

# PROSTITUTION UNDER THE GUISE OF RELIGION: THE EXPLOITATION OF MARGINALIZED WOMEN THROUGH TEMPORARY MARRIAGE



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## Abstract

This study aims to examine the exploitation of marginalized women through temporary marriage practices conducted under the guise of religious legitimacy and to analyze how such practices may reproduce forms of disguised prostitution. The study employs qualitative normative legal research with a socio-legal perspective, integrating Islamic family law analysis with gender and social vulnerability perspectives. The data consist of Islamic legal literature, scholarly publications, legal materials, and documented cases concerning temporary marriage, women's marginalization, and religiously framed sexual exploitation. The findings reveal that temporary marriage can become an instrument of exploitation when religious claims are used to legitimize relationships characterized by economic transactions, unequal bargaining power, and temporary sexual access. Marginalized women are particularly vulnerable because economic hardship, limited social protection, and structural inequality can constrain their ability to exercise meaningful consent. The findings also demonstrate that formal religious justification does not necessarily ensure substantive justice, particularly when marriage arrangements result in economic dependency, abandonment, stigma, or the denial of women's rights and dignity. The study concludes that temporary marriage practices involving marginalized women should be assessed not solely through formal notions of religious or contractual validity but also through justice, meaningful consent, human dignity, and protection from exploitation. Academically, this study contributes to Islamic family law scholarship by introducing a socio-legal and gender-sensitive framework for examining how religious legitimacy can intersect with structural vulnerability and transform temporary marriage into a mechanism of exploitation.

## Abstrak

Penelitian ini bertujuan untuk mengkaji eksploitasi terhadap perempuan marginal melalui praktik pernikahan sementara yang dilakukan dengan kedok legitimasi agama serta menganalisis bagaimana praktik tersebut dapat mereproduksi bentuk prostitusi terselubung. Penelitian ini menggunakan penelitian hukum normatif kualitatif dengan perspektif sosio-legal yang mengintegrasikan analisis hukum keluarga Islam dengan perspektif gender dan kerentanan sosial. Data penelitian terdiri atas literatur hukum Islam, publikasi ilmiah, bahan hukum, dan kasus-kasus terdokumentasi yang berkaitan dengan pernikahan sementara, marginalisasi perempuan, dan eksploitasi seksual yang dibingkai oleh legitimasi agama. Hasil penelitian menunjukkan bahwa pernikahan sementara dapat menjadi instrumen eksploitasi ketika klaim keagamaan digunakan untuk melegitimasi hubungan yang ditandai oleh transaksi ekonomi, ketimpangan posisi tawar, dan akses seksual yang bersifat sementara. Perempuan marginal memiliki kerentanan yang lebih tinggi karena kesulitan ekonomi, keterbatasan perlindungan sosial, dan ketimpangan struktural dapat membatasi kemampuan mereka untuk memberikan

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*persetujuan yang bermakna. Temuan penelitian juga menunjukkan bahwa pembenaran agama secara formal tidak selalu menjamin keadilan substantif, terutama ketika pengaturan pernikahan mengakibatkan ketergantungan ekonomi, penelantaran, stigma, atau pengingkaran terhadap hak dan martabat perempuan. Penelitian ini menyimpulkan bahwa praktik pernikahan sementara yang melibatkan perempuan marginal tidak semata-mata harus dinilai berdasarkan validitas agama atau kontraktual secara formal, tetapi juga berdasarkan prinsip keadilan, persetujuan yang bermakna, martabat manusia, dan perlindungan dari eksploitasi. Secara akademik, penelitian ini berkontribusi terhadap kajian hukum keluarga Islam dengan menawarkan kerangka sosio-legal dan sensitif gender untuk menganalisis bagaimana legitimasi agama dapat beririsan dengan kerentanan struktural dan mengubah pernikahan sementara menjadi mekanisme eksploitasi.*

