



## **Marriage Is Scary Trend in the Perspective of Islamic Law and Positive Law**

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### **Abstract**

Indonesia is experiencing a decline in marriage rates along with a high divorce rate. At the same time, a trend emerged on social media called Marriage Is Scary. The Marriage Is Scary trend expresses the young generation's fear of marriage. This research aims to analyze the Marriage Is Scary phenomenon from the perspective of Islamic law and positive law in Indonesia. The method used is normative legal research with a conceptual and statutory approach. The results of this study show that marriage in Islam has a variety of laws, which can be sunnah, obligatory, makruh, haram, and mubah. The young generation's fear of marriage, when related to the law of marriage in Islam, must first be seen as the cause of this fear. In essence, Islam emphasizes the readiness to carry out marriage from various aspects. In terms of positive law, Indonesia has multiple regulations, such as the Marriage Law, the Law on the Elimination of Domestic Violence, and the Marriage Guidance Program as a form of the government's commitment to creating an environment conducive to healthy and ideal marriages, as well as an answer to the Marriage Is Scary trend.

Keywords: Marriage is scary; Islamic law; Positive law

### **Abstrak**

Indonesia mengalami penurunan angka pernikahan diiringi dengan tingginya angka perceraian. Pada saat yang bersamaan, muncul sebuah tren di media sosial dengan nama Marriage Is Scary. Tren Marriage Is Scary merupakan ungkapan ketakutan generasi muda terhadap pernikahan. Penelitian ini bertujuan untuk menganalisis fenomena Marriage Is Scary dari perspektif hukum Islam dan hukum positif di Indonesia. Metode penelitian yang digunakan yaitu penelitian hukum normatif dengan pendekatan konseptual dan undang-undang. Hasil penelitian ini menunjukkan bahwa pernikahan dalam Islam memiliki variasi hukum, bisa sunnah, wajib, makruh, haram, dan mubah. Ketakutan generasi muda akan pernikahan apabila dikaitkan dengan hukum pernikahan dalam Islam maka harus dilihat terlebih dahulu penyebab adanya ketakutan tersebut. Pada intinya, Islam menekankan adanya kesiapan untuk melaksanakan pernikahan dari berbagai aspek. Dari segi hukum positif, Indonesia telah meregulasikan berbagai aturan, seperti Undang-Undang Perkawinan, Undang-Undang Penghapusan Kekerasan Dalam Rumah Tangga, dan Program Bimbingan Perkawinan merupakan wujud komitmen pemerintah dalam menciptakan lingkungan yang kondusif bagi pernikahan yang sehat dan ideal, juga sebagai jawaban dalam menghadapi tren Marriage Is Scary.

Kata Kunci: Nafkah; Marriage is Scary; Hukum ISLAM; Hukum Positif

## **INTRODUCTION**

Marriage is one of the fundamental human needs that has biological, social, and emotional dimensions. As an institution that has existed since the beginning of civilization, marriage serves

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to fulfill the needs of human instincts while building a stable social order.<sup>1</sup> Marriage serves as a means of forming a family, which acts as the smallest unit in the structure of society. Through the family, society gains regeneration, education of moral values, and protection of the individual. Not only does it continue offspring, marriage also provides a sense of security, affection, and emotional stability which are important needs in human life.<sup>2</sup> In Islam, marriage is seen as a sunnah of the Prophet as well as a form of worship that has high spiritual value. Not only aims to fulfill biological or social needs, marriage in Islam is also intended as a way to get closer to Allah and complete half of the religion<sup>3</sup> In the Quran, Allah explains the main purpose of marriage as a means of creating *sakinah* (tranquility), *mawaddah* (love), and *rahmah* (compassion) in family life, as mentioned in Al-Qur'an Surah Ar-Rum Verse 21.<sup>4</sup>

In Indonesia, marriage is not only regulated by religion but also by positive law as stipulated in Law Number 1 Year 1974 on Marriage, which was later updated through Law Number 16 Year 2019. This law regulates various important aspects related to marriage, including the legal requirements of marriage, the minimum age for marriage, the marriage dispensation mechanism, and the rights and obligations of husband and wife in running a household.<sup>5</sup> This regulation reflects the importance of the institution of marriage in social life, both as a foundation for family formation and as an important element in maintaining social stability. The existence of special regulations governing marriage also shows the government's commitment to ensuring that every marriage is carried out in accordance with the principles of justice, welfare, and protection of the rights of citizens who will enter into marriage.<sup>6</sup>

Despite the importance of marriage in religion and society, marriage rates in Indonesia are showing a significant downward trend. The Central Statistics Agency (BPS) report in Statistics Indonesia 2024 noted that in 2023, the number of marriages only reached 1,577,255. This figure dropped by 128,093 compared to 2022, which recorded 1,705,348 marriages. The decline makes the marriage rate in 2023 the lowest since 1997/1998. Previously, the record low marriage rate occurred in 1996/1997 with a total of 1,489,765, based on data from Statistics Indonesia 1997. At

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<sup>1</sup> Musyarofah Musyarofah, "Pendidikan Agama Sebagai Dasar Dalam Membangun Ketahanan Keluarga," *Jurnal Studi Gender Dan Anak* 8, no. 2 (2021): 112-30.

