
The Right to Education for Brides in Early Marriage from the Perspective of Islamic Family Law in Kuningan

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ABSTRACT

Early marriage continues to be a social phenomenon that significantly affects the educational rights of women, particularly in Kuningan Regency. From an Islamic family law perspective, the objective of this investigation is to examine the extent to which brides' rights to education are upheld in the context of early marriage. The research examines early brides, officials of the Office of Religious Affairs, and school officials using a sociological-juridical method (normative-empirical) and a qualitative approach. Informants were identified through purposive sampling, and data were gathered through in-depth interviews and document studies. The *maqasid al-shari'ah* framework, specifically the principle of *hifz al-'aql*, was then employed to analyze the data. According to the study's findings, the interruption of brides' education is empirically caused by early marriage, and domestic burdens, economic constraints, patriarchal culture, and inadequate institutional support influence it. This condition is in direct opposition to the principle of *hifz al-'aql* in Islamic family law, which positions education as the primary method of safeguarding and cultivating reason. In the context of early marriage, this research is unique in integrating local empirical analysis with an Islamic family law perspective grounded in *maqasid al-syari'ah*, which emphasizes education as a fundamental right of women.

Keywords: Early Marriage; Right to Education; Bride; Islamic Family Law; *Maqasid al-Shari'ah*

A. INTRODUCTION

Education is an inherent right of every individual, irrespective of gender or civil status, constitutionally guaranteed in Indonesia under Article 31 of the 1945 Constitution, serving as a cornerstone for enhancing the quality of human resources.¹ In specific social and religious contexts, women's access to education is frequently undermined by the occurrence of early marriage, which, in particular groups, is perceived as a means to uphold morality, familial honor, and the legitimacy of marriage in accordance with formal fiqh interpretations.

Despite the enactment of Law No. 16 of 2019, which elevated the minimum marital age for protective purposes, the incidence of child marriage persists at a significant level.² Data indicates that West Java Province, encompassing Kuningan Regency, exhibits a notable incidence of child marriage.³ This practice is not universally viewed unfavorably, as it is thought to offer temporary social or economic stability, underscoring a disparity between the objectives of legal protection and the social realities at the local level.

The societal endorsement of early marriage directly disrupts girls' education. The primary causes for the discontinuation of formal education post-marriage are economic constraints, inadequate parental literacy, and cultural pressure.⁴ This influence pertains not only to health but also to restricted access and the sustainability of education for brides.⁵ In numerous instances, women who marry during their school years are compelled to discontinue their education due to household responsibilities and insufficient social support.⁶ This situation generates a conflict between the normative legitimacy of marriage and the practical social repercussions faced by women.

¹ Imma Rahmani, "Pelaksanaan Hak dan Kewajiban Warga Negara Indonesia di dalam Bidang Pendidikan Tinjauan dari Pasal 31 Undang-Undang Dasar Tahun 1945," *Pamulang Law Review* 5, no. 1 (2022): 77-84.

² Novi Angriani, Zuhrah, and Hadijah, "Tinjauan Yuridis Pembatasan Usia Perkawinan dalam Upaya Pencegahan Perkawinan Anak," *QANUN: Journal of Islamic Laws and Studies* 3, no. 1 (2025): 31-40, doi:10.58738/qanun.v3i1.815.

³ Pemerintah Provinsi Jawa Barat, "Jumlah Perkawinan Usia 16-19 Tahun Berdasarkan Jenis Kelamin di Jawa Barat," 2025, <https://opendata.jabarprov.go.id/id/dataset/jumlah-perkawinan-usia-16-19-tahun-berdasarkan-jenis-kelamin-di-jawa-barat>.

⁴ Lina Ustikorini, "Analisis Faktor-Faktor Terjadinya Pernikahan di Bawah Umur," *HOKI: Journal of Islamic Family Law* 3, no. 1 (2025): 22-29.

⁵ Clarisha Lubaton, Zainal Madon, and M Daud, "Consequences of Early Marriage on Young Girl-A Systematic Review," *Int J Academic Research in Business & Social Sciences* 13, no. 10 (2023): 553-80.

⁶ Muhammad Arif, et al., "Barriers and Resilience: The Impact of Early Marriage on Girls' Education in Balochistan," *Culture, Education, and Future* 2, no. 2 (2024): 200-216.

Islamic family law posits that the objective of marriage is to attain the family's welfare and prosperity.⁷ This notion corresponds with the aims of Islamic law, especially the safeguarding of reason (*hifz al-'aql*), which positions education as a fundamental component of human progress.⁸ The imperative to pursue knowledge for both genders asserts that marriage should not obstruct the realization of educational rights, but rather facilitate the enhancement of personal potential.⁹ Consequently, married couples need to encourage one another in education and self-development to achieve peaceful and prosperous family goals.

Nonetheless, social practices reveal a conflict between the principles of Islamic family law and the phenomenon of early marriage, despite the Compilation of Islamic Law underscoring spouses' duty to facilitate each other's self-development, particularly in education.¹⁰ frequently occupy a submissive status that obstructs the realization of this right.¹¹ This signifies a significant issue in the application of religious principles inside actual social contexts.