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## INTRODUCTION

Temporary marriage has become a contested phenomenon in contemporary discussions of Islamic family law because its religious justification may intersect with economic inequality (Faizal, Qohar, Wahid, & Rofi'i, 2024), gendered power relations, and the vulnerability of women in marginalized social positions (Wardi, 2019). Although temporary marriage may be framed as a legitimate contractual relationship within particular religious interpretations, its practical implementation can produce relationships in which women possess limited bargaining power and reduced capacity to negotiate the terms, duration, and consequences of the marriage (Valizadeh, Abbassinia, Motaghi, & Chaman, 2026). Economic hardship (Adamovych, 2026), social exclusion, limited educational opportunities, and dependence on male providers may further constrain women's ability to exercise meaningful autonomy. Under such circumstances (Alshekh, Abdullah, & Samah, 2019), the language of religious legitimacy can potentially obscure exploitative relationships by presenting transactional sexual arrangements as formally valid marriages (Hafidzi & Mohd. Hani, 2020). This phenomenon raises important questions concerning the boundaries between marriage, contractual consent, and sexual exploitation. The issue is particularly significant because the formal recognition of consent does not necessarily demonstrate that consent has been given freely and meaningfully (Lundy, Novita, & Fithriani, 2024). Examining temporary marriage from this perspective is therefore important for understanding how religious discourse (Azhari, Ismail, & Muhammad Daud, 2021), socioeconomic vulnerability, and gender inequality may interact to produce forms of exploitation that remain difficult to identify within conventional legal and religious frameworks.

Existing scholarship has examined temporary marriage from several perspectives, particularly Islamic jurisprudence, religious doctrine, family law, sexuality, and social practice. Studies concerning *mut'ah* have generally focused on its theological foundations, differences among Islamic legal schools, historical development, and debates concerning its permissibility or prohibition (Boudjaaba & Herment, 2022). Other studies have explored temporary marriage in relation to migration, economic necessity, sexual morality, and changing family structures (Muftadin, 2021). Meanwhile, scholarship on prostitution and sexual exploitation has emphasized the roles of poverty, gender inequality, coercion, and unequal power relations in shaping women's vulnerability (Ifft Decker, 2025). Although these bodies of literature provide valuable insights, they frequently develop along separate analytical trajectories. Research on temporary marriage often prioritizes questions of doctrinal validity and religious legitimacy (Abdin & Al – Shraah, 2024), whereas studies of prostitution and exploitation generally examine the phenomenon through social,

economic, or human–rights frameworks (Tekin, 2025). Consequently, insufficient attention has been given to situations in which religiously framed temporary marriage may operate in ways functionally similar to transactional sexual exploitation. This gap is particularly important for marginalized women whose socioeconomic circumstances may substantially influence their capacity to provide meaningful consent and negotiate marital relationships.

A critical evaluation of previous studies indicates that the central limitation lies not necessarily in the absence of research on temporary marriage or women's exploitation, but in the limited integration of these two fields of inquiry. Doctrinal approaches are valuable for determining the formal requirements and legal status of marriage, yet they may provide insufficient explanation of how apparently consensual relationships operate within unequal social and economic structures. Conversely, socio–legal and gender–based studies effectively identify structural vulnerability and power asymmetries but may give inadequate attention to the religious concepts through which temporary marriage is legitimized (Pauha, 2023). This study positions itself at the intersection of these perspectives by examining temporary marriage not merely as a question of religious or contractual validity, but as a socio–legal practice whose consequences must also be evaluated in relation to consent, vulnerability (YAŞAR, 2022), exploitation, and women's dignity. The study therefore shifts analytical attention from the formal question of whether a relationship can be described as marriage toward the substantive question of whether the conditions surrounding that relationship permit genuine autonomy and justice. Such positioning enables the research to identify circumstances in which religious terminology and contractual form may conceal relationships characterized by economic dependency, unequal bargaining power, and sexual exploitation.