<sup>2</sup> Arif Sugitanata, "Peran Keluarga Dan Kursus Pra-Nikah Dalam Perspektif Strukturalisme: Analisis Pandangan Khoiruddin Nasution Terhadap Penanggulangan Narkoba, Kekerasan, Dan Terorisme Di Indonesia," *At-Ta'aruf: Jurnal Hukum Keluarga Islam* 2, no. 2 (2023): 20-32.

<sup>3</sup> Nurliana Nurliana, "Pernikahan Dalam Islam Antara Ibadah Dan Kesehatan Menuju Keselamatan," *Al-Mutharahah: Jurnal Penelitian Dan Kajian Sosial Keagamaan* 19, no. 1 (2022): 39-49.

<sup>4</sup> Nirwan Nazaruddin, "Sakinah, Mawaddah Wa Rahmah Sebagai Tujuan Pernikahan: Tinjauan Dalil Dan Perbandingannya Dengan Tujuan Lainnya Berdasarkan Hadits Shahih," *Jurnal Asy-Syukriyyah* 21, no. 2 (2020): 164-74.

<sup>5</sup> "Undang-Undang Republik Indonesia Nomor 1 Tahun 1974 Tentang Perkawinan" (n.d.); "Undang-Undang Nomor 16 Tahun 2019 Tentang Perubahan Atas Undang-Undang Republik Indonesia Nomor 1 Tahun 1974 Tentang Perkawinan" (n.d.).

<sup>6</sup> Emmi Rahmiwita Nasution, Meirad Arianza Bima, and Rika Rahayu, "Nuansa Keadilan Dalam Undang-Undang Perkawinan Sebuah Kajian Filosofis Pancasila," *Innovative: Journal Of Social Science Research* 4, no. 4 (2024): 16585-601.

the same time, a high divorce rate of 463,654 cases was recorded in 2023. Although this figure is down 10.2% from the previous year, which amounted to 516,344, it is still relatively high.<sup>7</sup>

Amidst the declining interest in marriage coupled with the high divorce rate in Indonesia, a trend has emerged on social media called Marriage Is Scary. Marriage Is Scary is a social phenomenon that reflects the younger generation's fear of marriage. This fear is influenced by various factors, such as trauma from personal experience, commitment anxiety, and social and economic pressures. This trend is mostly found on social media, where individuals express their anxiety about the risks of marriage, such as divorce, incompatibility, or loss of freedom. Social media reinforces this narrative through negative stories about marriage, which often influences the views of younger generations.<sup>8</sup> This phenomenon highlights the importance of a more in-depth approach to understanding and addressing fears of marriage, both from the perspective of Islamic law and positive law.

Previous research shows that concerns before marriage are caused by doubts about complicated new roles, doubts about forming a happy family, urgent economic needs and modest family support, and psychological preparation which has a major effect on the condition of family harmony.<sup>9</sup> In addition, in another study, it was stated that the factors that influenced Generation Z's decision to postpone marriage were education, career, and pressure from the social environment.<sup>10</sup> However, from the existing previous studies, studies that specifically discuss the Marriage Is Scary trend from the perspective of Islamic law and positive law have not yet been discussed. Therefore, this research seeks to fill this void by integrating the two legal perspectives.

This research aims to analyze the Marriage Is Scary phenomenon from the perspective of Islamic law and positive law in Indonesia. The main objectives of this research are to understand the factors influencing the trend, evaluate how Islamic law and positive law view the fear of marriage and offer relevant solutions to overcome this phenomenon. Through an interdisciplinary approach, this research is expected to provide new insights that are beneficial to society, policymakers, and religious institutions in creating awareness about the importance of physical and mental readiness before marriage. The results of this study are also expected to be a reference for future studies related to marriage in the modern era.

## RESEARCH METHOD

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<sup>7</sup> Badan Pusat Statistik Indonesia, "Statistik Indonesia 2024 (Statistical Yearbook of Indonesia 2024)," 2024.

<sup>8</sup> Nuha Khairunnisa, "Apa Itu Tren 'Marriage Is Scary' Yang Viral Di Medsos?," Narasi, 2024, [https://narasi.tv/read/narasi-daily/apa-arti-tren-marriage-is-scary#google\\_vignette](https://narasi.tv/read/narasi-daily/apa-arti-tren-marriage-is-scary#google_vignette); Beni Jo, "Arti Tren Marriage Is Scary Dan Predatory Marriage Yang Viral," Tirto.id, 2024, <https://tirto.id/arti-tren-marriage-is-scary-dan-predatory-marriage-yang-viral-g2E1>.

<sup>9</sup> Eprila Eprila, Ira Kusumawaty, and Yunike Yunike, "Kecemasan Calon Pengantin Dalam Menghadapi Pernikahan," *Journal of Telenursing (JOTING)* 5, no. 1 (2023): 662-69.

<sup>10</sup> Herliana Riska and Nur Khasanah, "Faktor Yang Memengaruhi Fenomena Menunda Pernikahan Pada Generasi Z," *Indonesian Health Issue* 2, no. 1 (2023): 48-53.

