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## **Maqasid Al-Shariah and Child Protection: A Holistic Approach to Preventing Early Marriage**

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### **Abstract**

This research presents a novel and holistic approach to addressing child marriage by explicitly integrating the *Maqasid Al-Shariah* framework—comprising the protection of religion, life, intellect, lineage, and property—as its primary analytical lens. Unlike previous studies that often treat the social, health, legal, or religious aspects of child marriage in isolation, this study unifies these dimensions within an Islamic ethical paradigm. This study employs a qualitative literature review method, systematically collecting, evaluating, and synthesizing secondary data from Islamic jurisprudence, legal frameworks, and child welfare reports to analyze child protection and adolescent wellbeing through the lens of *Maqasid Al-Shariah*. The findings of this research reveal that integrating the *Maqasid Al-Shariah* framework into strategies for addressing child marriage significantly enhances both the religious legitimacy and community acceptance of child protection efforts. Child marriage is a complex issue that fundamentally contradicts the five core objectives of *Maqasid Al-Shariah*—protection

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of life, intellect, lineage, property, and religion—making its elimination a religious as well as social imperative. This research highlights that child marriage endangers children’s physical and mental health, disrupts education, and undermines family and community wellbeing. Addressing the issue requires more than legal reforms; it demands collaboration among policymakers, religious scholars, and community leaders to correct misinterpretations of Islamic teachings and shift cultural norms.

[Penelitian ini menghadirkan pendekatan baru dan holistik dalam menangani pernikahan anak dengan secara eksplisit mengintegrasikan kerangka *Maqasid Al-Shariah*—yang mencakup perlindungan terhadap agama, jiwa, akal, keturunan, dan harta—sebagai lensa analisis utamanya. Berbeda dengan penelitian sebelumnya yang seringkali memperlakukan aspek sosial, kesehatan, hukum, atau agama dari pernikahan anak secara terpisah, penelitian ini mempersatukan dimensi-dimensi tersebut dalam paradigma etika Islam. Penelitian ini menggunakan metode tinjauan pustaka kualitatif, dengan cara mengumpulkan, mengevaluasi, dan mensintesis data sekunder secara sistematis dari literatur fiqh, kerangka hukum, dan laporan kesejahteraan anak untuk menganalisis perlindungan anak dan kesejahteraan remaja melalui lensa *Maqasid Al-Shariah*. Temuan penelitian ini menunjukkan bahwa integrasi kerangka *Maqasid Al-Shariah* dalam strategi penanganan pernikahan anak secara signifikan meningkatkan legitimasi agama sekaligus penerimaan masyarakat terhadap upaya perlindungan anak. Pernikahan anak merupakan isu kompleks yang secara mendasar bertentangan dengan lima tujuan utama *Maqasid Al-Shariah*—perlindungan jiwa, akal, keturunan, harta, dan agama—sehingga penghapusannya menjadi suatu kewajiban baik secara agama maupun sosial. Penelitian ini menyoroti bahwa pernikahan anak membahayakan kesehatan fisik dan mental anak, mengganggu pendidikan, serta merusak kesejahteraan keluarga dan masyarakat. Penanganan isu ini memerlukan lebih dari sekadar reformasi hukum; dibutuhkan kolaborasi antara pembuat kebijakan, ulama, dan tokoh masyarakat untuk meluruskan kesalahpahaman ajaran Islam dan menggeser norma-norma budaya.]

**Keywords:** maqasid al-shariah; child protection; adolescent well-being; early marriage; Islamic approach

## Introduction

Child marriage is a deeply concerning global issue affecting millions of children worldwide each year.<sup>1</sup> This phenomenon

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<sup>1</sup> Nur Hayati, “Community Perceptions of Early Marriage: An Analysis of the Consequences and Impacts of Early Marriage in Pekalongan City,” *Qanun: Jurnal*

predominantly impacts girls, who are often forced or coerced into early unions before they are physically, mentally, and socially ready.<sup>2</sup> According to UNICEF data, approximately 12 million girls marry before the age of 18 annually, highlighting the magnitude and urgency of this problem.<sup>3</sup> The repercussions of child marriage extend beyond the individual to affect social, economic, and health development globally. International organizations, such as the WHO and UNICEF, have increasingly prioritized this issue, emphasizing the need for comprehensive interventions.<sup>4</sup> Despite growing global awareness, child marriage persists, primarily driven by economic hardship, entrenched cultural norms, and misinterpretations of religion.

In Indonesia, child marriage remains prevalent despite legislative frameworks regulating minimum marriage ages.<sup>5</sup> The Indonesian Marriage Law stipulates 19 years as the minimum age for both males and females to marry; however, socio-economic conditions, cultural traditions, and religious misinterpretations often undermine the enforcement of this regulation.<sup>6</sup> Child marriage is prevalent in certain regions where traditional practices dominate, and educational opportunities are limited.<sup>7</sup> Many families perceive early marriage as a

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*Hukum Keluarga Islam* 3, no. 1 (2025): 22–37, <https://doi.org/10.51825/qanun.v3i1.30806>.

<sup>2</sup> Putu Eva Yuni Dyantari et al., “Analysis of Factors Associated with Early Marriage on the Low Birth Weight Babies and Pregnancy Complication Incidence in Tulungagung, Indonesia,” *Obstetrics and Gynaecology Forum* 33, no. 2 (2023), [https://hdl.handle.net/10520/ejc-medog\\_v33\\_n2\\_a2](https://hdl.handle.net/10520/ejc-medog_v33_n2_a2).

<sup>3</sup> Aysen Ufuk Sezgin and Raija-Leena Punamäki, “Impacts of Early Marriage and Adolescent Pregnancy on Mental and Somatic Health: The Role of Partner Violence,” *Archives of Women’s Mental Health* 23 (2020): 155–66, <https://link.springer.com/article/10.1007/s00737-019-00960-w>.

<sup>4</sup> Uswatun Hasanah et al., “Early Marriage Determination of Teenagers in Banten Province,” *Jurnal Keperawatan Komprehensif* 7, no. 2 (2021): 101–11, <https://doi.org/10.33755/jkk.v7i2.226>.

<sup>5</sup> Rizkia Nabila, Roswiyani Roswiyani, and Heryanti Satyadi, “A Literature Review of Factors Influencing Early Marriage Decisions in Indonesia,” in *Proceedings of the 3rd Tarumanagara International Conference on the Applications of Social Sciences and Humanities (TICASH 2021)*, 2021, <https://doi.org/10.2991/assehr.k.220404.223>.

<sup>6</sup> Hasanah et al., “Early Marriage Determination of Teenagers in Banten Province.”

<sup>7</sup> Masna Yunita and Anisa Nabila Az’zahra, “Faktor Penyebab Pernikahan Dini,” *Sakena* 6, no. 1 (2021): 13–24, <https://journals.fasya.uinib.org/index.php/sakena/article/view/281>; Yana Indawati et al., “Faktor dan Dampak Pernikahan Dini dalam Perspektif Undang-Undang Perkawinan,” *Indonesian Journal of Social Sciences and*

solution to economic strain or as a means of safeguarding family honor, despite its detrimental effects on children's welfare. This reality underscores the necessity for a comprehensive and culturally sensitive approach grounded in accurate religious teachings to address the persistence of child marriage in Indonesia.

The physical and health consequences of child marriage are severe and multifaceted. Young girls entering marriage face heightened risks of early pregnancy, often before their bodies are fully developed to sustain a healthy gestation. Complications during pregnancy and childbirth are leading causes of mortality among young mothers in developing countries.<sup>8</sup> Furthermore, child brides are vulnerable to sexually transmitted infections and malnutrition due to limited knowledge and restricted access to healthcare services. These health risks not only endanger the young brides themselves but also affect the wellbeing of future generations, as maternal health significantly influences neonatal outcomes.<sup>9</sup> Therefore, protecting the physical health of children must be a priority in efforts to combat child marriage.

Beyond physical health, child marriage inflicts substantial psychological and social harm.<sup>10</sup> Early brides often endure psychological trauma, including depression, anxiety, and chronic stress stemming from premature responsibilities and domestic pressures.<sup>11</sup> The deprivation of a normal childhood, which should be devoted to play and learning, imposes an overwhelming mental burden on these young

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*Humanities (IJSSH)* 4, no. 1 (2024): 80–91, <https://journal.publication-center.com/index.php/ijssh/article/view/1655>; Imelda Triadhari, Mumtaz Afridah, and Hana Haifah Salsabila, "Dampak Psikologis Pernikahan Dini di KUA Kecamatan Kejaksaan Kota Cirebon," *Spiritualita* 7, no. 2 (2023): 89–100, <https://doi.org/10.30762/spiritualita.v7i2.1328>.