From a human rights standpoint, early marriage can infringe upon the rights of children and women, especially the right to education.¹² state party to the Convention on the Rights of the Child and CEDAW, Indonesia is mandated to guarantee equitable access to education for girls, including those who enter into marriage at a young age.¹³ Consequently, the question of bride education following early marriage encompasses not only normative-religious considerations but also legal and public policy implications.

Numerous prior studies have examined early marriage from diverse viewpoints. Wilda Rahma Nasution's (2023) research elucidates the divergent viewpoints of positive law and Islamic law over the practice of early marriage.¹⁴ Meanwhile, Yana

⁷ Nabil Hukama Zulhaiba Arjani, et al., "Pernikahan dalam Islam Membina Keluarga yang Sakinah Mawaddah dan Rahmah," *Ikhlas: Jurnal Ilmiah Pendidikan Islam* 2, no. 1 (2025): 140–50.

⁸ Ahmad Al-Raysuni, *Imam Al-Shatibi's Theory of the Higher Objectives and Intents of Islamic Law* (Washington: International Institute of Islamic Thought (IIIT), 2005).

⁹ Abu Hamid Al-Ghazali, *Ihya' 'ulum Al-Din*, vols. 1–4 (Beirut: Dar al-Fikr, 2000).

¹⁰ Muhammad Fasral Hafid, Hartono Hartono, and Achmad Fahrudin, "Keseimbangan Antara Hak dan Kewajiban Suami Istri dalam Hukum Keluarga Islam," *Jurnal Kajian Islam dan Sosial Keagamaan* 2, no. 4 (2025): 1006–11.

¹¹ Arif, et al., "Barriers and Resilience: The Impact of Early Marriage on Girls' Education in Balochistan."

¹² Achmad Ubaidillah Baihaqi, Ahmad Muzakki, and Ramdan Wagianto, "Dampak Dispensasi Nikah Sebab Kehamilan Diluar Nikah Terhadap Hak Perempuan dan Anak Perspektif HAM dan Hukum Islam Studi Kasus Putusan Hakim Nomor 49/Pdt. P/2024/PA. Prob.," *JURISY: Jurnal Ilmiah Syariah* 5, no. 1 (2025): 106–19.

¹³ Novea Elysa Wardhani, et al., *Perempuan dan Hukum: Perlindungan Hak dalam Perspektif Gender* (Jambi: PT. Sonpedia Publishing Indonesia, 2025).

¹⁴ Wilda Rahma Nasution, "Pernikahan Usia Dini Ditinjau dari Hukum Islam dan Hukum Positif," *Jurnal EL-QANUNY: Jurnal Ilmu-Ilmu Kesyarifan Dan Pranata Sosial* 9, no. 2 (2023): 263–76.

Indawati et al. (2024) emphasized the negative impact of early marriage on the national education system.¹⁵ International research by Fatemeh Torabi (2024) indicates a substantial correlation between child marriage and girls' school dropout rates, perpetuating structural poverty, especially in Asian nations.¹⁶ Nevertheless, the existing literature remains at a macro level and has not examined the empirical experiences of brides from the perspective of Islamic family law in specific local contexts.

An empirical study deficit exists in examining the realization of educational rights for female brides post-early marriage, specifically through the lens of Islamic family law at the local level, such as in Kuningan Regency. This research is novel in its combination of *maqasid al-syari'ah*, human rights, and local empirical data to investigate the disparity among legal norms, Islamic ideals, and social practices. This study seeks to examine the realization of the bride's right to education in early marriage practices in Kuningan Regency, contributing to the enhancement of women's educational rights within the context of Islamic law and public policy.

B. RESEARCH METHODS

This study employs a qualitative methodology, using a juridical-sociological (normative-empirical) framework, to investigate the realization of the bride's educational rights in the context of early marriage practices.¹⁷ This approach was selected to ensure that law is perceived not merely as codified regulations but as a social practice enacted and experienced by legal subjects in their everyday lives. This study intentionally begins its analysis with the informants' firsthand experiences, employing legal norms and the framework of Islamic family law to critically assess the field data.

The socio-legal approach facilitates the amalgamation of normative analysis and social reality, enabling a thorough understanding of the bride's experiences, the influence of religious and educational institutions, and the societal variables affecting educational sustainability. The *maqasid al-syari'ah* framework, namely the principle of *hifz al-'aql*, evaluates the alignment of early-marriage traditions with the objectives of Islamic family law, thereby safeguarding and enhancing women's intellectual development through education.

¹⁵ Yana Indawati, et al., "Faktor dan Dampak Pernikahan Dini dalam Perspektif Undang-Undang Perkawinan," *Indonesian Journal of Social Sciences and Humanities* 4, no. 1 (2024): 80-91.

¹⁶ Fatemeh Torabi, "Macro-Level Correlates of Early Marriage in Asia," *Journal of Family Issues* 45, no. 5 (2024): 38-62.

¹⁷ Nanda Dwi Rizkia and Hardi Fardiansyah, *Metode Penelitian Hukum (Normatif dan Empiris)* (Bandung: Penerbit Widina, 2023).