The research method used in this article is normative legal research, which aims to analyze the Marriage Is Scary trend from the perspective of Islamic law and positive law in Indonesia. The approaches used include a conceptual approach, to understand legal concepts related to marriage, as well as a statutory approach, to evaluate the regulations governing marriage in Indonesia. The data used in this research comes from literature review, including books, journal articles, and Islamic law literature, as well as official documents in the form of laws and other relevant regulations. The data collection technique is carried out through the documentation method or document study. The data obtained is then analyzed using a descriptive-qualitative analysis method, by describing, comparing, and concluding existing legal data to understand how Islamic law and positive law respond to this trend and offer relevant solutions.<sup>11</sup>

## RESULTS AND DISCUSSION

Generation Z is currently in their teens and is the largest user of social media. The use of social media by this generation has triggered the emergence of various trends that have become popular among them. One of the latest trends that has been buzzing on various social media platforms, especially TikTok, is known as Marriage is Scary.<sup>12</sup> This trend features photos or videos that depict individuals' fears of marriage, specifically related to personal attitudes or habits that are considered inappropriate or feared to disrupt the marriage relationship. This trend leads to concerns about marriage. On TikTok, this trend usually starts with the phrase 'marriage is scary' and continues with a 'what if' narrative, in which individuals imagine negative scenarios, such as if the marriage does not go as expected or if the partner is unable to provide security. These concerns create the perception that marriage is scary.<sup>13</sup> The Marriage is Scary trend is widely followed by Generation Z, especially those who have entered their 20s. This trend is a means to express how the current generation feels about marriage. This generation takes marriage very seriously, so there are many aspects to consider before deciding to get married. This trend is mostly followed by women, but some men also follow it, and who equally express their feelings and fears about marriage. This has sparked a debate between the genders about their respective roles and the ideal way to go about marriage.<sup>14</sup>

### Factors Behind the Marriage Is Scary Trend

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<sup>11</sup> Matthew B. Miles and A. Michael Huberman, *Qualitative Data Analysis: An Expanded Sourcebook* (sage, 1994), [https://books.google.com/books?hl=id&lr=&id=U4IU\\_wJ5QEC&oi=fnd&pg=PR12&dq=Miles+and+Huberman&ots=kF-H-FUZ1Q&sig=NP5tm16NpJLjqBzFbrpRz3o9vSY](https://books.google.com/books?hl=id&lr=&id=U4IU_wJ5QEC&oi=fnd&pg=PR12&dq=Miles+and+Huberman&ots=kF-H-FUZ1Q&sig=NP5tm16NpJLjqBzFbrpRz3o9vSY).

<sup>12</sup> Luthfiyah Tsamratul Mawaddah, "Marriage Is Scary: Apakah Pernikahan Masih Menjadi Impian Di Era Digital?," Mubadalah.id, 2024, <https://mubadalah.id/marriage-is-scary-apakah-pernikahan-masih-menjadi-impian-di-era-digital/>.

<sup>13</sup> Khairunnisa, "Apa Itu Tren 'Marriage Is Scary' Yang Viral Di Medsos?"

<sup>14</sup> Enricco Bintang Syahputra, "Trend Marriage Is Scary Di Kalangan Gen Z, Apa Dampaknya?," Kumparan, 2024, <https://kumparan.com/enricco-bintang-syahputra/trend-marriage-is-scary-di-kalangan-gen-z-apa-dampaknya-23Mvrkw8S6J>.

The Marriage is Scary view is similar to gamophobia, which is a fear of marriage and commitment but is different. Gamophobia arises from a traumatic experience that makes the sufferer feel an extreme fear of the idea of commitment. People who experience gamophobia usually experience physical reactions, such as excessive anxiety, cold sweats, and heart palpitations.<sup>15</sup> Meanwhile, the marriage is scary trend is more of an expression of general concern about married life, which is quite natural. This concern is further fueled by the rampant cases of domestic violence (KDRT) spread across social media, making many women afraid of living a married life. In addition, this trend has been followed by many married women, with some of them sharing unpleasant personal experiences after becoming a wife and having children.<sup>16</sup>

There are a number of factors that make many people afraid to get married. One of them is the fear of failure. The high divorce rate, as reflected in BPS data, is the main reason for many individuals, especially the younger generation, to hesitate to step into marriage. They worry that a relationship that started with high expectations may end in disappointment and regret. In addition, changes in social and economic conditions also reinforce this fear. Younger generations now prioritize self-development, career and personal freedom, seeing marriage as a commitment that might limit the achievement of their personal goals. For some, marriage is seen as a huge sacrifice, both financially and emotionally. The responsibility of supporting each other's needs, managing a household and possibly raising children is seen as a heavy burden. In addition, there is the fear of losing the freedom and self-identity they have built up.<sup>17</sup>