<sup>8</sup> Dini Fadilah, "Tinjauan Dampak Pernikahan Dini dari Berbagai Aspek," *Jurnal Pamator* 14, no. 2 (2021): 88–94, <https://doi.org/10.21107/pamator.v14i2.10590>.

<sup>9</sup> Imamul Arifin, Akmal Nurhidayat, and Marjoko Panji, "Pengaruh Pernikahan Dini dalam Keharmonisan Keluarga," *Jurnal Pendidikan Sosial dan Keberagaman* 8, no. 2 (2021): 66–80, <https://doi.org/10.29303/juridiksiam.v8i2.248>.

<sup>10</sup> Rima Hardianti and Nunung Nurwati, "Faktor Penyebab Terjadinya Pernikahan Dini pada Perempuan," *Focus: Jurnal Pekerjaan Sosial* 3, no. 2 (2020): 111–20, <https://doi.org/10.24198/focus.v3i2.28415>.

<sup>11</sup> Triadhari, Afridah, and Salsabila, "Dampak Psikologis Pernikahan Dini di KUA Kecamatan Kejaksaan Kota Cirebon."

individuals.<sup>12</sup> Many child brides are forced to drop out of school, severely curtailing their intellectual and social development opportunities.<sup>13</sup> Social isolation is common as they assume roles as wives and mothers at an age when peer interactions and personal growth are crucial. Collectively, these psychological and social impacts drastically diminish the quality of life and prospects for children who marry early.

Child marriage is also a grave violation of children's rights as enshrined in numerous international conventions and national laws. Instruments such as the United Nations Convention on the Rights of the Child (CRC) and Indonesian national legislation guarantee protection from exploitation and abuse, including early marriage.<sup>14</sup> Children's rights to education, health, and protection must be upheld and enforced. Nevertheless, the persistence of child marriage illustrates gaps in the implementation and enforcement of these protections. Violations of children's rights extend beyond individuals, adversely affecting social and economic development at large.<sup>15</sup> Hence, child protection must remain central to any strategy aimed at ending child marriage.

From a religious perspective, child marriage is often justified through misinterpretations of religious teachings. Some communities employ narrow and decontextualized readings of scripture to legitimize early marriage, complicating efforts to eliminate the practice.<sup>16</sup> This religious justification creates a complex dilemma because it is closely

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<sup>12</sup> Dyantari et al., "Analysis of Factors Associated with Early Marriage on the Low Birth Weight Babies and Pregnancy Complication Incidence in Tulungagung, Indonesia."

<sup>13</sup> Hardianti and Nurwati, "Faktor Penyebab Terjadinya Pernikahan Dini pada Perempuan."

<sup>14</sup> Anak Agung Istri Ari Atu Dewi et al., "The Role of Human Rights and Customary Law to Prevent Early Childhood Marriage in Indonesia," *Sriwijaya Law Review* 6, no. 2 (2022): 268–85, <https://doi.org/10.28946/slrev.Vol6.Iss2.1885.pp268-285>.

<sup>15</sup> Dhonna Anggreni, Hari B. Notobroto, and Oedojo Soedirham, "Determinant Factors of Early Marriage in Developing Countries: A Literature Review," *Journal of Public Health in Africa* 14, no. 2 (2023), <https://doi.org/10.4081/jphia.2023.2543>.

<sup>16</sup> Javad Yoosefi Lebni et al., "Exploring the Consequences of Early Marriage: A Conventional Content Analysis," *INQUIRY: The Journal of Health Care Organization, Provision, and Financing*, 2023, <https://doi.org/10.1177/00469580231159963>.

intertwined with cultural sensitivities and community identities.<sup>17</sup> However, Islamic teachings emphasize the protection and welfare of children, underscoring the importance of physical and psychological readiness for marriage.<sup>18</sup> Re-examining religious texts within their proper contexts is therefore essential to prevent harmful practices like child marriage from being religiously endorsed.

Classical Islamic jurisprudence (fiqh) perspectives on the age of marriage often reflect historical contexts that no longer correspond to modern realities. In earlier periods, younger marriage ages were common due to differences in life expectancy and social norms. Contemporary scientific knowledge, however, indicates that children require more extended periods for physical and mental maturation before assuming marital responsibilities.<sup>19</sup> Despite this, outdated fiqh interpretations continue to be cited to justify child marriage. This discrepancy between traditional jurisprudence and current scientific understanding creates a significant gap that facilitates the continuation of child marriage.<sup>20</sup> Addressing this gap calls for progressive and contextually relevant reinterpretations of fiqh.

The *Maqasid Al-Shariah* framework offers a holistic, ethical, and legal paradigm for addressing child marriage comprehensively. *Maqasid Al-Shariah*, or the higher objectives of Islamic law, encompass five fundamental goals: the protection of religion (din), life (nafs), intellect (aql), lineage (nasl), and property (mal). This framework guides ethical and legal assessments by emphasizing the preservation of essential human interests.<sup>21</sup> Applying *Maqasid Al-Shariah* to the issue of child marriage allows for a multidimensional analysis that

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<sup>17</sup> Nabila, Roswiyani, and Satyadi, "A Literature Review of Factors Influencing Early Marriage Decisions in Indonesia."

<sup>18</sup> Esther Miedema, Winny Koster, and Alben Sotirova, "The Struggle for Public Recognition: Understanding Early Marriage through the Lens of Honour and Shame in Six Countries in South Asia and West Africa," *Progress in Development Studies* 20, no. 4 (2021), <https://doi.org/10.1177/1464993420977790>.

<sup>19</sup> Mikyas Abera et al., "Early Marriage and Women's Empowerment: The Case of Child-Brides in Amhara National Regional State, Ethiopia," *BMC International Health and Human Rights* 20, no. 30 (2020), <https://doi.org/10.1186/s12914-020-00249-5>.

<sup>20</sup> Indawati et al., "Faktor Dan Dampak Pernikahan Dini dalam Perspektif Undang-Undang Perkawinan."

<sup>21</sup> Ahmad Jalili, "Teori Maqashid Syariah dalam Hukum Islam," *Teraju* 3, no. 2 (2021): 71–80, <https://doi.org/10.35961/teraju.v3i02.294>.

transcends legalistic interpretations to incorporate moral and societal welfare.<sup>22</sup> This comprehensive approach enables the formulation of just and humane solutions that align with core Islamic principles.

Child marriage inherently conflicts with each of the *Maqasid Al-Shariah* objectives. The protection of life (*nafs*) is compromised due to increased health risks and mortality among child brides. The preservation of intellect (*aql*) is undermined as education is often interrupted or abandoned. The safeguarding of lineage (*nasl*) is jeopardized when children are physically and psychologically unprepared for family life, leading to adverse outcomes for future generations.<sup>23</sup> These contradictions highlight that child marriage violates the fundamental purposes of Islamic law rather than fulfilling them. Such an understanding provides a strong theological foundation to oppose child marriage within Muslim communities.

Despite a substantial body of research on child marriage and separate studies on *Maqasid Al-Shariah*, there remains a notable research gap in explicitly integrating *Maqasid Al-Shariah* as a primary analytical lens to tackle child marriage holistically. Existing studies tend to focus either on the social and health dimensions of child marriage or on broader Islamic legal theory without intersection.<sup>24</sup> This lack of integrative research limits the development of comprehensive strategies grounded in Islamic ethics. Bridging this gap through targeted research can provide novel insights and strengthen religiously-informed advocacy against child marriage, enhancing both acceptance and effectiveness within Muslim societies.

The urgency of this research stems from the need to fill these gaps and develop effective, ethically grounded interventions. A multidisciplinary study that combines social, health, and religious

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<sup>22</sup> Hamsah Hudafi, "Pembentukan Keluarga Sakinah Mawaddah Warahmah Menurut Undang – Undang Nomor 1 Tahun 1974 dan Kompilasi Hukum Islam," *Al Hurriyah : Jurnal Hukum Islam* 5, no. 2 (2020): 172, <https://doi.org/10.30983/alhurriyah.v5i2.3647>; Mahmud Huda, "Konsep Keluarga Sakinah, Mawaddah, Wa Rahmah Prespektif Ulama Jombang," *Jurnal Hukum Keluarga Islam* 1, no. April (2016): 68–82.

