



A Review of Islamic Law on the Psychological Impact of Child Marriage

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Abstract

There are many incidents when a child who is still very excited at a young age is forced to carry out a marriage due to various existing factors. For example, minimal knowledge, low economy, accidents (pregnant out of wedlock), to customs that have become family guidelines that must be applied to family members. In the findings of researchers in Simo Mulyo Baru village, Surabaya, there were 3 children who experienced this with various different factors. The results show that the psychological impact that appears on the marriage of a child varies, such as uncontrollable emotions, lack of understanding and understanding as a wife, lack of knowledge about household knowledge. From SH who has minimal knowledge and customs that forced him to get married. SH, who was still very young, also experienced this because the economy of both his parents was low and the customs that had bound his family members. Then SA had to get married because something unexpected happened, namely getting pregnant out of wedlock so that she experienced a very heavy psychological impact not being in the household such as frequent fights, uncontrollable emotions and lack of understanding of what a wife should do for her family.

Keywords: *Islamic Law; Child; Divorce; Psychological Impact*

Abstrak

Banyak kejadian disaat seorang anak yang masih sangat bersemangat dalam usia yang masih muda terpaksa harus untuk melangsungkan sebuah perkawinan yang disebabkan oleh berbagai faktor yang ada. Semisal, pengetahuan minim, ekonomi rendah, kecelakaan (hamil di luar nikah), sampai pada adat yang telah menjadi pedoman keluarga yang harus diterapkan kepada anggota keluarganya. Dalam penemuan peneliti di desa Simo mulyo baru Surabaya terdapat 3 orang anak yang mengalamo hal demikian dengan berbagai faktor yang berbeda-beda. Hasil penelitian menunjukkan bahwa dampak psikologis yang muncul terhadap perkawinan seorang anak bermacam-macam seperti emosi tidak terkendali, kurang mengerti dan memahami sebagai seorang istri, minim pengetahuan tentang ilmu dalam berumah tangga. Dari SH yang memiliki pengetahuan minim dan adat yang membuat dia terpaksa untuk menikah. SH yang masih sangat muda juga mengalami hal demikian sebab ekonomi dari kedua orang tua yang rendah dan adat yang sudah mengikat anggota keluarganya. Kemudian SA yang harus melangsungkan perkawinan sebab hal yang terjadi luar dugaan yakni hamil diluar nikah sehingga dia mengalami dampak psikologis yang sangat berat ketika beraa di dalam rumah tangga seperti sering mengalami pertengkeran, emosi tidak terkendali dan ketidakfahaman terhadap apa yang harus dilakukan oleh seorang istri bagi keluarganya

Kata Kunci: *Hukum Islam; Anak; Perceraian; Dampak Psikologis*

Introduction

A human being will never be separated from a sacred thing, namely a marriage, so that it becomes an essential necessity for everyone.¹ Problems in marriage consist of things that are

¹ Fransiskus Emanuel, Dismas Kwirinus, dan Petrus Yuniarto, "The Concept of Interfaith Marriage: Islam-Catholicism and Its Implications for the Moral Educations of Children," *Jurnal Pendidikan Sosiologi dan Humaniora* 14, no. 1 (2023): 103–15, <https://jurnal.untan.ac.id/index.php/JPSH/article/view/60155>.

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of great value in the form of glory. Marriage has a love that consists of a mixture of soul and soul as well as a mixture of water and water that is difficult to separate. Although there is a view that marriage is a destiny and loving is destiny, because still a marriage cannot be separated from an essential and pure love. On the other hand, marriage is the reason why a person is allowed to meet his biological needs. In the process of life, humans need a life partner, as well as hoping to be able to foster and build a happy and peaceful household in this world and the hereafter.² In marriage, it is certain to go through a very varied preparation process, ranging from religious, mental, social, economic, psychological and other aspects that must be prepared and must exist so that the fostered household will become a household that is *sakinah, mawaddah and warahmah*.³ The teaching for a couple to build a harmonious, comfortable and peaceful household has been explained in Q.S Ar-Rum, verse 21 which reads, And among His verses is that He created for you wives of your own kind, so that you may feel comfortable with him, and He made him among you a mawadah and mercy. Indeed, in such things there are indeed signs for those who think. Then the Prophet PBUH has also instructed a husband as the head of the household who is able to direct the ark of his household to become a harmonious and peaceful ark of the household in accordance with the teachings of Islam and the shari'a set by Allah SWT, in accordance with the hadith of the Prophet PBUH which reads, Know that all of you are leaders and all of you will be held accountable for what he leads, A husband is the leader (of his family) and he will be held accountable for their (deeds).

