



Compilation of Islamic Law on Underage Marriage in Javanese Ethnic Communities in Lingga Bayu Mandailing Natal

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Abstract: This study aims to analyze the habits of underage marriage in Lingga Bayu Mandailing Natal, especially those carried out by the Javanese ethnic community. This study explores the rights and obligations according to the compilation of Islamic law, which looks at how consistent the perpetrators of underage marriages are in fulfilling their rights and responsibilities in the household. This research is field research with research subjects, namely the perpetrators of underage marriages who are Javanese in the Lingga Bayu District. Data collection techniques used are observation, interviews, and documentation. From this, the results of this study indicate that the perpetrators of underage marriages are closely related to their rights and obligations, which are closely tied to the compilation of Islamic law. The marriages below are generally accepted and understood by Muslims who are 'experts' of Islamic law and are educated but not by the general public. As a follow-up, in reaching this understanding, the perpetrators of underage marriages need to understand the rights and obligations of husband and wife, especially regarding the leadership or control of the household in the hands of the husband. Meanwhile, a wife should obey her husband as long as it is within limits justified by religion.

Keywords: Underage Marriage, Javanese Ethnicity, Islamic Law

Abstrak: Penelitian ini bertujuan untuk menganalisis bagaimana kebiasaan pernikahan di bawah umur dikecamatan Lingga bayu Mandailing Nata, terutama yang dilakukan oleh masyarakat etnis Jawa. Kajian ini diarahkan pada penggalian hak dan kewajiban menurut kompilasi hukum Islam yang kemudian melihat bagaimana konsistensi pelaku pernikahan di bawah umur dalam memenuhi hak dan kewajiban mereka dalam berumah tangga. Penelitian ini merupakan penelitian lapangan dengan subyek penelitian yakni para pelaku pernikahan di bawah umur yang bersuku jawa di Kecamatan Lingga Bayu. Teknik Pengumpulan data yang digunakan adalah

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observasi, wawancara dan dokumentasi. Dari sini, hasil penelitian ini menunjukkan bahwa para pelaku pernikahan di bawah umur tersebut pernikahan tersebut terkait erat dengan hak dan kewajiban mereka yang terikat erat pada kompilasi hukum Islam. Pernikahan di bawah ini umumnya diterima dan dipahami oleh umat Islam yang 'ahli' hukum Islam dan yang berpendidikan, namun tidak dari kalangan masyarakat awam. Sebagai tindak lanjut, dalam mencapai kesepahaman tersebut, para pelaku pernikahan di bawah umur perlu diberi pemahaman mengenai hak dan kewajiban suami isteri, terutama mengenai kepemimpinan atau kendali rumah tangga ada di tangan suami. Sedangkan isteri sepatutnya patuh kepada suami, selama hal tersebut dalam batas-batas yang dibenarkan agama.

Kata Kunci: *Pernikahan di bawah Umur, Etnis Jawa, Hukum Islam*

Introduction

Marriage is a sacred process that binds two human beings, a man and a woman, following the rules that apply according to religious law, state law, customs, and norms in every society. Different religions, countries, and regions have different rules regarding marriage (Dede Hafirman Said, 2017). Because without these rules in marriage, we can't have a life directed according to the rules and guidelines of our religion and in harmony with the laws that apply in our country, Indonesia. One problem that often occurs in marriage is the minimum age limit. In Indonesia, the minimum age limit for marriage is regulated by law. However, according to Dede Hafirman in his research, he said that often the minimum age limit for marriage is violated by the community with the emergence of underage marriages. In the end, this underage marriage has a negative impact. For example, in terms of education, the perpetrators of underage marriages are teenagers who have graduated from high school (Dede Hafirman Said, 2017).

