

## **NARMADA DISTRICT COMMUNITY PERCEPTION REGARDING MARRIAGE AGE MATURITY ACCORDING TO THE LAW NO. 16 OF 2019 CONCERNING MARRIAGE**

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### **Abstract**

*In Islamic law, all ages can enter into marriage. However, marriage can only take place if each bride and groom are mentally and spiritually capable of building a household and are ready to live side by side with society. Marriage must require preparation not only materially, but also physical and spiritual readiness for both men and women. Speaking about the minimum age for marriage, Indonesia is one of the countries that pays attention to marriage with the enactment of Law Number 1 of 1974 concerning marriage, which is a legal-formal national law that regulates marriage in Indonesia. As an implementing regulation of this law is Government Regulation of the Republic of Indonesia Number 9 of 1975 concerning the Implementation of Law Number 1 of 1974 concerning Marriage. This study uses a phenomenological approach with a qualitative research type. The results of the study indicate that the Amendment to Law Number 1 of 1974 concerning Marriage covers the age limit for marriage, improving norms by raising the minimum age for marriage for women. In this case, the minimum marriage age for women is the same as for men, namely 19 (nineteen) years. The Narmada District community generally agrees with the increase in the marriage age as mandated by the law. However, in some situations, outreach and adjustments are needed to ensure its effective implementation.*

*Dalam hukum Islam pada dasarnya semua tingkatan umur dapat melakukan ikatan perkawinan. Akan tetapi perkawinan dapat terlaksana apabila masing-masing mempelai telah mampu secara mental dan spiritual untuk membina rumah tangga serta siap untuk hidup berdampingan dengan masyarakat. Perkawinan haruslah memerlukan persiapan bukan hanya materi, tetapi juga kesiapan diri baik lahir maupun batin bagi laki-laki maupun perempuan. Bicara mengenai batas usia nikah, Indonesia termasuk salah satu negara yang memberikan perhatian terhadap perkawinan dengan disahkannya Undang-undang Nomor 1 Tahun 1974 tentang perkawinan, yang secara yuridis-formal merupakan suatu hukum nasional yang mengatur perkawinan di Indonesia. Sebagai peraturan pelaksanaan dari undang-undang tersebut adalah Peraturan Pemerintah RI Nomor 9 Tahun 1975 tentang Pelaksanaan Undang-undang Nomor 1 Tahun 1974 tentang Perkawinan. Penelitian ini menggunakan pendekatan fenomenologi dengan jenis penelitian kualitatif adapun hasil penelitian bahwasanya Perubahan terhadap Undang-undang Nomor 1 Tahun 1974 tentang Perkawinan ini menjangkau batas usia untuk melakukan perkawinan, perbaikan norma menjangkau dengan menaikkan batas*

*minimal usia perkawinan bagi wanita. Dalam hal ini batas minimal umur perkawinan bagi wanita dipersamakan dengan batas minimal umur perkawinan bagi pria, yaitu 19 (Sembilan belas) tahun. Masyarakat Kecamatan Narmada secara umum setuju terhadap peningkatan usia nikah sebagaimana diamanatkan dalam undang-undang tersebut. Akan tetapi pada beberapa kondisi perlu sosialisasi dan penyesuaian dalam pelaksanaannya sehingga dapat berjalan secara efektif.*

**Keywords:** *Public Perception, Marriage Age and Law*



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## A. INTRODUCTION

For 45 years, the Marriage Law No. 1 of 1974 has been in effect since 1974 until now, providing the legal basis for marriage which has been a reference and has been applied to various groups and communities in Indonesia. In Law No. 1 of 1974 concerning Marriage, there is something interesting to discuss regarding the age limit for marriage contained in Article 7 paragraph 1 that "Marriage is only permitted if the man has reached the age of 19 (nineteen) years and the woman has reached the age of 16 (sixteen) years."

The above provisions are then used as the legal basis for the justification of marriage for women who have reached the age of 16, or in other words, are still children. In the Indonesian Islamic Civil Code, the age limits stipulated in the Marriage Law are actually relatively low compared to those in some other countries. Algeria, for example, limits the age for marriage to 21 for men and 18 for women.

