

THE URGENCY OF UNDERSTANDING UNDERAGE MARRIAGE LAW DUE TO OUT OF WEDLOCK PREGNANCY FOR STUDENTS

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Abstract

This study discusses the importance of strengthening the legal understanding of underage marriage due to pregnancy out of wedlock for students in Parepare City. Consisting of two problems: what is the context of the impact of changes in the marriage age law due to pregnancy out of wedlock, and what is the reaction to the rejection of child marriage due to pregnancy out of wedlock for students in Parepare City? The research method is field research through a qualitative descriptive approach. This study uses data analysis with theories of legal change and social inequality. The results showed that students generally understand the context of the impact of changes in marriage age law to protect against the occurrence of underage marriage due to pregnancy out of wedlock with a very high risk. The reaction to the rejection of underage marriage due to extramarital pregnancy has built a paradigm to protect the rights and welfare of children, prevent forced marriage, and avoid adverse health and social risks.

Kajian ini membahas pentingnya penguatan pemahaman hukum perkawinan di bawah umur akibat hamil di luar nikah bagi mahasiswa di Kota Parepare. Terdiri dari dua permasalahan, bagaimana konteks dampak perubahan undang-undang usia perkawinan akibat hamil di luar nikah, dan bagaimana reaksi penolakan perkawinan anak akibat hamil di luar nikah bagi pelajar di Kota Parepare. Metode penelitian adalah penelitian lapangan melalui pendekatan deskriptif kualitatif. Kajian ini menggunakan analisis data dengan teori-teori perubahan hukum dan ketimpangan sosial. Hasil penelitian menunjukkan bahwa konteks dampak perubahan hukum usia perkawinan secara umum dipahami oleh mahasiswa dengan tujuan melindungi terjadinya perkawinan di bawah umur akibat hamil di luar nikah dengan risiko yang sangat tinggi. Reaksi penolakan perkawinan di bawah umur akibat kehamilan di luar nikah telah membangun paradigma untuk melindungi hak dan kesejahteraan anak, mencegah kawin paksa, serta menghindari risiko kesehatan dan sosial yang merugikan.

INTRODUCTION

Currently, the incident about hundreds of students in Ponorogo who experienced out of wedlock pregnancy has become a hot topic in online media and national television. Although the report does not fully reflect the actual number of out of wedlock pregnancies among children, the information presented only includes the number of applications for marriage dispensation. The news caused shock and concern in the community. The response to this news is not only limited to shock but also includes condemnation of those who are considered to have failed to educate, supervise, protect, and are considered ignorant of the fate of children, especially in Ponorogo. Several online media outlets reported under the title "Hundreds of Junior High School Students in Ponorogo Pregnant out of Wedlock," but none of them presented concrete data on the number of students who experienced pregnancies out of wedlock. Some media reported that hundreds of students in Ponorogo were pregnant without including data that could support the claim. Some media provide only information on the number of marriage dispensations, while



others do not provide any data at all. Therefore, these news stories need to be considered carefully because, although they can be used as an initial source of information, the truth needs to be explored further.¹

Many students have applied for marriage dispensation to the Religious Court, which has created a sensation among the community in Ponorogo Regency, East Java. The majority of students who requested the marriage dispensation were students facing pregnancy out of wedlock. The Ponorogo Regency Government noted that throughout 2022, 191 children applied for marriage dispensation, bringing that number to as many as 176 applications received by the Religious Court.² Therefore, pregnancy out of wedlock is an emergency issue, including in Parepare City, to continue to carry out the importance of strengthening knowledge and understanding through socialization and counseling on the law of child marriage for students of high school, vocational high school and Madrasah Aliyah, here in after abbreviated as SMA, SMK, and MA, in overcoming pregnancy out of wedlock.

On the other hand, the people of Parepare City are quite homogeneous and have a very strategic area that has become a stopover area that can connect several regencies and cities that are commonly popular with the name Ajatappareng. Therefore, it is important to strengthen understanding of marriage law through socialization and counseling, especially for students of SMA (high school), SMK (vocational school), and Madrasah Aliyah (Islamic high school) in Parepare City. The goal is to prevent promiscuity that can result in pregnancy out of wedlock so that students are not forced to marry underage or are too young. The impact of underage marriage can not only be limited to the Parepare area but can also spread to other areas.

Several previous studies that examined child marriage with cases of pregnancy out of wedlock, such as considerations of community justice, often arise due to marriage, considered as an alternative to solve social problems, especially tightening in the provision of marriage dispensation due to underage marriage, which has increased significantly.³ The increase in child marriage as a result of pregnancy out of wedlock during the pandemic can be caused by a lack of supervision and interaction with parents, school policies, government policies, and limited school time.⁴ Nurwendri and Syam discussed a comparative analysis about legal regulations among the Compilation of Islamic Law (KHI), Law No. 1 of 1974, and Imam Shafii's views regarding the law of marriage for pregnant women out of wedlock.⁵ The application for marriage dispensation from court decisions was caused by the promiscuity behavior of underage couples under the provisions of Law

¹"Iainponorogo.ac.id, Ratusan – Siswa Di Ponorogo Hamil Di Luar Nikah, Tanggal 16 Januari 2023," 2023.

