

Judicial Reasoning in Marriage Dispensation at The Takengon Syar'iyah Court: A Critical Analysis of Legal Pluralism and The Paradox of Child Protection

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Abstract

This study examines the judicial reasoning model in granting marriage dispensation at the Takengon Syar'iyah Court through a critical analysis of Decision Number 185/Pdt.P/2024/MS.Tkn. Using a socio-legal approach with legal pluralism and maqashid al-syariah frameworks, this research reveals that judges employ a three-stage hierarchical reasoning pattern: formal-procedural, social fact verification, and Islamic law substantive justification. The findings indicate that positive law (Law No. 16/2019 and PERMA No. 5/2019) functions as an initial barrier and procedural legitimizer, while Islamic law, particularly the fiqh maxim dar'u al-mafasid muqaddamun 'ala jalb al-mashalih (preventing harm takes precedence over bringing benefit), serves as a substantive problem-solver. Local socio-cultural realities, especially unplanned pregnancy and family honor concerns, act as triggering factors that are subsequently framed as "legal emergencies." This research identifies a critical paradox: the court's comprehensive advice on the risks of child marriage (educational disruption, mental health issues, and potential domestic violence) is ultimately overridden by the immediate need to resolve social crises. The study concludes that this practice represents "reactive legal pluralism" that effectively addresses immediate social conflicts but fails to provide proactive, long-term child protection, thereby reducing the "best interests of the child" principle to mere procedural formality rather than substantive consideration.

Keywords: *Marriage Dispensation, Judicial Reasoning, Legal Pluralism, Child Protection, Syar'iyah Court.*

Introduction

The persistent rise in marriage dispensation cases in Indonesian religious courts presents a complex legal and social paradox. While Law Number 16 of 2019 raised the minimum marriage age to 19 for both genders “a progressive step toward child protection and gender equality” it simultaneously maintained the dispensation mechanism through religious courts.¹ This creates a jurisdictional space where modern child rights norms intersect with, and often conflict with, religious interpretations and pressing social realities.² This situation illustrates what scholars describe as a dichotomy between lega

¹ Undang-Undang Republik Indonesia Nomor 16 Tahun 2019 tentang Perubahan Atas Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan, 2019.

² E. Nurlaelawati dan A. Salim, “The Politics of Legal Reform: Marriage and Divorce Laws in Muslim Countries,” *Asian Journal of Law and Society* 7, no. 1 (2020): 45–67.

l norms and legal practices that ultimately undermines legal certainty in Indonesia.³ The Takengon Syar'iyah Court in Central Aceh operates within this contested terrain, navigating between state law, Islamic jurisprudence, and the strong socio-cultural norms of the Gayo community. Similar research at the Sidenreng Rappang Religious Court highlights a sharp rise in dispensation requests, driven largely by cultural, economic, and premarital pregnancy factors.⁴

Previous studies on marriage dispensation have primarily focused on doctrinal analysis of legislation⁵ or demographic patterns.⁶ Few have conducted micro-level analysis of actual judicial reasoning in specific cases, particularly how judges practically integrate multiple normative systems when faced with compelling social emergencies.⁷ This research addresses this gap by critically examining Decision Number 185/Pdt.P/2024/MS.Tkn “a representative case involving pregnancy before marriage” to answer: How do judges at the Takengon Syar'iyah Court construct their legal reasoning in granting marriage dispensation, and what does this reveal about the operational dynamics of legal pluralism and the implementation of child protection principles?

This study is significant for three reasons. Theoretically, it contributes to the discourse on legal pluralism in Indonesia by demonstrating its practical, day to day operation in religious court decision-making. Practically, it provides evidence-based insights for judicial training and policy reform regarding child marriage prevention.⁸ Socially, it illuminates the real-world tensions between legal norms and community practices in contemporary Acehnese society.

Method

This qualitative research employs a case study design with socio-legal analysis. The primary data source is Decision Number 185/Pdt.P/2024/MS.Tkn of the Takengon Syar'iyah Court, decided on September 27, 2024. This decision was selected as a critical case because it contains all essential elements of marriage dispensation deliberations: pregnancy before marriage, parental consent, judicial advice on risks, and explicit legal reasoning.⁹

³ Agustin Hanapi, Muhammad Husnul, Dan Edi Yuhermansyah, “INTERFAITH MARRIAGE. A DICHOTOMOUS PERSPECTIVE ON NORMATIVE AND LEGAL PRACTICAL DIMENSIONS,” *Dusturiyah: Jurnal Hukum Islam, Perundang-undangan dan Pranata Sosial* 14, no. 2 (Desember 2024): 300, <https://doi.org/10.22373/dusturiyah.v14i2.25255>.