Along with the development of the times, looking at the things that arise, the provisions on the age of marriage in Indonesia contained in Law Number 1 of 1974 need to be adjusted again. Therefore, it is considered very necessary to make efforts to renew the age of marriage in Indonesia. Starting from the issuance of Law Number 35 of 2014 concerning amendments to Law Number 23 of 2002 concerning Child Protection, in Article 1 paragraph (1) that what is meant by a child is a person who is not yet 18 (eighteen) years old, including children who are still in the womb.<sup>1</sup> There was an attempt made to submit a Judicial Review to the Constitutional Court regarding the issue of the marriage age limit in Indonesia, namely in the Constitutional Court decision Number 30-74/PUU-XII/2014, but in this decision the Panel of Judges decided the case by rejecting all of the applicant's requests.

Subsequently, on April 27, 2017, three applicants filed another judicial review with the Constitutional Court, requesting a change to the minimum age for marriage in Indonesia. Ultimately, in this second attempt, the Constitutional Court panel of judges accepted the applicants' request to update the minimum age for marriage in Indonesia.

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<sup>1</sup>Drafting Team, Collection of Legislation of the Republic of Indonesia Child Protection Law (Yogyakarta: Laksana, 2018), 78

The Constitutional Court's decision Number 22/PUU-XV/2017 granted the applicant's request and ordered the legislators (DPR RI) to make changes to Law Number 1 of 1974 concerning Marriage within a maximum period of 3 (three) years, particularly regarding the minimum age limit for marriage for women.

Finally, on October 14, 2019, in Jakarta, President Joko Widodo officially ratified Law No. 16 of 2019 concerning Amendments to Law No. 1 of 1974 concerning Marriage, after more than 45 years without any amendments. This marks the historic renewal of Islamic law in Indonesia regarding marriage, which has had a profound impact on the lives of Indonesians.

In Indonesia, the minimum age for marriage was initially uninstitutionalized, but later emerged in a new form, a regulation that had to be agreed upon nationally and even became a requirement for marriage by the state. Setting a minimum age for marriage is also part of the government's goal to reduce marital problems that hinder the nation's progress. Another goal is to ensure that marriage law aligns with the Pancasila-based program for Indonesian unity and meets the demands of modernity, as has been the case in other countries.<sup>2</sup>

In Islamic law, basically all age levels can enter into marriage. However, marriage can take place if each bride and groom are mentally and spiritually able to build a household and are ready to live side by side with society. Marriage must require preparation, not only material, but also physical and mental preparation for both men and women.<sup>3</sup>

Regarding the minimum age for marriage, Indonesia is one of the countries that pays attention to marriage, with the enactment of Law Number 1 of 1974 concerning Marriage, which legally and formally constitutes a national law governing marriage in Indonesia. The implementing regulation for this law is Government Regulation of the Republic of Indonesia Number 9 of 1975 concerning the Implementation of Law Number 1 of 1974 concerning Marriage.<sup>4</sup>

The importance of state involvement in determining the minimum age for marriage is due to its complex impact on social life. One example, a low age limit for women to marry results in higher birth rates and, consequently, higher maternal mortality. Another negative impact is the disruption to women's reproductive health.

Thus, this age regulation is in accordance with the principle of marriage, which states that prospective husband and wife must be mature in body and soul. The goal is to achieve the goal of marriage, which is to create a lasting and happy family without ending in divorce and producing good and healthy offspring. Conversely, underage marriage, often referred to as early marriage, as stipulated by law, should be

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<sup>2</sup>Sudirman Tebba, *Recent Developments in Islamic Law in Southeast Asia: Case Studies of Family Law and Its Codification*, Petita, No. 1, Vol. 1, (April 2016), 40

<sup>3</sup>Dedi Supriadi and Mustofa, *Comparative Marriage Law in the Islamic World* (Bandung: Pustaka Al-Fikris, 2009), 23.