<sup>23</sup> Tanza Dona Pertiwi and Sri Herianingrum, "Menggali Konsep Maqashid Syariah: Perspektif Pemikiran Tokoh Islam," *JIEI* 10, no. 1 (2024): 807–20, <https://doi.org/10.29040/jiei.v10i1.12386>.

<sup>24</sup> Ahmad Agung Setya Budi, "Kawin Paksa Dalam Perspektif Hukum Islam dan Konteks Kajian Hak Asasi Manusia," *Jurnal Dunia Ilmu Hukum (JURDIKUM)* 1, no. 2 (2023): 44–49, <https://doi.org/10.59435/jurdikum.v1i2.168>.

perspectives, particularly through the lens of *Maqasid Al-Shariah*, provides a robust foundation for policy and programmatic responses. Such research can facilitate collaboration between policymakers and religious leaders, ensuring that child protection measures resonate with Islamic values while addressing practical social concerns. The findings can stimulate meaningful dialogue and reform within Muslim communities, promoting progressive interpretations that safeguard children's rights and welfare.

This study also aims to produce strong religious arguments that are widely accepted within Muslim societies. Resistance to child marriage reforms often arises from perceptions that such measures contradict Islamic teachings. By foregrounding *Maqasid Al-Shariah*—the ultimate objectives of Shariah—this research demonstrates that child protection is intrinsic to Islam's ethical framework. Framing child marriage as antithetical to Shariah's objectives undermines misconceptions and strengthens religiously informed advocacy. This approach fosters acceptance and mitigates social and religious opposition to reforms aimed at preventing child marriage.

The primary goal of this research is to develop a theoretical framework that can serve as a practical tool for advocacy and education. This framework will facilitate a comprehensive understanding that child protection is not a foreign concept in Islam but rather a central tenet of its teachings. With this foundation, advocates can communicate messages opposing child marriage more persuasively and systematically within Muslim communities.<sup>25</sup> Educational efforts based on this framework can nurture collective awareness and rejection of child marriage, fostering cultural change that is sustainable and respectful of religious values.

Moreover, this framework is intended to guide policymakers in designing more effective and culturally congruent regulations. Laws that diverge from religious values often encounter resistance, which can weaken their implementation. Utilizing *Maqasid Al-Shariah* as a legal and ethical basis enhances the legitimacy and acceptance of child marriage prevention policies among Muslim populations. This alignment supports harmonization between civil and Islamic law, ultimately strengthening child protection mechanisms. Policy

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<sup>25</sup> Abera et al., "Early Marriage and Women's Empowerment: The Case of Child-Brides in Amhara National Regional State, Ethiopia."

coherence grounded in Maqasid principles promotes sustainable and community-supported reforms.

The framework also emphasizes the importance of multi-stakeholder collaboration. Governments, religious authorities, scholars, and civil society organizations must cooperate to formulate and implement effective strategies against child marriage. Shared understanding of *Maqasid Al-Shariah* principles fosters synergy and reduces conflict among stakeholders. Such partnerships are crucial to strengthening child protection networks and accelerating social change. Cross-sectoral cooperation anchored in shared ethical goals maximizes the impact and reach of child marriage interventions.

Education plays a pivotal role in this comprehensive approach. Children must have access to quality education to develop their potential and resist early marriage pressures fully.<sup>26</sup> Education also raises awareness about the harmful effects of child marriage and children's rights from an Islamic perspective. Providing education enables children and their families to appreciate the necessity of readiness before marriage, in line with the maqasid of protecting intellect and life. Enhancing educational access is thus a fundamental strategy within this holistic framework.

Correct and contextual religious education must also be systematically promoted in communities. Religious leaders and educators have a crucial responsibility to convey Islamic teachings that align with *Maqasid Al-Shariah* and dissuade misinterpretations justifying child marriage. A compassionate and informative approach to religious guidance facilitates community acceptance of child protection principles. This educational reform helps prevent the misuse of religion to perpetuate harmful practices. Accurate religious instruction underpins sustainable efforts to safeguard children's welfare.

Continuous public awareness campaigns are crucial for reaching diverse community segments. Utilizing social media, television, and local community forums disseminates information on the dangers of child marriage and the relevance of *Maqasid Al-Shariah* values. These campaigns foster collective consciousness and shift social norms that

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<sup>26</sup> Samuel Scott et al., "Early Marriage and Early Childbearing in South Asia: Trends, Inequalities, and Drivers from 2005 to 2018," *Annals* 1491, no. 1 (2021): 60–73, <https://doi.org/10.1111/nyas.14531>.

tacitly condone early marriage. Transforming societal attitudes is critical for embedding child protection into community culture. Media and communication platforms thus act as catalysts for social change within this framework.

Health-related interventions must be strengthened concurrently. Governments and health institutions should provide child-friendly and accessible healthcare services, especially in regions prone to child marriage. Such services include reproductive health counseling, immunizations, and health education for adolescents. Adequate health care mitigates the physical risks associated with child marriage and supports overall wellbeing. This aligns with the maqasid objectives of protecting life and property by preserving health as a vital asset. Integrating healthcare and education forms a cornerstone of the holistic response.

Robust monitoring and evaluation mechanisms are crucial for assessing policy implementation and program effectiveness. Accurate, up-to-date data enables stakeholders to identify challenges and adapt strategies promptly. Continuous evaluation demonstrates a firm commitment to child protection and enhances accountability. This process supports maqasid goals by ensuring the preservation of lineage and life through informed governance. Effective monitoring prevents the perpetuation of harmful practices and guides evidence-based improvements.

The role of families and local communities must be reinforced as primary protectors against child marriage. Families serve as the first line of defense, and empowering them through education and awareness enables them to become agents of change.<sup>27</sup> Community leaders, including religious and traditional authorities, also play a crucial role in shaping social norms that oppose child marriage. Their involvement ensures that child protection is deeply rooted in everyday social interactions and traditions. This community-based approach resonates with the maqasid objectives of safeguarding religion and lineage.

Intergenerational dialogue is critical for fostering mutual understanding and awareness. Providing youth with opportunities to express themselves and access accurate information about their rights promotes empowerment. Effective communication between parents

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<sup>27</sup> Arifin, Nurhidayat, and Panji, "Pengaruh Pernikahan Dini dalam Keharmonisan Keluarga."

and children helps reduce misunderstandings and prevent premature decisions about marriage. This dialogue supports maqasid goals by enhancing intellectual and emotional wellbeing through open and respectful interactions. Effective communication strengthens child protection within families and communities.

Child protection is a collective responsibility extending beyond government or specific organizations. Every individual in society plays a role in creating safe and supportive environments that foster children's growth and development. Collective awareness encourages the establishment of comprehensive and sustainable child protection systems. Grounding this responsibility in *Maqasid Al-Shariah* integrates it into the broader Islamic ethical and social framework. Such communal engagement is essential to eradicating child marriage and fostering holistic child welfare.

The proposed holistic approach integrates social, health, educational, and religious dimensions simultaneously. This comprehensive strategy addresses child marriage from multiple perspectives, delivering more effective and sustainable solutions. In the context of *Maqasid Al-Shariah*, holistic care refers to maintaining balance and harmony among human needs and interests. Consequently, protecting children from early marriage reflects the inclusive and just principles of Islamic law. This integrative model ensures that child protection efforts are coherent, comprehensive, and ethical.

While the existing literature extensively discusses the socio-economic and health implications of early marriage, it often lacks a focused exploration of the intersection between Islamic legal philosophy—particularly *Maqasid Al-Shariah*—and child protection strategies. Current research tends to treat these domains in isolation: studies either emphasize the harmful consequences of early marriage or explore *Maqasid Al-Shariah* as a theoretical framework without directly applying it to contemporary child protection issues. This gap highlights a crucial need for research that bridges the two—providing faith-based, actionable insights grounded in Islamic principles to address the persistent issue of early marriage in Muslim communities.