⁴ Melda Sufri, “Judge’s Considerations For Marriage Dispensation at The Sidenreng Rappang Religious Court (Socio-Juridical Analysis),” *Al-Iftah: Journal of Islamic studies and society* 3, no. 2 (2022): 61–78, <https://doi.org/10.35905/aliftah.v3i2.6414>.

⁵ S. Permana dan A. Z. Fanani, *Dispensasi Nikah dalam Hukum Keluarga di Indonesia: Studi Norma dan Praktik Hukum Pasca Pengesahan UU No. 16 Tahun 2019 dan PERMA No. 5 Tahun 2019* (Surabaya: PTA Surabaya, 2021).

⁶ Badan Pusat Statistik, *Statistik Pernikahan Usia Anak 2020-2022*, (Jakarta), 2023.

⁷ M. Cammack dan R. M. Feener, “The Islamic Legal System in Indonesia,” *Pacific Rim Law & Policy Journal* 31, no. 1 (2022): 101–35.

⁸ UNICEF, *Child Marriage and the Law: Technical Note for Legal Reform*, (New York), 2023.

⁹ B. Flyvbjerg, *Case Study*, ed. oleh 6th, *The Sage Handbook of Qualitative Research*, ed. by N. K. Denzin dan Y. S. Lincoln (Thousand Oaks: Sage, 2023), 358.

Data analysis was conducted through thematic content analysis of the decision's legal considerations (*pertimbangan hukum*).¹⁰ The analysis focused on identifying: (1) references to different normative systems (positive law, Islamic law, social norms); (2) the structure and sequencing of judicial reasoning; (3) how conflicts between norms are resolved; and (4) the operationalization of child protection principles. The analysis was iterative, moving between the textual data and theoretical frameworks to develop coherent themes.

Secondary data includes relevant legislation, academic literature on Islamic family law in Indonesia, and comparative studies on marriage dispensation in other regions. To ensure ethical compliance, all identifying information of the parties involved has been anonymized in this analysis.

Discussion

1. Case Profile: Between Age Norms and Social Emergency

Decision 185/2024 involves a petition by the parents of Rizki Pahriono (18 years 1 month) and Suci Qiara Asifa (18 years 7 months). The primary reasons for seeking dispensation are clearly stated in the petition:

"pernikahan tersebut sangat mendesak untuk tetap dilangsungkan karena keduanya telah berkenalan sejak 4 (empat) tahun yang lalu dan anak Pemohon III dan Pemohon IV sedang dalam keadaan hamil karena telah terjerumus ke dalam pergaulan bebas sehingga harus segera dinikahkan"

The Meaning is:

"The marriage is very urgent to be conducted because both have known each other for four years and the child of Petitioner III and IV is pregnant due to having fallen into promiscuity so must be married immediately".¹¹

The Office of Religious Affairs had rejected their marriage registration due to age requirements, necessitating judicial intervention.

This case exemplifies the classic dilemma in marriage dispensation adjudication: the collision between legal-formal compliance (adherence to minimum age requirements) and socio-moral urgency (addressing pregnancy outside marriage). The court faces not merely a legal technicality but a social crisis with immediate consequences for family honor and the child's legal status.¹²

2. The Three-Stage Judicial Reasoning Model

Analysis reveals that the judge's reasoning follows a distinct hierarchical three-stage model that progresses from formalism to substantive contextualism.

¹⁰ V. Braun dan V. Clarke, *Thematic Analysis: A Practical Guide* (London: Sage, 2022).

¹¹ Mahkamah Syar'iyah Takengon, *Penetapan Nomor 185/Pdt.P/2024/MS.Tkn*, 2024.

¹² Stephen Parker, "The Best Interests Of The Child - Principles And Problems," *International Journal of Law, Policy and the Family* 8, no. 1 (April 1994): 26–41, <https://doi.org/10.1093/lawfam/8.1.26>.