The objective of this study is to examine how temporary marriage practices presented as religiously legitimate relationships can facilitate or conceal the exploitation of marginalized women, particularly by analyzing the influence of economic vulnerability, unequal bargaining power, and the conditions surrounding consent. The study also examines whether formal religious or contractual legitimacy is sufficient to establish meaningful consent and protect women's dignity within relationships shaped by structural inequality. The study advances the argument that formal religious legitimacy alone cannot be treated as conclusive evidence of a just and genuinely consensual marital relationship when significant socioeconomic inequalities influence the parties' choices. Where women's decisions are strongly conditioned by poverty, dependency, social marginalization, or limited alternatives, consent may exist formally while remaining substantively constrained. Accordingly, the study argues that temporary marriage should be assessed through an integrated normative and socio–legal framework that considers both formal validity and substantive justice. By bringing Islamic legal analysis into dialogue with gender–sensitive and socio–legal perspectives, the study demonstrates how religious legitimacy may interact with structural vulnerability and create conditions in which exploitation can be normalized or obscured. This approach ultimately strengthens the conceptual basis for protecting marginalized women's autonomy, dignity, and rights.

## METHODS

This study employed qualitative normative legal research with a socio–legal perspective to examine the exploitation of marginalized women through temporary marriage practices presented as religiously legitimate relationships. The research involved the systematic collection, selection, and examination of secondary data. The materials comprised primary and secondary legal sources, including Islamic jurisprudential texts, relevant legislation, judicial decisions, scholarly books, peer–reviewed journal articles, institutional reports, and documented cases concerning temporary marriage, women's marginalization, consent, and sexual exploitation. Materials were identified through academic databases and legal repositories using combinations of keywords such as "temporary marriage," "*mut'ah*," "marginalized women," "religious legitimacy," "exploitation," and "disguised prostitution." No human participants were involved; therefore, participant sampling, interviews, and field observations were not conducted. The study did not require a physical research location because all materials were obtained from published and accessible documentary sources. Materials were selected purposively based on their relevance, scholarly credibility, legal authority, and direct connection to the research questions. This procedure ensured that the evidence base remained focused, traceable, transparent, and appropriate for normative legal analysis within the socio–legal context of the study.

Data analysis was conducted through qualitative content analysis and doctrinal legal interpretation, supported by a socio–legal and gender–sensitive analytical framework. The collected materials were first organized into four analytical categories: religious and contractual legitimacy, economic and structural vulnerability, meaningful consent, and consequences for women's rights and dignity. Relevant passages, legal principles, and documented cases were subsequently coded manually and compared across Islamic legal sources, legal materials, and social scholarship to identify convergent, divergent, and recurring patterns. The analysis proceeded through three stages: data reduction, thematic categorization, and interpretive synthesis. Particular attention was given to the distinction between formal legal validity and substantive justice, enabling the study to assess how religious justification may interact with unequal bargaining power, economic dependency, and women's vulnerability to exploitation. No statistical software was used because the study did not generate numerical data; instead, analytical matrices and structured coding tables were employed to maintain consistency throughout the analysis. Methodological rigor was strengthened through source triangulation, comparison between classical and contemporary Islamic legal scholarship, and critical evaluation of the authority, relevance, and contextual appropriateness of each source. These procedures enhanced the credibility, transparency, consistency, and interpretive validity of the findings.

## RESULT AND DISCUSSION

### RESULT

#### Religious Legitimacy and the Transactionalization of Temporary Marriage

Temporary marriage practices presented as religiously legitimate relationships manifest through the combination of marital terminology, contractual arrangements, and predetermined relational boundaries. The use of religious concepts and terminology can provide these relationships with an appearance of formal legitimacy, particularly when the parties refer to marriage contracts, *mahr*, religious requirements, or particular jurisprudential interpretations. In practice, however, the relationship may be organized

around clearly defined material exchanges, limited duration, and expectations concerning sexual access. Agreements concerning financial compensation, accommodation, gifts, or other forms of material benefit may become central to the establishment and continuation of the relationship. The predetermined termination of the relationship further distinguishes temporary arrangements from conventional marital relationships and may reinforce their transactional character. The findings indicate that the coexistence of religious language and material exchange creates an ambiguous social space in which marital and transactional elements overlap. This ambiguity is particularly significant when the woman's participation is strongly associated with economic compensation. Under such circumstances, the formal structure of marriage may obscure the practical characteristics of the relationship and make potentially exploitative arrangements appear socially or religiously acceptable.