The main factor in some preparations for marriage is the age of marriage. In Law No.1 of 1974 concerning Marriage, it is stated that the most ideal age for a person to hold a marriage. For a couple who want to carry out a marriage is one who has reached the age of 21 years for men and 19 years for women.⁴ Because at that age is a mature period between the two from mental, psychological, religious and responsible aspects. As time goes by, in recent years, child marriage has increased, especially in countries that experience disasters and conflicts. According to a UNICEF report, the rate of child marriage has decreased by 30% to 50% in 2018, mainly in the South Asian region. But at the moment, the figure is experiencing a constant trend, that as many as 12 million girls are married under the age of 18. As for Indonesia, it has ranked number 7 in the world and at the same time is the first in the East Asia Pacific. Child marriage cases in Indonesia, which were included in the National Socio-Economic Survey (SUSENAS) in 2018, BPS noted that the number of marriages in Indonesia is still quite high, reaching 1.2 million cases.

Research related to the impact of child psychology in the perspective of Islamic law has been of concern to academics who view child protection as an important part of maqāṣid al-sharī'ah. Several previous studies have highlighted how Islamic law regulates children's rights and prevents psychological disorders due to family conflicts. For example, research conducted

² Arbanur Rasyid dkk., "Dynamics of Childless Marriage Through the Lens of Maqasid Al-Shari'a," *Jurnal Ilmiah Peuradeun* 12, no. 2 (30 Mei 2024): 763-86, <https://doi.org/10.26811/peuradeun.v12i2.1182>.

³ Wardana Said dkk., "Marriage Traditions and Family Resilience in Bugis Bone Society: A Study of Islamic Law and Islamic Education," *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 8, no. 3 (2024): 1372-90, <https://jurnal.ar-raniry.ac.id/index.php/samarah/article/view/23227>.

⁴ Endang Prasetyawati, "The meaning of" un-recorded marriage" in the perspective of the marriage law," *Technium Soc. Sci. J.* 39 (2023): 287, https://heinonline.org/hol-cgi-bin/get_pdf.cgi?handle=hein.journals/techssj39§ion=29.

by Dea Kusuma Wardani et. al. discusses the importance of hadhanah in Islam as a mechanism for protecting child custody after divorce. The study emphasizes that court decisions in hadhanah cases must consider the psychological condition of the child, not solely the legal rights of parents, so that the child continues to grow up in an emotionally healthy environment.⁵ Another study by Ferdiansyah Fajar Islam at. al. explores the impact of domestic violence on child psychology from the perspective of Islamic law. They found that verbal and physical violence against children not only violates children's rights according to Islamic law, but also has an impact on the child's mental and personality development in the future.⁶ This study recommends the application of Islamic values in parenting and strengthening family functions as the smallest unit in society. The approach of compassion taught in Islam, such as in the Prophet's hadith about the importance of glorifying children, is considered relevant to minimize the risk of psychological disorders.

In addition, research by Rosmawati Mohamad Rasit at. al. discusses the influence of Islamic parenting on children's emotional development. The study shows that families that apply Islamic values such as compassion, justice, and good communication tend to have children with better emotional stability.⁷ This research also underlines the role of Islamic law in encouraging parental responsibility to create an environment that supports optimal child growth and development. Furthermore, a study conducted by Ajeng Khodijah et. al. discusses the influence of Islamic education on children's mental health. The study highlights how Islamic values, such as honesty, compassion, and prayer, can help children cope with psychological distress due to an unsupportive social environment.⁸ This study also shows that spirituality-based education is able to increase children's mental resilience, so that they are better prepared to face life's challenges. Meanwhile, Fakir Al Gharaibeh in his research on child psychology in the perspective of Islamic law emphasized that the understanding of children's rights must be integrated with humanist legal practices. In the case of divorce or family disputes, Islamic law decisions that do not take into account the child's psychological condition can have a detrimental long-term impact.⁹ This study provides guidance on how Islamic law can be applied to protect children from destructive family conflicts.

⁵ Dea Kusuma Wardani, Pujiyono Suwadi, dan Emmy Latifah, "Exploring the Fulfillment of Children's Hadhanah (Well-Being) and Conformity with the 2014 Child Protection Law," dalam *International Conference On Law, Economic & Good Governance (IC-LAW 2023)* (Atlantis Press, 2024), 448-55, <https://www.atlantispress.com/proceedings/ic-law-23/125998730>.