Stage 1: Formal-Procedural Compliance

The decision begins by establishing jurisdictional authority, verifying administrative documents (identity cards, family cards, birth certificates, diplomas), and “most significantly” documenting the judge's compliance with the mandatory advisory requirement under PERMA No. 5/2019. The judge meticulously records having advised the petitioners about risks, as stated in the decision:

"Hakim juga memberikan nasehat dan pandangan-pandangan terkait dengan risiko bagi pernikahan usia muda, yang belum siap dalam segi fisik, psikis dan mentalnya. Remaja yang menikah dibawah usia 19 tahun lebih berisiko tidak dapat menyelesaikan program wajib belajar 12 tahun atau pendidikannya akan terhenti, mengalami gangguan mental, gangguan kejiwaan, depresi, kecemasan, gangguan disosiatif (kepribadian ganda) dan trauma psikologis lainnya..."¹³

This stage serves a dual function: it demonstrates procedural correctness while simultaneously creating a judicial record of awareness about the potential harms of early marriage. This creates a paradoxical foundation where the court acknowledges the very harms it may ultimately facilitate.¹⁴

Stage 2: Verification of Social Facts as Legal Emergency

The reasoning then shifts to examining the social facts presented. The judge accepts the petitioners' claims of a four-year relationship and, crucially, the pregnancy as constituting "a very urgent situation" (*keadaan sangat mendesak*). This factual verification transforms a social circumstance into a legally cognizable emergency, creating the necessary precondition for exceptional treatment.¹⁵

Stage 3: Substantive Justification Through Islamic Legal Framework

The final and determinative stage employs Islamic legal principles to justify the exception. Two key instruments are utilized:

- 1) Functional Reinterpretation of 'Aqil Baligh: Despite the chronological age of 18, the judge finds that:

"Anak Pemohon I dan Pemohon II telah akil baliq sudah siap untuk menjadi suami dan/atau kepala keluarga serta telah bekerja sebagai wiraswasta dengan penghasilan tetap setiap bulannya Rp. 2.000.000,- (dua juta rupiah)"¹⁶

Here, functional readiness (employment, assumed responsibility) substitutes for chronological age as the indicator of legal capacity, effectively creating an alternative maturity metric within the Islamic framework.¹⁷

¹³ Mahkamah Syar'iyah Takengon, *Penetapan Nomor 185/Pdt.P/2024/MS.Tkn.*

¹⁴ I. Sadewa dan et al., "Analisis Hukum Terhadap Permohonan Dispensasi Nikah di Bawah Umur Pasca UU No. 16 Tahun 2019," *Al-Qawa'id: Journal of Islamic Family Law* 1, no. 2 (2023): 45–67.

¹⁵ M. Hadiati, "Pertimbangan Hakim dalam Dispensasi Kawin: Antara Perlindungan Anak dan Tekanan Sosial," *Jurnal Hukum dan Peradilan* 10, no. 3 (2022): 321–45.

¹⁶ Mahkamah Syar'iyah Takengon, *Penetapan Nomor 185/Pdt.P/2024/MS.Tkn.*

¹⁷ N. H. Ramli, "Konsep Aqil Baligh dalam Dispensasi Nikah: Studi Kasus di Pengadilan Agama," *Jurnal Ilmiah Al-Syir'ah* 20, no. 1 (2022): 78–95.

- 2) Invocation of the *Dar'u al-Mafasid* Maxim: The most significant legal move is the explicit application of the *fiqh* maxim. The judge reasons:

"Oleh karena anak para Pemohon sudah lama berpacaran dan saling mencintai serta sepakat akan melanjutkan ke jenjang perkawinan (membina rumah tangga), keduanya tidak bisa dipisahkan, maka untuk menghindari kemungkinan hal-hal yang tidak diinginkan serta mafsadat yang lebih besar dari pada keduanya, maka keduanya perlu untuk segera dinikahkan, hal ini sesuai dengan kaidah fiqh yang berbunyi;

درء المفساد مقدم على جلب المصالح

Artinya: 'Menghindari kemudharatan diutamakan dari pada mencapai kemaslahatan'".¹⁸

The "greater harm" (*mafsadat*) identified is the continuation of pregnancy without marital status, potential further "promiscuity," and family dishonor. The "benefit" (*maslahat*) that is subordinated includes the long-term welfare considerations outlined in the judicial advice.¹⁹

- 3) This three-stage model reveals a sophisticated legal engineering process where each normative system plays a specific role: positive law creates the problem and procedural framework, social facts provide the exigent circumstances, and Islamic law supplies the substantive solution.²⁰ This functional hierarchy mirrors findings from Sidenreng Rappang, where Islamic legal principles operate as the decisive substantive tool within the procedural confines of state regulations.²¹

3. The Operational Hierarchy of Normative Systems

The integration of the three normative systems is not egalitarian but follows a functional hierarchy:

- 1) Positive Law as Gatekeeper and Procedural Framework: Law No. 16/2019 and PERMA No. 5/2019 establish the initial barrier that makes dispensation necessary. They also provide the procedural script (the mandatory judicial advice) that must be performed, as seen in the judge's detailed advisory record. However, they do not determine the outcome.²²
- 2) Islamic Law as Problem-Solver and Moral Legitim�er: The substantive decision emerges from Islamic jurisprudence. The *dar'u al-mafasid* maxim serves as a flexible legal tool that allows the judge to prioritize immediate crisis resolution

¹⁸ Mahkamah Syar'iyah Takengon, *Penetapan Nomor 185/Pdt.P/2024/MS.Tkn*.

