

The Urgency of Sakinah Family Education in Reducing Child Marriage Dispensation: A Study of the Temanggung Religious Court Decision Number 103/Pdt.P/2025/PA.Tmg.

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ABSTRACT

The phenomenon of child marriage dispensation in Indonesia remains a serious issue with implications for child protection, education, reproductive health, and social welfare. This study examines the urgency of *sakinah* family education in preventing and reducing the practice of marriage dispensation, with a particular focus on the Temanggung Religious Court Decision Number : 103/Pdt.P/2025/PA.Tmg. The research employs a normative juridical method with a case study approach, in which the primary data consists of the official copy of the court ruling, supported by relevant regulations such as Law Number 16 of 2019, the Compilation of Islamic Law, and Supreme Court Regulation Number 5 of 2019. The findings reveal that the judge granted the dispensation on the grounds of an urgent circumstance, namely the out-of-wedlock pregnancy of the prospective bride. However, this decision presents a dilemma as it conflicts with the principle of child protection. The article emphasizes that *sakinah* family education which highlights the strengthening of religious values, morality, and social responsibility within the family serves as an effective preventive instrument to reduce the prevalence of child marriage dispensation.

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Introduction

Marriage is one of the most fundamental institutions in the social life of Indonesian society. It functions not only as a physical and spiritual bond between a man and a woman but also as the foundation for establishing a legitimate family recognized by both religion and the state. Law Number 1 of 1974, later amended by Law Number 16 of 2019, affirms that the purpose of marriage is to build a happy, lasting, and harmonious family based on the principle of belief in God Almighty. Within the framework of Islamic law, marriage is even regarded as a form of worship with sacred value, in which the marital bond is referred to as *mitsaqan ghalidzan* a solemn covenant that must be upheld. Its purpose goes beyond the relationship between husband and wife, extending to the creation of a *sakinah*, *mawaddah*, and *rahmah* family that serves as the foundation of societal civilization.

However, the ideal goals of marriage often clash with social realities. One prominent phenomenon is child marriage, which remains prevalent in various regions, including Temanggung Regency. This practice is largely legitimized through marriage dispensation

applications submitted to the religious court. In 2024, the Temanggung Religious Court recorded 256 applications for dispensation, of which 249 were granted, 5 were withdrawn, and 2 were still pending into 2025. As of September 2025, the court had already received 117 ongoing applications. These figures demonstrate that despite regulations setting the minimum age of marriage at 19 for both men and women, child marriage continues to be difficult to curb. The underlying reasons vary, ranging from cultural norms that regard early marriage as a solution to social problems, to economic pressures and premarital pregnancies that push families to marry off their children.

This phenomenon reflects the weakness of the family's function as the smallest social unit. Ideally, the family plays a central role in shaping a child's character through religious education, moral guidance, and life skills. When this role is not fulfilled, children become more vulnerable to risky behaviors that may lead to early marriage. This condition indicates that families have not fully functioned as moral and social safeguards for their children. In reality, an ideal family should not only provide for physical needs but also guide children to exercise self-control, understand the true meaning of marriage, and postpone it until they are fully prepared physically, mentally, and socially.

It is within this context that the education of a *sakinah* family becomes crucial. *Sakinah* family education does not merely teach religious values at a normative level but also instills moral awareness, life skills, and psychological readiness. Through Islamic parenting, children can grow with strong self-control, understand the risks of early marriage, and recognize the heavy responsibilities inherent in marital life. Therefore, the urgency of *sakinah* family education lies not only in building a harmonious household but also in serving as a strategic preventive measure against the growing practice of marriage dispensation in society.

This article seeks to critically examine the interrelation between the phenomenon of child marriage dispensation and the urgency of *sakinah* family education, with a particular focus on *decision of the Religious Court of Temanggung Number 103/Pdt.P/2025/PA.Tmg*. This case study is significant, as it not only provides insight into the judge's considerations in granting marriage dispensations but also opens space for reflection on the role of the *sakinah* family as a more substantive preventive solution to reduce the prevalence of child marriage in Indonesia.