Despite the presence of legal frameworks and national efforts aimed at curbing early marriage, many of these approaches fall short due to their lack of cultural and religious relevance, especially in Muslim-majority societies. There remains an unmet need for strategies that not only uphold child rights but also resonate deeply with the

ethical and moral foundations of local communities. The absence of integrative models that combine social, health, and religious dimensions signifies a policy and implementation vacuum—one that fails to engage communities in a meaningful and sustainable manner.

This study seeks to address these shortcomings by positioning *Maqasid Al-Shariah* as a central analytical lens through which early marriage can be both understood and confronted. By aligning child protection efforts with the core objectives of Shariah—namely the preservation of religion, life, intellect, lineage, and wealth—this research offers a novel, context-sensitive approach that complements legal and social interventions with religious legitimacy. It aims to fill the conceptual gap and meet practical needs by offering a culturally competent framework that supports both faith and human rights perspectives in the fight against child marriage.

Moreover, by synthesizing classical Islamic legal principles with empirical realities, this study contributes a unique perspective to the academic and policy discourse. It emphasizes the potential of *Maqasid Al-Shariah* not only as a theological doctrine but also as a dynamic tool for guiding contemporary social policies. Through this synthesis, the study aims to enhance the design and implementation of holistic child protection strategies that are both religiously informed and socially effective, particularly in regions where early marriage remains deeply entrenched in tradition and socio-economic constraints.

To illustrate the practical relevance of this approach, the study will also explore potential interventions rooted in *Maqasid Al-Shariah*. These may include educational programs for religious leaders that emphasize the harms of early marriage, the integration of Shariah objectives into school curricula to increase awareness among youth, and the development of community outreach programs that reflect Islamic values while promoting child welfare. Such interventions aim to foster long-term behavioral change by embedding protective values within the fabric of religious and community life.

The novelty of this research lies in its explicit integration of the *Maqasid Al-Shariah* framework as the primary analytical lens to address the issue of child marriage, a connection that remains underexplored mainly in existing scholarship. Unlike previous studies that typically isolate the social, health, or legal dimensions of child marriage, this research offers a holistic approach grounded in Islamic ethical principles, uniting these aspects within a coherent religious

paradigm. By applying the five core objectives of *Maqasid Al-Shariah*—protection of religion, life, intellect, lineage, and property—this study provides a theologically robust and contextually relevant foundation for both advocacy and policymaking. This innovative perspective not only strengthens religious arguments against child marriage but also enhances the cultural legitimacy and social acceptance of child protection initiatives within Muslim communities, particularly in Indonesia.

Ultimately, this research aspires to catalyze broader social transformation within Muslim societies. By employing *Maqasid Al-Shariah* principles, child protection becomes a core component of social and religious development. This paradigm shift is crucial for ensuring that children grow in safe, nurturing environments that foster their full potential. The study paves the way toward a future where child marriage no longer threatens young lives or the integrity of Muslim communities at large.

## **Methods**

This study employs a qualitative research method, utilizing a literature review approach, to comprehensively analyze the issue of child protection and adolescent wellbeing from the perspective of *Maqasid Al-Shariah*. The literature review method is appropriate for this research as it allows for an in-depth exploration of existing scholarly works,<sup>28</sup> legal documents, religious texts, and relevant reports, thereby providing a strong theoretical foundation for understanding the subject matter.

The research process involves the systematic collection, evaluation, and synthesis of secondary data from various sources. These include classical and contemporary Islamic jurisprudence texts that elaborate on *Maqasid Al-Shariah*, as well as national and international legal frameworks related to child marriage and child protection.

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<sup>28</sup> Andi Prastowo, *Metode Penelitian Kualitatif dalam Perspektif Penelitian* (Yogyakarta: Ar-Ruzz Media, 2012); Lexy J. Moleong, *Metodologi Penelitian Kualitatif* (Bandung: Remaja Rosdakarya, 2018); John W. Creswell, *Research Design: Pendekatan Metode Kualitatif, Kuantitatif dan Campuran* (Yogyakarta: Pustaka Pelajar, 2016); M. Askari Zakariah, Vivi Afriani, and KH. M. Zakariah, *Metodologi Penelitian Kuantitatif, Kualitatif, Action Research, Research and Development (R and D)* (Kolaka: Yayasan Pondok Pesantren Al-Mawaddah Warrahmah, 2020).

Additionally, there are studies and reports from organizations working on child welfare and human rights.

The explanation of the methodology in this manuscript remains underdeveloped. It lacks specific details regarding the systematic process used for collecting, evaluating, and synthesizing the secondary data. There is no clear explanation of the criteria for selecting sources, nor is there an indication of how the relevance and credibility of the literature were assessed, or the analytical framework applied in interpreting the data. Expanding this section to include a transparent and rigorous methodological structure—such as inclusion and exclusion criteria, thematic analysis techniques, or coding strategies—would significantly enhance the reliability and academic credibility of the research. A more detailed methodology would also allow future researchers to replicate or build upon the study more effectively.

## Results

### **The Relevance of *Maqasid Al-Shariah* in Protecting Children's Rights and Wellbeing**

The framework of *Maqasid Al-Shariah* provides a profound ethical foundation in Islamic jurisprudence, emphasizing the preservation of fundamental human interests.<sup>29</sup> When considering children's rights and wellbeing, this framework offers a comprehensive lens through which the protection of vulnerable groups can be ensured. The five fundamental objectives—preservation of religion (*din*), life (*nafs*), intellect (*'aql*), lineage (*nasl*), and property (*mal*)—are intricately interconnected with the holistic development and safeguarding of children.<sup>30</sup> Early marriage, when analyzed through this framework, reveals apparent contradictions with the principles designed to uphold human dignity and welfare.

Firstly, the preservation of life, which prioritizes the protection of human existence and health, is critically relevant to discussions on child marriage. Early marriage exposes children, especially girls, to severe health risks such as complicated pregnancies and childbirth,

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<sup>29</sup> Jalili, "Teori Maqashid Syariah Dalam Hukum Islam."

<sup>30</sup> Muhammad Bushiri, "Tafsir Al-Qur'an dengan Pendekatan Maqāshid Al-Qur'an Perspektif Thaha Jabir Al-'Alwani," *Jurnal Tafseer* 7, no. 1 (2019): 132–49, <https://journal3.uin-alauddin.ac.id/index.php/tafsere/article/view/10013>.

which can result in maternal mortality and morbidity. By emphasizing the sanctity of life, *Maqasid Al-Shariah* inherently discourages practices that endanger the health and survival of children. Thus, protecting children from premature marital responsibilities aligns with the Shariah's ultimate goal of safeguarding human life.

Secondly, the preservation of intellect ('aql) highlights the importance of cognitive development and education. Early marriage often truncates educational opportunities, limiting the intellectual growth of adolescents. In Islam, the pursuit of knowledge is not only encouraged but deemed a duty for every individual. When young girls or boys are forced into marriage prematurely, their intellectual potential is compromised. From the Maqasid perspective, this undermines the objective of protecting the mind and ensuring a society enriched by educated and thoughtful individuals.

Furthermore, the protection of lineage (nasl) is fundamental in Islamic law, as it pertains to the continuation and integrity of the family and community. Child marriage can jeopardize this objective by increasing the risks of genetic and psychological harm to offspring, as well as perpetuating cycles of poverty and social instability.<sup>31</sup> Ensuring that marriage occurs at an appropriate age supports the wellbeing of future generations, preserving lineage in a manner consistent with Islamic ethical standards.

In addition to these specific objectives, *Maqasid Al-Shariah* provides a holistic ethical framework that emphasizes justice ('adl) and mercy (rahmah). Child marriage often entails inequities and exploitation, particularly of girls who are vulnerable to social pressures. The Shariah's insistence on fairness and compassion calls for protective measures that uphold the dignity and rights of children, preventing them from being subjected to harmful traditions and practices.

The preservation of religion (din) also plays a crucial role, as Islam promotes the protection of faith by encouraging ethical behavior and the moral development of individuals. Early marriage without proper readiness and understanding can disrupt religious obligations and spiritual development. The Maqasid framework thus advocates for

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<sup>31</sup> Agoes Dariyo, *Psikologi Perkembangan Remaja* (Bogor: Ghalia Indonesia, 2004); Neneng Anggriany, "Motif Sosial dan Kebermaknaan Hidup Remaja Pagaralam," *Psikologika : Jurnal Pemikiran dan Penelitian Psikologi* 11, no. 21 (2006): 51–63, <https://doi.org/10.20885/psikologika.vol11.iss21.art5>.

conditions that support not only physical and mental wellbeing but also spiritual growth, ensuring that children are prepared for the responsibilities that marriage entails.