⁶ Ferdiansyah Fajar Islam dkk., "Legal Protection Efforts For Children Against Physical And Psychological Violence Committed By Parents," dalam *Proceeding of International Conference of Religion, Health, Education, Science and Technology*, vol. 1, 2024, 550-56, <https://journal.ibrahimy.ac.id/index.php/icorhstech/article/view/5701>.

⁷ Rosmawati Mohamad Rasit dkk., "Development of a Muslim Family Communication Model Based on the Madani Society Framework," *Pakistan Journal of Life and Social Sciences* 22, no. 2 (2024): 389-404, https://www.researchgate.net/profile/Abur-Usman/publication/382892216_Development_of_a_Muslim_Family_Communication_Model_Based_on_the_Madani_Society_Framework/links/6705d28d14205a76500dd1e4/Development-of-a-Muslim-Family-Communication-Model-Based-on-the-Madani-Society-Framework.pdf.

⁸ Ajeng Khodijah, Irvan Nani, dan Munawar Rahmat, "Religious Education as a Tool for Mental Health Improvement in Madrasah Aliyah," *EDUKASI: Jurnal Penelitian Pendidikan Agama dan Keagamaan* 22, no. 2 (2024): 311-23, <https://jurnaledukasi.kemenag.go.id/edukasi/article/view/1895>.

⁹ Fakir Al Gharaibeh dan M. Rezaul Islam, "Divorce in the Families of the UAE: A Comprehensive Review of Trends, Determinants, and Consequences," *Marriage & Family Review* 60, no. 4 (18 Mei 2024): 187-209, <https://doi.org/10.1080/01494929.2024.2332696>.

As for several factors that are the reason or basis for child marriage at an early age, including sexual behavior, pregnancy out of wedlock, social, cultural, customary traditions, low level of education, unqualified economy of both parents, geographical character and weak law enforcement. In essence, this phenomenon can also be avoided with the direction and monitoring of the role of parents. Parents have an important role in directing their children in their lives, especially in a marriage. Parents get a gift of a child who has the right to be guided and nurtured and it is the responsibility of parents, especially in preventing child marriage at an early age. Because there are many views that have occurred, when a couple who marries under the mentioned age, is prone to domestic violence, quarrels that lead to divorce, abandoned children due to economic instability, lack of responsibility to the family. Then this also happens, the phenomenon of marriage of minors who are still not mentally ready and everything, then what happens is a divorce, domestic violence and others, generally in Indonesia this has also happened a lot.

Method

This study uses a qualitative method with a descriptive-analytical approach to explore the relationship between Islamic law and the impact of children's psychology. This approach was chosen because it allows an in-depth analysis of the phenomena that occur in society and their relevance to the principles of Islamic law. The data sources used consist of primary and secondary data.¹⁰ Primary data was obtained through in-depth interviews with resource persons, such as Islamic jurists, child psychologists, and parents who apply Islamic values in parenting. In addition, direct observation of the parenting style and environment of Muslim families is also carried out to understand the influence of Islamic law on children's psychological conditions. Secondary data were obtained through literature review, including books of tafsir, hadiths, scientific journals, books on child psychology, and legal documents such as the Child Protection Law and ulama fatwas. The data collection technique involves literature studies to analyze sources of Islamic law and previous research, semi-structured interviews to gain views from experts, and participatory observation of Muslim family interactions.

Data analysis was carried out descriptively and thematically with steps in the form of data reduction, information categorization, comparative analysis between child psychology theory and Islamic law, and drawing conclusions based on findings.¹¹ To ensure the validity of the data, this study uses the triangulation method, both through source triangulation (involving various parties) and triangulation techniques (combining interviews, observations, and literature studies). The subjects of the study include Muslim families in certain regions, psychologists, and Islamic law practitioners who have experience in child protection issues. This research aims to provide a comprehensive understanding of the contribution of Islamic

¹⁰ Audrey Alejandro dan Longxuan Zhao, "Multi-Method Qualitative Text and Discourse Analysis: A Methodological Framework," *Qualitative Inquiry* 30, no. 6 (Juli 2024): 461–73, <https://doi.org/10.1177/10778004231184421>.