Research Methods

This study employs a normative juridical method using a case study approach, the analysis on *decision of the Religious Court of Temanggung Number 103/Pdt.P/2025/PA.Tmg*. The normative juridical method was chosen because this research aims to examine the application of legal norms within judicial practice, particularly concerning the granting of marriage dispensation for minors. This approach enables the researcher to explore how abstract legal provisions are implemented in concrete judicial decisions and to assess the extent to which judges take into account juridical, sociological, and psychological aspects in their reasoning process.

In its execution, the study emphasizes a normative analysis of primary and secondary legal materials. The primary source is the official copy of the Religious Court's decision, which serves as the central object of analysis. The decision is examined in detail to identify the legal basis, judicial considerations, and reasoning employed in either granting or rejecting the petition for marriage dispensation. The analysis extends beyond the text of the ruling itself, delving into the argumentative structure constructed by the panel of judges in interpreting and applying the relevant legal norms.

Furthermore, the research examines a number of relevant statutory and regulatory instruments that form the legal foundation of judicial discretion in marriage dispensation cases. Among these are Law Number 16 of 2019, which amends Law Number 1 of 1974 on Marriage and establishes the minimum age of marriage for both men and women at 19 years old. The study also refers to the Compilation of Islamic Law (Kompilasi Hukum Islam), which regulates family law principles within the framework of Islamic law in Indonesia, as well as Supreme Court Regulation (Perma) Number 5 of 2019 on Guidelines for Adjudicating Petitions for Marriage Dispensation, which provides judges with normative and ethical guidance to

ensure sensitivity toward child protection principles and the prevention of child marriage.

To enrich the analysis, the research also utilizes secondary legal materials, including academic literature and scholarly journals that discuss child marriage and marriage dispensation in both legal and sociological contexts. This body of literature provides theoretical support and broadens the contextual understanding of the legal issues under investigation. By integrating normative legal analysis with case-based judicial examination, the study seeks to present a comprehensive depiction of how the practice of granting marriage dispensation operates within Indonesia's religious court system.

Thus, the use of a normative juridical method through a case study approach is not merely intended to describe the formal application of legal provisions but also to critically assess the consistency and relevance of legal implementation in relation to child protection principles and substantive justice. This approach is expected to contribute to the development of legal scholarship, particularly in the field of Islamic family law, while also serving as an evaluative framework for judicial practice in addressing the growing phenomenon of marriage dispensation petitions in Indonesia.

Results and Discussion

1. Legal Basis of Marriage Dispensation

The legal basis for marriage dispensation originates from the provisions regarding the minimum age of marriage as stipulated in Indonesian legislation. Article 7 paragraph (1) of Law Number 16 of 2019 concerning the Amendment to Law Number 1 of 1974 on Marriage establishes that the minimum age for both men and women to marry is 19 years. This provision reflects the state's commitment to providing legal protection for children from early marriage practices that may result in various negative consequences (Law No. 16 of 2019).

The determination of this minimum age aims to safeguard children from the risks of early marriage, which may hinder their physical, mental, and social development. Research indicates that underage marriage can lead to reproductive health complications, school dropouts, and the perpetuation of intergenerational poverty. Therefore, setting the minimum age at 19 years serves as a form of state protection for children's rights as mandated in Article 26 paragraph (1) of Law Number 35 of 2014 on Child Protection.

Although the minimum age is clearly defined, Law Number 16 of 2019 still provides an exception through the mechanism of marriage dispensation. According to Article 7 paragraph (2), parents may apply for a dispensation to the court if there are urgent reasons supported by sufficient evidence. Thus, the law offers limited flexibility for extraordinary circumstances that require immediate resolution without negating the principle of child protection.

Marriage dispensation represents a balance between ideal legal norms and the social realities faced by society. In practice, applications for dispensation are often submitted due to socio-cultural or moral factors, such as premarital pregnancy. Therefore, dispensation should not be viewed as a means to legalize child marriage, but rather as a case-specific legal remedy that must undergo judicial and sociological consideration by the judge (Article 7 paragraph (3) of Law No. 16 of 2019).