Another aspect to consider is that *Maqasid Al-Shariah* is inherently dynamic, allowing for contextual interpretation in response to evolving social realities. This flexibility enables scholars and policymakers to address contemporary issues, such as child marriage, in ways that remain faithful to Islamic principles while responding to the needs of modern societies. The adaptability of *Maqasid* is a powerful tool in reforming harmful practices without compromising religious integrity.

Moreover, integrating *Maqasid Al-Shariah* into child protection policies can enhance their acceptance and effectiveness within Muslim communities. Since religious legitimacy is highly valued, framing child protection as an Islamic imperative can motivate communities to resist early marriage practices that are otherwise culturally entrenched. This alignment promotes a more sustainable approach to safeguarding children's rights.

The emphasis on preserving property (*mal*) in *Maqasid Al-Shariah* also indirectly relates to the issue of child marriage. Economic vulnerabilities often drive families to marry off their children early as a coping strategy. Protecting children's property rights and economic wellbeing helps reduce these pressures, supporting families in making decisions that prioritize the child's welfare over financial expediency.

It is important to note that *Maqasid Al-Shariah* encourages the promotion of public interest (*maslahah*) and the prevention of harm (*mafsadah*). Child marriage clearly contravenes these principles as it leads to substantial harm at individual and societal levels. Therefore, through the lens of *Maqasid*, the prohibition or stringent regulation of early marriage becomes not only a legal matter but a moral and ethical obligation.

The framework's emphasis on balance and moderation (*wasatiyyah*) further supports the argument against child marriage. Islamic teachings advocate for moderation in all aspects of life, including marriage. Entering marriage without sufficient maturity and readiness contradicts the principle of balance, which aims to ensure the welfare of individuals and communities.

Importantly, the role of the state and community in enforcing the objectives of *Maqasid Al-Shariah* must be acknowledged. The

protection of children requires proactive measures from institutions guided by these ethical principles. Legislations that set minimum marriage ages and social campaigns grounded in Maqasid ethics can jointly work towards eradicating child marriage.

*Maqasid Al-Shariah* also underlines the responsibility of caregivers and society in nurturing children's development. This includes safeguarding their rights to education, health, and safety, all of which are jeopardized by child marriage. The holistic approach of Maqasid thus reinforces the need for comprehensive child protection mechanisms rooted in both religious and legal frameworks.

The principles of mercy and compassion in Maqasid also challenge social norms that tolerate or encourage child marriage. By highlighting the harm inflicted on children, the framework appeals to the ethical conscience of communities, urging them to reform and abandon harmful traditions.

Moreover, the integration of Maqasid with contemporary human rights discourse creates a powerful synergy. While human rights frameworks provide universal standards, Maqasid contextualizes these within Islamic ethics, facilitating more meaningful engagement in Muslim-majority contexts where religion shapes social values and behaviors.

In applying Maqasid to child marriage, it becomes evident that early marriage not only violates the individual's rights but also undermines the collective welfare of society. The repercussions extend beyond the individual, affecting family structures, social cohesion, and future generations. Therefore, Maqasid serves as a guide for holistic protection that transcends legalistic approaches.

It is also essential to recognize the educative potential of Maqasid. By educating communities on the higher objectives of Shariah, misunderstandings and cultural mispractices such as child marriage can be effectively addressed. This approach enables individuals to distinguish between harmful customs and genuine religious teachings.

The application of Maqasid in policy formulation provides a unique framework that harmonizes religious values with contemporary principles of social justice.<sup>32</sup> This harmony is crucial for crafting

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<sup>32</sup> Zainal Abidin, "Urgensi Maqashid Syariah Bagi Kemashlahatan Umat," *Mau'izhah* 13, no. 1 (2023): 121–31, <https://doi.org/10.55936/mau`izhah.v13i1.146>.

culturally sensitive yet progressive child protection policies in Muslim societies.

Finally, the holistic nature of *Maqasid Al-Shariah* reminds us that child protection is not merely a legal issue but a multidimensional ethical concern encompassing physical, intellectual, emotional, and spiritual dimensions. By centering child wellbeing within this framework, policymakers and scholars can advocate for reforms that respect Islamic teachings while promoting universal human dignity.

*Maqasid Al-Shariah* offers a comprehensive and dynamic ethical foundation that is highly relevant to protecting children's rights and wellbeing. Its principles provide compelling religious justification against child marriage and offer practical guidance for holistic child protection in contemporary Muslim societies.

### **The Negative Impacts of Child Marriage from Health, Psychological, and Social Perspectives**

Child marriage is a practice that severely affects the health of young girls, exposing them to numerous physical risks. Girls married at an early age are often forced into early pregnancies, which can lead to complications such as obstetric fistula, maternal mortality, and severe anemia. Their bodies are not yet fully developed to handle childbirth, increasing the risk of injury or death during delivery.<sup>33</sup> In addition to physical health concerns, early childbearing often denies girls access to proper prenatal and postnatal care, which further endangers both mother and child.

Beyond physical health risks, child marriage has profound psychological impacts on young brides. Many suffer from anxiety, depression, and feelings of helplessness as they face the pressure of new roles and responsibilities at a very young age.<sup>34</sup> The abrupt transition from childhood to adult duties without emotional readiness can cause long-lasting trauma. The lack of autonomy and control over their own lives often leads to low self-esteem and a sense of powerlessness, impacting their overall mental wellbeing.

Socially, child marriage disrupts the natural course of education and personal development. Girls who marry early typically drop out of

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<sup>33</sup> Abera et al., "Early Marriage and Women's Empowerment: The Case of Child-Brides in Amhara National Regional State, Ethiopia."

<sup>34</sup> Hasanah et al., "Early Marriage Determination of Teenagers in Banten Province."

school, losing the opportunity to acquire knowledge and skills that could empower them economically and socially. This educational disruption perpetuates cycles of poverty and limits their ability to participate meaningfully in society.<sup>35</sup> Early marriage often isolates girls from their peer groups and community support networks, leading to social exclusion and marginalization.

Health problems related to child marriage are not limited to childbirth but include increased vulnerability to sexually transmitted infections, including HIV. Young brides often lack the power to negotiate safe sexual practices, making them susceptible to infections and other reproductive health issues. Moreover, early sexual activity can cause chronic pelvic pain, infections, and long-term reproductive complications. These health risks are compounded by inadequate access to healthcare services due to cultural or economic barriers.

Psychological distress linked to child marriage can also affect young brides' relationships with their spouses and families. The imbalance of power in the marriage often leads to domestic violence and abuse, which contributes to further psychological harm. Young girls are at high risk of experiencing emotional, physical, and sexual violence within their marriages.<sup>36</sup> This abuse exacerbates feelings of fear, isolation, and hopelessness, creating a cycle of trauma that is difficult to break.

Social consequences extend to the broader community, where child marriage reinforces gender inequality and traditional norms that limit women's roles. When girls marry young, the opportunity for social mobility and empowerment is drastically reduced. This perpetuates patriarchal systems that prioritize male authority and control, limiting progress toward gender equity.<sup>37</sup> Communities practicing child marriage may also suffer from reduced economic productivity, as a significant portion of their female population is deprived of education and skills development.

The health impact of early pregnancy also affects infants born to child brides, who are at greater risk of low birth weight, premature

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<sup>35</sup> Hasanah et al.

<sup>36</sup> Yunita and Az'zahra, "Faktor Penyebab Pernikahan Dini."

<sup>37</sup> Dyantari et al., "Analysis of Factors Associated with Early Marriage on the Low Birth Weight Babies and Pregnancy Complication Incidence in Tulungagung, Indonesia."

birth, and neonatal mortality. The lack of maternal health knowledge among young mothers can lead to inadequate infant care, affecting child survival rates. It perpetuates intergenerational cycles of poor health and poverty, as children born into these circumstances are more likely to face developmental challenges.

Psychologically, the trauma of child marriage often leads to long-term mental health conditions that remain unaddressed due to stigma and lack of mental health services. Many young brides internalize their suffering, feeling ashamed or powerless to seek help. The absence of supportive counseling and psychological care leaves these girls vulnerable to chronic depression, post-traumatic stress disorder, and other mental health disorders.