¹¹ Bui Thanh Khoa, Bui Phu Hung, dan Mohsen Hejsalem Brahmi, "Qualitative Research in Social Sciences: Data Collection, Data Analysis and Report Writing," *International Journal of Public Sector Performance Management* 12, no. 1/2 (2023): 187–209, <https://doi.org/10.1504/IJSPSPM.2023.132247>.

law in mitigating the psychological impact of children, as well as offering practical solutions to face children's psychological challenges in various life contexts.

Result and Discussion

The Concept of Marriage in Islamic Law

Islam has regulated in great detail a marriage or it can be called a marriage. Because marriage is a very sacred bond of birth and mind, combining two families who actually do not know each other, into a single family bond labeled as a big family. The purpose of marriage itself, not only to fulfill the desire of biological satisfaction, not only to produce the next generation of descendants, but also mainly with the aim of being able to build a peaceful, prosperous and happy household, that is the main purpose of marriage in the context of Islam.¹² In the Qur'an, it has been mentioned in a commandment in this regard which reads in Q.S Ar-Rum verse, 21, And among His signs is that He created for you mates of your own kind, so that you may be inclined and feel at peace with him, and He makes among you a sense of love and affection. Indeed, in such a thing there is indeed a sign (the greatness of Allah) for those who think.

The above verse shows a commandment, in building a household, it is also required to have the goal of building a peaceful, peaceful and prosperous household. Households that can be realized in accordance with the principles of the above paragraph also need to be supported by several factors so that these goals can be achieved, the most important of which is the perpetrator or the two couples themselves who must prepare various things that greatly determine the direction of the household. Islam has also taught that a marriage also looks at various aspects that aim to allow both couples to fill each other's positions in the household but remain in one goal, namely to build a peaceful and peaceful household.¹³ One of these factors is the age of a partner, especially for women who are seen as bearing a great burden by being the main player in managing the needs of the household.

Therefore, Law of the Republic of Indonesia Number 1 of 1974 concerning marriage also provides marriage conditions in article 6 that a woman can get married if she has reached the age of 21 years, if she has not reached the age of 21, then she must first obtain permission from her parents. This is an effort in holding a marriage also needs to be prepared several things in advance, which is certainly also related to the age of the woman needs to be underlined so that it supports who is mentally and psychologically more mature.

There are several purposes of marriage in the Islamic context, which are mentioned, including: First, being able to preserve the genealogy chain of descent. This is in accordance with the principles in the Qur'an and the hadith of the Prophet. In Q.S Al-Furqon verse 74 which reads, And those who say, "O our Lord, grant us our spouses and our descendants as comforters (our), and make us leaders for the righteous. The above verse of the Qur'an contains a meaning

¹² Rada Knox, "Exploring the Perception Shifts and Experiences of Unmarried African American Millennials & Marriage: A Qualitative Case Study" (PhD Thesis, Amridge University, 2023), <https://search.proquest.com/openview/2b583dd7c838d35b82fd38665369be5f/1?pq-origsite=gscholar&cbl=18750&diss=y>.

¹³ Waston Waston dkk., "A moral-based curriculum to improve civilization and human resource development in Bangladesh," *Multidisciplinary Reviews* 7, no. 8 (2024): 2024137-2024137, <https://malque.pub/ojs/index.php/mr/article/view/2190>.

that praying for a good offspring from his wife immediately. So we as Muslims who believe, are also required to preserve the genealogy of our descendants by holding a marriage.¹⁴ In the hadith quoted by Ibn Qayyim, namely the hadith narrated by Ahmad and Abu Hatim from Anas bin Malik. It is narrated that the Prophet ordered his people to get married and strictly forbade celibacy. Marry a loving and fertile woman because I (Muhammad) will be proud of you before the prophets on the Day of Resurrection. The above hadith also mentions that the Prophet PBUH commanded his ummah to marry a fertile woman (many offspring) so this is also on the basis of maintaining the preservation of a descendant.

Second, obey religious regulations, protect oneself from crime and damage. Islam also teaches us in the purpose of a marriage to keep us away from evil and disobedience.¹⁵ With a marriage, we can fortify ourselves from everything that is forbidden by Islam. As mentioned in Q.S Al-Isra' verse 32 which means; And do not approach adultery; Indeed, adultery is a heinous act. And a bad road. This verse shows a prohibition for us to stay away from things that are adulterous, adultery is also the greatest vice. So with a marriage, it can be a factor that we can stay away from all these vices. Third, build a principle to dare to be responsible and accept all rights and seek all the needs of a halal marriage while in the household. It is also the purpose of marriage in the context of Islam which commands to accept all forms of obligations and rights in the household. And at the same time meet all the needs in marriage during the household with something that is halal.

