

## Analysis of Islamic Law Compilation on Application for Child Marriage Dispensation

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**Abstract.** Religious Courts can grant relief to prospective brides who are not old enough to hold a marriage based on Marriage Law Number 16 of 2019. This includes men and women who have not reached the age of 19. This study aims to find a review of the IHL regarding judges' considerations when granting dispensation for underage marriage. The study also looked at what judges at the Cibinong Religious Court consider when they grant dispensation for underage marriage. The study used qualitative methodology. Data collection is done through observation, interviews, and documentation. The results showed that, based on the IHL Review and its findings, the IHL serves as a legal basis to allow marriage dispensation in Law Number 16 of 2019 concerning marriage, where article 7 paragraph (2) and paragraph (4) stipulate that the minimum age of prospective men and women is 19 years. In addition, the IHL serves as a review of judges' deliberations when they decide to apply marriage dispensation.

**Keywords.** KHI, Termination of Underage Marriage

### INTRODUCTION

In Indonesia, the minimum age for marriage is 19 years for men and 16 years for women. This limitation can be avoided by applying for marriage dispensation to the Religious Court. There are no rules or standards set in the Marriage Law, so the panel of judges makes decisions based on its own initiative, which usually refers to jurisprudence texts. Therefore, most applications for dispensation are always accepted, which leads to underage marriage. Indeed, the religion of Islam does not address what age marriage should take place. Muslims can set the ideal age limit only by the signs and gestures of the Qur'an. According to Salam (2017), this limit must be in accordance with the requirements and characteristics that have been set and in accordance with the place to be promulgated. Marriage has an important role in human life because it affects not only the married couple, but also their children or offspring, parents, family, and society in general. According to the Marriage Law, marriage is an inner birth bond between a man and a woman with the aim of forming a happy and eternal family (household) based on the One True Godhead. However, "Marriage according to Islamic law" is "marriage, which is a very strong contract or mitssaqan ghalidzan to obey Allah's commandments and carry

them out constitutes worship", according to article 2 of the Compilation of Islamic Law (Abdurrahman, 2010: 114).

As stated in verse 32 of Surah An-Nur in the Qur'an, Allah subhanahu wa ta'ala has decreed that people of Muslim faith must marry.

"And marry those who are single among them," he said. You, as well as the marriageworthy men and women of your sahaya servants. God will give them strength through His gifts if they are poor. In addition, Allah is Vast and All-Knowing. On the contrary, a very popular hadith found in wedding speeches emphasizes that marriage is the sunnah of the Prophet (Arifandi, 2018: 8). In the book of Sunan Ibn Majah, we can find the redaction of this hadith:

According to Aisha (r), the Prophet (peace be upon him) said, "Getting married is my sunnah, whoever does not practice it, then he does not belong to my people. Marry because I am very pleased with your great number compared to other people, who already have the ability, then marry, otherwise it is peaceful, for fasting can control."

However, the Marriage Law Number 16 of 2019 provides freedom for all Indonesian citizens to marry by referring to the Law. The compilation of Islamic Law (KHI) also gives the same purpose to the meaning of marriage, namely to maintain and maintain the balance of life in a good household and to realize a harmonious domestic life. In addition, Law Number 16 of 2019 concerning Marriage provides opportunities for underage marriage, as stipulated in Article 7 Paragraph (2), which stipulates that in cases that violate Article 1 Paragraph (1) of Law Number 16 of 2019, a person can request marriage dispensation to the local Religious Court. Religious courts may grant marriage dispensation to brides who have not reached the age of 19 (nineteen) years or 16 years (sixteen).

There are several reasons why the Religious Court applies for marriage dispensation, such as not meeting the age requirements for marriage, being engaged, having a husband and wife relationship or already pregnant, a husband and wife wandering, dating too long, or having a relationship that is too close so that it is considered to violate law and religion (Wasono, 2020: 9).

More and more applications for marriage dispensation are being decided by courts because of the promiscuity of couples under the provisions of the Marriage Law. The main reason for this application for marriage dispensation is mostly because of pregnant couples out of wedlock, who inevitably have to marry to account for what they do. So, for both prospective brides who will marry if Because both prospective brides have not reached the stipulated age, the court must grant marriage dispensation. This is related to one of the principles firmly held by the marriage law of the Republic of Indonesia, namely the maturity of the bride and groom, to achieve good marriage goals without ending in divorce and to get good and healthy offspring (Hayat, 2018).