² Nikita Rosa, "Detik.Com 'Serba – Serbi Ratusan Anak Di Ponorogo Minta Dispensasi Nikah: Alasan Hingga Tanggapan Pakar' , 17 Januari 2023," 2023.

³ Bagya Agung Prabowo, "Pertimbangan Hakim Dalam Penetapan Dispensasi Perkawinan Dini Akibat Hamil Di Luar Nikah Pada Pengadilan Agama Bantul," *Jurnal Hukum Ius Quia Iustum* 20, no. 2 (2013): 300.

⁴ J Nikmah, "Pernikahan Dini Akibat Hamil Di Luar Nikah Pada Masa Pandemi: Studi Kasus Di Desa Ngunut," *Sakina: Journal of Family Studies*, 2021, <http://urj.uin-malang.ac.id/index.php/jfs/article/view/754>.

⁵ A Nurwandri and N F Syam, "Analisis Pernikahan Wanita Hamil Diluar Nikah Menurut Mazhab Syafi'i Dan Kompilasi Hukum Islam," *Jurnal Penelitian Medan Agama*, 2021, <http://jurnal.uinsu.ac.id/index.php/medag/article/view/9772>.

No. 1 of 1974, causing an increase in applications for marriage dispensation.⁶ The main factors for child marriage with pregnancy out of wedlock are environmental influences, parental roles, education, economic conditions, individuals, and social media interactions, resulting in negative impacts such as psychological immaturity, reducing the freedom of personal development and hindering opportunities to continue education to a higher level.⁷ The abuse of parental guardianship rights by forcing underage marriage has received serious attention from the government. Preventive measures have been taken by establishing new regulations or laws to tackle forced child marriage.⁸

Referring to several studies that examine child marriage as a result of pregnancy out of wedlock, it is considered that no one has ever studied the urgency of strengthening knowledge and understanding of underage marriage law due to pregnancy out of wedlock and the adverse effects caused to students in Parepare City. Thus, the purpose of this study is to fill the gaps in the social context of changes in the legal age of marriage due to pregnancy out of wedlock and its adverse effects, and how the reaction to the rejection of child marriage due to pregnancy out of wedlock among students of SMA, SMK, and MA in Parepare City.

METHODS

This study was conducted with field research and a qualitative descriptive approach through socialization and counseling of underage marriage due to pregnancy out of wedlock after changes in the marriage age law in Law Number 16 of 2019. Primary data sources were obtained from two people from ASN BKKBN Parepare City and Google Forms distributed to students at SMA Negeri 3, SMK Negeri 2, Madrasah Aliyah Negeri 1, and 2 Parepare City. Secondary data sources were obtained from journal articles, books, news, and papers. The collection method was carried out by explaining the important reasons for changes in the marriage age law in Law Number 16 of 2019, the bad context of underage marriage due to pregnancy out of wedlock, and disseminating questions through Google Forms to find the depth of knowledge and understanding of students at SMA Negeri 3, SMK Negeri 2, Madrasah Aliyah Negeri 1, and 2 Parepare City. Data processing is sharpened by students' responses to the results of graphs and figures. Data analysis was carried out using the theory of legal change and the theory of social inequality.

RESULT AND DISCUSSION

The Context of Legal Impact of Underage Marriage Due to Out of Wedlock Pregnancy

The paradigm regarding changes in the marriage age law among students at SMA Negeri 3, SMK Negeri 2, Madrasah Aliyah Negeri 1, and 2 Parepare City is highly dependent on the social context by reflecting the values and norms prevailing in society. If the change in the marriage age law aims to protect the rights of children and prevent child marriage due to pregnancy out of wedlock, in the end, it received positive support

⁶ Sri Ahyani, "Pertimbangan Pengadilan Agama Atas Dispensasi Pernikahan Usia Dini Akibat Kehamilan Di Luar Nikah," *Jurnal Wawasan Yuridika* 34, no. 1 (2016): 31.

⁷ Yuli Adha Hamzah, Arianty Anggraeny Mangarengi, and Andika Prawira Buana, "Analisis Yuridis Perkawinan Dibawah Umur Melalui Kewenangan Kantor Urusan Agama (Studi Kasus Di KUA Kabupaten Bantaeng)," *Pleno Jure* 9, no. 2 (2020): 119–28.