Driving this trend is the shifting outlook of Generation Z, who no longer see marriage as a major life achievement. Many of them prioritize their careers over marriage. Economic reasons are also an important consideration for Generation Z in delaying marriage. In addition, opportunities for women are now more open, with greater freedom in choosing and pursuing a career. This makes many women feel comfortable with their jobs and in no rush to get married. On the other hand, challenging economic conditions also force men to work harder, so they tend to delay marriage. Trauma from disharmonious parental relationships is also often cited as a reason, as such experiences can make one develop a particular fear of marriage.<sup>18</sup>

Psychologically, the marriage is scary trend can arise from several key factors. First, the fear of marriage failure, which may be triggered by past trauma or negative experiences from people close to them, can make a person hesitant to get married. Secondly, there is uncertainty about the future; individuals feel that they lack a clear or stable future, leading to a fear of marriage. Third, the social pressures that individuals face to fulfill expectations, especially from family. These expectations include the responsibility of fulfilling certain needs, which is felt especially by men. Furthermore, the fear of losing independence also plays a major role, with

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<sup>15</sup> Bahjatunnisa. Bahjatunnisa, "Kecemasan Wanita Karir Terhadap Ikatan Pernikahan (Adaptasi Kasus Gamophobia)," *Journal of Mandalika Literature* 5, no. 4 (2024): 1039–44.

<sup>16</sup> Khairunnisa, "Apa Itu Tren 'Marriage Is Scary' Yang Viral Di Medsos?"

<sup>17</sup> Miranti Miranti, "Mengupas Tren Marriage Is Scary Yang Viral, Ketakutan Generasi Muda Pada Pernikahan," *Liputan 6*, 2024, <https://www.liputan6.com/hot/read/5679226/mengupas-tren-marriage-is-scary-yang-viral-ketakutan-generasi-muda-pada-pernikahan?page=4>.

<sup>18</sup> Syahputra, "Trend Marriage Is Scary Di Kalangan Gen Z, Apa Dampaknya?"

individuals worried about limited interaction with others, anxious about long-term commitments, and feeling financially unprepared. In addition, there is also the fear of change in life. Someone who is used to living independently and doing their own thing is afraid of having to adapt to a couple life and big responsibilities such as parenting. Finally, the reason for not being ready is also often used as a basis for postponing marriage, both in terms of emotional, financial, and personal readiness.<sup>19</sup> The factors behind the Marriage is Scary trend are summarized in Figure 1.

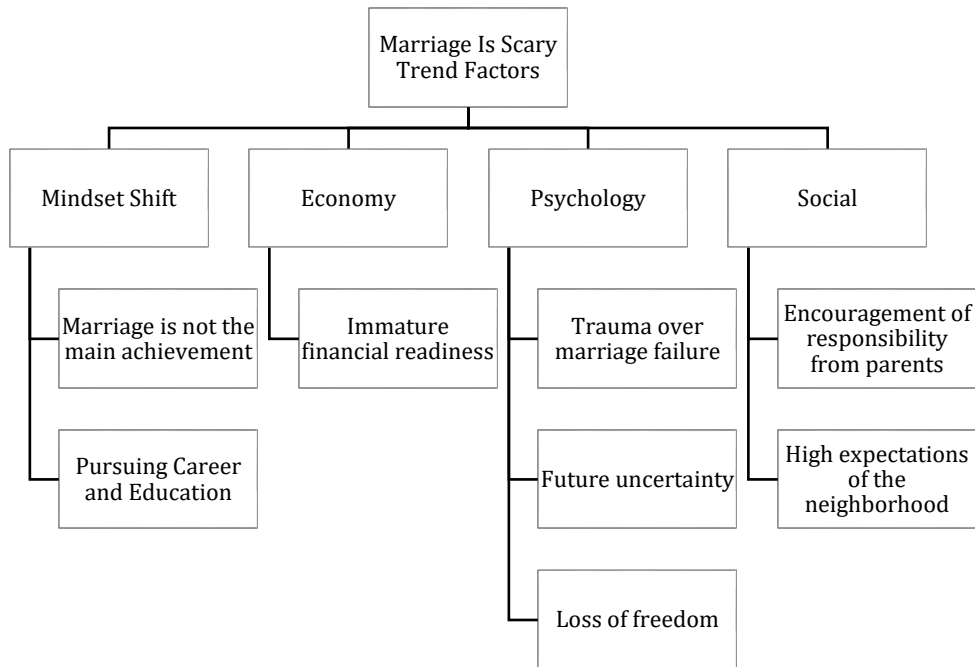


Figure 1. Factors Behind the Marriage Is Scary Trend

Marriage is scary trend that has a significant influence on people's mindsets, especially the younger generation. When one is in an environment that supports this trend, one is more likely to be exposed to information that encourages the tendency to avoid or delay marriage. As a result, values related to marriage become questionable. In addition, social media has a strong impact, especially as negative narratives about marriage often emerge. Repeated exposure to such narratives can magnify the fear of marriage among young people, making them more hesitant. Social media also reinforces this fear with frequent comparisons of the private lives of public figures.<sup>20</sup> As a result of marriage is scary trend, many young people choose to postpone marriage or even choose to remain single, which can ultimately be a big challenge for the next generation. A similar situation is experienced by countries like Japan, where many people avoid marriage for

<sup>19</sup> Romadhona S., "Tren Marriage Is Scary, Ini 6 Faktornya Menurut Pakar Psikologi Umsida," Umsida, 2024, <https://umsida.ac.id/tren-marriage-is-scary-ini-kata-pakar-umsida/>.