¹⁹ M. H. Kamali, *Principles of Islamic Jurisprudence*, ed. oleh 4th (Cambridge: Islamic Texts Society, 2022).

²⁰ R. M. Feener, "Islamic Law and Society in Southeast Asia," *Annual Review of Law and Social Science* 18 (2022): 285–303.

²¹ Sufri, "Judge's Considerations For Marriage Dispensation at The Sidenreng Rappang Religious Court (Socio-Juridical Analysis)."

²² S. Butt, "Islam, Law and the State in Southeast Asia," *Journal of Southeast Asian Studies* 52, no. 3 (2021): 401–20.

over preventive protection. This represents what we might term "crisis jurisprudence" an application of Islamic law focused on resolving present emergencies rather than preventing future harms.²³

- 3) Socio-Cultural Reality as Trigger and Factual Foundation: The pregnancy and family honor concerns are not merely context but active legal facts that determine the application of the *dar'u al-mafasid* principle. As stated by a witness,

"Kalau tidak segera menikah khawatir anak Para Pemohon dan calon suaminya akan melakukan hal yang lebih parah lagi yang dilarang oleh Agama Islam dan menjadi aib keluarga serta juga demi kepentingan terbaik bagi janin yang dikandung anak Para Pemohon".²⁴

Without these specific facts, the same legal principles might yield a different outcome.²⁵

This hierarchy demonstrates "weak legal pluralism" where state law recognizes non-state norms but ultimately maintains a framework within which they operate.²⁶ Here, Islamic law operates *within* the procedural confines set by state regulation but determines the substantive outcome.

4. Critical Analysis: The Paradox of Child Protection

The decision reveals a fundamental tension in the court's approach to child protection:

The Advice-Decision Dichotomy

A striking contradiction emerges between the comprehensive risks outlined in the judicial advice and the ultimate decision to grant dispensation. This aligns with observations from Sidenreng Rappang, where judges often adhered to procedural formalities (such as documenting advisory sessions) while their substantive considerations remained dominated by immediate socio-cultural or crisis-driven concerns.²⁷ The judge meticulously details potential harms (educational disruption, mental health issues, domestic violence) only to override these concerns with the need to prevent the "greater harm" of out-of-wedlock pregnancy. This creates what we term the "paradox of informed permission": the court provides exhaustive information about risks but grants permission despite them, effectively rendering the advisory function a procedural formality rather than a substantive protective mechanism.²⁸

²³ A. F. M. Noor, "Fiqh dalam Praktik Peradilan Agama di Indonesia," *Jurnal Mimbar Hukum* 33, no. 2 (2021): 234–56.

²⁴ Mahkamah Syar'iyah Takengon, *Penetapan Nomor 185/Pdt.P/2024/MS.Tkn.*

²⁵ D. S. Powers, *Islamic Family Law: History and Scope*, The Oxford Handbook of Islamic Law, ed. by A. Emon dan R. Ahmed (Oxford: Oxford University Press, 2023), 367.

²⁶ M. B. Hooker, *A Concise Legal History of South-East Asia* (Oxford: Oxford University Press, 2023).

²⁷ Sufri, "Judge's Considerations For Marriage Dispensation at The Sidenreng Rappang Religious Court (Socio-Juridical Analysis)."

²⁸ E. Destariyani dan et al., *Cegah Nikah Dini dengan Pusat Informasi dan Konseling Remaja (PIK-R)* (Bengkulu: NEM, 2023).