Because it is also an important factor in the sustainability of a peaceful household. In Q.S At-Tahrim verse 6 which means; "O you who believe! Protect yourself and your family from the fires of hell whose fuel is man and stone; the guardians are the rough and hard angels, who disobey God against what He commands them and always do what he commands. This verse shows that we are also obliged to guard and keep our families away from the torment of hellfire. Therefore, it is also an obligation for the head of the household to take care of himself and his family in his household so that he is safe from the torment of hellfire. A marriage is also inseparable from a principle that can support the sustainability of the household in marriage in the context of Islam.¹⁶ These various principles support and become a foundation in the ark of the household. These principles include, First, carrying out religious commands. In essence, marriage is to carry out religious commandments. Religion has regulated in great detail the principles, conditions, and obligations that must be fulfilled in marriage. In addition, there are also several things that are highly recommended but not mandatory, such as a proper dowry seen from the ability of each individual. Second, on the basis of an agreement and willingness. One of the conditions that must be met is that marriage also does not have an element of

¹⁴ Bustanul Karim, Ahmad Thib Raya, dan Kholilurrahman Kholilurrahman, "The Concept of Child and Parent Relationships from the Perspective of Qur'anic Parenting in Tafsir Al Munir," *Bulletin of Early Childhood* 2, no. 2 (2023): 75–91, <https://attractivejournal.com/index.php/bec/article/download/1122/858>.

¹⁵ Hafsa Ali Ibrahim, "Rights of Women: Practices and Customs of The Muslim Societies Versus the Teachings of The Quran and The Hadith," *Journal of Frontiers in Humanities and Social Sciences* 2, no. 1 (2024): 1–13, <http://blueprintacademicpublishers.com/index.php/JOFHSCS/article/view/40>.

¹⁶ Muhammad Faisal Hamdani dkk., "The Legal and Human Rights Challenges of Interfaith Marriage in Indonesia," *Journal of Law and Sustainable Development* 11, no. 12 (2023), <http://repository.uinsu.ac.id/22601/>.

coercion from any party which is interpreted on the basis of the consent of the family from each other.¹⁷ Third, marriage is forever not for a moment.

This principle is the most important and very important to maintain in the minds of couples who are in the process of getting married and building a household together. Therefore, before holding a wedding, Islam has taught to look at each prospective partner in terms of family aspects, character and so on. This is in accordance with the words of the Prophet (peace and blessings of Allaah be upon him) in a hadith narrated by Al-Mughirah bin Shu'bah which means: "From Al-Mughirah bin Shu'bah, when he proposed to a woman, the Prophet said to him: Did you see him? Said Al-Mughirah "No". The Prophet said: "Look at him, for by seeing before it is more worthy to be able to maintain the marriage between the two. This is so that when in the household, they can easily understand each other's characters. No regrets when you are already in a household. So it is necessary to first explore the character of each couple before holding a wedding. Fourth, a husband becomes the main actor in bearing the burden of responsibility in the household. In Islamic law, it has been explained that the imam in the household is a man. Therefore, men are also very prioritized in determining the direction of the household ark. Men are obliged to have charisma and control in the household so that anyone in the household can be easily controlled and led in the appropriate path in religious law.

Although this role must also be held by the wife, it is still a man who becomes the leader in the household. In accordance with Q.S An-Nisa verse 34 which means; Men (husbands) are protectors of women (wives), because Allah has given some of them (men) more than others (women), and because they (men) have provided for their wealth. So righteous women are those who obey (Allah) and take care of themselves when (their husbands) are not around, because Allah has taken care of (them). Women whom you are worried about nusyuz, give them advice, leave them in bed (split beds), and (if necessary) beat them. But if they obey you, then do not look for excuses to trouble them. Truly, God is the Most High, the Most Exalted. The above verse shows that a man is a stronger person and has the right to lead a woman, so a woman is more likely to be a companion of a man in a position in the household and not the other way around. Mahmoud Syaltout said that a man's superiority over a woman is likened to one of the limbs, one of which exceeds the other body. Like the right hand over the left hand and a thought takes precedence over vision.¹⁸ Some of the things above are the concept of marriage that is regulated in Islam, so if a couple wants to have a marriage and wants to build a household with their partner, then it is necessary to fulfill several things that have been initiated in Islam that have been explained and mentioned above from the concepts, principles and goals in marriage according to what is regulated by Islam.