<sup>20</sup> Miranti, "Mengupas Tren Marriage Is Scary Yang Viral, Ketakutan Generasi Muda Pada Pernikahan."

fear of commitment, which could lead to a population crisis in the future.<sup>21</sup> In addition, this trend also triggers other problems, such as an increase in promiscuous sexual behavior, as individuals tend to avoid formal ties.<sup>22</sup>

### **Marriage Is Scary Trend in the Perspective of Islamic Law**

Marriage has an important position as one of the highly recommended sunnahs in Islam. Marriage is not only a form of social bonding or fulfillment of biological human needs, but is also seen as part of worship.<sup>23</sup> By getting married, a Muslim participates in carrying out one of the teachings that brings him closer to Allah's pleasure and increase the reward of his worship.<sup>24</sup> In this case, marriage is a way to get closer to Allah and carry out one of the sunnahs of the Prophet Muhammad SAW who encouraged his people to get married. Based on the hadith narrated by Ibn Majah, Rasulullah SAW said:

النِّكَاحُ مِنْ سُنَّتِي، فَمَنْ لَمْ يَعْمَلْ بِسُنَّتِي فَلَيْسَ مِنِّي، وَتَزَوَّجُوا، فَإِنِّي مُكَاتِّرٌ بِكُمْ يَوْمَ الْقِيَامَةِ

*Meaning: "Marriage is my sunnah; whoever does not follow my sunnah is not one of me. So get married, for I will be proud of the number of my Ummah (on the Day of Judgment)." (HR. Ibnu Majah).<sup>25</sup>*

In addition, the purpose of marriage in Islam goes beyond the fulfillment of human biological needs. Marriage is intended as a means of forming a family that is *sakinah*, *mawaddah*, and *rahmah*. In QS. Ar-Rum: 21, Allah says:

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَعْقِلُونَ

*Meaning: "Among His signs is that He created mates for you from your own kind so that you may be at peace with them. He makes love and affection between you. Surely in that are signs (of Allah's greatness) for those who think."<sup>26</sup>*

This verse emphasizes that marriage aims to create peace (*sakinah*), love (*mawaddah*), and mercy (*rahmah*) between spouses. The concept of *sakinah* reflects the peace of mind obtained in a husband-wife relationship, while *mawaddah* and *rahmah* teach that love and affection should be the foundation of a solid marriage.

Scholars, when discussing the ruling on marriage, state that marriage can have several legal statuses: it can be sunnah (*mandub*), obligatory (*wajib*), permissible (*mubah*), or even makruh in certain situations. In fact, under certain conditions, marriage can become haram. All of this

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<sup>21</sup> Lathifa Nurul Fadilah and Haura Atthahara, "Implementasi Kebijakan Pemerintah Terkait Penanganan Pernikahan Di India Dan Jepang," *Jurnal Sains Sosio Humaniora* 7, no. 1 (2023): 116–40.

<sup>22</sup> S., "Tren Marriage Is Scary, Ini 6 Faktornya Menurut Pakar Psikologi Umsida."

<sup>23</sup> Nurliana, "Pernikahan Dalam Islam Antara Ibadah Dan Kesehatan Menuju Keselamatan."

<sup>24</sup> Herlina Hanum Harahap and Bonanda Japatani Siregar, "Analisis Tujuan Pernikahan Menurut Hukum Islam Dan Undang-Undang No. 1 Tahun 1974 Tentang Perkawinan," in *Prosiding Seminar Nasional Hasil Pengabdian*, 2022, 114–19.

<sup>25</sup> Abu Abdillah Muhammad bin Yazid bin Majah Al-Qazwaini, *Sunan Ibnu Majah* (Beirut: Dar Al-Risalah Al-'Alamiyah, 2009).

<sup>26</sup> Kementerian Agama Republik Indonesia, "Qur'an Kemenag," Qur'an Kemenag, 2024, <http://quran.kemenag.go.id/quran/per-ayat/surah/30?from=1&to=60>.

depends on the circumstances, conditions, and problems a person faces.<sup>27</sup> The obligation to marry applies to individuals who are financially capable and at great risk of falling into fornication because guarding against fornication is an obligation. If marriage is the only way to prevent it, then it becomes obligatory for that person.<sup>28</sup> For those who have the financial means but are not worried about falling into adultery, marriage is not obligatory. This may be due to their young age or a favorable and conducive environment. For individuals in this condition, marriage is only recommended (*sunnah*) and not obligatory, because there is still a limit that prevents them from falling into adultery which is prohibited by Allah SWT. If they choose to marry, they will gain more virtues than if they remain single, at least they have fulfilled the Prophet's recommendation to increase the number of Muslims.<sup>29</sup>