The research subjects were selected using purposive sampling,¹⁸ comprising brides married before the age of 18, officials from the Kuningan District Religious Affairs Office (KUA), and school personnel engaged in addressing early marriage among female students, to achieve a comprehensive perspective encompassing personal experiences, religious policies, and educational practices.

Data was gathered through semi-structured in-depth interviews lasting 30 to 60 minutes, informed by indicators of the right to education, the effects of early marriage, and the purposes of Islamic law (*maqasid al-syari'ah*). Qualitative data analysis was performed through data reduction, thematic coding, category grouping, and interpretation, concentrating on educational sustainability, familial support, socio-psychological impediments, institutional policies, and Islamic perspectives on women's education. These were then associated with the principle of *hifz al-'aql* and the notion of the right to education in Islamic jurisprudence and human rights.

C. RESULTS AND DISCUSSION

1. The Effect of Premature Matrimony on the Bride's Educational Rights

Within the social practices of Kuningan Regency society, early marriage is not invariably regarded as a problem or a breach of societal norms. In contrast, field research findings suggest that the practice frequently acquires social and religious legitimacy through prevalent fiqh arguments that underscore the legality of the marriage contract, deter adultery, and safeguard family honour. In this context, marriage is regarded as a moral resolution for adolescent relationships. Conversely, formal education for women is perceived as a choice that may be made or abandoned upon attaining marriage. This viewpoint posits that the termination of education stems from enduring socio-religious constructs perpetuated through generations, rather than being solely a technical outcome of marriage.

The empirical results of this study indicate that the majority of brides face considerable challenges in pursuing their formal education after marriage. Escalating domestic responsibilities, including household management, spousal care, and preparation for reproductive tasks, demand substantial time and energy. This condition rendered learning physically and psychologically challenging. Moreover, as families increasingly deprioritize schooling, financial constraints emerge as a significant impediment. Necessities are more significant than education in the long term.

Social pressure further aggravates this issue. The stigma surrounding young married women who are still pursuing their education engenders emotions of guilt, diminished self-esteem, and social unease. Sources indicate that there is a public

¹⁸ Lexy J Moleong, *Metodologi Penelitian Kualitatif* (Bandung: Remaja Rosdakarya, 2017).

perception that conflicts with a wife's identity and a student's status, resulting in adverse judgments from the surrounding environment. This psychological strain finally compels numerous women to make the "voluntary" choice to exit the education system, despite their constitutional right to pursue studies remaining intact.

Consequently, when these data are examined via the framework of *maqasid al-syari'ah*, it becomes evident that the normative assertions on the advantages of early marriage are not wholly substantiated in practice. The safeguarding of the intellect (*hifz al-'aql*), intended to be achieved through the maintenance and enhancement of human cognitive faculties, indeed diminished when women's education was prematurely halted.¹⁹ From the Islamic perspective, education is not solely an individual entitlement, but a crucial basis for cultivating rationality, autonomous thought, and decision-making skills in familial and societal contexts. Consequently, marriages that restrict access to education engender a paradox of *maqasid*, wherein activities deemed legally lawful in formal fiqh ultimately inflict harm upon the genuine aims of Sharia.²⁰

The ramifications of early marriage extend beyond intellectual considerations to encompass safeguarding life (*hifz al-nafs*). Empirical evidence indicates that young brides are susceptible to psychological stress stemming from mental unpreparedness, home discord, and financial concern.²¹ The dual responsibility of being a wife and an impending mother at a young age frequently results in sustained emotional strain. This is intensified by insufficient emotional and structural support from familial or social institutions.²² In this context, the aims of Islamic law should not be perceived as an abstract normative concept but rather as an analytical framework for examining the inadequacies of social structures in safeguarding the bride's physical and mental well-being.

The enduring consequences of early marriage are also apparent in the realm of safeguarding progeny (*hifz al-nasl*). The interruption of women's education directly affects the diminished caregiving capacity and social reproduction of

¹⁹ Rahmatullah Mehrabani and Gheyasuddin Obaid, "The Right to Education for Women in Islam," *Indonesian Journal of Islamic Studies* 13, no. 3 (2025), doi:10.21070/ijis.v13i3.1772.

²⁰ Imam Sukadi, "Perlindungan Hukum Terhadap Perempuan Dibawah Umur Akibat Perkawinan Dini Perspektif Maqashid Syariah," *EGALITA: Jurnal Kesetaraan Dan Keadilan Gender* 19, no. 2 (2024): 97–114.

²¹ Mardiyana Harahap and Zaianal Efendi Hasibuan, "Dampak Pernikahan Dini Menurut Perspektif Islam," *I'tiqadiyah: Jurnal Hukum dan Ilmu-Ilmu Kesyariahan* 2, no. 1 (2025): 16–28, doi:10.63424/itiqadiyah.v2i1.226.