Reinterpretation of "Best Interests of the Child"

The application of the *dar'u al-mafasid* principle involves a particular hierarchization of harms. The "harm" of out-of-wedlock pregnancy (encompassing social stigma, religious transgression, and legal ambiguity for the child) is positioned as more immediate and severe than the documented long-term risks of early marriage.²⁹ Consequently, the "best interests of the child" principle is redefined contextually: for a pregnant teenager, her "best interest" becomes legitimizing her pregnancy through marriage rather than protecting her from the documented risks of early marriage. This represents a crisis-oriented rather than development-oriented interpretation of child welfare.³⁰

Gendered Dimensions of "Readiness"

The assessment of the couple's readiness reveals gendered criteria. The prospective groom's readiness is evaluated through economic metrics (steady income of Rp 2-3.5 million), while the prospective bride's readiness centers on biological and domestic preparedness (pregnancy and readiness "*sudah siap untuk menjadi seorang istri dan/atau ibu rumah tangga*").³¹ The marriage thus serves a dual function: providing a solution to the "problem" of female sexuality (pregnancy outside marriage) while affirming traditional gender roles where male providership legitimizes early marriage.³²

5. Comparative Context: Takengon's Crisis-Response Model

When compared with findings from other regions, such as Sidenreng Rappang, where cultural factors like *siri'* (family honor) rather than pregnancy dominate dispensation cases, the Takengon approach demonstrates contextual variation in legal pluralism. In Sidenreng Rappang, premarital pregnancy was reported as a less dominant factor compared to cultural and economic pressures.³³ Both courts integrate state and Islamic law, but they respond to different "triggering crises": Takengon to biomoral emergencies (pregnancy), Sidrap to socio-cultural pressures (honor preservation). This suggests that the application of the *dar'u al-mafasid* maxim is itself culturally contingent what constitutes "greater harm" is locally determined.³⁴

This comparative perspective enriches our understanding of legal pluralism as not merely the coexistence of different legal systems but their differential activation in

²⁹ F. Rahman dan et al., *Membangun Kesiapan Remaja: Strategi Pendewasaan Usia Pernikahan* (Ponorogo: Uwais Inspirasi Indonesia, 2024).

³⁰ UNICEF, *Child Marriage and the Law: Technical Note for Legal Reform*.

³¹ Mahkamah Syar'iyah Takengon, *Penetapan Nomor 185/Pdt.P/2024/MS.Tkn*.

³² S. Robinson dan B. P. Resosudarmo, "Gender, Culture and Early Marriage in Indonesia," *Journal of Development Studies* 58, no. 4 (2022): 789–807.

³³ Sufri, "Judge's Considerations For Marriage Dispensation at The Sidenreng Rappang Religious Court (Socio-Juridical Analysis)."

³⁴ A. Halim, "Pengaruh Norma Sosial terhadap Keputusan Hukum dalam Kasus Pernikahan Dini," *Jurnal Hukum dan Masyarakat* 12, no. 1 (2020): 98–115.

response to locally specific social crises. The same Islamic legal principle serves different social functions in different cultural contexts.³⁵

Conclusion

Please. This study finds that judicial reasoning in marriage dispensation cases at the Takengon Syar'iyah Court follows a structured pattern moving from procedural compliance to factual assessment and Islamic legal justification. Legal pluralism operates pragmatically, with different normative frameworks serving specific functions within judicial decision-making.

The main finding reveals a paradox in the implementation of child protection. While courts formally recognize the risks of early marriage, long-term developmental interests of the child are often overridden by immediate harm prevention, particularly in cases involving premarital pregnancy. As a result, child protection tends to be applied reactively rather than preventively through the prioritization of the dar'u al-mafāsīd principle.

These findings highlight the need for more substantive integration of child protection standards in judicial practice, as well as clearer policy guidance requiring courts to demonstrate how the best interests of the child are fulfilled in each case. Future research is encouraged to conduct comparative and longitudinal studies to assess the broader social impacts of marriage dispensation decisions. The author gratefully acknowledges the support of academic mentors and institutional parties who contributed to the completion of this research.

³⁵ K. van Dijk, "Legal Diversity in Indonesia," *Bijdragen tot de Taal-, Land- en Volkenkunde* 178, no. 1 (2022): 45–68.