The emergence of transactional characteristics in temporary marriage is influenced by several interconnected factors. Religious legitimacy represents an important factor because references to particular interpretations of Islamic jurisprudence may be used to construct the relationship as permissible rather than exploitative (Rupesinghe, 2018). This process can become more pronounced when religious knowledge is unevenly distributed between the parties, allowing individuals with greater religious authority (Kh. J. Al–Shamari & Al–Jalili, 2020), knowledge, or social influence to determine how contractual arrangements are understood and justified. Economic considerations also influence the formation of these relationships, particularly where financial benefits become an important motivation for entering or maintaining a temporary marriage. Unequal bargaining power can further affect the conditions under which agreements are negotiated (Nur Hidayah, 2024), especially when women experience economic dependence or limited alternatives (Borowski & Lipiec, 2025). The findings also indicate that the commercialization of marital relationships contributes to the transformation of religiously framed arrangements into transactions involving predetermined benefits and expectations. These factors do not operate independently; rather, religious discourse, economic necessity, and gendered power relations may reinforce one another. Consequently, the appearance of voluntary contractual agreement may coexist with structural conditions that significantly constrain the choices available to marginalized women.

The combination of religious legitimacy and transactional arrangements has important implications for understanding the boundaries between temporary marriage, consensual marital relationships, and sexual exploitation. When material exchange, predetermined duration, and sexual expectations become central characteristics of the relationship, the formal classification of the arrangement as marriage may conceal its substantive social function (Norcahyono, 2021). This finding demonstrates that the presence of a religiously recognized contract does not automatically eliminate the possibility of exploitation, particularly where the parties possess unequal economic and social resources (Alrudainy, Tillier, & Vanthieghem, 2024). The use of religious terminology may also make exploitation more difficult to identify because the relationship can be interpreted through the language of marital legitimacy rather than vulnerability or coercion. For marginalized women, this ambiguity may weaken their ability to challenge unfavorable arrangements or seek appropriate forms of protection (Rahbari, 2020). The transformative implication of this finding is the need to distinguish between formal religious recognition and the substantive conditions under which temporary marriage is established and experienced. Assessment should therefore consider the actual distribution of bargaining power, the nature of material exchanges (Bryan, 2016), the voluntariness of consent, and the consequences for

women's dignity. Such an approach provides a broader basis for identifying exploitative practices concealed within formally legitimate marital arrangements.

### **Economic Vulnerability, Constrained Consent, and the Erosion of Women's Dignity**

The findings indicate that the vulnerability of marginalized women in temporary marriage practices is manifested through economic dependence, restricted life choices, social pressure, and limited capacity to negotiate the conditions of the relationship. Women who enter such relationships may possess formal freedom to agree to the marriage, yet their choices can be substantially influenced by financial insecurity and the absence of viable alternatives. Economic dependence may affect their ability to negotiate the amount and form of *mahr*, the duration of the relationship, living arrangements, sexual expectations, and responsibilities following the termination of the marriage. Social marginalization can further intensify this vulnerability by limiting access to education, employment, social networks, and institutional support. The findings also demonstrate that women may have limited capacity to negotiate their rights when the male party controls greater financial resources or possesses stronger social and religious authority. Consequently, the existence of a marriage agreement does not necessarily indicate an equal negotiation between the parties. The practical manifestation of vulnerability therefore lies not only in the economic conditions surrounding the relationship but also in the unequal capacity of women to influence its terms, refuse unfavorable conditions, or seek protection when their interests are compromised.