As a process formed from children to adults, adolescents usually experience an acceleration of growth in terms of physical and psychological. They are no longer childish in terms of body development, attitudes, ways of thinking, and actions. However, they also cannot be said to be adults who have the maturity of thought (Dede Hafirman Said, 2017), as it is known that someone in the adolescent phase has not been able to control his emotions. They tend to experience anxiety, conflict, confusion, and conflict in themselves and those around them. So that at that time, a person was said to have not been able to carry out the duties and mandates of his role as a person who can marry. As a result, in their marriage, there are often disputes. They may even be unable to fulfill each other's rights and obligations as husband and wife (Nurussakinah, 2016).

In social life, both in urban and rural areas, the issue of underage marriage is always a topic of discussion. Furthermore, underage marriages often occur because of social factors. Lack of good life direction from parents, lack of religious education, and lack of public attention in tackling underage marriage. At the same time, the phenomenon of underage marriage does not look at ethnicity (Nurussakinah, 2016), not least what happened in Lingga Bayu, Mandailing Natal district. Those who carry out underage marriages are the majority of the Javanese ethnic community (Interview with Community of Lingga Bayu, 2018).

In this context, marriage requires obligations and rights in it. Two responsibilities must be carried out by husband and wife, namely material and immaterial. Material obligations in the form of commitments

to zahir in the property condition. Meanwhile, what is included in the intangible debt is a dowry. The immaterial obligation is the husband's obligation to fulfill his wife's inner living. This includes leading the family, namely his wife and children, and associating with his wife as well as possible. Rights are what a person receives from other people. The word rights come from the Arabic language, namely Hakqun, which has various meanings between rights and provisions or obligations (Mahmudah, 1984). In the Qur'an Surah Al-Baqarah verse 233 it is explained about the responsibilities of Fulfilling Rights and Obligations in marriage, as follows:

وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ ۖ لِمَنْ أَرَادَ أَنْ يُتِمَّ الرَّضَاعَةَ ۗ وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ ۚ لَا تُكَلَّفُ نَفْسٌ إِلَّا وُسْعَهَا ۚ لَا تُضَارَّ وَالِدَةٌ بِوَلَدِهَا وَلَا مَوْلُودٌ لَهُ بِوَلَدِهِ ۗ وَعَلَى الْوَارِثِ مِثْلُ ذَلِكَ ۗ فَإِنْ أَرَادَا فِصَالًا عَنْ تَرَاضٍ مِنْهُمَا وَتَشَاوُرٍ فَلَا جُنَاحَ عَلَيْهِمَا ۗ وَإِنْ أَرَدْتُمْ أَنْ تَسْتَرْضِعُوا أَوْلَادَكُمْ فَلَا جُنَاحَ عَلَيْكُمْ إِذَا سَلَّمْتُمْ مَا آتَيْتُمْ بِالْمَعْرُوفِ ۗ وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ ﴿٢٣٣﴾

From the word of God above, we can understand that the husband's responsibility is to maintain the safety and welfare of his wife and children and all aspects of their lives. The Qur'an also provides rules regarding the obligations or responsibilities of husband and wife. Married people must fulfill their respective rights and obligations. The problem has also been explained in the Hadith of the Prophet Muhammad. As rough means, "It is considered a sin if a husband does not care about spending his wife or family" (HR. Abu Dawud) (Marsap Duhaime, 1986). In addition to the obligations that the husband must fulfill, there are also the rights of the wife that must be accepted. This results from the marriage binding (Idris Ramulyo, 1999).

Al-Quran and Hadith of the Prophet Muhammad SAW. are two sources of law in Islam that are used as the basis for viewing and determining a law, especially in Kompilasi Hukum Islam (KHI). The Qur'an and Hadith must be used as primary references to obtain a law's validity. Sometimes a matter is not explained in the Qur'an but is in the Hadith of the Prophet, but there are times when ijtima' must be carried out by ulama to determine the law of a case (Idris Ramulyo, 1999). In the case of this marriage, Kompilasi Hukum Islam (KHI) is very closely related to marriage and within the scope of the study of rights and obligations based on fiqh experts. After the marriage contract has taken place and is valid, then what must be done by the husband or wife to fulfill the rights of the husband and wife is that the husband must fulfill the wife's rights as the husband's obligation. At the same time, the husband's rights must be fulfilled by the wife as the wife's obligation, and mutual rights must be fulfilled as the obligations of both (Aripin Susanto, 2019).