In addition, the *Compilation of Islamic Law (Kompilasi Hukum Islam or KHI)* provides a normative basis concerning marriage due to pregnancy. Pursuant to Article 53 of the KHI, a woman who becomes pregnant outside of marriage may marry the man responsible for the pregnancy without having to wait for the child's birth. This provision aims to ensure the legal status of the child and prevent social stigma against the family. The KHI functions as a source of substantive law within the jurisdiction of Religious Courts, as stipulated in Presidential Instruction Number 1 of 1991.

To strengthen the implementation of marriage dispensation provisions, the Supreme Court issued Supreme Court Regulation (*Peraturan Mahkamah Agung or Perma*) Number 5 of 2019 on Guidelines for Adjudicating Applications for Marriage Dispensation. This

regulation provides guidance for judges to exercise caution in granting such applications by considering the psychological, social, cultural, and economic factors of the prospective spouses. Judges must also take into account recommendations from relevant authorities, such as psychologists, social workers, or the Department of Social Affairs (Article 5 of Perma No. 5 of 2019).

Through this regulation, the Supreme Court emphasizes that a marriage dispensation ruling should not merely be based on the wishes of the parents or the applicants but must prioritize the *best interest of the child*. This principle aligns with Article 4 of Law Number 35 of 2014 on Child Protection, which stresses that every decision concerning children must give primary consideration to their best interests. Consequently, judges are obliged to conduct a comprehensive assessment before delivering a decision.

Normatively, judges have a strong legal basis to grant a marriage dispensation if it is proven that there are urgent and unavoidable circumstances, as stipulated in Article 7 paragraph (2) of Law Number 16 of 2019. Nevertheless, judges also bear a moral and social responsibility to balance legal certainty with social justice. By prioritizing the best interests of the child, dispensation rulings are expected not only to be legally valid but also to embody humanitarian values and safeguard the child's future.

2. Legal Facts in the Case

The legal facts revealed during the trial indicate a complex and sensitive situation. The petitioner's child, aged 15 years and 9 months, is significantly below the minimum legal age of marriage as stipulated in Law Number 16 of 2019, which sets the minimum marriage age for both men and women at 19 years. Despite this legal restriction, a petition for marriage dispensation was filed, seeking permission for the underage individual to marry.

The prospective spouse is 19 years old, creating not only a numerical age gap but also a substantial difference in emotional and psychological maturity. Such disparity raises legitimate concerns regarding the balance of power, responsibility, and readiness within the prospective marriage. These factors are particularly relevant in assessing whether the marriage would serve the best interests of both parties, especially the minor involved.

Court testimony revealed that the relationship between the prospective bride and groom had been ongoing for more than two years. The couple was reportedly engaged prior to the petition, reflecting a degree of emotional commitment and attachment between them. However, this relationship existed outside the framework of a legally or religiously recognized union, placing it in a socially and morally ambiguous position.

The most crucial fact that emerged during the proceedings is that the prospective bride is six months pregnant. The pregnancy resulted from a premarital relationship between the couple, which became the principal reason for the families to seek a marriage dispensation. The petitioners argued that marriage would legitimize the unborn child's status, ensure legal protection of lineage, and mitigate potential social stigma directed at both families.

Family considerations also played a significant role in shaping the decision. Both families expressed mutual consent for the marriage, viewing it as the most appropriate solution under the circumstances. This agreement highlights strong cultural and social pressures in certain communities, where early marriage is often seen as a means to restore family honor and prevent public shame, despite the potential conflict with principles of child protection and legal safeguards.

Nevertheless, the psychological evaluation conducted as part of the case offered a nuanced perspective. The assessment found that, although the prospective groom displayed a degree of emotional maturity and sense of responsibility, his young age still posed limitations in coping with the long-term demands of marriage and parenthood. This observation underscored the psychological vulnerability inherent in marriages involving minors.

In contrast, the Social Affairs Office provided a recommendation opposing the marriage. The institution concluded that the existing conditions were not yet conducive to forming a stable marital relationship, emphasizing the need for psychological, emotional,

and financial preparedness. This divergence in professional assessments reflected differing interpretations of what constitutes “readiness” for marriage in the context of child protection and social policy.