Socially, child marriage limits girls' participation in community decision-making and leadership roles. Their early withdrawal from education and public life reduces their visibility and voice in social, economic, and political spheres. This exclusion diminishes community diversity and hinders inclusive development. Girls who marry early often miss out on opportunities to build networks that could support their growth and advocate for their rights.

Health-wise, child marriage is often associated with poor nutrition and increased workload for young brides. They are frequently expected to take on domestic chores and care for their new families while still growing themselves physically.<sup>38</sup> This burden can lead to malnutrition, fatigue, and weakened immune systems, further jeopardizing their overall health. The stress of balancing these demands without proper support creates an unhealthy cycle for young girls.

From a psychological perspective, the loss of childhood and forced adult responsibilities can result in identity confusion and developmental delays. Girls may struggle to reconcile their own needs with the expectations imposed upon them by marriage and family roles. This inner conflict can lead to withdrawal, social anxiety, and difficulties in forming healthy relationships outside of marriage.

On a social level, child marriage can strain family relationships and community cohesion. Families that marry off daughters early may face judgment or ostracization from other community members who oppose the practice. Additionally, child brides often find themselves caught between their natal families and marital households, leading to

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<sup>38</sup> Fadilah, "Tinjauan Dampak Pernikahan Dini dari Berbagai Aspek."

conflicts and isolation. This instability undermines the social fabric and creates tension within communities.

The physical risks of child marriage also include increased exposure to gender-based violence beyond the marital home. Young brides may face harassment and exploitation from relatives, in-laws, or community members due to their vulnerable status. This threat to physical safety further limits their freedom and ability to engage in social activities, deepening their social isolation.

Psychologically, child marriage can interfere with the development of a young girl's self-efficacy and decision-making skills. By having major life decisions made for them, these girls lose confidence in their ability to control their own futures. This disempowerment can follow them throughout life, limiting opportunities for personal growth and happiness.

Socially, the perpetuation of child marriage reinforces harmful stereotypes about female worth being tied solely to marriage and childbearing. These norms restrict girls' ambitions and reduce their perceived value to narrow roles. Breaking this cycle requires challenging deep-rooted social beliefs and promoting alternative visions of girls' potential and success.

The health consequences of child marriage also affect reproductive rights and choices. Young brides often lack knowledge and access to contraception, resulting in closely spaced and unintended pregnancies.<sup>39</sup> This lack of control over their reproductive health contributes to cumulative health risks and limits their ability to plan for their futures.

Psychologically, the experience of child marriage can reduce resilience and coping mechanisms in young girls. Facing early adversity without adequate support can diminish their ability to adapt to life challenges, increasing vulnerability to future stressors. This emotional fragility may affect their capacity to nurture their own children and manage household responsibilities.

Socially, child marriage often leads to economic dependency on husbands and in-laws, limiting girls' financial autonomy. Without education or skills, young brides struggle to earn independent incomes,

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<sup>39</sup> Yudho Bawono et al., "Budaya dan Pernikahan Dini di Indonesia," *Jurnal Dinamika Sosial Budaya* 24, no. 1 (2022): 83–91, <https://doi.org/10.26623/jdsb.v24i1.3508>.

which restricts their ability to leave abusive situations or improve their living conditions. Economic dependency reinforces cycles of poverty and gender inequality.

Health services may be inaccessible or inadequate for child brides due to stigma, lack of transportation, or restrictive social norms. This barrier exacerbates the adverse health outcomes experienced by young married girls, who may avoid seeking care for fear of judgment or punishment. Improving health infrastructure and community awareness is critical to addressing these challenges.

The negative impacts of child marriage are multifaceted and deeply interconnected. Health risks, psychological trauma, and social exclusion combine to create a cycle of disadvantage for young girls. Addressing child marriage requires a holistic approach that supports girls' health, mental wellbeing, and social empowerment to break these harmful patterns and enable a brighter future.

### **Misinterpretation of Religious Teachings and Legal Challenges in Addressing Child Marriage**

One of the significant obstacles in combating child marriage is the widespread misinterpretation of religious teachings. In many communities, child marriage is justified by referencing religious texts or traditions, which are often taken out of context or misunderstood.<sup>40</sup> Religious leaders or community elders may use these interpretations to legitimize the practice, arguing that early marriage is sanctioned or even encouraged by faith. However, many religious texts emphasize the importance of consent, maturity, and protection of children, and do not explicitly condone child marriage. This gap between the original teachings and local interpretations creates confusion and resistance to change.

The misinterpretation of religion is further complicated by cultural traditions that have become entwined with faith-based beliefs. In some societies, longstanding customs regarding marriage age have been merged with religious identity, making it difficult to challenge child marriage without seeming to attack the religion itself. This fusion creates a sensitive environment where legal reforms and awareness campaigns face pushback not only from families but also from religious

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<sup>40</sup> Triadhari, Afridah, and Salsabila, "Dampak Psikologis Pernikahan Dini di KUA Kecamatan Kejaksaan Kota Cirebon."

institutions, which hold significant influence over community norms and behaviors.

Legal frameworks addressing child marriage are often weak, inconsistent, or poorly enforced, which presents another major challenge. In many countries, the minimum legal age for marriage is set at 18; however, exceptions, loopholes, or customary laws permit marriage at younger ages with parental or judicial consent. This legal ambiguity undermines efforts to protect children, as families and officials can exploit these exceptions to continue the practice.<sup>41</sup> Additionally, the lack of robust birth registration systems makes it challenging to verify ages and enforce the law effectively.

Moreover, there is often a disconnect between national laws and customary or religious legal systems. In some regions, customary courts or religious councils govern family matters, including marriage, and their decisions may override or conflict with state laws. This dual legal system complicates enforcement and creates spaces where child marriage can legally occur despite national prohibitions.<sup>42</sup> Efforts to harmonize laws face resistance from those who view such moves as interference with religious or cultural autonomy.

Social acceptance of child marriage, rooted in both religious and cultural beliefs, also affects legal enforcement. Even where laws exist, community members may be reluctant to report violations due to loyalty to tradition or fear of social ostracism. Law enforcement officers and judiciary officials may share these community values, leading to weak implementation or reluctance to prosecute offenders. This social dynamic hampers the effectiveness of legal mechanisms designed to protect children.

Educational gaps contribute significantly to these challenges. Misunderstandings about religious texts are often fueled by a lack of access to accurate religious education that emphasizes the rights and welfare of children. Religious leaders who receive limited or biased training may perpetuate harmful narratives. Conversely, progressive religious scholars and activists who advocate against child marriage

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<sup>41</sup> Ahmad Habibi, "Pernikahan Dini dalam Tinjauan Hukum Islam dan Psikologi," *Mitsaqan Ghalizhan* 2, no. 1 (2022): 57–66, <https://doi.org/10.33084/mg.v2i1.5276>.

<sup>42</sup> Elprida Riyanny Syalis and Nunung Nurwati Nurwati, "Analisis Dampak Pernikahan Dini Terhadap Psikologis Remaja," *Focus : Jurnal Pekerjaan Sosial* 3, no. 1 (2020), <https://doi.org/10.24198/focus.v3i1.28192>.

struggle to disseminate their interpretations widely enough to counteract entrenched beliefs.

Legal reforms aimed at ending child marriage must therefore be accompanied by community engagement and religious dialogue. Working collaboratively with faith leaders to clarify religious teachings and promote child rights can help shift perceptions.<sup>43</sup> When religious authorities publicly denounce child marriage and endorse protective laws, communities are more likely to follow suit. This partnership can bridge the gap between law and local belief systems, fostering acceptance of change.

Another legal challenge is the lack of comprehensive policies that address the root causes of child marriage, such as poverty, gender inequality, and lack of education. Laws focusing solely on age restrictions may not be enough if they do not tackle the socio-economic pressures that drive families to marry off daughters early. Without addressing these underlying issues, child marriage persists despite legal prohibitions.

Judicial systems often face capacity constraints, including inadequate training on child protection laws and limited resources for handling cases related to child marriage—this results in delays, lack of sensitivity towards victims, and low conviction rates. Strengthening the capacity of courts and law enforcement to handle these cases with care and urgency is essential for effective legal deterrence.

International human rights frameworks provide guidance and pressure for countries to strengthen laws against child marriage, yet compliance varies. Some governments face political and social resistance, fearing backlash from conservative groups. Balancing respect for cultural diversity with the enforcement of universal human rights remains a delicate and ongoing challenge.