²² Andry Mardian, et al., "Perkawinan Anak: Dampaknya Terhadap Kesehatan Reproduksi dan Mental," *Jurnal Sosial Teknologi* 5, no. 9 (2025): 2360–3670.

subsequent generations.²³ Maternal education is significantly correlated with the quality of children's health, education, and overall well-being. The obstruction of women's education markedly elevates the danger of reproductive poverty and familial instability.²⁴ Consequently, early marriage adversely affects the woman individually and may also engender enduring cross-generational social repercussions.

The results of this study align with international research published in Scopus-indexed journals. Uddin and Antara's (2025) study demonstrates that child marriage leads to elevated female school dropout rates and sustains intergenerational poverty.²⁵ Furthermore, a study conducted in Zambia by Sikota Sharper et al. (2025) corroborates that early marriage substantially diminishes women's academic performance and educational engagement, hence constricting their economic prospects and exacerbating gender inequality.²⁶ This study highlights the distinctiveness of the local setting in Kuningan Regency, where the legitimacy of patriarchal culture and limited religious comprehension function as social justification mechanisms that perpetuate the practice of early marriage.

This contextual distinction is crucial for situating this research appropriately within the global discourse. In contrast to several Muslim communities that have adopted more progressive legislative and social frameworks to safeguard women's access to education,²⁷ Kuningan society continues to be influenced by traditional norms that undermine the protection of this right. This situation requires a more thorough, contextual, and flexible approach to Islamic family law to effectively achieve the objectives of *maqasid al-syari'ah* in practice.

This analysis indicates that early marriage, resulting in women's school dropout, is not solely a social or cultural concern. However, it signifies the inadequacy of religious legal safeguards for the educational rights of brides. This research employs *maqasid al-syari'ah* as a critical analytical tool, affirming the

²³ Ahmad Fauzi Ahmad, et al., "Rekonstruksi Hukum Keluarga Islam dalam Perspektif Maqasid Al-Syari'ah Upaya Preventif Pernikahan Dini di Indonesia," *USRAH: Jurnal Hukum Keluarga Islam* 6, no. 4 (2025): 455-74.

²⁴ Erhamwilda Erhamwilda, et al., "Pengaruh Tingkat Pendidikan, Usia Ibu, Tingkat Penghasilan Keluarga Terhadap Child Well Being pada Keluarga Ekonomi Lemah," *Jurnal Obsesi: Jurnal Pendidikan Anak Usia Dini* 6, no. 5 (2022): 4745-59.

²⁵ Emaj Uddin and Shara Antara, "Early Marriage and High School Dropout Among Poor Girls Across the Globe: Family Life Course Perspective," in *Social, Political, and Health Implications of Early Marriage* (IGI Global Scientific Publishing, 2025), 115-40.

²⁶ Sikota Sharper, et al., "The Effects of Early Marriages on Academic Performance of Marginalized Girls in Secondary Schools of Central Province in Zambia," *BMC Public Health* 25, no. 1 (2025): 2815.

²⁷ Suud Sarim Karimullah, "The Role of Islamic Education in Promoting Women's Empowerment," *Jurnal Tarbiyatuna: Jurnal Kajian Pendidikan, Pemikiran dan Pengembangan Pendidikan Islam* 4, no. 2 (2023): 1-15.

conflict between prevalent fiqh norms and the fundamental objectives of sharia, while also establishing a robust empirical foundation for policy recommendations that harmonise religious norms, positive law, and women's empowerment.

2. Implementation of the Right to Education Post-Early Marriage

The realization of the right to education for young brides in Kuningan Regency faces substantial obstacles stemming from both policy issues and interrelated structural and social impediments. Access to education is legally guaranteed by national legislation and educational rules that prevent discrimination against married students.²⁸ Nevertheless, many women who marry at a young age are compelled to discontinue their education due to insufficient material and operational assistance from both their educational institutions and families. The institution is not yet adequately equipped to provide adaptable facilities or regulations that cater to the unique needs of young brides, including alternative educational programs or personalised class structures. The augmented burden of domestic responsibilities and the absence of familial support, particularly from their spouses, hinder young brides from allocating time and energy to their studies.

In practice, educational institutions have not adequately established flexible, responsive systems that address the unique circumstances of young brides. Alternative education programs, including flexible classrooms and non-formal learning, are constrained in terms of availability and accessibility. Simultaneously, the conventional educational framework persists in assuming that students experience homogeneous social conditions, neglecting the domestic burdens and duties that women face post-marriage. Consequently, the right to study exists solely at the formal-legal level and lacks the structural support necessary for young brides to remain genuinely in the educational system.

In addition to institutional impediments, familial variables can significantly influence outcomes. Empirical evidence indicates that heightened home responsibilities upon marriage, together with insufficient assistance from spouses, hampers young brides' ability to allocate their time, energy, and concentration effectively to academic pursuits. The aid offered is frequently merely normative and symbolic, evidenced by verbal consent for educational pursuits, without a just allocation of domestic responsibilities or tangible, practical support. This state indicates that, while the right to education is normatively acknowledged, the immediate social environment has not fully functioned as a facilitator in realising that right.

²⁸ M B Khofi, "Review of Non-Discrimination Law in Education in Indonesia: Analysis Based on the Convention on the Rights of the Child," *Rechtsvinding* 2, no. 2 (2024): 59–66.