Taken together, these legal facts present a multidimensional dilemma. The court was faced with competing considerations between legal norms that prohibit underage marriage, moral and social expectations urging marriage as a solution to premarital pregnancy, and institutional evaluations warning of the risks such unions entail. The case thus illustrates the tension between societal values and the legal framework designed to protect children’s rights and welfare.

3. Judge’s Considerations

The judge’s considerations in this case were primarily rooted in the existence of an urgent and exceptional situation that could not be overlooked. The petition for marriage dispensation arose from a condition in which the prospective bride was already pregnant. This circumstance created a moral and legal urgency that demanded immediate judicial intervention. In assessing the petition, the judge recognized that while the law generally aims to prevent early marriage, there are extraordinary cases where exceptions must be made to prevent greater harm or legal uncertainty.

Although the prospective groom had not yet reached the minimum legal age of 19 as required by Article 7 paragraph (1) of Law Number 16 of 2019 concerning Amendments to the Marriage Law (Law Number 1 of 1974), the judge found sufficient justification to grant the dispensation. The pregnancy of the prospective bride was regarded as a compelling factor that required urgent resolution. If the marriage were delayed until the groom reached the legal age, the child would likely be born without a clear legal status, which could negatively affect the child’s rights, including inheritance, civil recognition, and social acceptance.

In considering the normative legal framework, the judge also referred to the provisions of the Compilation of Islamic Law (Kompilasi Hukum Islam/KHI) as an important source of guidance for cases related to marriage and family law. Specifically, Article 53 of the Compilation provides that a woman who becomes pregnant outside of marriage may be lawfully married to the man responsible for her pregnancy without the necessity of waiting until the child is born. By invoking this article, the judge grounded the decision within a clear legal and religious framework, demonstrating that Islamic law itself accommodates mechanisms to resolve such moral and social dilemmas.

The judge’s reliance on Article 53 KHI also highlights a broader legal philosophy that aims to balance *syar’i* principles with social realities. Through this reasoning, the judge sought not only to uphold the letter of the law but also to embody its spirit ensuring that justice is responsive to human conditions rather than rigidly confined to formal requirements. This approach reflects the adaptive nature of Islamic jurisprudence, which allows for *ijtihad* (independent reasoning) in resolving contemporary social issues in a way that maintains both legal certainty and moral integrity.

Beyond the textual legal basis, the judge also examined the potential benefits (*maslahah*) and harms (*mafsadah*) of granting the marriage dispensation. In the judicial reasoning, the benefits of allowing the marriage were considered to outweigh its potential harms. Through marriage, the couple would obtain legal recognition of their relationship, the child would gain legitimate status under both state and religious law, and both families would be shielded from social stigma. The marriage was thus viewed as a preventive measure against broader social consequences, such as community disapproval, moral condemnation, and the psychological burden placed on the parties involved.

Furthermore, the judge emphasized that the decision must align with the ethical and moral framework of Islamic law (*fiqh*). The ruling drew upon the well-established legal maxim,

دَرْءُ الْمَفَاسِدِ مُقَدَّمٌ عَلَى جَلْبِ الْمَصَالِحِ

"dar' al-mafāsīd muqaddam 'alā jalb al-maṣāliḥ",

which means *"preventing harm takes precedence over attaining benefit."*

Applying this principle, the judge reasoned that although early marriage carries inherent risks, such as immaturity, unstable emotional development, and potential socioeconomic challenges these risks were outweighed by the necessity of preventing greater moral and social harm.

By prioritizing the protection of the unborn child and the preservation of family honor, the judge demonstrated a balanced and compassionate application of legal discretion. The decision also reflects a contextualized interpretation of justice one that acknowledges that rigid enforcement of age restrictions, without considering human circumstances, could paradoxically result in greater injustice. Therefore, the granting of the dispensation was not merely a legal technicality, but a carefully reasoned effort to harmonize statutory law, Islamic jurisprudence, and social ethics in the pursuit of substantive justice.