This is where the question arises about how the Compilation of Islamic Law influences judges' decisions in granting dispensation for underage marriage and what factors judges at the Cibinong Religious Court consider when granting dispensation for underage marriage.

Based on the background of the above problem, the author wanted to investigate the case of the application for dispensation of underage marriage and chose to conduct an investigation at the Cibinong Religious Court. The authors have decided to participate in this study based on information they obtained from the court during the Field Experience Practice (PPL). In addition to the issue of divorce, the application for dispensation of underage marriage was another interesting and frequent issue at the time.

The author aims to conduct research and complete it as a thesis entitled "Review of Islamic Law Compilation of Applications for Dispensation of Underage Marriage in Cibinong Religious Court."

This study aims to find out how the Compilation of Islamic Law influences judges' judgment when granting dispensation for underage marriage. The study will also investigate what factors judges at the Cibinong Religious Court consider when granting dispensation for underage marriage.

### **RESEARCH METHODOLOGY**

This study uses phenomenological methods, qualitative research that examines awareness of social actions from an individual's point of view. Qualitative research collects data in a natural setting with the aim of interpreting the phenomena that occur. Researchers used their own tools to conduct this study, and the sampling of data sources was done purposively and snowballly. The method of data collection and analysis is inductive or qualitative. The results of qualitative research emphasize meaning rather than generalization (Anggito & Setiawan, 2018: 7). Source data is collected by collecting data from primary and secondary literature, then compiling all data in the planned order of discussion. and data collection methods such as interviews, observation, and documentation.

Cibinong Religious Court, located on Jl. Bersih No. 1, City Center This place was Cibinong in Bogor Regency, West Java in 16914. The study began in March 2022 and lasted until June 2022.

### **RESULTS AND DISCUSSION**

The Compilation of Islamic Law is a compilation of various legal opinions collected from various books of Fiqh scholars used as references to Religious Courts to be processed, developed, and collected into one book. This is a collection called a combination. And the Compilation of Islamic Law includes three provisions of family law governing marriage, inheritance, and wakafan. It also displays the law and its amendments relating to the three legal subjects (Nusantara, 2021: III).

To marry a man under the age of 19 or a woman under the age of 16, one can ask for leniency in underage marriage, either one or both. According to Marriage Law Number 16 of 2019, although Islam only stipulates signs of marriage, there is no age limit for marriage. Children who have reached a certain age where they have a clear understanding of whatever problem they are facing. The mind already has the ability to consider and discern what is right and what is wrong. Women menstruate as a sign of puberty, while men release semen (Hidayatulloh, 2020). There are many applications for marriage dispensation at the age of children in Cibinong Regency, according to the background of the problem. The following data is information about applications for marriage dispensation submitted and decided at the Cibinong Religious Court from January to December 2021.

Data from several cases filed at the Cibinong Religious Court can show the reasons for marriage at an early age, judges' considerations when deciding cases, and factors that influence the application for marriage dispensation.

In the Cibinong Religious Court from 2021–2022, the judge's basis for consideration was to grant dispensation for early childhood marriage for pregnant children.

Receiving, examining, adjudicating, and resolving cases is the primary responsibility of judges. Indonesia's Prime Procedural Law, by Sudikno Mertokusumo, was published at Atma Jaya University Yogyakarta in 2010. In connection with civil law proceedings, applications for

marriage dispensation at the age of children include cases that do not contain disputes. The applicant is the only party. The result of the examination of the application case is the decision of the judge. According to Article 178 (1) HIR, connected with Article 53 (2) of Law No. 48 of 2009 stipulates that the judge's determination and decision must be based on appropriate and correct legal considerations. Therefore, judges of the Cibinong Religious Court must consider the basis considered when deciding on applications for marriage dispensation at an early age. According to the determination data and interviews, the Judge considered the following points when granting the application: Consider the facts

Before examining, the judge always advises the parents of the applicant and the proposed child to postpone the marriage until the age of the bride and groom turns 19 years old. All advice given by the Judge was not followed based on determination data and interviews with sources. That is, parents still want to ask for marital dispensation for their children as married couples.

To find out if both of the candidate's parents have agreed to the marriage plan, the prospective husband states that they are ready to take on the responsibilities of husbandhood. Prospective husbands and wives have been dating for a long time, so they can do things that violate Islamic law if they are left unchecked.

Information from the applicant as the candidate's parents, the besan, and the two prospective spouses is the basis for consideration.

Consideration of the law of Marital dispensation will provide the best for the child, especially for those who are already pregnant. the good name of the family and potential spouse and help prevent acts that are contrary to the religion of Islam.