<sup>4</sup>Kaharuddin, *Philosophical Values of Marriage According to Islamic Marriage and Law of the Republic of Indonesia Number 1974 Concerning Marriage* (Jakarta: Mitra Wacana Media, 2015), 4.

avoided because it has negative consequences, especially for the individuals involved.

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As in the research conducted by Achmad Asrori, a postgraduate student at IAIN Intan Lampung in 2015, entitled "Marriage Age Limits According to Islamic Jurists and Their Application in Marriage Law in the Islamic World," this research focused on showing that the differences in the application of marriage age in various countries depend on the Islamic jurisprudence school of thought adopted as a guideline by the country.

Sofia Hardani, Lecturer at the Faculty of Sharia & Law, UIN Suska Riau, in 2016. With the title "Analysis of the Age Limit for Marriage According to Indonesian Law". This research focuses on the lack of clarity in the law in determining the age limit for marriage, which has implications for its implementation in society.

Because the legal age limit for marriage accommodates other goals, besides maturity and safety. These changes in Islamic law are not merely to keep up with changing times, but rather to address human needs and the objectives envisioned by Islamic law, particularly in the area of marriage. The objectives of the laws revealed by Allah to His servants are called Maslahah.

Regarding the objectives of Islamic law, or maqasid al-syari'ah, the majority of scholars agree that Allah did not legislate His laws, but rather that there are various general purposes behind the sharia itself. These purposes ultimately lead to maintaining the welfare and interests of human life in this world and the hereafter.<sup>6</sup>

Based on these facts, researchers are interested in studying regulations regarding the age of marriage in Law No. 16 of 2019, which regulates the increase in the minimum age for marriage, correlates with Islamic Law and Legal Sociology. This research focuses on the perceptions and readiness of the Narmada District community in implementing the relevant law.

## B. RESEARCH METHODOLOGY

This research uses a normative juridical approach method which aims to analyze the applicable legal regulations regarding the maturity of marriageable age.<sup>7</sup> The juridical normative approach is used to understand the legal norms regulated in legislation and the principles of Islamic law, as well as how these rules are implemented in legal practice.<sup>8</sup> This approach is appropriate because this research focuses on the study and understanding of legal texts, and does not involve field observation or empirical data collection.

This research involved analysis of primary and secondary data sources. Primary data sources consisted of relevant laws and regulations, such as Law No. 1 of 1974

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<sup>5</sup> Rasyid Muzhar, Rendra Khaldun, Underage Marriage In The Classical And Contemporary Fiqh Perspective, *El Mudawana: Journal of Islamic Law* Vol. 1 No. 1, 2024,. 1-20

<sup>6</sup> Ahmad Qorib, *Usul Fiqh 2* (Jakarta: PT Nimas Multima, 1997), 171.

<sup>7</sup> Zainuddin Ali, *Legal Research Methods* (Jakarta: Sinar Grafika, 2009), 5.

<sup>8</sup> Soerjono Soekanto and Sri Mamudji, *Normative Legal Research: A Brief Review* (Jakarta: Rajawali Perss, 2001), 7.

concerning Marriage, the Compilation of Islamic Law (KHI), and the Civil Code (KUH-Perdata).<sup>9</sup>In addition, relevant court decisions were analyzed to understand how these regulations are applied in real-life cases involving both early and delayed marriages. Secondary data sources included literature related to the issue of delayed marriage, including books, scientific journals, articles, and previous research relevant to this topic.<sup>10</sup>

## **C. THEORY**

### **Marriage in Two Views (Positive Law and Islam)**

From a linguistic perspective, marriage may mean uniting, coming together, having sex, or being infected. Imam Shafi'i defines marriage as follows: first, a contract that allows a man and a woman to engage in intimate (sexual) intercourse in a lawful manner. Second, Imam Hanafi argues that a person's sexual relationship with a woman becomes lawful through marriage. Third, Imam Malik argues that marriage is a proper contract with legal clauses intended solely to allow men to enjoy themselves, have sex, and discover the woman's capabilities—all in exchange for the right to marry her. Fourth, according to Imam Hanafi, marriage is a contract or a way to enjoy oneself and benefit from a woman.<sup>11</sup>