From the standpoint of the purposes of Islamic law (*maqasid al-syari'ah*), the inability to guarantee the continuation of education following early marriage constitutes a breach of the principle of safeguarding the intellect (*hifz al-'aql*).²⁹ The interruption of education or the incapacity of young brides to further learning signifies that women's cognitive and intellectual potential is not being fully realised. Moreover, the inadequate and unsustainable support from the husband signifies a failure to uphold the protection of life (*hifz al-nafs*), particularly regarding the bride's psychological preparedness and mental health. In this context, *maqasid* serves not only as a normative assertion but also as an analytical tool for comprehending the direct effects of social and institutional failures on the actual lives of research participants.

This failure is exacerbated by the division of responsibilities among institutions. The Office of Religious Affairs (KUA), educational institutions, and departments of education typically operate in isolation, lacking continuous collaboration. The KUA emphasises the administrative and legal dimensions of marriage, whereas educational institutions lack a structured system to oversee and facilitate the continuation of education post-marriage. This fragmentation engenders a void in institutional accountability, in which no specific entity is tasked with safeguarding the educational rights of young brides.

This conclusion theoretically supports Ananda Dwi Cahya's (2025) assertion that the substantial disparity between ideal legal norms and the social institutions that shape their practical application.³⁰ The legislation establishes a definitive foundation for protection; its implementation is significantly affected by social structures, gender dynamics, and regional economic circumstances. In Kuningan Regency, the prevailing patriarchal social structure and the constrained economic resources of families are the primary impediments to the effective realisation of the right to education for young brides.

This analytical paradigm aligns with Amartya Sen's capability theory, as articulated by Kadek Sri Ariyanti et al. (2025), which underscores that legal access to rights is of little significance if individuals lack adequate resources and capabilities to exercise them.³¹ In Kuningan Regency, while young brides have a normative right to education, their ability to pursue and complete their studies is

²⁹ Lina Nur Anisa, "The Role of Maqashid Syariah Interpretation in Addressing the Limitations of Traditional Islamic Family Law for Achieving Gender-Responsive and Child-Protective Legal Reforms," *Al-Mabsut: Jurnal Studi Islam dan Sosial* 19, no. 2 (2025): 227–40.

³⁰ Ananda Dwi Cahya, "Asas Pembentukan Peraturan Perundang-Undangan: Norma Ideal dan Realitas Praktik Di Indonesia," *Constituer: Jurnal Hukum Ketatanegaraan* 1, no. 2 (2025): 16–29.

³¹ Kadek Sri Ariyanti, et al., *Teori Pemberdayaan dan Pembangunan Masyarakat* (Sukoharjo: Pradina Pustaka, 2025).

significantly hindered by inadequate structural, economic, and social support. Consequently, the realisation of the right to education should not be perceived merely as a legislative matter; it necessitates comprehensive structural and social empowerment, encompassing enhanced inter-agency collaboration and genuine support from families and communities.

3. Analysis of Islamic Family Law Based on *Maqasid al-Shari'ah*

In ancient jurisprudence, marriage is deemed valid if it satisfies the formal requirements and conditions, including the presence of the prospective couple, a guardian, and witnesses, as well as the elements of offer and acceptance. This normative framework is frequently employed in society to rationalise early marriage, provided there is no explicit prohibition in the fiqh books. In Kuningan Regency, this concept serves as a socio-religious rationale that legitimises the marriage contract as the primary criterion. At the same time, the bride's social, psychological, and educational preparedness is often disregarded. This viewpoint must be articulated first to demonstrate that the phenomenon of early marriage did not emerge spontaneously but is underpinned by prevailing fiqh interpretations that remain robust in society.

Nevertheless, when this practice is assessed through the lens of *maqasid al-syari'ah*, its formal legitimacy becomes contentious. In the context of *maqasid*, education is not simply an ancillary social entitlement, but a fundamental component of safeguarding the intellect (*hifz al-'aql*).³² The bride's education being disrupted by early marriage suggests that the fundamental purpose of Islamic family law is not functioning well. Education is essential for developing intellectual capacities, enhancing logical decision-making, and preparing for familial responsibilities. Consequently, marriages that directly or indirectly restrict access to education exemplify the significant inadequacy of Islamic family law in upholding the fundamental aims of Sharia.³³ The interruption of the bride's education resulting from early marriage signifies that the essential purpose of Islamic family law is not functioning as intended. Education significantly influences intellectual capacity, logical decision-making, and preparedness for family life. Consequently, marriages that directly or indirectly hinder access to education exemplify a significant failure of Islamic family law to uphold the fundamental

³² Sukadi, "Perlindungan Hukum Terhadap Perempuan Dibawah Umur Akibat Perkawinan Dini Perspektif Maqasid Syariah."

³³ Atikah Rakhmawati, Dinda Nasya Atin, and Tegar Catur Kurniawan, "Kontribusi Pendidikan Islam dalam Peningkatan Pemahaman Hukum Keluarga Syariah," *Hidayah: Cendekia Pendidikan Islam dan Hukum Syariah* 1, no. 2 (2025): 05–08, doi:10.61132/hidayah.v1i2.706.

aims of Sharia.³⁴ The safeguarding of reason is a fundamental principle in *maqasid* for preserving the quality of life; thus, infringing against this right signifies a deficiency in Sharia's ability to perform its intended role.