In order to find the results of the research in question, this article uses a method that is understood as the path that must be taken when the research takes place according to a predetermined or determined plan so that the research can be accounted for (Johnny Ibrahim, 2007). In another sense, using methods aims to obtain data with specific uses and purposes. Based on this, four keys must be considered: the scientific method, data, purposes, and usability (Sugiono, 2010). In this context, this article uses a qualitative research method with a normative juridical approach, namely research that intends to understand what the research subjects go through, for example, behavior, perceptions, and actions (Bambang Sunggono, 1997). The research was conducted in Lingga Bayu Subdistrict, Mandailing Natal

Regency, by looking for transparent sources of data and information in that place to obtain accurate and correct data. The clarity of research target is Javanese because, according to information obtained by researchers before researching that information from the community in Lingga Bayu District occurred, underage marriages and has become a custom in the area within one ethnicity, namely the Javanese Tribe, that it is known that underage marriages negative impact on future generations.

In research, the data source must exist and must be clear. Then the data source (Wahid Murni, 2008) is one of the most valid components so that researchers can understand which data sources should be used in the study (Burhan, 2001). In this case, there are two research sources used, namely (1) Primary sources, namely data obtained directly from research subjects as a source of information sought, so researchers from KUA/MUI will obtain the data source of Underage Marriage in Javanese Ethnic Communities, Village officials, and underage marriage actors. And (2) secondary data, namely data obtained from the second source, namely the Qur'an, hadith, books, journals, scripts, theses, studies of experts and scientists, marriage law, a compilation of Islamic law, and all literature related to the title of the researcher's thesis, namely about underage marriage and the study of the Fulfillment of Rights and Obligations according to KHI (Marzuki Mahmud, 2005).

To collect and obtain research, data will be obtained from the results of (1) interviews conducted face-to-face (direct) and online (indirect) communication related to research problems of underage marriage in Javanese society in the Lingga Bayu sub-district. (2) Observation, meaning that the researcher will make observations to obtain data through field observations related to the research. Lingga bayu, Mandailing Natal district, North Sumatra which consists of several villages, namely: Aek Garingging, Bandar Limabung, Banjar Naga, Batu Gajah, Bonca Bayuon, Kampung Baru, Lancat, Lobung, Pangkalan, Perkebunan Simpang gambir, Sikumbu, Simpang bajole, Simpang duku, Simpang durian, Simpang gambir, Sikara-kara 1, Sikara-kara 2, Simpang koje/Simpang sordang, Tapus and Ulu pungkut. The research targets in Lingga Bayu are villages belonging to the category of Javanese ethnic/tribal population located in Simpang Sordang/Simpang Kojé, Lancet, Simpang Durian, Sikumbu, Parbatas, and Aek Garingging. Furthermore, (3) Documentation, which is based on KHI Regarding Rights and Obligations in the household to analyze several objects and human actions, such as the act of underage marriage.

Results and Discussion

Material and Formal Requirements in Marriage

As one of the implementers of judicial power in Indonesia, courts within the Religious Courts are given the authority to adjudicate Islamic civil cases, one of which is in the field of marriage. As an Islamic judiciary, the material law used by Islamic law is often defined as fiqh. Of course, the differences are vulnerable. To bridge differences and to realize legal certainty, as well as to realize Islamic law, Kompilasi Hukum Islam (KHI) was born, whose central theme was the positivization of Islamic law in Indonesia and as one of the applied laws in the Religious Courts environment. As a formal source, sirri marriages in most Indonesian people are not registered with the marriage registrar or are often called underhanded marriages as a positive law that applies universally in Indonesia. With the enactment of the law/marriage law above, every Indonesian citizen carrying out marriages must follow and be guided by the law without exception. However, some Indonesian people still carry out marriages outside the provisions of Law no. 1 1974.