Additionally, legal age restrictions may not always align with local definitions of adulthood and maturity, which can vary significantly.<sup>44</sup> Some communities view physical puberty as the appropriate marker for marriage readiness, conflicting with international standards based on chronological age. Bridging this

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<sup>43</sup> Habibi, “Pernikahan Dini dalam Tinjauan Hukum Islam dan Psikologi.”

<sup>44</sup> Irza Setiawan, “Pernikahan Dini di Kabupaten Hulu Sungai Utara,” *Jurnal Niara* 15, no. 2 (2022): 331–39, <https://doi.org/10.31849/niara.v15i2.9945>.

cultural gap requires sensitive negotiation and education to build consensus on protecting children's rights.

Access to justice is another hurdle for child marriage victims. Many girls face obstacles in reporting forced or early marriages due to fear of retaliation, stigma, or lack of legal awareness. Legal aid services and child-friendly reporting mechanisms are often insufficient or nonexistent, leaving vulnerable girls without recourse. Strengthening support systems and protection mechanisms is crucial for empowering victims to seek justice and hold perpetrators accountable.

Furthermore, enforcement agencies may prioritize other crimes over child marriage due to limited resources or perceived lower urgency. This deprioritization allows the practice to continue with minimal consequences for perpetrators. Advocacy for greater attention to child marriage within law enforcement agendas can improve enforcement efforts.

The role of media and civil society in highlighting the legal challenges and religious misinterpretations surrounding child marriage is vital. Awareness campaigns can demystify religious teachings,<sup>45</sup> promote girls' rights, and pressure governments to strengthen laws and enforcement. However, media efforts must be culturally sensitive to avoid backlash and ensure community engagement.

Misinterpretation of religious teachings and legal challenges form a complex web that sustains child marriage. Combating the practice requires a multifaceted approach that includes clarifying religious doctrines, harmonizing laws, strengthening enforcement, and addressing socio-economic factors. Collaboration among governments, religious leaders, civil society, and communities is crucial to overcoming these barriers and effectively protecting children's rights.

## **Discussion**

The issue of child marriage remains a pressing concern in many Muslim-majority societies, and addressing it requires a multidimensional approach that considers religious, legal, social, and

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<sup>45</sup> Hanik Lailatut Tarwiyah, "Pengaruh Religiusitas dalam Membangun Self-Awareness Pada Remaja: Literature Review," *Jurnal Psimawa* 5, no. 2 (2022): 79–85, <https://doi.org/10.36761/jp.v5i2.2112>; Ruzika Hafizha, "Profil Self-Awareness Remaja," *Journal of Education and Counseling (JECO)* 2, no. 1 (2022): 159–66, <https://doi.org/10.32627/jeco.v2i1.416>.

health perspectives. One of the most powerful frameworks that can be employed in this regard is *Maqasid Al-Shariah*, the objectives of Islamic law, which serve as a moral compass for preserving human dignity and welfare. This framework outlines the protection of five essential values: religion (*din*), life (*nafs*), intellect (*'aql*), lineage (*nasl*), and property (*mal*). When applied holistically, *Maqasid Al-Shariah* provides firm religious grounding for the protection of children from harmful practices, including child marriage.

The preservation of life, one of the primary goals of *Maqasid Al-Shariah*, highlights the importance of safeguarding human health and wellbeing. Early marriage, particularly among young girls, often results in high-risk pregnancies, maternal mortality, and long-term reproductive health issues. These outcomes contradict the objective of preserving life, as they expose children to avoidable physical harm and even death. Therefore, preventing child marriage aligns with Islamic imperatives that emphasize the sanctity and protection of life.

From the perspective of preserving intellect, child marriage poses significant challenges. When children, especially girls, are forced into marriage, their educational opportunities are usually cut short. Education is not only a fundamental right but also an Islamic obligation, as the pursuit of knowledge is deeply embedded in Islamic teachings. Early marriage stunts intellectual development and denies children the opportunity to contribute meaningfully to society, thus violating the very principle of *'aql* in the Shariah framework.

The concept of protecting lineage (*nasl*) is another cornerstone of *Maqasid Al-Shariah* that is directly impacted by child marriage. Young brides and grooms, lacking emotional and physical maturity, are more likely to produce offspring under unhealthy circumstances, potentially perpetuating cycles of poverty, poor health, and emotional instability. Islam emphasizes the importance of a stable family unit built on mutual respect and readiness, which child marriage undermines by forcing premature responsibilities upon unprepared individuals.

Additionally, the protection of religion (*din*) within *Maqasid Al-Shariah* emphasizes the importance of ethical and moral development. When children are married before they are capable of understanding or fulfilling religious and marital obligations, their spiritual growth is compromised. It also diminishes their capacity to form a relationship based on shared faith and mutual responsibility, which is essential in

Islamic marital ethics. Ensuring spiritual maturity before marriage upholds the Shariah's intent to protect religious integrity.

The fifth objective, the preservation of property (*mal*), though seemingly unrelated, also plays a role in understanding the roots of child marriage. Economic hardship often compels families to marry off their daughters early, viewing it as a means of financial relief. This transactional view of marriage reduces the child to an economic burden and ignores her rights. By promoting economic empowerment and property rights for children, especially girls, societies can reduce the financial motivations that drive early marriage.

Furthermore, *Maqasid Al-Shariah* stresses broader principles such as public welfare (*maslahah*), justice ('*adl*), mercy (*rahmah*), and moderation (*wasatiyyah*). These values directly oppose the practice of child marriage, which is often rooted in injustice, coercion, and social inequities. Islam promotes justice and mercy as core values in all relationships, and forcing a child into marriage disregards these ethical imperatives. Hence, resisting child marriage becomes a moral duty within the Islamic worldview.

Health-wise, child marriage exposes girls to numerous risks. Physically, they face challenges like childbirth complications, malnutrition, and exposure to sexually transmitted infections. Many girls experience childbirth before their bodies are ready, leading to conditions like obstetric fistula or even death.<sup>46</sup> These outcomes violate the Islamic mandate to protect life and ensure wellbeing, reinforcing the view that child marriage is inconsistent with religious principles aimed at health preservation.

Psychologically, early marriage often results in trauma, anxiety, depression, and low self-esteem among young brides. Being thrust into adult responsibilities without adequate emotional support can lead to identity confusion and long-term mental health issues. The trauma is compounded by domestic violence, lack of autonomy, and feelings of isolation. These psychological consequences indicate that child marriage robs children of their right to a safe and nurturing developmental environment.

Socially, child marriage marginalizes girls by removing them from educational and social settings. It prevents them from forming

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<sup>46</sup> Ahmad Agung Setya Budi, "Kawin Paksa dalam Perspektif Hukum Islam dan Konteks Kajian Hak Asasi Manusia."

peer relationships, participating in community life, and accessing opportunities for growth and leadership. Their identities become tied solely to their marital roles, hindering their potential as active contributors to society. This exclusion reinforces patriarchal systems that devalue girls and limit gender equality.

The impact of child marriage also extends to the children born from these unions. Infants of young mothers are at higher risk of low birth weight, premature birth, and early death. These outcomes highlight the intergenerational consequences of child marriage, where the harm inflicted upon a child continues into the next generation. It becomes a cycle that affects not just individuals but the broader community's health and development.

Legal challenges further complicate efforts to eradicate child marriage. In many contexts, laws set the minimum marriage age at 18; however, exceptions such as parental consent or approval by a religious court can weaken enforcement.<sup>47</sup> Loopholes in legal systems enable the continuation of child marriage, often under the guise of cultural or religious justification. Without legal consistency and robust enforcement, efforts to end child marriage remain ineffective.

Another challenge is the duality of legal systems in many Muslim-majority countries, where religious or customary law operates alongside civil law. In such cases, religious authorities may override national legal standards, legitimizing child marriage based on misinterpreted texts. This dual structure creates confusion, undermines national efforts, and permits harmful practices to persist under the protection of cultural or religious norms.

Misinterpretation of religious teachings is perhaps one of the most formidable barriers to understanding. Many communities believe child marriage is condoned or even encouraged in Islam, often citing historical contexts or isolated hadiths without proper understanding. In reality, Islamic teachings emphasize consent, maturity, and the welfare of individuals, none of which are fulfilled in cases of forced or early marriage. Rectifying these misconceptions requires religious education and engagement with credible Islamic scholars.