This perspective aligns with the classical academic notion that the public interest is the primary focus of Islamic law. Imam al-Ghazali asserted that marriage ought to be predicated on financial and psychological preparedness to attain objectives such as tranquilly (*sakinah*) and familial continuity.³⁵ Moreover, Imam al-Shatibi,³⁶ explicitly articulated that marriage must fulfil the criteria of mental, financial, and intellectual readiness to derive its advantages and mitigate its detriments. Imam al-Ghazali underscored the necessity of financial provision and household stability as essential for the legitimacy of marriage. In contrast, Imam al-Shatibi stressed the Sharia principle that the prevention of harm (*darar*) supersedes the pursuit of benefits (*jalb al-masalih*).³⁷ In Kuningan, early marriage, influenced by cultural conventions and economic pressures, and undertaken without regard for preparedness, distinctly contravenes the principles of *maqasid*, which emphasise the common good and the avoidance of harm. This practice not only adversely affects women individually but may also result in extensive societal detriments, including familial instability and the forfeiture of a competent generation.

The substantial disparity between fiqh rules and prevailing social practices indicates a lack of Islamic legal literacy in society. Partial comprehension of religious tenets and customs that perpetuate early marriage must be enhanced by a contextual methodology in religious education grounded in the *maqasid al-syari'ah*. Religious education that prioritises comprehension of the objectives of Islamic law and the safeguarding of women's rights is essential for the precise and efficient application of Islamic legal principles. The Office of Religious Affairs (KUA) and educational institutions have a strategic role, functioning not merely as administrative implementers but also as catalysts for change, offering preventive assistance and education to safeguard the educational rights of brides.

a. The safeguarding of reason (*hifz al-'aql*) is not achieved when the bride is compelled to terminate her formal education.³⁸ Interrupted schooling constrains

³⁴ Faturohman, Muhamad Wahyu, and Lili Koesneti Puji Astuti, "Dampak Pernikahan Dini Terhadap Anak Dibawah Umur dan Problematika Hukumnya," *Politika Progresif: Jurnal Hukum, Politik dan Humaniora* 1, no. 1 (2024): 26–40.

³⁵ Imam Al-Ghazali, *Ihya'Ulumuddin 10* (Bandung: Nuansa Cendekia, 2020).

³⁶ A I Al-Shatibi et al., *Al-Muwāfaqāt Fī Uṣūl Al-Ṣarī'a* (Kairo: al-Maktaba al-Tawfiqiyya (Al Tawfikia Bookshop), 2003), <https://books.google.co.id/books?id=rPujNAAACAAJ>.

³⁷ Muhammad Harfin Zuhdi and Mohamad Abdun Nasir, "Al-Mashlahah and Reinterpretation of Islamic Law in Contemporary Context," *Samarah* 8, no. 3 (2024): 1818–39, doi:10.22373/sjhk.v8i3.24918.

³⁸ Hasbollah Bin Mat Saad, *Maqasid Memelihara Akal (Hifz Al-'aql) dan Hubungannya dengan Falsafah Pendidikan Kebangsaan* (Islamiyyat, 2023).

the development of intellectual ability and critical thinking skills, hence undermining women's roles in familial and societal decision-making. The inability to uphold education should not be regarded merely as a technical failure, but as a breach of a fundamental tenet of Sharia.

- b. The safeguarding of life (*hifz al-nafs*).³⁹ Field data reveal that young brides experience psychological pressure, mental unpreparedness, and increased health risks stemming from their dual duties as wives and pregnant moms at a tender age. This problem demonstrates that early marriage adversely affects both social dimensions and jeopardises the physical and mental health of women, which ought to be a major facet of protection under Islamic law.
- c. Furthermore, the safeguarding of progeny (*hifz al-nasl*).⁴⁰ The inadequate level of maternal education directly influences the quality of childcare and child health, as well as the perpetuation of social values within the family. Consequently, the phenomenon of early marriage affects not only the individual bride but also poses enduring hazards to generational sustainability and overall social stability.

These factors illustrate that the institution of early marriage is at odds with the *maqasid al-syari'ah*, which emphasises the comprehensive welfare and safeguarding of individuals and society. The pronounced disparity between the understanding of fiqh rules and actual social practices reveals an issue with Islamic legal literacy in society. The limited comprehension of Islamic principles, which emphasises the legitimacy of contracts while neglecting the fundamental objectives of Sharia, has perpetuated the detrimental practice of child marriage. Consequently, a contextual and *maqasid al-syari'ah*-oriented approach to religious education is essential to reconcile the disparity between standards and practices. In this framework, entities such as the Office of Religious Affairs (KUA) and educational institutions serve a strategic function, acting not merely as administrative executors but also as catalysts for change, offering preventive counsel and education.