The Impact of Child Marriage in the Modern Era

In a life that is always running, there is never a thing that is never taken into account and prioritized except for something that is very sular and has noble value. The source of happiness

¹⁷ Hannah Baumeister, "Forced marriage real simple," *Journal of Human Trafficking, Enslavement and Conflict-Related Sexual Violence* 1, no. 1 (2020): 25–47.

¹⁸ Hari Widiyanto dan Muhajir Muhajir, "Ta'lik Talak as a Reason for Divorce in the Religious Court Reviewed from Maslahah Mursalah," *El-Hekam* 9, no. 1 (2024): 61–74, <http://ejournal.uinmybatusangkar.ac.id/ojs/index.php/elhekam/article/view/13302>.

that will not be obtained through the things that happen every day, which means togetherness and peace in the true life. Togetherness and peace are obtained from a bond, a bond between two people who love and cherish each other, understand each other, understand each other from the aspect of personal character, principles, traits and goals in living a relationship, it is a marriage. Then marriage in Islamic terms is more synonymous with the term *mistaqan ghalidhan* (very strong bond), this shows that Allah SWT gives an affirmation to the understanding that a marriage is a spiritual, bathiniyyah and dhohiriyyah bond that is so sacred between two opposite sexes in forming a household ark.¹⁹ Between the two couples, it is recommended to understand and understand each other in living a household, maintaining the stability of family harmony, peace and comfort in the household.

Then marriage or a marriage in Islam has been regulated in the teachings of the Shari'ah, there is no explicit requirement in showing the criteria for a person who is considered eligible to marry, especially in terms of a person's age. In Islam, as long as the principles and conditions in a marriage have been fulfilled, a person has the right to hold a marriage.²⁰ In the perspective of classical jurisprudence, there is a principle that does not lead to provisions in the age limit for men or women who want to perform a marriage. So it is also one of the strong reasons for the occurrence of a child marriage which is seen in a positive light, when it is reviewed from the perspective of religion and sharia.

As time goes by, seeing the above phenomenon with the development of the times and principles in a life, the marriage of a person who has not reached the age of maturity, is seen as vulnerable to a dispute, quarrel, domestic violence and so on. So a mature age includes all aspects that a person must also have before establishing and living a family life such as mental, psychological, economic, creed and principles in marriage.²¹ It is all capable of being possessed in general by a person, when that person has reached a mature age. Child marriage can be interpreted as early marriage, according to the view of The Inter African Committee (IAC) it is said that marriage is carried out under the age of 18 years, when a girl does not have the maturity in psychological, physiological, and psychological aspects to carry out household responsibilities and is ready to give birth to children. Based on the above view, a lower line is drawn to the age limit of a child who has reached the point of qualified maturity and has a strong personality, a strong psyche, and a strong mentality at the age of over 18 years. Every period in a child's development contains something that is very important to pay attention to. Because providing a parenting and education pattern to the child's development period is very important and cannot be separated from a test and challenge. In the view of psychology, a period of a person's development is widely considered as the basis of a person's personality formed in childhood²⁰. So when a child is going through an important period in his development and the beginning of the formation of his personality, he will show various

¹⁹ Alia Harumdani Widjaja, "Interfaith Marriage and The Legal Consequence of Its Validity," dalam *ICILS 2020: Proceedings of the 3rd International Conference on Indonesian Legal Studies, ICILS 2020, July 1st 2020, Semarang, Indonesia* (European Alliance for Innovation, 2021), 47.

²⁰ Tuba Erkoc Baydar, "A secret marriage and denied rights: A critique from an Islamic law perspective," *Religions* 14, no. 4 (2023): 463, <https://www.mdpi.com/2077-1444/14/4/463>.

²¹ E. R. Mathipa dan Q. M. Motsepe, "Resilience in Marriages: Traditional and Religious Versus Modern Marriages," *Pharos Journal of Theology* 104, no. 2 (2023), https://www.pharosjot.com/uploads/7/1/6/3/7163688/article_31_vol_104_2_tut.pdf.

developments in various aspects that are very decisive in the continuity of life in carrying out all his activities and activities.