According to most of the fuqaha (Islamic scholars), the origin of the law to carry out marriage is mubah or worship (halal and permissible). Thus, the level of benefit of command taklif (thalabal file), taklif takhir, and taqlif prohibition (thalabal kaff) can be seen. In taqlif prohibition, the benefit is to refuse and prevent harm. Here the difference in the level of prohibition follows the level of destructive ability and the negative impact caused. The damage caused by haram cases is more significant than in makruh cases. Therefore, even though the marriage is originally mubah, it can change according to the ahkam al-Hashanah (five laws) according to changing circumstances.

Nikah wajib, nikah diwajibkan bagi orang yang telah mampu yang akan menambah taqwa. Nikah juga wajib bagi orang yang telah mampu, yang akan menjaga jiwa dan menyelamatkan dari perbuatan haram. Kewajiban ini tidak akan dapat terlaksana kecuali dengan nikah.

Nikah haram, nikah diharamkan bagi orang yang tau bahwa dirinya tidak mampu melaksanakannya hidup berumah tangga melaksanakan kewajiban lahir seperti memberi nafkah, pakaian, tempat tinggal, dan kewajiban batin seperti mencampuri istri (Tihami dan Sohari Sahrani, 2009) dan atau bila seorang pria atau wanita tidak bermaksud akan menjalankan kewajiban-kewajiban sebagai suami istri atau pria ingin menganiaya wanita atau sebaliknya pria/wanita ingin memperolok-olokan pasangannya saja maka haramlah yang bersangkutan itu menikah (Mohd Ramulyo Idris, 2013).

Nikah Sunnah, nikah disunnahkan bagi orang-orang yang sudah mampu tetapi masih sanggup mengendalikan dirinya dari perbuatan haram, dalam hal seperti ini maka nikah lebih baik daripada membujang karena membujang tidak diajarkan oleh Islam.

Nikah Mubah, yaitu bagi orang yang tidak berhalangan untuk menikah dan dorongan untuk menikah belum membahayakan dirinya, belum wajib menikah dan tidak haram bila tidak menikah.

The description above illustrates that the basis of marriage, according to Islam, can be obligatory, haram, sunnah, and mubah depending on the benefit or mafsadat. The husband and wife relationship as a family is the basis for forming groups in society, ultimately forming a nation and state. Therefore, the husband and wife relationship must be lasting, full of inner and outer happiness, spiritual and physical happiness, both moral and spiritual, based on makruf, sakinah, mawaddah, and warahmah.

Pillars and Terms of Marriage and the Phenomenon of Underage Marriage

The pillars and conditions of marriage are things that must be met in order for a marriage to be valid. As stipulated in the Munakahat law and Law no. 1 1974 concerning marriage, according to Islamic law, every legal act must meet two elements: pillars and conditions. The pillars are an essential element in every legal action, while the terms are a complementary element in every legal action. The act is considered invalid according to the law if these two elements are not met. There are five pillars of marriage in Islam: (a) A bride is getting married. (b) There is a guardian who marries. (c) There is consent and acceptance from the guardian and the bridegroom. (d) There are two witnesses to the marriage. (e) The willingness of both parties or without coercion.

The existence of a groom and a bride is commonly called prospective husbands and prospective wives. Prospective husbands and prospective wives can be married according to their religion and applicable requirements, such as being Muslim, baligh, intelligent, and capable, and there is no element of coercion, meaning consensual, ready to be born in joy and sorrow (Tim Redaksi, 1996). Guardian (Hilman Hadikusuma, 1990), the validity of a marriage is determined by the guardian; if the guardian does not accept or marry his daughter, the marriage is invalid except for several reasons such as the

guardian of Adhal or reluctance, in prison, the unseen or unknown, the guardian has died then the guardian falls to the guardian judge.