In general, there are two main reasons why it is forbidden for a person to get married. The first is the inability to provide for oneself. Secondly, the inability to have sexual intercourse, unless this is conveyed honestly from the outset and the prospective partner accepts the condition. In addition, if other physical defects are likely to be difficult for the prospective partner to accept, the person must be honest about their condition from the start, and the consent of the prospective partner is required to make the marriage valid. For example, a person with an infectious disease who poses a risk of transmitting it to his/her spouse is prohibited from marrying unless the spouse understands and accepts the risk.<sup>30</sup> In addition to these two reasons, other factors prohibit marriage, such as a Muslim woman marrying a non-Muslim or atheist man,<sup>31</sup> marrying an adulteress or prostitute, marrying a mahram, a married woman, a woman in *iddah*, and an invalid marriage because it does not fulfill the conditions or pillars, for example, a marriage without a guardian or witnesses, or a marriage to divorce after a certain period, known as contract marriage.<sup>32</sup>

Marriage is makrooh for someone who has no income and no sexual ability, unless the prospective wife is willing and has wealth that can provide for them. In this case, marriage is still permissible, albeit with reservations (*karahiyah*), because ideally the responsibility for maintenance lies with the husband, not the wife. Marriage becomes makruh because it has the potential to cause harm to the wife. If this condition affects the wife's obedience and submission to the husband, then the permissibility of the marriage is even stronger.<sup>33</sup> Meanwhile, marriage is considered permissible for someone who is in between conditions that encourage him to get

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<sup>27</sup> Ahmad Sarwat, *Ensiklopedia Fikih Indonesia: Pernikahan* (Jakarta: PT Gramedia Pustaka Utama, 2019).

<sup>28</sup> Rusdaya Basri, *Fiqh Munakahat 4 Mazhab Dan Kebijakan Pemerintah* (Parepare: CV. Kaaffah Learning Center, 2019).

<sup>29</sup> Umi Khusnul Khotimah, *Fikih Remaja Usia Nikah* (Lamongan: Nawa Litera Publishing, 2024).

<sup>30</sup> Halim Setiawan, "Pernikahan Usia Dini Menurut Pandangan Hukum Islam," *Borneo: Journal Of Islamic Studies* 3, no. 2 (2020): 59–74.

<sup>31</sup> Ahmad Faiz Shobir Alfikri and M. Azam Rahmatullah, "Interfaith Marriage from a Legal Justice Perspective After The Supreme Court's (SEMA) 2023 Circular Letter," *Alauddin Law Development Journal* 6, no. 1 (2024): 92–107.

<sup>32</sup> Agus Hermanto, *Larangan Perkawinan: Dari Fikih, Hukum Islam, Hingga Penerapannya Dalam Legislasi Perkawinan Indonesia* (Bantul: Lintang Rasi Aksara Books, 2016).

<sup>33</sup> Jenuri Jenuri and Ariz Najib, "Pernikahan Dini Dalam Perspektif Hukum Islam Dan Hukum Di Indonesia," *Al-Mashlahah Jurnal Hukum Islam Dan Pranata Sosial* 11, no. 2 (2023): 127–42.



married and conditions that prevent him from getting married. In this situation, marriage is neutral: it is not recommended to get married immediately but it is also not prohibited or recommended to delay, so the ruling on marriage for him is permissible.<sup>34</sup>

The Islamic view of marriage is dynamic and can adjust its legal status depending on individual conditions and social situations. The Islamic view of marriage is dynamic and can adjust its legal status depending on individual conditions and social situations. In the context of the "Marriage Is Scary" trend that reflects the younger generation's fear of marriage, this fear is a reflection of the complexity of marriage in the modern era. This fear can reflect a variety of concerns that are relevant in today's life, such as economic uncertainty, social pressure, and fear of marriage failure. Islam recognizes that marriage should be entered into with full preparedness. Therefore, for individuals who have a deep and real fear of marriage to the extent that they feel that they are not ready to enter into a marital relationship, marriage in this case may be considered *makruh* or discouraged until the individual feels ready, both mentally and spiritually.

The various factors behind the Marriage Is Scary trend, include a shift in mindset (marriage is not the main achievement, pursuing a career and education), economic factors (financial readiness is not yet mature), psychological factors (trauma over marriage failure, uncertainty about the future, and loss of freedom), social (encouragement of responsibility from parents and high expectations of the surrounding environment), can be drawn with the five laws of carrying out marriage (*wajib*, *sunnah*, *haram*, *makruh*, and *mubah*). The main benchmark is physical, mental, and financial readiness and the fear of falling into adultery. If a person is well-prepared in all aspects, but is afraid to get married, even though it is legally obligatory, then it is still obligatory for him to get married. The same applies to the other rulings on marriage.

### **The Relevance of Marriage Is Scary Trend to Positive Law**

Positive law in Indonesia regulates marriage in Law Number 1 of 1974 concerning Marriage which is amended by Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage. The law guarantees legal certainty for Indonesians who want to get married.<sup>35</sup> This regulation emphasizes that the purpose of marriage is to form a happy and eternal family based on the Almighty God. This is in line with the culture and religious values in Indonesia, which considers marriage as a sacred institution. The emphasis on this goal aims to foster responsibility between husband and wife and to create harmony in the household.<sup>36</sup>

All marriages must also be recorded according to the law, at the Office of Religious Affairs (KUA) for Muslims or at the Population and Civil Registry Office for non-Muslims. This registration aims to provide legal certainty and protect the rights of both parties to the marriage. Unrecorded marriages have legal consequences, such as difficulties in obtaining birth certificates

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<sup>34</sup> Teni Marzela et al., "Implikasi Pernikahan Dini Bagi Generasi Muda Era Milenial," *Jurnal Riset Sosial Humaniora Dan Pendidikan* 3, no. 2 (2024): 70–84.