Although the child protection law obliges parents to prevent marriage at the age of the child, the judge argued that the legal resources that exist in Cibinong society should also be considered.

Article 7 paragraph 2 of Law No. 1. In 1974, the rules of Islamic jurisprudence stated that rejecting everything that is destructive is better than withdrawing everything that is beneficial. The judge did not apply the child protection law. Only if the parents disagree and apply for prevention of marriage will the Child Protection Law apply. There has never been a request from parents to prevent marriage while the child is still young.

From research conducted by researchers to collect data through interviews with informants. Mr. Doctor was the first informant. H M. Rahmat Farid H., a judge at the Cibinong Religious Court, was chosen by researchers as one of the resource persons to complete this study. She is well aware of the legal issues involved in granting dispensation because she is well aware of the legal consequences of early childhood marriage during pregnancy. He stated that the grounds and elements used to grant early childhood marriage dispensation to pregnant women are as follows:

As a result of the interview, the judge explained several reasons for granting marital dispensation to early childhood who are pregnant, including considering the benefits even if the spouse is a minor.

In this case, the factor that will be considered by the judge to grant marriage dispensation to such early childhood is their advantage because if they are not married, they will worry about the norms of society and not violate the norms of decency of society. In addition, they will be responsible for the actions of their partner. Because in this case, the judge judged her benefit, which of course was a factor that was very much considered when she decided to grant marriage dispensation. The judge considered the urgency of the marriage dispensation due to the fact that she was already pregnant.

After considering the importance of marriage, the judge stated that it is permissible for underage marriage to be carried out through procedures to the Cibinong Religious Court. The judge said that one of the reasons for granting marriage dispensation was the benefit of not being married.

In some cases, he stated that the most common factors that cause underage marriage and require dispensation are: Of the cases he has heard, the dominant factors that cause underage marriage to occur and need to be asked for dispensation he said that because the judge saw based on the reality that was in the Cibinong Religious District Court where the reason for a person to dispense marriage was because there is encouragement from parents or individuals who explain to the judge as the applicant Request to carry out marriage dispensation that so that children are not spared from committing adultery and so as not to violate the norms of decency in society, namely by dispensing marriage so as not to violate religious norms As well as by looking at the age limit regarding the previous law and about the new law and the judge explaining the latest law, especially about age in Marriage which was previously Law No. 1 of 1974 concerning marriage, and its amendment is that men and women must be the same 19 years as Law No. 16 of 2019 concerning Marriage.

Mr. Professor Muhammad Farid M. H., in the interview, the author also knew about the reasons and factors that encourage the dispensation of early marriage, namely:

In deciding the case of underage marriage, the judge considers what provides more benefits or negative effects. By giving a dispensation, will the relationship between the bride and groom be better or vice versa? The judge also considered the reasons the bride and groom wanted to marry underage. Judges use the Compilation of Islamic Law and most importantly based on the Quran when making their decisions. They did it fairly.

However, factors affecting the dispensation of underage marriage exist: In very urgent or emergency situations, the bride and groom must be married immediately due to parental concerns about their child's relationship with the spouse who is in a relationship too far which can lead to sin and bring the family into disgrace.

Professor Muhammad Farid M. H., also explained the reason why judges allow early childhood marriage during pregnancy: Judges focus more on the principle of legal expediency. From the point of view of the sociology of law, profit is a major factor in determining the purpose of law. The law is beneficial to man, not to man. The judge granted dispensation to parents who applied to the Cibinong Religious Court because it was considered to have greater benefits than not. The Judge does not have the power to reject the petitioner's circumstances because the Judge is more concerned with the benefits of law for the betterment of society and addressing the issue of benefit for the common good. It is very dangerous if the application for dispensation of marital age is rejected. Judges should not just race on laws that set age limits as this could lead to more serious consequences. For example, if a child who is not old enough wants to marry but is not of sufficient age to take care of the household, then they are mentally ready to marry, because it is unlawful to marry if the external conditions are not yet met.

Mr. Professor Abdul Farid S. H., made his response: Marriage is not permitted for women who are not old enough to do so, but if pregnancy has occurred before, It was an emergency that required immediate marriage. In such cases, the judge has no power to refuse to grant marriage dispensation because it has significant consequences in the future, especially for the woman and her family, because the burden is most heavily borne by the woman.

The judge decides the application for marriage dispensation at the age of the child mentioned above based on the facts and legal considerations used. They are also required by Article 53 Paragraph 2 of Law Number 48 of 2009 to use legal considerations based on reason

and basis. Before making a decision, the judge must ascertain the facts. The judge had done this when handing down the determination.