In conclusion, the judge's considerations reveal an integrated approach that combines positive law, Islamic legal principles, and sociological understanding. The judgment underscores that the purpose of marriage dispensation is not to normalize early marriage but to provide an exceptional remedy in situations where the legal, moral, and social interests of all parties, especially the child must be safeguarded. This reflects the broader judicial philosophy that law should function as an instrument of protection and compassion, ensuring that justice is applied in a humane and context-sensitive manne.

4. Child Protection Perspective

From the perspective of child protection, this ruling presents a serious dilemma. On one hand, the judge sought to safeguard the legal status of the unborn child by ensuring certainty of lineage and civil rights. Such efforts can be understood as both a moral and legal responsibility to prevent the child from being labeled as "born out of wedlock," a status that often carries significant social stigma.

Marriage in this context is also viewed as a means to avoid social pressure that may harm both families. In many communities, especially those upholding traditional values, pregnancy outside of marriage is often regarded as a disgrace that must be resolved immediately through marriage. Therefore, the judge's decision can be seen as an attempt to preserve family honor and restore the social order perceived to have been disrupted.

This line of reasoning aligns with the sociological view that marriage is often positioned as a solution to social and moral problems. In societies that place high value on decency and honor, marriage is regarded as a legitimate mechanism to "correct" situations considered socially deviant. Thus, in this case, the judge appears to have adjusted the legal decision to fit the existing social realities.

However, on the other hand, allowing the marriage of a 15-year-old child directly contradicts the fundamental principles of child protection. Children at such an age lack the psychological, biological, and social maturity required to sustain family life. This lack of readiness can lead to numerous adverse effects on both the child's physical health and emotional well-being.

The potential negative impacts include increased risks to reproductive health, disruption of educational continuity, and heightened vulnerability to poverty and domestic violence. Research consistently shows that early marriage often places children especially girls in vulnerable positions, limiting their access to basic rights. Consequently, any decision that legitimizes underage marriage can be seen as a form of neglect toward the best interests of the child.

This reality highlights a tension between legal norms and social realities. Legal norms, as reflected in Law Number 16 of 2019 amending Law Number 1 of 1974 on Marriage,

explicitly set a minimum age requirement to protect children from early marriage practices. Meanwhile, social realities often demand immediate solutions to pregnancies outside of wedlock through marriage, disregarding the long-term consequences for the child involved.

In facing this dilemma, the judge appears to have taken a pragmatic approach prioritizing the resolution of social and religious issues over the comprehensive protection of children. While such an approach may ease short-term social tensions, it risks neglecting the core principle that child protection should be the foremost consideration. In other words, an instant social remedy does not necessarily align with the principle of justice for the child.

Therefore, this ruling can be viewed as a reflection of the limitations within the legal system in addressing the complex issue of child marriage. Although the decision may have a legal basis, from a child protection perspective, it presents a significant contradiction. Hence, a thorough evaluation and the strengthening of more comprehensive preventive policies are necessary to ensure that the best interests of the child truly become the primary consideration in every judicial process.

5. The Urgency of Sakinah Family Education

The child marriage dispensation case examined by the Temanggung Religious Court reveals weaknesses in the family education system. The family, which should serve as the first line of defense in protecting children from risky behavior, often fails to fully carry out its educational function. If families are able to instill religious values from an early age, guide children in self-control, and provide an understanding of the great responsibilities inherent in marriage, the likelihood of premarital pregnancy could be minimized. This highlights the urgency of *sakinah* family education: building a strong moral, spiritual, and social foundation to equip children for the realities of modern life.

Sakinah family education plays a vital role in equipping children with an understanding of the true purpose of Islamic marriage. From an early age, children should be guided to recognize that marriage is not merely the legalization of emotional or biological relationships, but a sacred bond intended to establish a family based on *sakinah*, *mawaddah*, and *rahmah*. Such understanding can encourage children to view marriage as a serious stage of life that should only be undertaken when they are genuinely prepared physically, psychologically, and socially.