⁸ Ayu Umami, "Analisis Yuridis Penyimpangan Hak Perwalian Orang Tua Terhadap Tindakan Pemaksaan Perkawinan Dibawah Umur," *Lex LATA* 3, no. 3 (2022).

for changes in the marriage age law from most people, including people in Parepare City. That paradigm can also be influenced by factors such as religion, culture, and tradition, which can create variations in perspective. More conservative communities in Parepare may resist changing the marriage age law, deeming it incompatible with traditional values already in society. Conversely, more progressive groups in Parepare City may see the change in marriage age as a positive step to protect children's rights and improve social welfare. In addition, the social context in the role of educational and religious institutions also needs to be considered because it can shape the paradigm of students towards changes in marriage age law. If sex education and social values are well integrated, students can be more receptive to changes in the marriage age law as part of positive societal developments, especially in Parepare City.⁹

After the enactment of Law No. 16 of 2019 concerning amendments to Law No. 1 of 1974 concerning marriage, which affirms that marriage can only occur if a man and woman have reached the age of 19 years; there has been a very significant change in the legal age of marriage in the social context of marriage in Indonesia. The change in marriage age law reflects the government's efforts to protect children's rights and prevent marriage at too early an age, which can pose more adverse risks. The social context of the change in marriage age law potentially influence, especially in promoting gender equality and protection of children's rights among SMA, SMK, and MA students in Parepare City from the risk of underage marriage. Minimum Marriage age can also help reduce divorce rates and provide more significant opportunities for men and women to pursue education and build careers before entering married life.

On the other hand, implementing changes to the marriage age law has great potential to face various challenges, especially in terms of traditions and ingrained cultural values, especially among the people in Pare – Pare City. Therefore, it is important to conduct socialization and counseling so that the community can understand the main aims and benefits of changing the marriage age law so that it can be applied and implemented effectively in the community environment in Pare – Pare City. Concerning socialization and counseling, changes in the marriage age law can be carried out among students between the ages of 14 and 19 years at SMA Negeri 3 Kota Parepare, SMK Negeri 2 Kota Pare – pare, Madrasah Aliyah Negeri 1, and Madrasah Aliyah Negeri 2 Kota Pare – pare. Further, it can be described through graphs as follows:

⁹ Herman, "Pegawai BKKBN Kota Parepare, Wawancara Pada Tanggal 15 Nopember 2023," 2023.

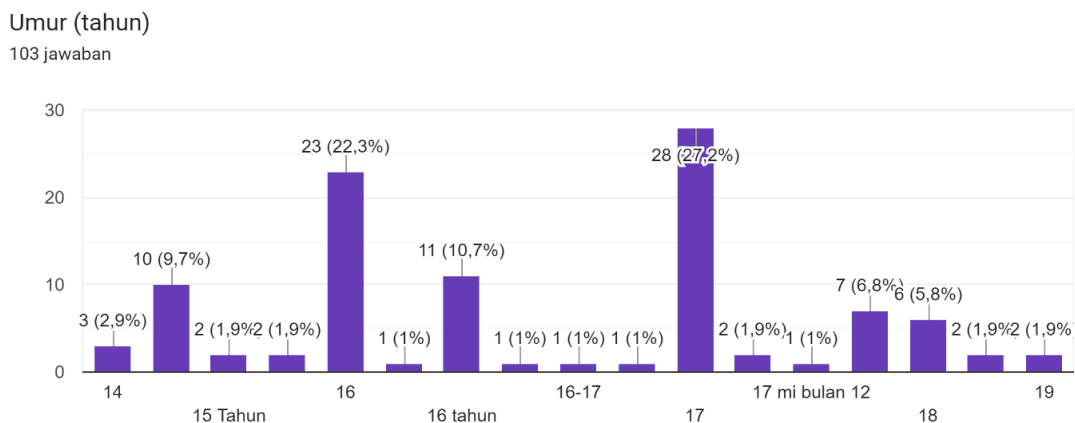


Figure 1. Response of students of SMA, SMK, and MA In Parepare City

Source: 103 students of SMA, SMK, and MA In Parepare City

Based on Graph 1 regarding the response among SMA, SMK, and MA students in Parepare City, there are as many as 103 people between 14–19 years old. It can be described through socialization and counseling on changes in the marriage age law that there are three people, or 2.9%, aged 14 years, ten people, or 9.7%, aged between 14 and 15 years, two people, or 1.9%, aged 15 years, and two people, or 1.9%, aged between 15 and 16 years. If accumulated overall, there are 35 people, or 41.1%, aged 16 years, and three people, or 2.9%, aged between 16 and 17 years. Furthermore, 28 people, or 27.2%, were 17 years old; 10 people, or 9.7%, were between 17 and 18 years old; 6 people, or 5.8%, were 18 years old; 2 people, or 1.9%, were between 18 and 19 years old; and two people, or 1.9%, were 19 years old. As shown in graph 1, it can be seen that most students aged 16 reached 41.1%. This context indicates that changes in the marriage age law have great potential to have a very significant positive effect, especially on students aged 16 years. The presence of a sizeable number of 17-year-old students (27.2%) also shows that the change could affect the majority of students in SMA, SMK, and MA in Parepare City. On the other hand, the presence of students under the age of 16, as seen in the age category of 14–15 years, shows that special attention needs to be paid to socialization and counseling for strengthening and understanding the relationship between changes in marriage age law. Therefore, in-depth socialization and counseling are necessary so that students understand the implications of changing the age of marriage.