A marriage Witness is a witness recorded in the marriage examination sheet or certificate. Two witnesses are appointed, and although all those present are witnesses, two people are recorded in the marriage examination sheet or certificate. A witness is a pillar of the marriage contract; the marriage is invalid if there is no witness. A Muslim man who can be appointed as a witness in the marriage contract is fair, aqil baliqh, not disturbed by memory, and not deaf or deaf. A witness must be present and witness firsthand the implementation of the marriage and sign the marriage certificate at the exact time and place where the marriage contract is held. Ijab Qabul is a transaction between the guardian and the prospective husband or the handover of the guardian to the prospective husband. The prospective husband responds well to clarify how the requirements of the pillars of marriage are valid (Hilman Hadikusuma, 1990).

Marriage is the beginning of the formation of society. Through marriage, a small community called a household will be formed. In this household, one or more children will be born, so a social organization called family will also be born. In the family, relations are also formed between husband and wife with siblings and in-laws, husband and wife with their mother and father-in-law, children with their parents, children with their siblings, children with their grandparents, children with uncles and parents, aunt and so on. For this reason, in marriage, a person has rights and obligations that must be fulfilled by each husband or wife so that the marriage goes well (Muhiburrahman, 2021).

Underage in this context is interpreted as early. Linguistically, in Kamus Besar Bahasa Indonesia, early is defined as early in the morning or not yet (Departemen Pendidikan Nasional, 2008). Every marriage should be a more scientific approach. Not only some aspects of life, but there is also a scientific approach to health/medical science, a scientific approach to Islamic law, an approach to the Qur'an and hadith, a social scientific approach to society, a psychological approach, and other scientific approaches (Holilur Rohman, 2011). When viewed from the scientific approach of the Qur'an and hadith, there is no clear argument prohibiting underage marriage. In the Qur'an and hadith, humans are given directions to get married when they are mature and intelligent and already know the good and bad of a case. This is sufficient as a condition for carrying out the marriage. However, if viewed from medical science, social sciences, psychology, and other sciences, there will be many losses caused by underage marriage (Holilur Rohman, 2011).

Fulfillment of the Rights and Obligations of Husband and Wife in Kompilasi Hukum Islam (KHI) Perspective

Marriage Law number 1 of 1974 (Marriage Law Number 1, 1974) explains that marriage is an inner and outer bond between a man and a woman as husband and wife to form a happy and eternal family (household) following the Almighty God. If the marriage contract has taken place and is valid according to the terms and pillars, it will have legal consequences. Thus, it will also raise their rights and obligations as husband and wife in the family (Marriage Law Number 1, 1974). Regarding the rights and obligations that must be fulfilled in a family. According to the compilation of Islamic law, it has been stated in the Marriage Law number 1 of 1974 in Chapter VI, which explains the rights and obligations of husband and wife: In pasal 77 for the first part, the general section, regarding rights and obligations according to the Marriage Law in the compilation of Islamic law, it is explained that (Marriage Law Number 1, 1974):

Suami isteri memikul kewajiban yang luhur untuk menegakkan rumah tangga yang sakinah, mawaddah dan rahmah yang menjadi sendi dasar dan susunan masyarakat.

Suami isteri wajib saling cinta mencintai, hormat menghormati, setia dan memberi bantuan lahir bathin yang satu kepada yang lain.

Suami isteri memikul kewajiban untuk mengasuh dan memelihara anak-anak mereka, baik mengenai pertumbuhan jasmani, rohani maupun kecerdasannya dan pendidikan agamanya.

suami isteri wajib memelihara kehormatannya.

jika suami atau isteri melalaikan kewajibannya masing-masing dapat mengajukan gugatan kepada Pengadilan Agama.

Some of the articles regarding rights and obligations are very clear that the importance of fulfilling the rights and obligations shared by Husband and wife in married life so that welfare and peace can be established, people's views on the family become positive comments, family honor is maintained, inner livelihood is fulfilled. The point in the article is evident if the fulfillment of rights and obligations is not fulfilled in the event of negligence or intentional. Each Husband and wife can file a lawsuit at the Religious Court with precise information.