The law debates and regulates marriage beyond religious and customary practices. Law Number 16 of 2019, an amendment to Law Number 1 of 1974 concerning marriage, defines marriage as a spiritual and physical relationship between a man and a woman as husband and wife with the aim of forming a family or *sakinah, mawaddah, warahmah*.<sup>12</sup>

According to the definition given above, marriage is a very strong (sacred) contract which contains legal guidelines regarding what is meant by a peaceful, loving and compassionate home and the permissibility of sexual relations with the words of marriage.

The state also controls the marriage process; its purpose is to maintain administrative order and control marriages performed by the state. Marriage is also regulated by law in Indonesia, with positive law serving as the legal basis for marriage.<sup>13</sup>

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<sup>9</sup> Amiruddin and Zainal Asikin, *Introduction to Legal Research Methods* (Jakarta: Rajawali Press, 2010), 19.

<sup>10</sup> Ediwarman, *Monograph on Legal Research Methodology* (Yogyakarta: Genta Publishing, 2016), 21.

<sup>11</sup> Eddy Fadlyana and Shinta Larasaty, *Early Marriage and Its Problems*, Sari Pediatri, (2016), p. 18.

<sup>12</sup> Fauzie Rahman, et al., "A Study of the Culture of Young People Engaging in Early Marriage in Banjarbaru City, South Kalimantan", *Indonesian Public Health Media*, Hasanuddin University, (2015), p. 23.

<sup>13</sup> Ira Nurmala Intan Arimurti, "Analysis of Early Marriage", *Analysis of Women's Knowledge of Early Marriage Behavior in Wonosar District, Bondowoso Regency*, (2017), p. 23.

Therefore, marriage has a religious element besides being tied to social issues.<sup>14</sup> Therefore, Islamic law regulates marriage legally, based on the Sunnah and the Quran. The following are Quranic reasons for marriage:

- a. The proof of the Al-Quran is that Allah SWT says in Surah An-Nisa Verse 3 as follows, which means: And if you are afraid that you will not be able to do justice to (the rights of) orphaned women (if you marry them), then marry (other) women that you like: two, three or four. then if you are afraid that you will not be able to do justice, then (marry) just one person, or the slaves you have. that is closer to not committing wrongdoing” (QS. An-Nisa/4: 3).

Thus, marriage is a relationship that creates life family between husband, wife, children and parents to achieve a happy, peaceful, calm life (*sakinah mawaddah wa rahmah*).<sup>15</sup>

- b. As-Sunnah. In the hadith it is also mentioned, narrated from Abdullah bin Mas'ud ra from the Prophet who said; Meaning: "O young men, whoever among you has the ability, let him marry, because it is better for lowering the gaze and guarding his honor. And whoever does not have that, let him always fast, because fasting is a control over his temper." (HR Bukhari-Muslim).

#### D. ANALYSIS AND DISCUSSION

Narmada District is one of the districts in West Lombok Regency, located approximately 11 km east of Mataram City. Narmada District is known as the "Water City". This is based on the fact that Narmada has many springs. The springs originate from forest water reserves in the Narmada area located in Suranadi and Sesaot. Narmada's city motto is "AIR" which is an abbreviation of "Safe, Beautiful and Neat"<sup>16</sup>

Narmada District is a mountainous area with relatively high rainfall, averaging 158.08 mm per month. The eastern region is mountainous and hilly. The area of Narmada District is 112.77 km<sup>2</sup>, encompassing 21 villages, 126 hamlets, and a population of 99,272. More details regarding the population of Narmada District can be seen in the following table:<sup>17</sup>

**Table 1**  
**Population of Narmada District**

	Resident	Number of	Number of
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<sup>14</sup> Wulandari and Sarwititi Sarwoprasodjo, "The Influence of Family Economic Status on Motives for Early Marriage in Rural Areas", *Sodality: Journal of Rural Sociology*, (2015), p. 56.