Furthermore, there are a small number of students over the age of 18 who also need attention because they have a high potential to experience a paradigm shift shortly towards the implementation of Law No. 16 of 2019. Overall, the chart analysis highlights the need for a comprehensive approach and a focus on counseling across different age groups to ensure maximum understanding of marriage age law changes among SMA, SMK, and MA students. The response of 103 students of SMA, SMK, and MA in Parepare City related to their knowledge and understanding of state regulations on underage marriage law in Indonesia.

Saya mengetahui aturan negara tentang pernikahan di bawah umur di Indonesia
103 jawaban

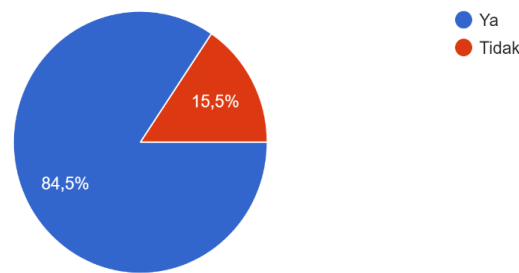


Figure 2. Knowledge of State Regulations on Marital Age Law

Source: 103 students of SMA, SMK, dan MA In Parepare City

In this study, some questions are addressed to 103 students from high schools, vocational schools, and MAs in Parepare City, as shown in Figure 1, about their knowledge and understanding of state regulations regarding underage marriage law, they generally answered that they knew the marriage age of each man and woman aged 19 years through the application of Law No. 16 of 2019 with a percentage of 84.5%. In contrast, the percentage of students who answered that they did not know the age of marriage they should have known was about 15.5%. The description reflects that it is an encouraging answer because most students from high schools, vocational schools, and MA programs in Parepare City show good knowledge and understanding of state regulations regarding underage marriage laws. Most students (84.5%) realize that the minimum age of marriage for men and women is 19 years under Law No. 16 of 2019, indicating a solid understanding of the regulation. Although about 15.5% of students admitted that they did not understand the age of marriage regulated by law, this percentage was relatively small and could be used as an opportunity to increase information and further socialization. This context can also be an indicator that socialization and education efforts related to marriage law need to be improved, especially to ensure that students' understanding is evenly distributed and in-depth regarding changes in marriage age law. On the other hand, students from 103 people from high schools, vocational schools, and MAs in Parepare City were asked to get information about the age limit for marriage applicable in Law No. 16 of 2019.

saya pernah mendapatkan informasi tentang aturan mengenai batasan usia menikah
103 jawaban

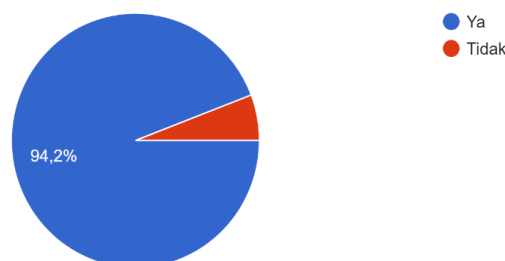


Figure 3. Age Restriction Information

Source: 103 students of SMA, SMK, dan MA In Parepare City

The answers among students from 103 people in figure.2 about them having received information on the age limit for marriage in Law No. 16 of 2019 had a percentage of 94.2%. The answer regarding not knowing information on the age limit for marriage was

a percentage of 5.8%. The description of the answers in Figure 2 is very optimistic because most students (94.2%) stated that they had obtained information about limiting the age of marriage per Law No. 16 of 2019. The high percentage reflects the success of the outreach efforts that have been carried out, indicating that most students have received relevant information regarding marriage regulations. Meanwhile, a small percentage (5.8%) of students who expressed incomprehension of information about the age limit for marriage still require special attention. Although the number is relatively small, that context shows that some students have not been adequately informed and need further emphasis on extension efforts. Therefore, further evaluation is needed to understand the cause and provide solutions or additional information that may be needed. Knowledge of information about the lowest age limit for marriage through social media, teachers, friends, socialization, family, teachers, and social media.