The relationship between Pasal 77 and Pasal 78 concerning the fulfillment of rights and obligations is very closely related, with the article's purpose as a place to stay during married life. That article explains that (1) the Husband and wife must have a permanent residence. (2) The residence referred to in paragraph (1) shall be determined by Husband and wife together. The need for a place to live is needed in the household to maintain the family's physical and mental health. With the existence of a place to live automatically, honor is maintained in the social sphere of the family. In line with Pasal 80 concerning the Husband's obligations in marriage, the article reads:

Suami adalah pembimbing, terhadap isteri dan rumah tangganya, akan tetapi mengenai hal-hal urusan rumah tangga yang penting-penting diputuskan oleh suami isteri bersama.

Suami wajib melindungi isterinya dan memberikan segala sesuatu keperluan hidup berumah tangga sesuai dengan kemampuannya.

Suami wajib memberikan pendidikan agama kepada isterinya dan memberi kesempatan belajar pengetahuan yang berguna dan bermanfaat bagi agama, nusa dan bangsa.

In this Pasal, it can be analyzed that the vital role of husband is to play a significant role in being responsible for fulfilling his wife's rights in the outline of family rights. The husband is obliged to guide, protect, fulfill household needs and provide good education. In that Pasal, it is divided into two objectives: first, to treat and take care of the wife well. It is the husband's obligation to respect, get along with, treat his wife well and improve his standard of living in the fields of religion, morals, and science as needed. Getting along well means making the social atmosphere always beautiful and permanently colored with joy from heart to heart so that the household balance is maintained and controlled (Abdul Azis, 1990).

Second, protect and maintain the good name of the wife. The husband is also obliged to protect and maintain his wife's good name. This does not mean that the husband has to cover up his wife's faults. However, the husband's obligation is not to expose his wife's faults to others. If the wife is accused of things that are not true, the husband, after doing the necessary research, is not a priori. The husband must provide information to the parties who make accusations so that the wife's good name is not polluted. The fourth part, regarding the place, is also closely related to the Pasal on the fulfillment of rights and obligations in Pasal 81, which reads:

Suami wajib menyediakan tempat kediaman bagi isteri dan anak-anaknya atau bekas isteri yang masih dalam iddah.

Tempat kediaman adalah tempat tinggal yang layak untuk isteri selama dalam ikatan perkawinan, atau dalam iddah talak atau iddah wafat.

Tempat kediaman disediakan untuk melindungi isteri dan anak-anaknya dari gangguan pihak lain, sehingga mereka merasa aman dan tenteram. Tempat kediaman juga berfungsi sebagai tempat menyimpan harta kekayaan, sebagai tempat menata dan mengatur alat-alat rumah tangga.

Suami wajib melengkapi tempat kediaman sesuai dengan kemampuannya serta disesuaikan dengan keadaan lingkungan tempat tinggalnya, baik berupa alat perlengkapan rumah tangga maupun sarana penunjang lainnya.

In that Pasal, it determines that leadership in the household is a father who is considered a responsible figure in meeting family needs such as a place of residence/residence as protection and accompanied by household equipment, such as food, and bedding, within the scope of the comfort of the home environment. The sixth part also explains the wife's obligations in Pasal 83, which reads:

Kewajiban utama bagi seorang isteri ialah berbakti lahir dan batin kepada suami di dalam yang dibenarkan oleh hukum islam.

Isteri menyelenggarakan dan mengatur keperluan rumah tangga sehari-hari dengan sebaik-baiknya.

Pasal 83 is very closely related to Pasal 81, with the explanation in the article that the husband is the first figure in preparing a decent place to live and household equipment according to his ability, and in Pasal 83, with the explanation that the wife is obliged to manage daily household needs as well as possible. The husband's rights that the wife must fulfil are only non-material rights because, according to Islamic law, the wife is not burdened with the material obligations needed to meet the needs of family life. The husband's right to his wife is reflected in his obedience, respecting his wishes, and realizing a calm and enjoyable life as desired (Amir Syarifuddin, 2020).