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<sup>47</sup> Eka Prasetiawati, "Penafsiran Ayat-Ayat Keluarga Sakinah, Mawaddah Wa Rahmah dalam Tafsir Al-Hisbah dan Ibnu Katsir," *Nizham Journal of Islamic Studies* 05, no. 1 (2017): 1–29.

The entanglement of culture and religion also complicates the issue. In some societies, traditional practices are mistakenly perceived as religious obligations. As a result, efforts to challenge child marriage may be viewed as attacks on religion rather than attempts to protect children. Changing this perception requires culturally sensitive dialogue that distinguishes harmful traditions from authentic religious teachings.

Educational reform plays a vital role in shifting attitudes.<sup>48</sup> Promoting accurate religious education that emphasizes the spirit of *Maqasid Al-Shariah* can correct widespread misunderstandings. By equipping religious leaders with this knowledge, they can become allies in advocating for children's rights and countering narratives that support early marriage.

Collaboration between governments, civil society, and religious institutions is essential in tackling both legal and religious challenges.<sup>49</sup> Laws alone cannot change social norms, but when paired with religious advocacy and community engagement, they become more effective in achieving this goal. Faith-based campaigns that frame child protection as a religious duty have shown promise in reducing child marriage rates by garnering community support.

Moreover, the state must take an active role in enforcing protections rooted in *Maqasid Al-Shariah*. This includes establishing clear legal standards, prosecuting violations, and developing public education campaigns based on Islamic ethics. Through a combination of legal tools and religious principles, societies can create a protective environment for children that aligns with both modern human rights and Islamic values.

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<sup>48</sup> Isnatul Chasanah, "Psikoedukasi Pendidikan Seks Untuk Meningkatkan Sikap Orangtua dalam Pemberian Pendidikan Seks," *Jurnal Intervensi Psikologi (JIP)* 10, no. 2 (2018): 133–50, <https://doi.org/10.20885/intervensipsikologi.vol10.iss2.art5>; I Dewa Ayu Maythalia Joni and Endang R. Surjaningrum, "Psikoedukasi Pendidikan Seks Kepada Guru dan Orang Tua Sebagai Upaya Pencegahan Kekerasan Seksual Pada Anak," *Jurnal Diversita* 6, no. 1 (2020): 20–27, <https://doi.org/10.31289/diversita.v6i1.3582>; Teguh Kusumo Nugroho and Gunawan Santoso, "Perlindungan HAM di Indonesia dengan Merujuk Pada UUD Negara RI: Studi Kasus Korban Kekerasan Seksual," *Jurnal Pendidikan Transformatif* 01, no. 03 (2022): 73–81.

<sup>49</sup> Syahrul Mubarak Subeitan, Wira Purwadi, and Muhammad Sauki Alhabsyi, "Kewenangan Manusia dalam Pembentukan Hukum Sebagai Perubahan Hukum," *Pleno Jure* 11, no. 1 (2022): 30–48, <https://doi.org/10.37541/plenojure.v11i1.661>.

Child marriage is not just a violation of individual rights but a threat to social cohesion and long-term development. By limiting education, weakening health outcomes, and reinforcing inequality, it hinders progress at both personal and national levels. The moral and practical case for ending child marriage is therefore compelling, particularly when framed within the ethical imperatives of Islam.

This study, while offering valuable insights into the intersection of *Maqasid Al-Shariah* and child protection in the context of early marriage, is not without limitations. First, the research employs a qualitative methodology through a literature review approach. While this method allows for in-depth conceptual exploration and theoretical synthesis, it inherently restricts the ability to collect primary data or empirically validate the proposed framework. Future research could adopt a mixed-methods approach—integrating qualitative analysis with quantitative surveys or fieldwork within affected communities—to generate a more robust and evidence-based understanding of how *Maqasid Al-Shariah* can be operationalized in practice.

Second, the geographical focus of the study is limited to Indonesia. Although this offers rich, context-specific insights relevant to a Muslim-majority country grappling with early marriage, the findings may not be readily generalizable to other regions with different cultural, legal, or religious dynamics. Comparative studies involving other Muslim-majority countries, such as Malaysia, Egypt, or Pakistan, could provide a broader perspective and test the applicability of the *Maqasid Al-Shariah* framework across diverse socio-religious contexts.

A further limitation lies in the assumption of a uniform interpretation of *Maqasid Al-Shariah* across Islamic thought. In reality, interpretations vary significantly among different schools of jurisprudence and local religious authorities. These variations may affect the acceptance and implementation of faith-based child protection strategies. Future research should delve deeper into these interpretive differences and assess how they shape the reception and effectiveness of initiatives grounded in Islamic legal principles.

Additionally, while the study highlights the importance of involving religious leaders and communities in the prevention of early marriage, it does not fully address the potential resistance from stakeholders who uphold traditional or conservative views. Resistance from within communities remains a critical challenge that could hinder the effectiveness of proposed interventions. Therefore, identifying

strategies to navigate this resistance—such as fostering dialogue, building trust, and providing culturally appropriate training—should be a key focus of future inquiry.

Lastly, the study proposes faith-based interventions but does not elaborate on how their impacts will be measured. The absence of clear indicators for evaluating success limits the ability to assess long-term outcomes. Furthermore, the legal and policy frameworks discussed in the study are not deeply analyzed in terms of their actual efficacy or limitations. Likewise, while economic hardship is acknowledged as a driver of early marriage, the study does not explore how structural poverty alleviation measures could complement religious or educational interventions. Future studies should thus develop measurable indicators of success, analyze legal gaps, and investigate how economic empowerment strategies can be integrated with *Maqasid Al-Shariah*-based efforts to prevent child marriage.

Importantly, the integration of *Maqasid Al-Shariah* into national policies can help bridge the gap between religious tradition and contemporary human rights. In Muslim societies where religion is a powerful force, aligning legal reforms with Islamic principles ensures broader acceptance and sustainability of change. This integration fosters a sense of ownership and authenticity in child protection efforts.

## **Conclusion**

The issue of child marriage is a multifaceted problem that requires a holistic approach, especially from the perspective of *Maqasid Al-Shariah*. This framework provides a strong ethical foundation for opposing child marriage, as the practice fundamentally contradicts all five core objectives of the Shariah—namely, the preservation of life, intellect, lineage, property, and religion. By examining child marriage through the lens of Maqasid, it becomes evident that this practice threatens the physical and mental health of children, hinders their intellectual development and education, and endangers the wellbeing of the family and community. Thus, research focused on Maqasid not only provides a powerful argument from within the Islamic tradition but also demonstrates that child protection is not just a modern social issue but a profound religious obligation.

The resolution of this issue cannot rely solely on legal reforms, as the misinterpretation of religious teachings and deeply entrenched cultural norms often pose significant obstacles to progress. In-depth

analysis shows that many religious justifications for child marriage stem from an incomplete understanding or an outdated context of religious texts. This gap creates tension between progressive state laws and conservative community beliefs. Therefore, measures to combat child marriage must involve close collaboration among policymakers, religious scholars, and community leaders. By educating the public on the true meaning of Islamic teachings that prioritize justice, compassion, and welfare, resistance to change can be overcome, and the legitimacy of child protection can be strengthened from within.

Ultimately, a practical approach to addressing child marriage must be integrated, combining legal, educational, and advocacy efforts grounded in authentic Islamic principles. By positioning child protection as a central component of *maqasid*, this research and similar efforts can drive sustainable and meaningful social change. It will not only protect the individual rights of children but also strengthen the foundations of a just and civilized society, in line with the higher objectives of the Shariah. Thus, *Maqasid Al-Shariah* serves as a highly relevant and powerful tool for creating a safer and more prosperous future for children and adolescents worldwide.

The manuscript does not sufficiently address the potential challenges or limitations that may arise in the implementation of its proposed recommendations. This omission weakens the overall analysis, as it overlooks practical barriers such as resistance from conservative communities, institutional constraints, or variations in religious interpretations that could hinder the adoption of *Maqasid Al-Shariah*-based interventions. A critical assessment of these possible obstacles is essential to provide a more balanced and realistic evaluation of the proposed approach. Including such an analysis would not only strengthen the manuscript's academic rigor but also enhance its relevance and applicability in real-world policy and community contexts.

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