Saya mengetahui informasi tentang aturan di Indonesia tentang batasan usia terendah untuk menikah melalui
103 jawaban

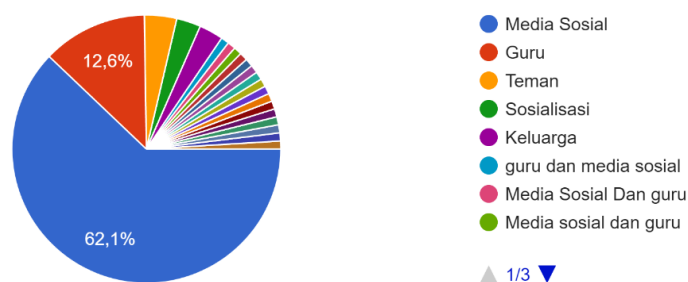


Figure 4. Information about the lowest age restriction

Source: 103 students of SMA, SMK, dan MA In Parepare City

Figure 3 of the description of the knowledge among students from 103 people about information on the lowest age limit regulations through social media found the highest answer with a percentage of 62.1%, followed by answers through teachers with a percentage of 12.6%. As for friends, socialization, and family, the percentage was found to be 23.3%. The explanation in Figure 3 shows that social media is the main source of information for students about the law. The lowest marriage age limit, with a percentage reaching 62.1% that context reflects the huge role social media plays in conveying information to students, likely due to its widespread use among students of SMA, SMK, and MA in Pare – pare City. Although social media dominates as a source of information, it is important to note that the role of teachers remains important, albeit at a lower percentage of 12.6%. Teachers still have a crucial role in providing a deep and contextual understanding of the rules. Therefore, it is necessary to improve the role of teachers as agents of delivering information that can provide further understanding to students.

Socialization through friends and family also contributed significantly, albeit with a lower percentage of about 23.3%. That context shows that social interaction in the environment around students also plays an important role in the dissemination of information. Collaboration between these sources of information is needed to ensure students understand the marriage age limit law holistically and accurately. The revision of the marriage age law in Law Number 16 of 2019 is very significant because the effort shows the government's seriousness in ensuring that all students carry out their learning obligations for 12 years. By setting the minimum age of marriage at 19, the government

is trying to provide enough space for students to complete their education before entering married life. In addition, changes to the marriage age law also aim to prevent the adverse effects of underage marriage. Underage marriage can have serious repercussions on social, economic, and well-being development in married couples.¹⁰ By raising the age of marriage, the government seeks to protect children's rights and ensure that they have the opportunity to grow and develop optimally before entering into marital commitments. Overall, the changes to the marriage age law reflect the government's concern for the education and well-being of young people and preventive measures to reduce the negative impact of child marriage. That context is a strategic step to create a more educated and prosperous society.¹¹

The negative impact of underage marriage, especially on physical and health aspects, can have serious consequences, especially for women.¹² Physically, the body that is still in the growth and development phase is at risk of facing serious health problems due to marriage at an early age. The risk of complications such as premature birth, low baby weight, and higher maternal health problems may increase.¹³ In addition, the risk of sexually transmitted infections also tends to increase in underage marriages due to lack of knowledge and understanding of the adverse effects caused. Women who marry at a young age may also experience limited access to adequate reproductive health services. Cognitively, underage marriage can pose a significant psychological and emotional burden. Women who marry at a very young age do not yet have the emotional and cognitive maturity necessary to cope with domestic conflict or marital problems that can impact a couple's mental and emotional well-being and cannot yet manage problems

¹⁰ B Simanjanong, "Kajian Hukum Perkawinan Anak Dibawah Umur Menurut Undang Undang Nomor 16 Tahun 2019 Tentang Perubahan Atas Undang – Undang Nomor 1 Tahun 1974," *Lex Crimen*, 2022, <https://ejournal.unsrat.ac.id/index.php/lexcrimen/article/view/44458>; A Rasyid and S Siregar, "Fenomena Menarik Perkawinan Dibawah Umur Menjadi Trend Masa Kini Di Bittuju Tapanuli Selatan," *AL-MANHAJ: Jurnal Hukum Dan ...*, 2022, <https://ejournal.insuriponorogo.ac.id/index.php/almanhaj/article/view/1571>; J Arianto et al., "Perkawinan Dibawah Umur Dan Keberlangsungan Rumah Tangga, Kubu Rokan Hilir," ... *Journal of Social ...*, 2022, <https://ejournal.iainbengkulu.ac.id/index.php/ijssse/article/view/5473>; M Y H Gea et al., "Upaya Kua Dalam Mengatasi Fenomena Pernikahan Dibawah Umur Di Kecamatan Medan Timur," *NUSANTARA ...*, 2022, <http://jurnal.um-tapsel.ac.id/index.php/nusantara/article/view/6733>; K Maulana, A Muslimin, and N A Khotamin, "Analisis Perkawinan Dibawah Umur Perspektif Undang – Undang No. 16 Tahun 2019 Dan Dampaknya Terhadap Keharmonisan Rumah Tangga," *Islamic Law Journal*, 2023, <https://journal.nabest.id/index.php/ILJ/article/view/16>; S Satino et al., "Pernikahan Dini Dibawah Umur Di Indramayu," *Media Bina ...*, 2022, <http://binapatria.id/index.php/MBI/article/view/201>.