<sup>35</sup> Endri Nugraha Laksana, "Kewajiban Pencatatan Nikah Dalam Tinjauan Qiyas Dan Kepastian Hukum," *Al-Adalah: Jurnal Syariah Dan Hukum Islam* 7, no. 2 (2022): 355–76.

<sup>36</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): 172–81.

for children, inheritance rights, and division of joint property in the case of divorce. This shows that marriage registration is an important step in providing legality and legal protection for married couples.<sup>37</sup> Indonesian positive law affirms that husbands and wives have an equal position in marriage. Both have rights and obligations that must be fulfilled jointly, including responsibilities in managing the household and educating children. This division of responsibilities aims to create balance and harmony in household life while preventing gender inequality that occurs in society.<sup>38</sup>

Protection against domestic violence in Indonesia is specifically regulated through Law No. 23/2004 on the Elimination of Domestic Violence (PKDRT Law). This law was born as a response to the increasing cases of domestic violence that harm various parties, especially women and children. With the presence of the PKDRT Law, the government seeks to provide a strong legal basis for victims to obtain protection and legal assistance. In the context of Indonesian positive law, this law reflects the state's commitment to protect the basic rights of every family member and create a safe and violence-free domestic environment.<sup>39</sup>

The PKDRT Law regulates several types of domestic violence that can be subject to criminal sanctions, namely physical, psychological, sexual, and economic neglect. Physical violence includes actions that cause pain, injury, or harm to the victim's body. Psychological violence, on the other hand, includes treatment that causes emotional distress or mental disturbance, such as humiliation, threats, or intimidation. Sexual violence can take the form of forced sexual intercourse without a partner's consent or acts that degrade a person's sexual dignity. In addition, the law also recognizes economic neglect as a form of domestic violence, which occurs when one party withholds access to economic resources, leaving other family members trapped in financial hardship.<sup>40</sup>

The Indonesian government through the Ministry of Religious Affairs has established the Marriage Guidance (Bimwin) program as part of the preparation for prospective brides. This program is required based on Circular Letter of the Director General of Islamic Guidance Number 02 of 2024.<sup>41</sup> This policy aims to provide guidance to prospective brides and grooms regarding harmonious and sustainable married life. One of the main objectives is to create a family that is *sakinah, mawaddah, wa rahmah* (calm, full of love, and full of grace) which is the basis in Islamic

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<sup>37</sup> Abu Yazid Adnan Quthny and Ahmad Muzakki, "Pencatatan Pernikahan Perspektif Hukum Islam Dan Undang-Undang Nomor 1 Tahun 1974," *Asy-Syari'ah: Jurnal Hukum Islam* 8, no. 1 (2022): 25-40.

<sup>38</sup> Syaiful Anwar, "Hak Dan Kewajiban Suami Istri Menurut Undang-Undang Nomor 1 Tahun 1974," *Al Kamal* 1, no. 1 (2021): 88-98.

<sup>39</sup> Ihsan Nasrudiansyah and Adudin Alijaya, "Kajian Yuridis Undang-Undang No. 23 Tahun 2004 Tentang Penghapusan Kekerasan Dalam Rumah Tangga Ditinjau Berdasarkan Hukum Islam," *MIM: Jurnal Kajian Hukum Islam* 1, no. 1 (2023): 39-64.

<sup>40</sup> Adi Pratama, Suwarno Abadi, and Nur Hidayatul Fithri, "Keadilan Hukum Bagi Perempuan Sebagai Korban Kekerasan Dalam Rumah Tangga (KDRT)," *Jurnal Ilmu Hukum Wijaya Putra* 1, no. 2 (2023): 148-59.

<sup>41</sup> "Surat Edaran Dirjen Bimas Islam No. 2 Tahun 2024 Tentang Bimbingan Perkawinan Bagi Calon Pengantin" (2024).

teachings to achieve a quality family.<sup>42</sup> The material provided in Marriage Guidance covers various topics relevant to married life, including an understanding of the rights and obligations of husband and wife, conflict management, reproductive health, and child education. With this debriefing, it is hoped that prospective brides and grooms will have adequate mental readiness and knowledge to live a challenging married life, and be able to build families that are resilient and resilient to social problems such as the high divorce rate.<sup>43</sup>

The implementation of this program is not only a formality, but also a mandatory requirement before getting married. Starting July 2024, brides-to-be who do not participate in Marriage Guidance will not receive a marriage book as proof of marriage legality until they complete the program. This shows the government's commitment to improving the quality of marriage and reducing the divorce rate through systematic and comprehensive premarital education.<sup>44</sup> The success of the Bimwin program is expected to contribute to reducing the divorce rate, which is still quite high in Indonesia. With this program, it is hoped that prospective brides and grooms can be better prepared and have the skills to solve problems, maintain good communication, and build trust and commitment in marriage. This effort is part of the government's vision to create a socially and spiritually healthy society, with the family as the smallest unit that is strong and qualified.<sup>45</sup>