<sup>15</sup> Beteq Sardi, "Factors Driving Early Marriage and Its Impact in Sarimulya Village, Kemusu District, Boyolali Regency", *EJournal Sosiatri-Sosiologi*, (2016), p. 87.

<sup>16</sup><https://narmada.lombokbaratkab.go.id>

<sup>17</sup>Team, Narmada District in Figures 2023, West Lombok Central Bureau of Statistics 2024,

No	Village Name	Lk	Pr	Souls	families
1	Sembung	1,941	1,951	3,892	1,194
2	Badrain	1,997	2,096	4,093	1,434
3	Kuta Rock	1,711	1,792	3,503	1,116
4	Krama Jaya	2,323	2,274	4,597	1421
5	Tanak Beak	2,771	2,880	5,651	1,850
6	The destroyer	3,326	3,562	6,888	2,008
7	Keru	2,658	2,748	5,406	1,695
8	Sedau	2,375	2,473	4,848	1,801
9	Sempaga Bee	2,378	2,256	4,634	1,429
10	Sesaot	2,813	2,848	5,661	1,810
11	Suranadi	3,305	2,900	6,205	1,865
12	Strait	3,117	3,195	6,312	2,075
13	Nyurlembang	1,770	1,861	3,631	1,178
14	Lembuak	2,599	2,597	5,196	1,592
15	Dasan Tereng	2,231	2,248	4,479	1,463
16	Gerimax Indah	2,289	2,362	4,651	1,387
17	Narmada	2,181	2,134	4,315	1,328
18	Class	2,944	3,067	6,011	2,000
19	Ferns	1,590	1,564	3,154	1,034
20	True Blessings	2,159	2,061	4,220	1,364
21	Blooming Sari	969	956	1,925	586
	Amount	49,447	49,825	99,272	31,630

The population of Narmada District is 90% Muslim, while the remaining 10% are Hindu, Catholic, Protestant, and Buddhist. There are 303 places of worship in Narmada District, consisting of 91 mosques, 170 prayer rooms, 22 prayer rooms, and 20 temples spread across each village. The majority of the population of Narmada District is Sasak, and the language used is generally Sasak, and wedding customs are indigenous to the Sasak region.<sup>18</sup>

In terms of marriage, Narmada District has the highest rate of early marriage compared to other districts in West Lombok. Narmada District ranks second after

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<sup>18</sup>Ibid

Sekotong in terms of early marriage rates. Data on early marriages in West Lombok over the past three years can be seen in the following table:

**Table 2**  
**Number of Early Marriages in West Lombok Regency<sup>19</sup>**

No	Subdistrict	Cases of Early Marriage		
		2020	2021	2022
1	Batulayar	34	17	5
2	Gunungsari	42	19	6
3	Lingsar	80	32	18
4	Narmada	80	29	17
5	Pumpkin	70	27	7
6	Kediri	55	29	2
7	Kuripan	38	17	2
8	Gerung	47	21	16
9	Sheet	3	2	1
10	Sekotong	84	38	1
<b>Amount</b>		<b>564</b>	<b>231</b>	<b>75</b>

Referring to the above data, it shows that early marriage remains a social problem, particularly in Narmada District. Although the rate of early marriage is declining, it has not yet reached 0%.

Of course, this is very encouraging and is a positive impact of various efforts made by government officials such as the KUA, Community Health Center, Babinsa, Sub-district Head, Village Head who carry out socialization, coaching and counseling in efforts to prevent early marriage in Narmada District, West Lombok.

Efforts to prevent early marriage in Narmadi District are now gaining momentum, supported by legal aspects. In relation to the provisions of marriage in Indonesia, there have been changes since the issuance of the Constitutional Court's ruling, ordering the legislators to make changes to the provisions within a maximum period of 3 (three) years. Constitution Number 1 of 1974 concerning Marriage. Changes in norms in Law- Law Number 1 of 1974 concerning Marriage This covers the age limit for marriage. Normative reforms are implemented by raising the minimum age for marriage for women. The minimum age for marriage for women is the same as for men, namely 19 (nineteen) years. This age limit is considered to be the age at which women are physically and mentally mature enough to marry, thus

<sup>19</sup>UPT PPA West Lombok Regency and Author Modifications, 2022



achieving the goals of marriage properly without ending in divorce and producing healthy, quality offspring.