¹¹ Herman, "Pegawai BKKBN Kota Parepare, Wawancara Pada Tanggal 15 Nopember 2023."

¹² Syukriya Husni et al., "Determination of Nasab of Children Outside of Marriage in the Islamic Legal System: The Role and Decisions of Religious Courts in Indonesia," *Hakamain: Journal of Sharia and Law Studies* 3, no. 1 (October 2024): 26 – 36, <https://doi.org/10.57255/hakamain.v3i1.332>.

¹³ H S Purwinarto and B Romadiansyah, "Implikasi Hukum Terhadap Perkawinan Anak Di Bawah Umur," *Legal Standing: Jurnal Ilmu ...* (seminar.umpo.ac.id, 2022), <http://seminar.umpo.ac.id/index.php/LS/article/view/5037>; R Rasmanah, *Fenomena Pernikahan Siri Dibawah Umur Di Kecamatan Kiarapedes Kabupaten Purwakarta* (digilib.uinsgd.ac.id, 2023), <https://digilib.uinsgd.ac.id/74318/>; N P Rohana and W R Nasution, "Dinamika Pemberian Dispensasi Kawin Dibawah Umur Oleh Hakim Pasca Perubahan Undang – Undang Perkawinan," *Ajudikasi: Jurnal Ilmu ...*, 2023, <https://e-jurnal.lppmunsera.org/index.php/ajudikasi/article/view/6448>.

and make informed decisions.¹⁴ Underage marriage has a serious impact on women's physical health and cognitive well-being. Therefore, it is important to encourage policies that support rising the minimum age for marriage to protect the health and well-being of young women.

The negative impact of underage marriage involves several aspects that can have serious consequences for married couples.¹⁵ As the main impact is the high risk of dropping out of school, marriage at too young an age can halt a person's educational process, limiting school-age opportunities to develop potential and skills. Underage marriage can also play a role in increasing poverty rates. Those who marry at a young age may not yet have sufficient skills or education to get decent work, creating severe economic pressure for young married couples. The level of risk for reproductive diseases can also increase because the body, which is still in the developmental stage, is not ready for pregnancy and childbirth. Domestic violence also tends to increase, caused by a lack of emotional maturity and the ability to manage conflict in marital relationships. The adverse effects of underage marriage can also indicate a high risk of miscarriage and an increased risk of death for the mother and baby during childbirth. Marriage at too early an age often involves serious health problems in mothers who are not physically and mentally prepared for childbirth.

Marriage at a young age can have several adverse consequences, such as divorce.¹⁶ The occurrence of divorce is one of the significant impacts because limited emotional maturity and the ability to manage conflict can increase the risk of incompatibility and tension in the marital relationship.¹⁷ The increased risk of giving birth to a premature baby is caused by the body that is still in the process of developing and may not be ready for pregnancy and childbirth. That context can also have serious impacts on the health of the baby and mother, including a high risk of health complications. The risk of stunting in infants can also increase, because mothers who are still in the growth phase may have difficulty providing optimal nutrition for the development of the baby in the womb. The physical impact of underage marriage can place a psychological burden on the married couples involved. The risk of depression, trauma, and stress can increase, especially in women who may not be emotionally and mentally prepared to deal with the demands of marriage.

¹⁴ M Nur Abidin and Abdul Basit, "Legal Children in Pregnant Marriage: A Juridical Analysis of Indonesian Positive Law," *Al Hurriyah: Jurnal Hukum Islam* 7, no. 2 (2022): 131 – 40.

¹⁵ Z T Deni, N M Kasim, and D A Bakung, "Faktor Penghambat Lembaga Kantor Urusan Agama Dalam Mengatasi Perkawinan Di Bawah Umur," *Jurnal ...*, 2022, <http://journal.universitaspahlawan.ac.id/index.php/jpdk/article/view/10766>; S Hidayat, M Pawennei, and A Makkuasa, "Akibat Hukum Perkawinan Dibawah Umur: Studi Di Pengadilan Agama Pangkajene," *Journal of Lex Generalis ...*, 2023, <http://www.pasca-umi.ac.id/index.php/jlg/article/view/1432>.

¹⁶ Rizqi Tri Lestari and Jejen Hendar, "Dispensasi Perkawinan Anak Dibawah Umur Menurut UU Perkawinan Dengan Al Maqasyid Syariah," *Jurnal Riset Ilmu Hukum* 2, no. 1 (2022): 21; Lismi Salis and Endang Heriyani, "Dampak Perkawinan Di Bawah Umur Terhadap Terjadinya Perceraian," *Media of Law and Sharia* 4, no. 1 (2022): 34 – 50; A W Wantu et al., "Pencegahan Perkawinan Anak Dibawah Umur Pada Remaja Desa Lion Kecamatan Posigadan Kabupaten Bolaang Mongondow Selatan," *Jurnal Abdimas ...*, 2022, <https://jurnalvokasi.ung.ac.id/jat/index.php/jat/article/view/8>.