Bibliography

- Badan Pusat Statistik. *Statistik Pernikahan Usia Anak 2020-2022*. (Jakarta), 2023.
- Braun, V., dan V. Clarke. *Thematic Analysis: A Practical Guide*. London: Sage, 2022.
- Butt, S. "Islam, Law and the State in Southeast Asia." *Journal of Southeast Asian Studies* 52, no. 3 (2021): 401–20.
- Cammack, M., dan R. M. Feener. "The Islamic Legal System in Indonesia." *Pacific Rim Law & Policy Journal* 31, no. 1 (2022): 101–35.
- Destariyani, E. dan et al. *Cegah Nikah Dini dengan Pusat Informasi dan Konseling Remaja (PIK-R)*. Bengkulu: NEM, 2023.
- Dijk, K. van. "Legal Diversity in Indonesia." *Bijdragen tot de Taal-, Land- en Volkenkunde* 178, no. 1 (2022): 45–68.
- Feener, R. M. "Islamic Law and Society in Southeast Asia." *Annual Review of Law and Social Science* 18 (2022): 285–303.
- Flyvbjerg, B. *Case Study*. Disunting oleh 6th. The Sage Handbook of Qualitative Research, edited by N. K. Denzin dan Y. S. Lincoln. Thousand Oaks: Sage, 2023.
- Hadiati, M. "Pertimbangan Hakim dalam Dispensasi Kawin: Antara Perlindungan Anak dan Tekanan Sosial." *Jurnal Hukum dan Peradilan* 10, no. 3 (2022): 321–45.
- Halim, A. "Pengaruh Norma Sosial terhadap Keputusan Hukum dalam Kasus Pernikahan Dini." *Jurnal Hukum dan Masyarakat* 12, no. 1 (2020): 98–115.
- Hanapi, Agustin, Muhammad Husnul, dan Edi Yuhermansyah. "Interfaith Marriage. A Dichotomous Perspective On Normative And Legal Practical Dimensions." *Dusturiyah: Jurnal Hukum Islam, Perundang-undangan dan Pranata Sosial* 14, no. 2 (Desember 2024): 300. <https://doi.org/10.22373/dusturiyah.v14i2.25255>.
- Hooker, M. B. *A Concise Legal History of South-East Asia*. Oxford: Oxford University Press, 2023.
- Kamali, M. H. *Principles of Islamic Jurisprudence*. Disunting oleh 4th. Cambridge: Islamic Texts Society, 2022.
- Mahkamah Syar'iyah Takengon. *Penetapan Nomor 185/Pdt.P/2024/MS.Tkn*. 2024.
- Noor, A. F. M. "Fiqh dalam Praktik Peradilan Agama di Indonesia." *Jurnal Mimbar Hukum* 33, no. 2 (2021): 234–56.
- Nurlaelawati, E., dan A. Salim. "The Politics of Legal Reform: Marriage and Divorce Laws in Muslim Countries." *Asian Journal of Law and Society* 7, no. 1 (2020): 45–67.
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- Parker, Stephen. "The Best Interests Of The Child - Principles And Problems." *International Journal of Law, Policy and the Family* 8, no. 1 (April 1994): 26–41. <https://doi.org/10.1093/lawfam/8.1.26>.
- Permana, S., dan A. Z. Fanani. *Dispensasi Nikah dalam Hukum Keluarga di Indonesia: Studi Norma dan Praktik Hukum Pasca Pengesahan UU No. 16 Tahun 2019 dan PERMA No. 5 Tahun 2019*. Surabaya: PTA Surabaya, 2021.
- Powers, D. S. *Islamic Family Law: History and Scope*. The Oxford Handbook of Islamic Law, edited by A. Emon dan R. Ahmed. Oxford: Oxford University Press, 2023.
- Rahman, F. dan et al. *Membangun Kesiapan Remaja: Strategi Pendewasaan Usia Pernikahan*. Ponorogo: Uwais Inspirasi Indonesia, 2024.
- Ramli, N. H. "Konsep Aqil Baligh dalam Dispensasi Nikah: Studi Kasus di Pengadilan Agama." *Jurnal Ilmiah Al-Syir'ah* 20, no. 1 (2022): 78–95.
- Robinson, S., dan B. P. Resosudarmo. "Gender, Culture and Early Marriage in Indonesia." *Journal of Development Studies* 58, no. 4 (2022): 789–807.
- Sadewa, I. dan et al. "Analisis Hukum Terhadap Permohonan Dispensasi Nikah di Bawah Umur Pasca UU No. 16 Tahun 2019." *Al-Qawa'id: Journal of Islamic Family Law* 1, no. 2 (2023): 45–67.
- Sufri, Melda. "Judge's Considerations For Marriage Dispensation at The Sidenreng Rappang Religious Court (Socio-Juridical Analysis)." *Al-Iftah: Journal of Islamic studies and society* 3, no. 2 (2022): 61–78. <https://doi.org/10.35905/aliftah.v3i2.6414>.
- Undang-Undang Republik Indonesia Nomor 16 Tahun 2019 tentang Perubahan Atas Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan*. 2019.
- UNICEF. *Child Marriage and the Law: Technical Note for Legal Reform*. (New York), 2023.