At the trial, the fact that the prospective spouse did not yet meet the age requirement, but both parents agreed to it, the fact that the judge often tried to postpone the marriage but was unsuccessful, the fact that the two prospective spouses had been dating for a long time, which eventually led to pregnancy, and the fact that it was customary in Cibinong that children at that age were considered fit for marriage even though they had not won marriage,

In procedural law, the provision of legal consideration and legal basis for the appointment of judges is the stage of legal qualification or discovery, as well as the constitutional stage or the granting of law, whether it is accepted or not. In the above-mentioned cases, the judge has passed the stage of legal discovery and issued his decision. The judge decides whether facts that have been proven true can be incorporated into the legal qualification for the dispensation of marriage at the age of the child. Taking into account the facts, the judge ruled that marital dispensation could be made.

As a result of the Cibinong Religious Court's 2021–2022 decision on the dispensation of early childhood marriage for pregnant people, the law of young marriage based on the Supreme God will give rise to rights and obligations between both parties, both with their children and with themselves.

Dr. Muhammad Farid M. In the interview, H. stated about the legal consequences of granting dispensation to early childhood marriage in pregnancy: The legal consequences take into account its benefits, although based on the review of the KHI, the judge explained that the IHL is used as a legal basis to allow marriage dispensation in the Cibinong Religious Court, based on urgency by considering the benefits because basically this marriage dispensation aims to Protecting Children from Losing Children

According to marriage law, maturing the age of marriage means that the prospective husband and future wife must be old enough to marry. According to Article 7 Paragraph 1 of the Marriage Law, the minimum age for marriage is 19 years. This age is set only to maintain the health of the husband and wife and the benefit of the family, so that marriages remain and data on underage marriages are no longer found in religious courts. Interviews with judges at the Cibinong Religious Court show that the practice of marriage dispensation developed rapidly.

Professor Abdul Farid S. H., explained: Children who reach adulthood usually develop socially, mentally, and physically. They hang out with friends and find a partner that suits their needs. Finally, they wanted to get married, so they had to ask for a marriage license at the local court. In the Cibinong Religious Court, the same thing happened: they mingled and hooked up with members of the opposite sex so they wanted their marriage; Unfortunately, those who want marriage are children who are too young to form a family. Because turning the palm of the hand is not as easy as raising a family, however, the law strongly recommends that the bride and groom are mature enough, because there needs to be careful preparation in terms of material, mental, soul, and physical.

The researchers' study shows that parents of prospective husbands and future wives can apply for marriage dispensation depending on how old the younger party is. From this applicant's perspective, the author examines the impact of the marriage dispensation on his marriage at the Cibinong Religious Court.

Marriage is a sacred relationship between a man and a woman with the aim of building a family that is *sakinah*, *mawaddah*, and *warohmah*, according to researchers. Husband and wife should complement each other and understand all the things that can make the family

harmonious and peaceful, not find faults and shortcomings with each other. It is quite natural that husbands and wives have different characters because Allah Almighty makes nothing the same between each other. However, if these differences are not properly addressed, there will be divisions. Therefore, the main condition for obtaining harmony in the family is to be able and ready to build a household. Researchers say that couples who receive marriage dispensation are a type of marriage that does not conform to ideal statutory standards. Because it does not meet the predetermined conditions of marriage, it is a form of deviation from marriage in general. In general, marriage dispensation does not affect the continuity of marriage. On the contrary, such marriages make it difficult to achieve the goals of *sakinah*, *mawaddah*, and *warohmah* marriages compared to marriages that are adapted to the law. This does not mean that couples who get marriage dispensation will find it difficult to marry. Not all marriages that meet the age requirements can be married. However, marriages carried out at a young age clearly have greater risks than marriages that have met the age requirements.