¹⁷ Azizah Nuraini, Nurhadi Nurhadi, and Yuhastina Yuhastina, "Strategi Peran Istri Dalam Mempertahankan Keluarga Dari Perceraian Di Kota Surakarta," *Jurnal Pendidikan Sosiologi Dan Humaniora* 13, no. 2 (2022): 371.

The Rejection of Underage Marriage Due to Out of Wedlock Pregnancy

Marriage has the aim of forming a *sakinah family life, mawadda warahmah*. Success in achieving that goal depends largely on each husband and wife performing their respective roles by fulfilling obligations and recognizing their rights¹⁸ The fulfillment of each other's roles is the key to creating a successful married life, because both partners can fulfill their duties best. Therefore, marriage needs to be planned before being undertaken by prospective married couples. This plan aims to prepare for one event that takes place once in a lifetime, with a marital commitment that lasts a lifetime for both parties.¹⁹ On the other hand, many marriages fail due to a lack of understanding of the functions and roles of each married couple.²⁰ Therefore, it is important to plan the marriage carefully. Prospective husbands and wives need to have sufficient awareness, knowledge, and skills to live a marriage. With knowledge, skills, and determination, future husbands and wives can become mature, sensible couples and get support and blessings from both parents and family. This support and blessing is expected to be a prayer and blessing, making married life lasting, happy, and full of peace.²¹

Planning a marriage for life ahead requires a long-term view of preparing for marriage and family life. Planning a marriage includes values, shared goals, and hopes for the future. The younger generation must carefully plan when navigating marriage, including financial planning, and strive to achieve sufficient economic stability to support family needs. Understanding financial management, investment, and savings is a key part of planning a future together and navigating a married couple's marriage. Married couples can manage finances that include children's education, health needs, and retirement savings.²² Married couples need to plan their education, and their careers should not be neglected either. Making yourself and your partner a growing husband and wife, improving your qualifications, and honing your skills will help shape a more stable and prosperous future in your marriage and family. In addition, the commitment to support each other in decision-making, facing challenges, and celebrating happiness together is also important in marriage and family. Open communication and understanding each other's needs become a strong foundation for a husband and wife to design a happy and sustainable married life.

Flexibility and readiness to adapt to change are also key in life plans for navigating marriage between husband and wife. Over time, a married couple must adjust their life plan awareness, and unexpected events serve as preventive measures against marital conflicts that lead to divorce. The context of careful planning in married life brings happiness, peace, and deep meaning to married couples. Careful planning in dealing with

¹⁸ Fikri Fikri et al., "Transformation of Maqid Shari 'ah in Divorce Mediation in Religious Courts: Revitalization of the Bugis –Mandar Customs, Indonesia," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 1 (2023): 448.

¹⁹ Hamzah Hamzah, "Perencanaan Dalam Perkawinan Dan Keluarga," *AL-WARDAH: Jurnal Kajian Perempuan, Gender Dan Agama* 12, no. 2 (2019): 150; Ari Purbowati, "Kelahiran Yang Tidak Direncanakan: Apakah Hambatan Bagi Wanita Untuk Bekerja?," *Jurnal Ketenagakerjaan* 14, no. 1 (n.d.): 559938; Lailatus Solikhah and Fattah Hanurawan, "Komitmen Pernikahan Dan Perjuduhan Perempuan Usia Dewasa Tengah," *Flourishing Journal* 1, no. 3 (2021): 187 – 95.

²⁰ Nuraini, Nurhadi, and Yuhastina, "Strategi Peran Istri Dalam Mempertahankan Keluarga Dari Perceraian Di Kota Surakarta."

²¹ Jumriana Jumriana, "Nilai Filosofi Tradisi Pingitan Pada Suku Jawa Perspektif Hukum Islam," *Kalosara: Family Law Review* 3, no. 1 (2023): 31.

²² Habibi, "Pegawai BKKBN Kota Parepare, Wawancara Pada Tanggal 15 Nopember 2023," 2023.

married life shows the rejection of marriage by minors, who are at high risk of adverse effects from married couples. Maturation of Marital Age (Pendewasaan Usia Perkawinan), abbreviated as PUP, is an effort to increase the age requirement for marriage by the provisions of Law Number 16 of 2019. In that context, PUP aims for prospective spouses to reach a minimum age of 20 years, while prospective husbands reach a minimum age of 25 years before marriage. The PUP concept is very positive because it aims to protect the rights and welfare of prospective married couples. Setting a marriage age limit can provide greater opportunities to develop physically, emotionally, and mentally before entering into the marital commitment of the future wife. This effort is in line with efforts to prevent the adverse effects of marriage at a young age for prospective husband and wife, such as health risks, educational disorders, and potential conflicts in marital relationships.