Several interconnected factors contribute to the emergence of constrained consent among marginalized women involved in temporary marriage. Poverty constitutes a significant structural factor because immediate financial needs may encourage women to accept arrangements that they might otherwise reject under more secure socioeconomic conditions. Social marginalization further restricts available alternatives by limiting access to stable employment (Bonilla, Malo, & Pinto, 2022), education, housing, and institutional assistance. Dependence on male financial support can intensify unequal bargaining power, particularly when the male party determines the material benefits, duration, or conditions of the relationship (Turp et al., 2018). The findings also identify limited access to legal and religious knowledge as an important factor because women may lack sufficient information to understand their rights, contractual conditions, or available mechanisms of protection. Weak institutional protection can reinforce these circumstances by leaving vulnerable women with limited avenues to challenge exploitative practices or obtain effective remedies. These factors operate cumulatively rather than independently. Economic insecurity can increase dependence, dependence can reduce bargaining power, and reduced bargaining power can constrain the ability to provide meaningful consent. The resulting situation demonstrates that consent must be understood within the broader structural conditions that shape women's available choices.

The implications of these findings require a distinction between formal consent and meaningful consent in evaluating temporary marriage practices. Formal consent refers to the expressed agreement of a woman to enter a marital relationship, whereas meaningful consent requires that the decision be made with adequate understanding, sufficient freedom (Naixin, 2019), and a realistic capacity to refuse or negotiate the terms of the relationship (STJEPANOVIĆ, 2024). The findings suggest that consent may appear voluntary at the formal level while remaining substantively constrained by poverty, dependency (Almeida & Obeng, 2020), social pressure, or limited alternatives. This distinction has transformative implications for the evaluation of marital justice because it

shifts attention from the mere existence of contractual agreement toward the conditions under which agreement is produced. Women's dignity and autonomy should therefore become central considerations in assessing whether a temporary marriage relationship is genuinely just and non-exploitative. Protection should not be limited to recognizing formal marital status but should also address structural vulnerability, unequal bargaining power, and access to legal and social support. Such an approach reframes women from passive subjects of contractual arrangements into rights-bearing actors whose autonomy, dignity, and substantive freedom must be protected throughout the formation, continuation, and termination of temporary marriage relationships.

## DISCUSSION

Temporary marriage presented as religiously legitimate can create a complex relationship between marital form and transactional practice. The use of religious terminology, contractual arrangements, *mahr*, predetermined duration, and material exchange may give the relationship the appearance of a legitimate marital union, while its practical organization can contain characteristics associated with transactional sexual relationships (Gelpert, 2018). This condition becomes particularly problematic when women involved in such arrangements occupy economically and socially marginalized positions. Poverty, economic dependency (Lechkar, 2022), restricted alternatives, and unequal bargaining power may limit their ability to negotiate the conditions of marriage or refuse arrangements that do not serve their interests. Consequently, formal agreement does not necessarily demonstrate meaningful consent (Salehi et al., 2024). The coexistence of religious legitimacy and structural vulnerability illustrates how a relationship may satisfy certain formal requirements while producing substantive inequalities between the parties. The issue therefore extends beyond the classification of temporary marriage as permissible or impermissible and requires attention to the circumstances in which consent is produced, the distribution of bargaining power (Marciniuk & Zmysłona, 2022), and the consequences experienced by women (Hushkadamova, 2024). Such an approach enables the distinction between a formally recognized contractual relationship and a relationship that genuinely protects autonomy (Yaghoobi, 2020), dignity, and justice.

The emergence of transactional temporary marriage can be explained through the interaction of religious discourse, economic insecurity, gender inequality, and limited social protection. Religious terminology can establish an interpretive framework through which the relationship is understood as marriage rather than as a transactional sexual arrangement. This effect may become stronger when one party possesses greater religious knowledge, authority, or social influence and can determine how the contractual relationship is interpreted (Zhunussova, 2022). Economic hardship simultaneously creates conditions in which temporary marriage may become an attractive or necessary means of obtaining financial assistance. Dependence on male financial resources can subsequently weaken women's bargaining positions and reduce their capacity to negotiate important aspects of the relationship (Sferra, 2023). Gendered social structures may reinforce this imbalance by assigning greater economic and decision-making authority to men. Limited access to education, employment (Wilkin, 2021), legal knowledge, and institutional assistance further restricts women's alternatives (Hariri, 2021). These circumstances demonstrate that individual decisions are embedded within broader structural conditions. Consequently, the apparent voluntariness of entering a temporary marriage should be examined in relation to the material and social pressures surrounding the decision rather than evaluated exclusively through the existence of a contractual agreement.