**Factors Influencing Her Application for Marriage Dispensation at the Cibinong Religious Court** Researchers found that every year there was an application for marriage dispensation at the Cibinong Religious Court. This can be seen from the number of applications for marriage dispensation that came in, especially 362 applications in 2021. choose not to marry. According to Law number 48 of 2009 concerning judicial power, judges must determine applications in accordance with legal principles and the sense of justice of the community. Paragraph 1 of Article 5 establishes this: Judges and constitutional law enforcers must learn, follow, and understand the legal values and feelings of justice that exist in society

So, during the trial, the judge will ask the reason why she applied for marriage dispensation at the Cibinong Religious Court in 2021. According to information gathered by researchers from their investigation at the Cibinong Religious Court, there are several factors that influenced the marriage dispensation application filed at the Cibinong Religious Court in 2021, namely: Cultural factors

This is reinforced by the case of people applying for dispensation in 2019 in the Banten area, filed by Uun Uniyah and Ade Gunawan. Because it granted the marriage of an 18-year-old woman to a 22-year-old man, this is one of the most recent applications for marriage dispensation and attracted the attention of the local community. Uun

Uniyah is the youngest of four children and has graduated from junior high school and did not go to high school. He was a cheerful child and was a smart kid in school. He knew Ade Gunawan as the cause of the arranged marriage because he was serious about coming to the house to propose with the approval and consideration that Ade Gunawan was a good adult man, responsible, and able to make others happy, let alone his permanent job.

Uun's parents also said that their son's marriage went smoothly and the household was also happy, and they already had a son. Although she is very young, but she behaves maturely, so Uun's parents don't worry about unwanted things because of her child's marriage. Uun's parents could see their son getting married quickly. Parent and child are usually very close together physically and emotionally. Thus, it can be concluded that parents play a very important role in shaping the character of the child.

**Economics and Education** It may be because a bad economy results in low levels of education, or the two are strongly linked. On the contrary, due to the factor of low education affects one's ability to work, which in turn results in low income, which in turn causes one's economic condition to be worse.

One of the factors driving this application for dispensation was education; low levels of education as well as knowledge of parents, children, and society led to a tendency to marry

minors. Taking into account that the child has not yet gone to school, it is better to get married immediately than to just stay at home. This is because, by marrying her child, the responsibility of the parents shifts to her husband.

Religious education is very important for a child from an early age as it will play an important role in the formation of their personality. Education is an important part of a person's life both socially and personally. The purpose of religious education is to increase our piety to Allah SWT. and create morals that can produce moral individuals, clean souls, right principles, and high morals. One factor is the lack of religious education in the family. from parents who don't care much about their children's education. so that they can easily engage in promiscuity.

This is reinforced by the case of the person who in 2015 applied for marriage dispensation, according to Kiki's mother widiyasari Dewi: I married Kiki because of her son's wishes too. I also faced economic problems, especially as a single parent raising three children. In addition, because I work outside the city, I rarely go home. Also, marrying off my child is a way to avoid accusations because we've been dating for several years and my partner is already financially capable and mature.

From the information above, the author can conclude that education and economics are very important for mental development, growth and development, and behavior.

Environmental factors One of the reasons behind the marriage dispensation application filed at the Cibinong Religious Court is that parents continue to feel worried about their children due to the unhealthy environment. Courtship is common among teenagers, including children. Parents worry about unwanted things happening when children are already dating and seeing each other often. Moreover, there are some parents who for various reasons do not prohibit or even allow a child to stay overnight at the house of their spouse, causing unpleasant results. If this has happened, it is very likely to cause slander in the family and society. In relation to the Cibinong area, if a pair of children of different sexes and adults often get together, they will become slander for their neighbors, so parents feel worried and marry their children to avoid slander. This usually happens in rural areas. Application for marriage dispensation number 351/pdt shows the impact of association in the children's environment on their minds and lives. P/2022/PA.cbn, due to environmental impact, according to Mr. Suhendi, the applicant.

Actually, I didn't want to marry my son, but his girlfriend had been together for two years and was a frequent visitor to the girl's house, making the woman's parents worried and ashamed of the neighbors for being the subject of gossip. In order to avoid slander, the female parents deliberated and asked the male parents to marry their children immediately. Men are also ready to marry because they are ready directly, earn, and have a sufficient amount of money to raise a family due to their mature age.

Mr. Suhendi also said that his son and daughter-in-law are generally fine at home. However, to be clear, they are not ready to settle down and still need guidance to carry out their responsibilities as wives.

In addition, the dispensation case with case number 47/Pdt.P/2022/PA.cbn, where the author had the opportunity to interview Syaiful Anwar, Kamalia's father, stated:

I married my daughter because it was urgent because their relationship was so close that I feared that there would be acts prohibited by Islamic law if they were not married immediately. The man's family also agreed because the son or her future husband met the age requirements like my son.

However, Mr. Syaiful insists that the family he has built is fine: I am very confident because basically my son is ready to become a wife and housewife, so I see her future husband who is married and ready to live a married life because he is financially and mentally capable.

In this case, the author concludes that association, life, and lifestyle are strongly influenced by the environment so that they do not conflict with religious and moral norms.