The PUP concept reflects awareness of the importance of ensuring that prospective married couples are well-prepared to carry out marital responsibilities. Therefore, maturing the age of marriage can be considered a strategic step to creating a more stable, happy, and sustainable marriage.²⁴ The maturation of the marriage age initiative in Law Number 16 of 2019 aims to provide understanding and knowledge to SMA, SMK, and MA students in Parepare City about the importance of marriage planning. That context includes thorough preparation in various aspects of life, such as physical, mental, emotional, educational, social, and economic. In addition, the initiation of students in SMA, SMK, and MA Parepare City emphasized the importance of realizing that marriage planning can affect the birth spacing of children, making the right decisions, and carefully considering aspects related to marriage. Therefore, the maturation of the age of marriage in Law Number 16 of 2019 aims to equip students of SMA, SMK, and MA in Parepare City with the knowledge and understanding needed to make decisions about sailing the ark of marriage more precisely and maturely.

The deep paradigm among students of SMA, SMK, and MA In Parepare City is that the age of marriage, between 20 and 35 years, is considered the ideal period to get married and start the process of childbirth. At that age range, women are considered to have reached sufficient physical and mental maturity to assume marital responsibilities and parenthood. At that stage, they generally have emotional stability, financial stability, and a more mature understanding of family needs. The age range of 20–35 years is also considered to reduce the risk of health complications for the mother and baby during pregnancy and delivery. Physiologically, women's bodies in that age range are generally better prepared physically for pregnancy and childbirth, with a lower risk of complications compared to younger or older ages.

The maturation of marital age is underpinned by considerations of health and well-being and a passion for ensuring that parents have the energy, physical health, and readiness to support development and active life in the family. Although this view is general, decisions regarding marriage and birth age remain personal choices that can vary according to the uniqueness of each married couple. The rejection of underage marriage as a result of pregnancy out of wedlock is considered the most important attitude and action in maintaining the safety of human existence. In that situation, the rejection reflects a rejection of the practice of marrying at too young an age, especially if triggered by

²⁴ Abdul Gaffar, M Ali Rusdi, and Akbar Akbar, "Kedewasaan Usia Perkawinan Perspektif Hadis Nabi Muhammad Dengan Pendekatan Interkoneksi Masalah," *Al-Manahij: Jurnal Kajian Hukum Islam* 15, no. 1 (2021): 83–98.

pregnancy out of wedlock. The paradigm of rejection of underage marriage for students of SMA, SMK, and MA in Pare–pare City has emerged with the emergence of an awareness of the high risks and negative consequences of underage marriage, especially if it begins due to extramarital rights. Deep paradigm after socialization and counseling on changes in marriage age law for students of SMA, SMK, and MA In Pare – pare City, underage marriage as a result of pregnancy out of wedlock has adverse effects and very high risks.

In addition, the paradigm for SMA, SMK, and MA students in Pare –pare City regarding marriage law changes can reflect values related to responsibility, maturity, and readiness to take on marriage commitments. The rejection of underage marriage to overcome out – of – wedlock pregnancy's problem for of SMA, SMK, and MA students in Parepare City can reflect a desire to ensure that marriage is based on physical, mental, and emotional preparedness, not just as a reaction to an urgent situation. In general, the main goals of the campaign against underage marriage for SMA, SMK, and MA student in Parepare City is to prevent and avoid the adverse effects that can arise and also become bad stigma for the Bugis community. Denial of underage marriage for SMA, SMK, and MA students in Parepare City can reflect an awareness of the risks and consequences that can occur. Besides, this campaign also builds responsibility, maturity, and readiness to enter into marital commitment. In addition, a deep paradigm for students of SMA, SMK, and MA In Pare –pare City, the change in the age of marriage law in reaction to the rejection of underage marriage due to pregnancy out of wedlock is to protect the rights and welfare of children, prevent forced marriage, and avoid adverse risks to health and society. In principle, the purpose of rejection is to ensure that marriage is structured based on readiness and collective awareness. This condition helps usto form a more stable and healthy marital environment for both married couples.

CONCLUSION

The urgency of strengthening the legal understanding of underage marriage due to out of wedlock pregnancy for students in Parepare City has been studied. After socialization and counseling on changes in the marriage age law about underage marriage due to out of wedlock pregnancy, there was a gap between the students' deep understanding of SMA, SMK, and MA, who already know a lot about Law No. 1 of 2019, and social facts in the community in Parepare City, because the fact of underage marriage in the Religious Court from year to year continues to increase. In this case, students generally reject underage marriage due to pregnancy after gaining an in – depth understanding of the adverse effects and high risks involved. Therefore, in the next study, it is recommended to conduct a more specific study related to the protection of children's rights through underage marriage after changes in the marriage age law.

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