Marriage,” *SHS Web of Conferences* 149 (January 2022): 2020–2020, <https://doi.org/10.1051/shsconf/202214902020>.

⁴¹ Andrian Liem et al., “Factors Associated with Child Marriage during the COVID-19 Pandemic in Indonesia,” *Contemporary Islam* 18, no. 3 (November 2023): 457–78, <https://doi.org/10.1007/s11562-023-00545-6>.

propellant whose confessions and testimonies cannot be proven in accordance with the truth or not.⁴²

The practice of nikah seri followed by isbat nikah represents a circumventive strategy that utilizes the dualism of the legal system.⁴³ Nikah siri, which is carried out religiously without formal registration, is an alternative for underage couples to circumvent the marriage age regulation. After reaching the legal age, the couple then applied for isbat nikah to obtain formal legitimacy for the marriage they had previously performed.⁴⁴ This practice implies the existence of a gray zone in the legal system that allows the persistence of the practice of child marriage without significant legal consequences. This dilemma in preventing child marriage is exacerbated by the complexity of the socio-cultural dynamics behind these two mechanisms.⁴⁵ There is an intersectionality between factors such as poverty, cultural traditions, religious interpretations, and gender and power dynamics that reinforce the tendency of society to exploit loopholes in the legal framework.⁴⁶ In the context of poverty, child marriage is often perceived as a strategy to ease the economic burden on the family, while in the cultural dimension, premature marriage is constructed as a mechanism to ensure the honor and social status of the family.⁴⁷

4. The Practice of Underage Marriage in *Maqasid Syariah* and the Sociology of Islamic Law

The practice of child marriage is not only a local issue but also a global one, as it continues to persist to this day. Hoko Hori criticizes child marriage globally, arguing

⁴² Udin Pasondong et al., "Legitimacy of Marriage Dispensation in Religious Courts Based on The Law, Judges' Considerations, and Case Decisions," *Al-Bayyinah* 7, no. 2 (December 2023): 204–25, <https://doi.org/10.30863/al-bayyinah.v7i2.4239>.

⁴³ Idrus Abdullah, "Legal Protection Setting of Post-Divorce Women's Rights: Case Study of Siri Marriage in Lombok," *Mediterranean Journal of Social Sciences* 8, no. 3 (May 2017): 297–303, <https://doi.org/10.5901/mjss.2017.v8n3p297>.

⁴⁴ Agus Pranoto, Lilik Andaryuni, and Maawra Salam, "Problematika Pernikahan Siri Bawah Umur Di Kabupaten Kutai Barat," *Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory* 3, no. 2 (May 2025): 1099–115, <https://doi.org/10.62976/ijjel.v3i2.1086>.

⁴⁵ Heila Sha (Saheira Haliel), "Transnational Marriage in Yiwu, China: Trade, Settlement and Mobility," *Journal of Ethnic and Migration Studies* 46, no. 11 (2020): 2326–2345, <https://doi.org/10.1080/1369183X.2019.1675500>.

⁴⁶ Asmun W Wantu et al., "Prevention of Child Marriage in Adolescents in Lion Village, Posigadan District, South Bolaang Mongondow Regency," *Journal of Applied Abdimas* 1, no. 2 (2022): 36–38, <https://doi.org/10.56190/jat.v1i2.8>.

⁴⁷ Iklil Hasbiyalla, *Unregistered Marriage in the Study of Indonesian Positive Law and Islamic Law*, 8, no. 1 (March 2024): 10–20, <https://doi.org/10.59689/vris.v8i1.1162>.

that such marriages often involve coercion and pressure on children.⁴⁸ Although marriage, as an expression of free will, may be conducted in accordance with religious and state norms, exceptions arise when there is a lack of mental, economic, and emotional maturity, as well as readiness to bear the various consequences for children. Therefore, child marriage requires serious attention and must be addressed by promoting changes in societal behavior and paradigms, particularly through enhancing knowledge and awareness regarding the Qur'anic standard of *baligh* as a measure of maturity in the context of marriage.⁴⁹

The gap between child marriage practices and established norms remains a critical issue that must be addressed, particularly within the socio-cultural context of society, and it is a global problem experienced by many countries.⁵⁰ Building societal paradigms, especially among parents and families, is therefore essential to systematically prevent such practices. Family behavior particularly that of adolescents and parents is still shaped by cultural, economic, and religious factors that reinforce one another, causing preventive efforts to often remain at the level of discourse without measurable program standards. Yet, the reproductive health risks faced by adolescents who marry at an early age are significantly high. For this reason, structured cross-sectoral collaboration (including health, education, child protection, KUA, and village governments) is urgently needed, supported by a premarital curriculum based on SRHR, mandatory pre-dispensation referral mechanisms, and an integrated monitoring system so that the goals of protecting life (*hifz al-nafs*), intellect (*hifz al-'aql*), and lineage (*hifz al-nasl*) can be objectively evaluated.⁵¹