The marriage of a person who is still in the age of maturity has several things that need to be reviewed and thought through, especially from the role of parents for them. Because the influence of parents also greatly determines the direction of life for a child who is still developing in his childhood. Indeed, in the Marriage Law it is stated in article 6 paragraph 2 regarding marriage conditions, which reads, To carry out a marriage of a person who has not reached the age of 21, it must have the consent of both parents. Permission here must be obtained for someone who is still underage, but it all comes back to the prerogative of both parents. Because only parents for those who have the absolute right and decision to determine the direction of their children's lives. Parents who have an important role, and who know the most about the psychological and mental conditions possessed by their children. So in terms of marriage, parents are also very influential on this because after all, a child will definitely obey what is directed by both parents, because a child is still in the development stage in his personality character who still needs the direction and role of his parents to them.

Impact of Marriage on Children

There are several things that are obtained through the results of research in the field that there are several factors that affect the phenomenon of child marriage. Some of the factors conveyed by Hollean are, Economic problems in the family. Parents of women ask for consideration from the community, to the male family when they want to marry their daughter.²² With the marriage of the woman's child, it also reduces the burden on the parents' family from the aspects of education, economy, social, life needs, mental and so on. From the factors mentioned that often occur are in economic factors that are not stable, when in a family that does not have a good economy, then in the view of parents will arise to marry their daughters in order to reduce the economic, social, educational burden and so on. In addition, indeed in our society in general, the factors that cause child marriage to occur.

When a child who is still at an early age is faced with a marriage, it will have an impact on several things, with the addition of a family environment that is less supportive and cannot control a child on the principles of good family. Some of these things are very sub-ideal when forced to be lived by a child, but indeed they must be obtained by a child to live a family among the several impacts that occur.

Based on the observations of researchers in the observations that have been made, in Simo mulyo Baru village, Sukomanunggal Village, Surabaya City, several discoveries were found that show the psychological impact of a marriage. There are 3 respondents that we have observed and at the same time made an effort to find information and information to the parents of the 3 children. There is a person with the initials JH who experiences 2 factors that cause marriage and 4 psychological impacts. Then the one with the initials SH who experienced 3 factors and 3 psychological impacts. Then the one with the initials SA who experienced 2 factors and 2 psychological impacts of the marriage he experienced. Based on findings in the

²² Jenny Munro dkk., "Desiring Family Ties: Marriage, Class, and Care in the Life Stories of Young, Lower-Class Newlyweds in Indonesia," *Ethnos*, 23 September 2024, 1-16, <https://doi.org/10.1080/00141844.2024.2404855>.

field, some of the psychological impacts of a child who has been married are caused by the lack of knowledge of a child and both parents, an unstable economy, accidents (extramarital relationships), the existence of a custom that has become the basis in the middle of the family.

No	Child	Last Education	Factor	Impact
1	JH	SD	Culture	Difficulty finding a decent job.
			Minimal Education	Not Harmonious, often misunderstood.
				Mental and Knowledge are minimal in domestic life.
				Emotions are out of control.

No	Child	Last Education	Factor	Impact
1	SH	SD	Culture	It is difficult to find harmony in principle.
			No family support	Minimal mentality and experience in family
			Unstable Economy	Less concern for family conditions.

No	Child	Last Education	Factor	Impact
1	SA	SMP	Pregnancy out of wedlock	Often fight and prioritize each other's emotions
			Mutual Likes	Difficult to find a decent livelihood

Analysis of the Psychological Impact of Child Marriage

Based on the table above, JH is a child from parents who have a low economy and as a vegetable and fruit trader. The two parents who had migrated to earn a living outside the city and left behind several of their children including JH and several siblings. The JH himself still

had time to feel the school in elementary school at that time. However, before graduating from elementary school, JH was taken by his parents to help at the residence to take care of the house while both parents were making a living. Then after a short time, finally the JH married a man who was only a high school graduate, still classified as young. The 20-year-old man and JH who is still 15 years old because they also love and like each other.²³

Then in the continuation when in the household, when the two couples who still do not have a private residence or can be said to be staying at their parents' house. Finally, it caused various problems that occurred, which had been told by some families before the marriage was held, that a marriage that was too early would cause problems. Then as time went by, JH and her husband went out of town to make a living, as JH's parents had experienced. Finally, they were invited by an aunt of JH's husband to participate in selling and seeking trading experience outside Java, precisely in the province of Irian Jaya. There for a few years until I had 2 children and then returned to my hometown, namely Surabaya, there were still some things such as lack of understanding of each other, mutual egos were often uncontrollable. The results of the study show that JH and her husband still do not have a deep understanding of domestic life. Because there is a reason why JH is still relatively young and is seen as too hasty in holding a marriage which was advised by some of the family. From the mental aspect, knowledge in the household, understanding and understanding as well as emotional control are still not up to qualified standards when with the husband in running the wheels of the household.