The effects of such relationships extend beyond the immediate contractual arrangement and may influence women's autonomy, dignity, social security, and access to protection. When economic necessity becomes closely connected to the decision to enter a temporary marriage, women may experience reduced control over the duration, conditions, and boundaries of the relationship (Cotton, 2023). The combination of material exchange and sexual expectations can increase vulnerability to exploitation (Hardiyanti, Natalis, & Indreswari, 2025), particularly when refusal or renegotiation may result in the loss of essential financial support (Alicino, 2020). The temporary nature of the relationship may also generate uncertainty concerning social recognition (Hanapi & Yuhermansyah, 2020), responsibilities (Taha, 2026), and protection after its termination. Women in marginalized positions may face additional difficulties when institutional mechanisms for reporting exploitation or obtaining legal assistance are weak, inaccessible (Mwenelupembe, 2026), or socially stigmatized (Desai, Sharma, Upadhyay, & Mandal, 2022). These consequences demonstrate the importance of evaluating consent as a substantive condition rather than merely as an expressed agreement (Aslati, Agustar, Silawati, Arisman, & Arafah, 2024). Meaningful consent requires adequate understanding, reasonable freedom of choice, and a realistic capacity to refuse or negotiate without disproportionate economic or social consequences. Protecting women's dignity therefore requires attention to the actual conditions and consequences of marital relationships rather than relying solely on their formal religious or contractual classification.

The position developed in this study extends previous scholarship on *mut'ah*, temporary marriage, prostitution, consent, and women's exploitation by bringing together issues that have often been examined separately. Studies of *mut'ah* have predominantly emphasized jurisprudential debates, theological legitimacy, historical development, and differences among Islamic legal traditions (Esler, 2023). Research on prostitution and sexual exploitation, by contrast, has generally focused on poverty, coercion, gender inequality, and unequal power relations (Peacock, 2021). These approaches provide important foundations but do not always explain how religious legitimacy may interact with structural vulnerability within temporary marital arrangements (Mustamam, Danialsyah, Nurasiah Harahap, Mega Arum Saputri, & Lutter Ariestino, 2025). The present approach differs by examining the relationship between formal religious recognition and the substantive conditions surrounding consent (AbuAlkheir, Farghal, & Haider, 2024). Its principal contribution lies in distinguishing formal consent from meaningful consent while connecting this distinction to economic vulnerability, unequal bargaining power, and women's dignity (Bozdog, Sierra–Paycha, & Andro, 2022). This perspective also demonstrates that transactional characteristics may become obscured when sexual and material exchanges are incorporated into religiously framed marital structures (Mohamed Mahroof Ali Abdullah, Azizah Mohd, & Norliah Ibrahim, 2026). The conceptual contribution is therefore not to equate temporary marriage with prostitution categorically, but to establish analytical criteria for identifying circumstances in which a formally marital relationship may produce exploitative effects. This distinction offers a more nuanced basis for evaluating temporary marriage within contemporary Islamic family law.

Recommendations of this study emphasize the need to develop a broader framework for evaluating temporary marriage that moves beyond formal contractual and religious validity. Conceptually, Islamic family law scholarship should incorporate meaningful consent, substantive justice, gender equality, economic vulnerability, and protection of dignity when assessing the legitimacy and social consequences of temporary marital relationships. A woman's expressed agreement should be examined alongside her access

to information, economic alternatives, bargaining capacity, and freedom to refuse or renegotiate the relationship. Methodologically, future studies should combine normative legal analysis with empirical socio–legal research to document women's experiences, negotiation processes, institutional responses, and differences across social and geographical contexts (Izzat & Mulki, 2022). At the policy level, religious and legal institutions should strengthen mechanisms for preventing exploitation, providing accessible legal assistance, and identifying circumstances in which economic dependency compromises meaningful consent. Religious education should also emphasize that religious concepts cannot be used to legitimize coercion, manipulation, or exploitation (Piano, Behr, & West, 2024). These recommendations seek to ensure that the assessment of temporary marriage recognizes both formal legal requirements and substantive social realities. A framework centered on autonomy, dignity, and justice can provide stronger protection for marginalized women while encouraging a more responsible and context – sensitive interpretation of Islamic family law.