The enactment of this law seems to have sparked both controversy and debate within society. Some agree, while others disagree, or even disagree entirely, given the increasingly free and independent social conditions of today's youth. To learn more about public perceptions regarding the legal age limit for marriage, read on.

To learn about the changes to the Marriage Law, the author conducted interviews with community members in Narmada District. The researchers interviewed several hamlet heads, who are the closest to the community. The pros and cons of raising the marriage age among the community reflect the social conditions within the community.

Lembuak Hamlet, for example, as one of the hamlets closest to the capital, feels that increasing the marriage age in this law does not really invite problems, in fact it is good for maturing the marriage age, as Irawan, Head of Lembuak Hamlet, said:

*"It's not a big deal, after all, we're confident the law's objectives are sound. After careful study and consideration of various aspects, God willing, society will be ready to accept it. The positive impact is that it will help people become more financially and mentally mature before marriage. They can go to school first or pursue a career to become more established."*<sup>20</sup>

In line with Irawan, Maryadi Idris, Head of Batu Kuta Hamlet, stated his approval. Regarding the increase in the marriage age based on the latest law, although in Batu Kuta there are still people who marry early, the existence of this law at least acts as a brake for young people who want to marry, he said:

*"I think 19 is the right age. It's considered physically and psychologically mature. It can be implemented in practice, except in certain marriage situations, such as an accident or in-laws desperate for grandchildren. These circumstances could be obstacles, but the chances of that are very slim."*<sup>21</sup>

However, not all residents have wholeheartedly accepted the changes to the law, especially in the remote areas of Narmada District. In Keru Village, for example, there are still remote areas where access to high school education is somewhat difficult, leading to early marriage. Early marriages generally occur among junior high school graduates who do not continue on to high school, thus encouraging early marriage. Muhammad Sanusi, Head of Eat Bintang Hamlet, Keru Village, explained:

*"Even the old law can be broken, let alone a higher age, up to 19. The girls in Eat Bintang are waiting too long. It's fine if the boys can work in Malaysia or Bali, allowing them to postpone marriage. But for the girls who stay at home, just waiting at home feels boring, and they end up marrying under Islamic law. That's the situation. It's not that we're against it, but its implementation in the field is quite hampered by local culture and traditions, such as in Eat Bintang Hamlet."*<sup>22</sup>

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<sup>20</sup>Irawan, Head of Lembuak Hamlet, Narmada District, interview on May 10, 2024.

<sup>21</sup>Maryadi Idris, Head of Batu Kuta Narmada Hamlet, Interviewed May 9, 2024

<sup>22</sup>Muhammad Sanusi, Head of Eat Bintang Hamlet, interviewed on May 10, 2024.

Based on interviews with several hamlet heads, regarding attitudes toward the new marriage law, all community leaders are in favor of the law, but in certain areas, it hasn't been fully implemented, particularly in remote hamlets prone to early marriage, such as Tanak Beaq. Sahim, the head of Tanaq Beaq hamlet, said:

*"As a law passed by the state, we agree. We also hope its implementation on the ground will proceed smoothly and without any obstacles. However, based on experience, there are certainly violations, especially among vulnerable rural communities who are simply getting married, especially girls. But if we try to address this through outreach and outreach programs or create programs that keep them busy, it could be possible."<sup>23</sup>*

However, the existence of the law is to realize the benefit of national and social life, so it must be supported through its implementation, one of which is in the case of marriage. The age restriction is of great use. among them is that both prospective husband and wife are sufficient to carry out responsibilities as head of the household and as housewife. And he is mature about the obligations that rest on his shoulders. such as the welfare and happiness of the household.