Underage Marriage Actors

The family of the couple Ahmad Zuhri and Risma Yani

Ahmad Zuhri (age 18 years) was born into a very simple family. His daily work is farm labor, sometimes oil palm and fisherman laborers. Even though he follows his parents go to the fields and cultivate his parents' weaving to earn a daily life, his education history does not complete elementary school and continue their social life as do village children who drop out of school and live in remote rural areas of Simpang Koje village, in Lingga Bayu District. Educational insight at least can count on writing and reading. In contrast to Risma Yani (age 15 years), Ahmad Zuhri's wife, Risma, is superior in terms of education, namely graduating from elementary school and quitting school when she was in grade 3 Tsanawiyah, the wife's work was only at home.

According to both explanations, marrying too young will result in quarrels in the household, unstable emotions, and unmet family needs because the husband's income factor is not balanced with daily needs. According to information from Amin, Ahmad Zuhri's younger brother, the two couples were Kawin Lari in the Language of Mandailing People In the Lingga Bayu sub-district. Information from the community shows that the two couples married at Risma Yani's house, and both claimed to love each other and wanted to be married as soon as possible. Their life is very minimal in terms of housing. They are still in a state of boarding, sometimes at Ahmad Zuhri's parents' house and sometimes at Risma Yani's parents'

house. Unconsciously in their lives, every day, there is bickering in terms of financial problems and even fighting about money over Rp. 20.000-30.000, with the amount of money in today's era with category of money, including a small amount. There had been chatter from the surrounding community, such as Nita Susanti with the language of her village term: "Dung kawinma, less nonagon Daganak dope sifatna," which means Married but still childish (Interview with Lina, 2021).

The analysis found that the informants had violated the regulations of the Marriage Law, the structural age limit for Marriage. In the 1974 Marriage Law, Marriage is allowed for men 19 years old and women 16 years old. Law of the Republic of Indonesia No. 16 of 2019 concerning amendments to Law No. 1 of 1974 concerning Marriage that Marriage is allowed for the prospective bride and groom who are both 19 years old even though they are not structurally customary in the village and violates several concepts of the Marriage Law in the Chapter on Fulfillment of Rights and Obligations According to Compilation of Islamic Law In Pasal 77 of the First, General section, Concerning Rights and Obligations under the Marriage Law in the Compilation of Islamic Law that informant does not undergo a good family relationship in carrying the burden of the Marriage Law in the KHI to be understood, in general about the rights and obligations in Pasal 78 no. 1, 2, and 3. In the description of the contents of Pasal no. 1 and 2, Regarding the Husband's Obligations in Pasal 80 in the description of the contents of Pasal in no. 1, 2 and 3, as for the description of the contents of the article:

Suami isteri memikul kewajiban yang luhur untuk menegakkan rumah tangga yang sakinah, mawaddah dan rahmah yang menjadi sendi dasar dan susunan masyarakat.

Suami isteri wajib saling cinta mencintai, hormat menghormati, setia dan memberi bantuan lahir bathin yang satu kepada yang lain.

Suami isteri memikul kewajiban untuk mengasuh dan memelihara anak-anak mereka, baik mengenai pertumbuhan jasmani, rohani maupun kecerdasannya dan pendidikan agamanya.

Suami isteri harus mempunyai tempat kediaman yang tetap.

Rumah kediaman yang dimaksud dalam ayat (1), ditentukan oleh suami isteri bersama.

Suami adalah pembimbing, terhadap isteri dan rumah tangganya, akan tetap mengenai hal-hal urusan rumah tangga yang penting-penting diputuskan oleh suami isteri bersama.

Suami wajib melidungi isterinya dan memberikan segala sesuatu keperluan hidup berumah tangga sesuai dengan kemampuannya.