The examination of Islamic family law, grounded in the purposes of Islamic jurisprudence, reveals that early marriage, which impedes the bride's right to education, constitutes a failure in the substantive protection afforded by Islamic law. The *maqasid* technique is not employed to a priori support normative prohibitions, but instead to evaluate claims of benefit through empirical evidence. This discovery reinforces the research's status as an academic contribution that links the tenets of Islamic family law to the social realities in Kuningan Regency, while

³⁹ Muhammad Semman, "Penerapan Sad Adz-Dzari'ah dalam Mencegah Pernikahan Dini di Indonesia: Perspektif Maqashid," *Multidisipliner Knowledge* 2, no. 2 (2024): 60–78.

⁴⁰ Ibid.

also asserting that safeguarding women's educational rights should be prioritised in modern Islamic family law practice.

4. Analysis of Islamic Family Law Based on *Maqasid al-Shari'ah*

The challenge of ensuring the right to education for young women following early marriage in Kuningan Regency is a multifaceted and contentious problem, both legally and socially. Various national legal provisions, including Article 31 of the 1945 Constitution,⁴¹ Law No. 20 of 2003 regarding the National Education System,⁴² Law No. 1 of 1974 concerning Marriage explicitly guarantees the right to education and encourages child protection. In fact, Law No. 35 of 2014,⁴³ moreover, Law Number 16 of 2019, which amends Law Number 1 of 1974 concerning Marriage,⁴⁴ substantively aim to prevent early marriage, which has the potential to hinder children's right to education, development, and well-being.

- a. Structural Obstacles Field research indicates that young brides' access to alternative educational programs, such as Community Learning Centres (PKBM), is significantly restricted and inconsistent. The geographical distance of the PKBM (Community Learning Centre) from their residences and the restricted mobility of women post-marriage owing to domestic responsibilities constitute the primary physical impediments. This discovery highlights a divergence between educational policy and practical circumstances, especially for young brides aspiring to pursue their studies. The unequal distribution of non-formal education facilities and instructors leads to differences in service quality, which adversely affect learning motivation. The substandard quality of instruction and insufficient educational resources are empirical elements contributing to the failure to realise the right to education. This state should be recognised as a result of the inadequate application of the principle of *hifz al-'aql*, which necessitates the safeguarding and enhancement of women's intellectual capabilities.
- b. Disintegration of Inter-Agency Coordination Inter-agency collaboration among the Office of Religious Affairs (KUA), the Department of Education, and social institutions in Kuningan Regency is markedly fragmented. While the KUA conventionally oversees marriage administration, interview data reveal that this organisation lacks a system for assessing the sustainability of post-marriage education. The Department of Education and relevant authorities have failed to

⁴¹ Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.

⁴² Undang-Undang Nomor 20 Tahun 2003 Tentang Sistem Pendidikan Nasional.

⁴³ Undang-Undang Nomor 35 Tahun 2014 Tentang Perubahan Atas Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak.

⁴⁴ Undang-Undang Nomor 16 Tahun 2019 Tentang Perubahan Atas Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan.

implement effective, positive initiatives for young brides. This fragmentation signifies a systemic failure in cross-sectoral policy integration, resulting in insufficient united support for the realisation of the right to education. Contemporary public policy research posits that inadequate inter-agency integration and coordination capabilities are the primary factors contributing to the ineffectiveness of cross-sectoral programs, particularly in addressing complex social concerns.⁴⁵ This discovery challenges institutions traditionally viewed as neutral and underscores the necessity of reforming the coordination system on an evidence-based basis.

- c. **Societal and Cultural Obstacles of Patriarchy** The patriarchal culture of Kuningan Regency is entrenched, relegating women to inferior roles primarily centred on their household responsibilities as wives and mothers. The societal stigma associated with young brides pursuing education illustrates a nuanced social ambivalence. The interview findings indicate that young married women often encounter societal constraints, including rejection, humiliation, and diminished self-esteem, which considerably impede their educational progression. These empirical findings elucidate a conflict between patriarchal social norms and the tenets of *maqasid al-shari'ah*, specifically regarding *hifz al-nafs* (preservation of life) and *hifz al-'aql* (preservation of intellect) (protection of life) and *hifz al-'aql*.⁴⁶ Which necessitate safeguarding women's physical safety and enhancing their intellectual potential as essential rights. The uncertainty in public views signifies an area for problematization that requires critical investigation rather than just normative justification.
- d. **The Influence of Family, Spouse, and Community on Educational Support** The involvement of family and spouses in facilitating the education of young brides is essential; yet, field research suggests that the support offered thus far has been predominantly symbolic rather than substantive. The reduction of home workload, provision of sufficient study time, and financial support for schooling remain significantly constrained. The divergence between normative comprehension and real assistance practices constitutes a significant impediment that requires addressing. Extensive social empowerment initiatives are required to transform the patriarchal framework that restricts women's educational opportunities. This method must engage families,

⁴⁵ Guswin de Wee and Amina Jakoet-Salie, "Policy Integration for Overcoming Fragmented Government Action in South Africa: The Case of the National Policy on Food and Nutrition Security," *Politics & Policy* 53, no. 1 (2025): e70018.