In fact, the maturity of marriage age as mandated in the latest marriage law is relevant to the hadith of Rasulullah SAW. which advises young people to enter into marriage within the limits of their capabilities. "We have been told from Umar bin Hafsh bin Ghayath, it has been told to us from my father (Hafsh bin Ghayath) it has been told to us from al A'masy he said: "It has been told to me from Umarah from Abdurrahman bin Yazid. he said: "I went with Alqamah and al Aswad to Abdullah's (house). he said: "When I was with the Prophet SAW and the youths and we did not find anyone else. Rasulullah SAW said to us: "O young men, whoever among you is able to have a household, then marry, because marriage can lower your eyes and maintain your genitals. And whoever is not able, then let him fast, then indeed that person can control his desires."

Indirectly, the Qur'an and Hadith acknowledge that maturity is very important in marriage. The age of adulthood in Islamic jurisprudence is determined by physical signs, namely the signs of puberty in general, including, among others, the perfect age of 15 years for men, ihtilam for men and menstruation in women at least at the age of 9 years. If there is an abnormality or delay in physical (biological) development, so that at the age when a person usually has semen for men or menstrual blood for women but the person has not shown signs of maturity, then the period of puberty begins based on the age at which someone usually shows signs of puberty. The start of puberty from one person to another is influenced by differences in environment, geography and so on. The measure of maturity measured by the criteria of puberty is not rigid (relative).<sup>24</sup>

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<sup>23</sup>Sahim, Head of Tanaq Beaq Hamlet, interview on May 10, 2024.

<sup>24</sup>Ahmad Rofiq, Islamic Law in Indonesia, (Jakarta: Rajawali Press, 6th Edition, 2003), 78.

Because in reality, according to Imam Abu Zahrah in his work, *al-Ahwal al-Syakhsiyyah*, marriage is not only about fulfilling sexual desires, but also fulfilling social and religious needs. More specifically, the wisdom of marriage, according to him, is as follows:<sup>25</sup>

- 1) Marriage is the basic principle that makes a family strong, where each member will have rights and obligations based on religious ties called *mawaddah*.
- 2) Marriage is the place where families are formed. The family is the most important and fundamental unit in the formation of a society. It is the first place where every human being learns to face challenges and live in society. Therefore, it is highly likely that a person's success or failure in society is influenced by how their personality is developed within the family.
- 3) Marriage is the perfect way to get offspring. The Prophet himself ordered us as his people to have lots of children.
- 4) Marriage is a true comfort for both men and women. A woman lives with someone who can protect her and provide for her needs, allowing her to simply relax and fulfill her responsibilities of maintaining the home and caring for her children. A man also experiences the joy of living with someone who will faithfully serve him and provide support when facing challenges. This creates a sense of responsibility for both husband and wife.

Therefore, marriage must occur at a mature age to live a married life with all its consequences. The age limit is indeed very useful, among other things, so that both prospective husband and wife are old enough to shoulder the responsibilities as head of the household and as a housewife. And are mature enough to face the obligations that are borne on their shoulders, such as the welfare and happiness of the household. In terms of substance, *maqashid sharia* is the benefit. The benefit in question takes two forms. The first is in the form of real, namely direct benefit in the sense of cause and effect. The second is in the form of metaphor, namely the form that is the cause that leads to benefit.<sup>26</sup>

## **E. CONCLUSION**

Amendments to Law Number 1 of 1974 concerning Marriage address the legal age limit for marriage, improving norms by raising the minimum age for marriage for women. This raises the minimum age for marriage for women to 19 years, equaling the minimum age for marriage for men. The Narmada District community generally

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<sup>25</sup>Muhammad Abu Zahrah, *'Aqd al-Zawa Wa As* | a>ruhu (n.d.: Dar al-Fikr al-Arobi, n.d.), 45.

<sup>26</sup>Asafri Jaya Bakri, *The Concept of Maqashid Al-Shari'ah According to Al-Syatibi*, 1st Edition, 1st Printing, Jakarta: PT RajaGrafindo Persada, 1996, 96

agrees with the increase in the legal age for marriage as mandated by the law. However, in some situations, socialization and adjustments are needed to ensure its effective implementation.

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