Furthermore, *sakinah* family education must also include comprehensive sexual and reproductive health education. In many cases, a lack of knowledge about sexuality, reproductive health, and the risks of promiscuity is a major cause of premarital pregnancy. Parents often consider these topics taboo, whereas accurate knowledge can actually prevent deviant behavior. By providing proportionate and Islamic-based information about social boundaries, reproductive responsibilities, as well as the legal and social consequences of premarital sexual activity, families can help children avoid fatal mistakes.

In addition, *sakinah* families play a key role in instilling self-control and ethical interaction. Children raised in an Islamic-oriented family environment tend to develop stronger moral defenses against the temptations of promiscuity. Values such as modesty, humility, and proper etiquette in interacting with the opposite sex serve as a natural filter for children. With strong self-control, they are better able to resist momentary impulses that could jeopardize their future.

Finally, *sakinah* family education emphasizes the importance of open communication between parents and children. Many cases of premarital pregnancy occur because children do not feel comfortable discussing personal issues with their parents. Authoritarian parenting without space for dialogue often pushes children to seek solutions outside the home, exposing them to negative influences. By fostering warm and open communication, parents can become a safe space for children to share their concerns, while also providing appropriate guidance when they face life challenges.

In conclusion, the urgency of *sakinah* family education is not merely an idealistic notion, but a real necessity that must be implemented in every household. Families grounded in faith and piety will raise a generation that is spiritually, morally, and socially mature. Such a generation will be able to reduce the prevalence of child marriage dispensations, as they understand that early marriage is not a solution, but rather an entry point to various new challenges in family life.

6. Strategies for Preventing Marriage Dispensation

One of the main strategies to prevent the rising number of marriage dispensation requests is by strengthening the role of parents as the primary educators within the family. Parents hold a fundamental responsibility to equip their children with religious teachings, moral values, and life skills from an early age. *Sakinah* family education emphasizes the importance of instilling patience, responsibility, and self-control so that children are able to postpone marriage until they have reached full readiness. In this way, the family serves not only as a provider of material needs but also as the central foundation for shaping a child's character and personality.

In addition to the role of parents, cross-sector collaboration is also essential in preventing the practice of marriage dispensation. Schools, communities, and religious institutions must work together to provide comprehensive awareness of the dangers of child marriage. Schools can integrate reproductive health and mental health education into the curriculum, while religious institutions play a vital role in instilling spiritual awareness about the importance of preserving dignity and postponing marriage until adulthood. Community support is equally crucial, as social norms often influence a family's decision to marry off children at an early age. Through strong synergy, children can consistently receive moral, intellectual, and spiritual guidance from multiple sources.

Moreover, local government policies also play a strategic role in reducing marriage dispensation rates. Governments can design *sakinah* family education programs targeting both parents and adolescents through counseling, training, and seminars. Premarital counseling programs should be expanded not only for adult couples intending to marry but also as a preventive step for teenagers, enabling them to understand the consequences of early marriage. With such affirmative policies in place, families will gain access to information, services, and assistance that strengthen their function in preventing child marriage.

Ultimately, the strategy of preventing marriage dispensation through *sakinah* family education represents a holistic approach involving families, communities, educational institutions, religious bodies, and the government. When all parties play their roles in accordance with their capacity, the practice of child marriage often legitimized through marriage dispensation can be significantly reduced. In this way, Indonesian children will have the opportunity to grow optimally in terms of education, health, and social readiness, ensuring that the true purpose of marriage to form a family founded on *sakinah*, *mawaddah*, and *rahmah* can genuinely be realized.

7. Social, Legal, and Educational Implications

The recurring issuance of marriage dispensation rulings each year has the potential to create social legitimacy for the practice of child marriage. Communities may interpret that early marriage is acceptable and legally valid as long as it receives approval from the court. As a result, the government's efforts to raise the minimum marriage age through Law Number 16 of 2019 risk losing effectiveness, as the regulation may be perceived as incapable of curbing the increasing number of dispensation cases. The social consequences of this are quite serious, including a higher risk of divorce, the emergence of unstable families, and the declining quality of human resources due to children's education being interrupted by early marriage. Therefore, the concept of *sakinah* (a harmonious and resilient family) must serve as a preventive shield by providing religious, moral, and life skills education that can reduce the likelihood of premarital pregnancy and instill in

children the awareness to postpone marriage until they are truly ready.