⁴⁶ Semman, "Penerapan Sad Adz-Dzari'ah dalam Mencegah Pernikahan Dini di Indonesia: Perspektif Maqashid."

spouses, and the community as active participants in realising inclusive and sustainable educational rights.

5. Policy Implications and the Empowerment of Women

The research findings reveal a substantial disparity between the government's normative policies and their execution in safeguarding the right to education for young brides in Kuningan Regency. Notwithstanding the numerous women's empowerment initiatives established by relevant agencies, their implementation faces multiple institutional and resource constraints that limit their effectiveness.

- a. Specifically, women's empowerment programs, including adolescent education and economic skills training, have been implemented by various agencies, but budget and human resource limitations restrict the scope and quality of their execution. The interview data revealed that most young brides felt that existing programs still did not address their specific needs, particularly regarding time flexibility and an approach that accommodated their circumstances as young wives and mothers. These findings indicate that the programs are generic and less responsive to the social realities and domestic responsibilities that limit the mobility of young brides. This gap between formal policy and field practice needs to be the focus of critical evaluation so that empowerment programs are truly effective and contextual.
- b. From the standpoint of the purposes of Islamic law (*maqasid al-syari'ah*), education serves not merely as a conduit for information acquisition but also as a crucial mechanism for safeguarding intellect (*hifz al-'aql*).⁴⁷ Moreover, enhancing women's autonomy. Education empowerment enhances intellectual aptitude and fortifies women's socio-economic status, hence substantially diminishing the likelihood of detrimental practices such as early marriage. Nevertheless, study findings indicate that policy execution continues to neglect the quality of education and comprehensive empowerment in accordance with the local context. Consequently, policies must be altered to adopt an empowerment approach that aligns with the socio-economic circumstances of young brides, enabling them to realize greater benefits.
- c. The significance of cross-sectoral support is evident in this context. The KUA can enhance its function as an educational and preventive entity by promoting educational rights and facilitating mature marriage preparation, thereby imparting a comprehensive understanding to young brides, grooms, and their families. Field data indicate that the KUA (Office of Religious Affairs) has thus far been confined to the administrative aspects of marriage and lacks any

⁴⁷ Ibid.

systematic monitoring or post-wedding educational frameworks. Schools and Community Learning Centres (PKBM) face difficulties in offering flexible, readily available programs, particularly for young married couples constrained by household obligations. The inadequate inter-agency coordination constitutes an institutional failure that requires policy reform to establish integrated and sustainable support.

- d. Furthermore, advancements in non-formal education, including distance learning, specialised classes for young married couples, and customised educational modules, are crucial to guarantee that young married couples can maintain their right to education without being impeded by domestic responsibilities. This inter-agency partnership will enhance the role of *maqasid* in Islamic family law, especially in protecting *hifz al-'aql*, while also offering practical answers to the specific local difficulties in Kuningan Regency. Enhancing collaboration among institutions through explicit coordination frameworks and efficient oversight should be prioritised. For instance, the establishment of cross-sectoral teams comprising the KUA, the Department of Education, PKBMs, and civil society organisations systematically assesses programs. It modifies methods based on direct feedback from young couples, who are active participants. This methodology enhances the efficacy of *maqasid* al-shari'ah, especially in safeguarding *hifz al-'aql*, while also offering pragmatic answers pertinent to the local issues in Kuningan Regency.

An integrated and sustainable approach aims to effectively meet the educational rights of young brides, enabling them to develop academically and socially, so allowing them to participate positively in their families and communities.

D. CONCLUSION

This study revealed that early marriage in Kuningan Regency obstructs brides' access to education, as formal schooling is interrupted by home responsibilities, economic constraints, societal pressures, and inadequate institutional support. From the standpoint of Islamic family law, grounded in the *maqāṣid al-syarī'ah*, this signifies an inability to realise *hifz al-'aql*, *hifz al-nafs*, and *hifz al-nasl*, as the practice engenders more mafsadah than *maṣlahah*, despite its legal validity under fiqh. This discovery substantiates prior research on the relationship between child marriage, school dropout rates, and intergenerational poverty, enhancing the analysis of the local context without refuting earlier findings.

The logical implication necessitates a reconfiguration of the contextual approach to Islamic jurisprudence, positioning *maqāṣid* as an empirical analytical instrument for

challenging societal patriarchy. This theoretically enhances modern Islamic legal discourse by emphasising substance over form, although it is constrained in its ability to address persistent social challenges. The findings advocate for adaptable methods, including distance learning and interdisciplinary collaboration, positioning education as a social investment in women's empowerment.

This technique effectively reveals the norm-practice gap; nevertheless, it is constrained in addressing social ambivalence and cultural hurdles, hence limiting opportunities for inclusive reform. Development possibilities include comparative analyses across regions and mixed-methods approaches to evaluating interventions. Additional implications encompass data-driven affirmative measures, including enhancing the KUA as educational agents and developing responsive educational modules. This discovery enhances the body of literature on Islamic law and women's education in Indonesia, addressing local empirical gaps and augmenting interdisciplinary understanding across Islamic law, human rights, and the sociology of education.

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