## CONCLUSION

This study concludes that temporary marriage practices presented under the guise of religious legitimacy can create conditions that facilitate the exploitation of marginalized women. The findings demonstrate that the formal invocation of religious and contractual principles does not necessarily guarantee meaningful consent, substantive justice, or protection of women's dignity. In contexts characterized by economic dependency, unequal bargaining power, social marginalization, and limited access to legal protection, women may enter temporary marriages under circumstances that substantially constrain their autonomy. The study further finds that the distinction between formal contractual validity and substantive justice is essential for understanding these practices. Religious terminology and contractual arrangements may provide an appearance of legitimacy while concealing relationships that function in ways comparable to transactional sexual exploitation. Consequently, the assessment of temporary marriage should not rely exclusively on formal legal or religious requirements but should also consider the social and economic conditions surrounding consent. A gender – sensitive socio – legal analysis therefore provides a more comprehensive basis for identifying coercion, structural vulnerability, and exploitation that may remain invisible within purely doctrinal assessments of marriage.

The study contributes conceptually by connecting Islamic family law analysis with socio–legal and gender–sensitive perspectives to examine the relationship between religious legitimacy, structural vulnerability, consent, and women's dignity. Rather than treating temporary marriage solely as a question of doctrinal validity, the study proposes an analytical approach that places formal legal recognition alongside the substantive circumstances in which marital relationships are established and experienced. Methodologically, the integration of normative legal interpretation, qualitative content analysis, and socio–legal inquiry demonstrates how Islamic legal sources can be examined together with legislation, judicial decisions, social scholarship, institutional reports, and documented cases. This approach enables researchers to identify tensions between normative principles and lived social realities, particularly where economic inequality and gendered power relations influence marital decisions. The study also contributes theoretically by emphasizing that meaningful consent should be evaluated within its broader structural context rather than understood merely as the absence of explicit refusal. Accordingly, the protection of marginalized women requires an

interpretive framework capable of recognizing exploitation even when relationships are formally structured as consensual and religiously justified marriages.

This study has several limitations that should be considered when interpreting its conclusions. As a qualitative normative and socio–legal study based primarily on secondary and documentary sources, it does not provide direct empirical accounts of women who have experienced temporary marriage or individuals involved in facilitating such relationships. The absence of interviews and field observations limits the study's ability to capture personal experiences, negotiation processes, emotional consequences, and variations in local practices. In addition, documented cases and available legal materials may not fully represent the diversity of temporary marriage practices or the experiences of marginalized women across different social and geographical contexts. Future research should therefore incorporate empirical approaches, including interviews, ethnographic observation, and case–based socio–legal investigation, while maintaining appropriate ethical safeguards for vulnerable participants. Comparative research across jurisdictions and Islamic legal traditions would also be valuable for examining how different interpretations of temporary marriage influence women's protection and access to justice. Further studies could investigate the effectiveness of legal and institutional mechanisms in preventing exploitation and develop gender–sensitive policy frameworks that reconcile religious discourse, contractual autonomy, and the protection of human dignity.

## **DECLARATIONS**

### **AUTHOR CONTRIBUTION STATEMENT**

Doni Prananda contributed to conceptualization, methodology, investigation, data curation, and writing—original draft. Maghfirah contributed to methodology, investigation, and data analysis. Habiburrahman Rizapoor contributed to literature review, data curation, and writing—original draft. Juliani Syafitri contributed to formal analysis, validation, supervision, and writing—review and editing. All authors contributed to the interpretation of the findings, critically reviewed the manuscript, and approved the final version for publication.

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### **DATA AVAILABILITY STATEMENT**

The data supporting the findings of this study are available from the corresponding author upon reasonable request. Access to interview data is subject to ethical considerations and participant confidentiality.

### **DECLARATION OF INTERESTS STATEMENT**

The authors declare that they have no known competing financial or personal interests that could have influenced the work reported in this paper.

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