From a legal perspective, this phenomenon highlights the urgent need for stricter oversight of the dispensation mechanism. Dispensation should be regarded as an exceptional and urgent measure, not a shortcut to legitimize child marriage. In practice, however, many petitions are granted solely on social or cultural grounds, without a thorough consideration of the principle of child protection. This creates the impression that marriage dispensation is merely an administrative formality that can be easily obtained. Judges, therefore, must prioritize the principle of *the best interests of the child* in every decision, as mandated by the Child Protection Law and Supreme Court Regulation (PERMA) Number 5 of 2019. Furthermore, a reformulation of regulations is necessary to establish clearer indicators of urgent grounds, providing judges with more concrete guidance and reducing reliance on purely pragmatic considerations.

From an educational perspective, the issue of marriage dispensation is inseparable from the limited literacy of children and families regarding the risks of early marriage. *Keluarga sakinah* education should be integrated into the formal education system through a curriculum that incorporates family education, ethical social interaction, and reproductive health. In this way, children will not only acquire normative religious knowledge but also develop critical awareness of the health, social, and economic consequences of child marriage. Collaboration among schools, parents, and religious institutions is essential to build an educational ecosystem capable of reducing child marriage practices. Pre-marital education, which is currently required for prospective spouses, should also be expanded in scope so that it is not limited to adults but also targets adolescents as part of their preparation for a healthy family life in the future.

In conclusion, the social, legal, and educational implications of marriage dispensation are closely interrelated. If left unaddressed, dispensation rulings will reinforce a permissive culture toward child marriage, weaken the authority of legal regulations, and hinder the development of high-quality human resources. Conversely, if approached comprehensively through *sakinah* family education, stronger legal regulations, and the integration of educational curricula the prevalence of child marriage can be significantly reduced.

Conclusion

The analysis of the Temanggung Religious Court Ruling Number 103/Pdt.P/2025/PA.Tmg reveals that the marriage dispensation was granted due to an urgent circumstance, namely a pregnancy out of wedlock. In such a situation, the judge faced a dilemma between upholding the legal provisions on the minimum age of marriage and safeguarding the legal status of the unborn child. The consideration of an emergency condition often becomes the basis for judges to exercise their discretionary authority in granting marriage dispensations.

In deciding this case, the judge relied on several legal instruments, namely Law Number 16 of 2019 concerning the Amendment to Law Number 1 of 1974 on Marriage, Article 53 of the Compilation of Islamic Law (KHI), and Supreme Court Regulation (Perma) Number 5 of 2019 on Guidelines for Adjudicating Applications for Marriage Dispensation. These three legal sources provide a juridical framework that guides judges in determining whether a dispensation request is legally and morally acceptable. In this particular case, the judge emphasized the protection of the unborn child's legal status and the prevention of social disgrace for the family.

Nevertheless, from a child protection perspective, this decision remains problematic. Granting a marriage dispensation in such a context potentially opens the door for underage marriages, which contradict the spirit of child protection upheld by national law. Early marriage can lead to numerous adverse consequences, including psychological immaturity, increased risk of domestic violence, disruption of education, and poor reproductive health outcomes.

Therefore, more comprehensive preventive measures must be implemented to address the

root causes of underage marriage. These efforts may include enhancing reproductive health education in schools, strengthening the role of families in providing moral and emotional guidance, and adopting affirmative policies by local governments to reduce the prevalence of child marriage. Effective child protection requires strong synergy among educational institutions, religious authorities, and government agencies.

The urgency of family education grounded in the concept of a *sakinah* family a harmonious and spiritually guided household becomes increasingly significant. A *sakinah* family is capable of instilling religious values, self-control, and social responsibility, thereby reducing the risk of early marriage. Consequently, the strengthening of *sakinah* family education should be regarded as a strategic national agenda involving the government, educational institutions, and society at large to build a generation that is mature, responsible, and legally protected.

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