Factors leading to unmarital pregnancy One of the reasons for applying for dispensation at the Cibinong Religious Court is to become pregnant out of wedlock, regardless of the consequences of the influence of the promiscuity environment because over time, it becomes easier for a person to have sexual relations and sexual relations between the opposite sex, resulting in pregnancy out of wedlock. Unfortunately, today's perpetrators of extramarital pregnancy are not only people of legal age but also children who are still relatively young to legally marry.

### **CONCLUSION AND ADVICE**

Based on the KHI Review with its research findings, namely where the KHI as a legal basis to bridge the marriage dispensation in order to implement the marriage dispensation decision in overriding Law Number 16 of 2019 concerning marriage, as article 7 paragraph (2) and paragraph (4) concerning the age limit, namely the age of prospective men and women at least 19 years old, where the KHI as a review of the judge's consideration in deciding the implementation of the marriage dispensation, by looking at the benefits with very deep consideration to decide the dispensation of marriage based on the Review of the IHL as the legal basis by looking at the Review of the IHL on the age limit as article 15 paragraph (1) determines the age limit for each person who will carry out marriage, namely with the age of 19 years for men and women 16 years, therefore the Judge decided to hold the dispensation of marriage by looking at the review of the IHL as a basis its law, and the judge's judgment in granting the marriage as well as the Religious Court granting permission to the panel of judges to grant marriage dispensation.

The Cibinong Religious Court judge considered four things when granting marriage dispensation: cultural, environmental, economic, and educational, and lastly, pregnancy out of wedlock. From the five cases analyzed by the researchers, it can be concluded that two of them are experiencing a life that is in dire need of parental assistance, and three of them are old enough to build a household.

Therefore, the authors suggest that people who are about to marry have a broad understanding of marriage and its problems, especially for those who marry underage. Because many marriages are carried out by young couples who are only influenced by lustful desires in this day and age. They don't consider what will happen after they get married, especially the responsibilities they will bear and their future.

### **Bibliography**

- [1] Ahyani, S. (2016). Religious courts' consideration of the dispensation of early marriage due to pregnancies out of wedlock. *Journal of Juridical Insights*
- [2] Anggito & Setiawan, (2018). *Qualitative Research Methodology*, Sukabumi Zellatifanny, C. M., & Mudjiyanto, B. (2018). Type of descriptive research in communication science. *Diakom: Journal of Media and Communication*
- [3] Principles of Law No. 1 of 1974
- [4] Hayat, M. J. (2018). Historicity and Purpose of Minimum Age of Marriage Rules in Indonesian Muslim Family Legislation and Muslim Countries. *Journal Equitable*, 3(1), 49-63.
- [5] Hidayatulloh, H., & Janah, M. (2020). Dispensation of Underage Marriage in Islamic Law. *Journal of Islamic Family Law*

- [6] Nusantara, (2021). *Compilation of Islamic Law (With its explanations)*. Malang, PT. LiterasiNusantara Abadi Group.
- [7] Prabowo, B. A. (2013). *Judge's Consideration in Determining Early Marriage Dispensation Due to Pregnancy Out of Wedlock at the Bantul Religious Court*. *Ius Quia Iustum Law Journal*
- [8] Regards, S. (2017). *Dispensation of Child Marriage: Perspectives on Customary Law, State Law & Islamic Law*. *Pagaruyuang Law Journal*
- [9] Sudikno Mertokusumo, *Indonesian Prime Procedural Law*, (Yogyakarta, Atma Jaya University Yogyakarta, 2010.
- [10] Law No. 1 of 1974 concerning Marriage, art. 7
- [11] Wasono B, (2020). *Dispensation of Marriage (Due to Pregnancy Out of Wedlock)*, Jakarta, Guepedia, h9Hayat, M. J. (2018). *Historicity and Purpose of Minimum Age of Marriage Rules in Indonesian Muslim Family Legislation and Muslim Countries*. *Journal Equitable*
- [12] Interview with Drs.H.Rahmat Farid,M.H (Judge of the Cibinong Religious Court as well as Judge as Drafting Supervisor), on Thursday, April 7, 2022 at the Cibinong Religious Court Office
- [13] Interview with Hj.Hidayah, S.Ag, Thursday, April 7, 2022 Position of the Young Law Committee (Serving the community who conduct research). Responsible for handling the archives of the Cibinong Religious Court
- [14] Interview with Resource Persons who have applied for Marriage Dispensation, Tuesday, May 31, 2022