Then in the second table, there is an incident experienced by SH. She is a very young woman, around 11 years old and has to marry a man who is 20 years old. Because in the principle of their family, in order to get married at a young age, it is hoped that they will not fall into promiscuity and not fall into disobedience. SH's parents were farmers in the village, then SH was married by her husband and taken to the Surabaya area to earn a living there. When they were married, at first they still had a disagreement with each other because they were far from SH's parents. In their daily lives, it is also difficult for them to be harmonious in every thought in marriage because from the side of SH, who is still relatively young, who is 11 years old, automatically cannot balance the husband's thoughts and principles, plus he is far from SH's parents. Because he is still very young, SH also does not understand what his family needs, because he also still lacks experience and knowledge in marriage. To make matters worse, SH and her husband have had great difficulty in making a living, various trading models have been carried out but still find it difficult to get a decent job and according to their abilities.²⁴

The results of the study show that SH and her husband are far from family support in their home life. In addition, SH is still very young for the age of marriage. The customs in the family that are very thick have a great influence on SH so that he gets married in a condition that is still unstable. Disharmony, mentality and minimal knowledge make their home life journey decorated with things that should not happen in the family. Sharing each other's emotions, not caring about the needs of the family coming from SH as a wife can also be considered to be about to happen because of SH's age, which is still very young, namely 11 years old.

²³ Wawancara dengan JH pada tanggal 16 Desember 2020.

²⁴ Wawancara dengan SH pada tanggal 18 Desember 2020.

Based on the next table, what SA experienced was that he was from parents with low economic status, minimal education and lack of knowledge in the household. Plus he was the one who made the researcher most shocked and felt sorry for him. Where these two couples are based on a feeling of liking each other, then those who have been in a very long lover relationship. Then there was also a lack of monitoring and direction from SA's parents, then in the end an accident occurred, namely an extramarital relationship. Basically, they regret it very much, but because it has already happened in a relationship that has been knitted for a very long time, it finally happened like that. Then to avoid embarrassment and a negative image, they were forced to be married immediately by their parents from their respective sides. SA, who is still 16 years old, and her husband, who is still 18 years old, finally became a legal married couple after the incident. Then after that in living a household life, they disagreed with each other, lacking understanding of family needs. Plus they are still struggling to make a living to meet their living needs. The difficulties that always accompany the life journey of SA and her husband are caused by something that is very over-the-top.²⁵

The results of the study show that SA and her husband still have many shortcomings and achieve a qualified character to get married. In order to avoid great embarrassment due to unexpected events, they finally have to get married in conditions that they should not be ready to live a married life. Mentally, knowledge and principles that are not in accordance with SA result in various disputes and quarrels that are inevitable in their domestic relationships. On the other hand, both of their parents have felt that they have completed their task in guiding them both after they have been legally married for the reasons mentioned earlier. So this shows how clear it is for SA and her husband who still have difficulty understanding and understanding each other due to the marriage that must be carried out due to events that cross the line.

Conclusion

The psychological impacts that arise, such as emotional distress, mental disorders, and a lack of psychological readiness to take on a role in a marriage, suggest that this practice can bring more harm than good. This analysis is reinforced by empirical data and literature that reveals how children who are married early tend to experience problems such as depression, anxiety, and social isolation. This indicates that the practice of child marriage not only violates children's rights, but also has the potential to damage the ideal social order according to Islam. Islamic law provides space to prevent child marriage through a *maslahat* approach, where the setting of the minimum age for marriage, as applied in modern law, can be considered a valid form of *ijtihad* in order to protect children. Therefore, it is important to integrate Islamic values with legal policies that support the prevention of child marriage and ensure the psychological readiness and well-being of children before entering marriage. Although child marriage can be justified under certain conditions, the negative psychological impact it causes points to the need for a reinterpretation of Islamic law in a contemporary context to protect children's rights. This is in line with the principle of *maqāṣid al-sharī'ah* which places the benefit of human beings as the main goal of the Shari'ah, so that practices that endanger the welfare of children must be minimized or avoided.

²⁵ Wawancara dengan SH pada tanggal 22 Desember 2020.

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