The concepts of the Sociology of Islamic Law and *Maqasid al-Shariah* demonstrate that the ongoing issue of child marriage can be understood contextually in order to achieve the broader objective of *maslahah* (public good). Maturity of age alone should not be the sole benchmark; rather, the phenomenon of child marriage can be elaborated through the integration of the Islamic legal framework with the geographical and social conditions of local communities, by taking *al-'urf* (customary practices) into account as a fundamental approach. This perspective

⁴⁸ Hoko Horii, "A Blind Spot in International Human Rights Framework: A Space between Tradition and Modernity within the Child Marriage Discourse," *The International Journal of Human Rights* 24, no. 8 (September 2020): 1057–79, <https://doi.org/10.1080/13642987.2019.1690468>.

⁴⁹ Quentin Wodon, "Child Marriage, Family Law, and Religion: An Introduction to the Fall 2015 Issue," *The Review of Faith & International Affairs* 13, no. 3 (July 2015): 1–5, <https://doi.org/10.1080/15570274.2015.1075761>.

⁵⁰ Asma Pourtaheri et al., "Socio-Ecological Factors of Girl Child Marriage: A Meta-Synthesis of Qualitative Research," *BMC Public Health* 24, no. 1 (February 2024): 428, <https://doi.org/10.1186/s12889-023-17626-z>.

⁵¹ Rachel Kidman et al., "Reducing Child Marriage in Sub-Saharan Africa: Evaluating the Joint Potential of Protective Marriage and Education Policies," *Children and Youth Services Review* 164 (September 2024): 107877, <https://doi.org/10.1016/j.childyouth.2024.107877>.

requires recognizing that child marriage poses potential risks to *hifz al-nafs* and *hifz al-nasl*, which should serve as comprehensive considerations in addressing the issue. Therefore, preventing child marriage necessitates holistic collaboration in building societal paradigms, particularly among groups most vulnerable to the persistence of such practices.⁵²

Similarly, the involvement of *living law* as part of the Sociology of Islamic Law and *Maqasid al-Shariah* can make a significant contribution, as it incorporates community customs into the framework of education and socialization, thereby facilitating greater public acceptance. However, such an approach cannot stand and operate independently; it requires formal instruments to explain the issue both textually and contextually, particularly regarding the dangers of child marriage.⁵³ Moreover, such movements must be supported by systematic mapping and the availability of adequate supporting data on the factors that sustain the practice of child marriage.

E. Conclusion

Child marriage, which can be administered at the KUA level, places this institution in a strategic position to play an active role in its prevention. However, the findings indicate that preventive efforts remain largely administrative in nature, allowing the practice to persist. The institutional function of KUA in providing counseling and guidance has not been carried out effectively, including in areas of coordination and collaboration aimed at minimizing the prevalence of child marriage. From the perspective of the sociology of Islamic law, the role of KUA requires a comprehensive understanding of the social, economic, and cultural factors that sustain the practice within society. The issuance of marriage dispensations, in particular, should be reviewed more rigorously, with greater consideration of the long-term consequences for children's welfare. A reconceptualization of KUA's role may be achieved by strengthening its preventive functions through educational and socialization initiatives on the negative impacts of child marriage, optimizing the role of marriage guidance conducted by its officials, and building collaborative networks with various stakeholders, including religious leaders, local governments, and educational institutions. Such efforts should be reinforced by stricter revisions to marriage-age regulations, clear operational standards for handling dispensation applications, and the establishment of an effective monitoring and evaluation system. With a holistic approach, the reconceptualization of KUA's role is expected to make a significant contribution to reducing the practice of child marriage in Indonesia, while upholding

⁵² Aidil Alfin and Busyro Busyro, "Nikah Siri dalam Tinjauan Hukum Teoritis dan Sosiologi Hukum Islam Indonesia," *Al-Manahij: Jurnal Kajian Hukum Islam* 11, no. 1 (June 2017): 61–78, <https://doi.org/10.24090/mnh.v11i1.1268>.

⁵³ Farichatul Azkiyah, "Upaya Membangun Keluarga Sakinah Bagi Pasangan Hidup Berbeda Kota Tempat Tinggal Perspektif Sosiologi Hukum Islam," *Asy-Syari'ah : Jurnal Hukum Islam* 8, no. 2 (July 2022): 14–29, <https://doi.org/10.55210/assyariah.v8i2.783>.

the principle of *maslahah* (benefit), which stands at the core of the application of Islamic law.

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