Policies implemented by the Indonesian government, such as the Marriage Law, the Law on the Elimination of Domestic Violence (PKDRT), and the Marriage Guidance program (Bimwin), are manifestations of the government's commitment to creating an environment conducive to healthy and ideal marriages. These policies aim to provide legal protection, improve the quality of marriage, and help prospective couples overcome challenges that may be faced in domestic life. The Marriage Law provides legal certainty and clear guidelines regarding the rights and obligations of couples, while the PKDRT Law protects against domestic violence, which is an important issue in maintaining a safe and harmonious marriage. On the other hand, the Bimwin program focuses on premarital education, teaching communication and conflict management skills that are needed by new couples.

However, even though the government has implemented various policies to support and protect marriage, the "Marriage Is Scary" trend shows the fear or hesitation felt by the younger generation towards the commitment to marriage. The government's Bimwin program aims to alleviate this fear by providing prospective brides and grooms with a more thorough education on

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<sup>42</sup> Eha Suhayati and Siti Masitoh, "Suhayati, Eha, and Siti Masitoh. "Peran Bimbingan Pranikah Dalam Membentuk Keluarga Sakinah, Mawaddah Wa Rahmah (Studi Di Kel. Pulosari, Kec. Pulosari, Kab. Pandeglang, Banten)," *Syaksia: Jurnal Hukum Perdata Islam* 22, no. 2 (2022): 147–64.

<sup>43</sup> Ninik Elsa Agustini et al., "Bimbingan Perkawinan Sebagai Fondasi Dasar Pembentukan Keluarga Sakinah Di Kantor Urusan Agama Kecamatan Depok Kabupaten Sleman," *Altruism: The Indonesian Journal of Community Engagement* 1, no. 1 (2022): 1–8.

<sup>44</sup> Moh Khoeron, "Mulai Akhir Juli 2024, Bimas Islam Wajibkan Calon Pengantin Ikut Bimbingan Perkawinan," Kementerian Agama Republik Indonesia, 2024, <https://kemenag.go.id/nasional/mulai-akhir-juli-2024-bimas-islam-wajibkan-calon-pengantin-ikut-bimbingan-perkawinan-wR00p>.

<sup>45</sup> Ahmad Bima Novika Jati, "Jati, A. B. N. (2024). Urgensi Bimbingan Perkawinan Dalam Menekan Angka Perceraian (Studi Kasus Kantor Urusan Agama Kecamatan Depok, Kabupaten Sleman)" (PhD diss., Universitas Islam Indonesia, 2024).

the realities of married life. Through the training and guidance provided, prospective couples are expected to be more mentally and emotionally prepared to face the challenges of marriage, as well as have a better understanding of how to build a healthy and harmonious relationship. As such, the program seeks to change the pessimistic view of marriage to a more realistic and positive one, thereby reducing the fear that arises from the “Marriage Is Scary” trend.

In addition, the protection provided through the PKDRT Law is expected to provide a sense of security to prospective brides, especially for women, who are often victims of domestic violence. The awareness of legal protection for victims of violence is expected to reduce the fear of the risk of violence in marriage, which is one of the reasons behind the “Marriage Is Scary” phenomenon. With policies that are more comprehensive and oriented towards improving the quality of marriage, the government seeks to answer people's fears and doubts and encourage the formation of strong and harmonious families in the future. In this context, although existing policies cannot completely eliminate the fear of marriage, at least they provide a legal basis and better education for couples. This shows that the government's efforts are not only limited to regulation but also to education and prevention of domestic problems, which can ultimately help overcome the widespread fears caused by the “Marriage Is Scary” trend and support the creation of more stable and happy marriages.

## **CONCLUSION**

Marriage Is Scary is a trend on social media that illustrates the younger generation's fear of marriage. Several factors cause the fear of marriage, including shifts in mindset, economy, psychology, and social. In Islamic teachings, the law of marriage is not singular but can vary depending on individual situations and conditions. The law of marriage can be sunnah, wajib, makruh, haram, or mubah. This variation shows that the decision to marry cannot be generalized, but needs to be adapted to the circumstances of each individual. The young generation's fear of marriage, when viewed from the perspective of Islamic law, needs to be understood more deeply by identifying the main causes of this fear. Islam itself emphasizes the importance of the readiness of prospective spouses from various aspects. Marriage in Islam is not just a matter of carrying out traditions but also requires careful preparation to ensure the success of the household in the future. On the other hand, from the perspective of positive law in Indonesia, the government has established various regulations to support the realization of a healthy and harmonious marriage. The Marriage Law, the Law on the Elimination of Domestic Violence, and the Marriage Guidance Program are clear examples of the government's efforts to create an environment that supports and protects married couples. These policies are a response to the “Marriage Is Scary” trend, which has influenced the younger generation's views on the institution of marriage.

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