Suami wajib memberikan pendidikan agama kepada isterinya dan memberi kesempatan belajar pengetahuan yang berguna dan bermanfaat bagi agama, nusa dan bangsa.

Nirwan Putra and Sahara couple

Nirwan Putra (age 17) lives in Simpang Durian village, Lingga Bayu sub-district. He was born into a straightforward family, and his daily job is as a palm oil laborer. His village language term is mandates saw, his educational history is completing elementary school, continuing his life in the village, and working as a laborer from morning to evening. His educational insight is at least able to count, write and read usually. In contrast to Sahara (age 15 years), Nirwan Putra's wife, his educational history is graduating from elementary school and dropping out of school when he was in grade 2 Tsanawiyah. His wife only works at home and has one child, who is nine months old.

According to information from Sahara, their marriage was held by the religious leaders of Simpang Durian village without a KUA structure and only through deliberation between the two parties. Then the

marriage was held in the village, in contrast to the underage marriage by Ahmad Zuhri and his wife Risma Yani with the marriage of Kawin Lari. According to the confession of Sahara, Nirwan's wife, the effect of young marriage is due to the lack of knowledge and maturity to deal with life's problems, as often happens between them. They always want to separate/divorce due to the desire factor of Sahara Nirwan's wife not being fulfilled by Nirwan, such as requests to buy new clothes when holidays, gold rings, bracelets, and necklaces owned by the people around. As a result, there was an intense quarrel/fight that resulted in both losing control and having been separated for one week and finally reunited (Interview with Torkis, 2021).

The analysis found that the informants had violated the regulations of the Marriage Law, the structural age limit for Marriage. In the 1974 Marriage Law, Marriage is allowed for men 19 years old and women 16 years old. Law of the Republic of Indonesia No. 16 of 2019 concerning amendments to Law No. 1 of 1974 concerning Marriage that Marriage is allowed for the prospective bride and groom who are both 19 years old even though they are not structurally customary in the village and violates several concepts of the Marriage Law in the Chapter on Fulfillment of Rights and Obligations According to Compilation of Islamic Law In Pasal 77 of the First, General section, Concerning Rights and Obligations under the Marriage Law in the Compilation of Islamic Law that informant does not undergo a good family relationship in carrying the burden of the Marriage Law in the KHI to be understood, in general about the rights and obligations in Pasal 78 no. 1, 2, and 3. In the description of the contents of Pasal no. 1 and 2, Regarding the Husband's Obligations in Pasal 80 in the description of the contents of Pasal in no. 1, 2 3.

Deni and Yola Couple

Deni (15 years old) is a village boy from Sikumbu village, originally from Pematang Siantar. When Deni was six years old, he migrated to Mandailing Natal in Sikumbu village, brought by his father, Mr. Marbun, and his mother, Mrs. Dewi. His daily work is as a Gold Dompeng worker in the village and sometimes accompanied by village teenagers working as rubber and palm oil workers, leaving early in the afternoon and sometimes returning at night, the direction of life in the future is pitch black in terms of education that Deni's school background did not finish elementary school, only lasted four years. In comparison, Yola (15 years old) has addressed in Sikara-kara 1, side by side with Lingga Bayu Mandailing Natal, Yola's educational background is only elementary school graduate.

According to information from a neighbor, Mrs. Sahria Lbs, in 2020, Deni migrated to Palembang, and his wife Yola returned to her parent's place in Sikara-kara 1 village, Natal district, Sikara-kara 1 village is included in the village category, the majority of which are 80% Javanese. Information from neighbors shows that Deni and Yola are considered separated. Deni and Yola got married in 2019. Religious leaders carried out the marriage contract in Sikara-kara village without going through the KUA administration because they were considered underage marriages. In 2020 they separated. They separated because their lives were neglected due to the fulfillment of the wife's rights and the husband's obligations in fulfilling a living. This is following the confession of the Sikumbu Village Head, Nasrin Nasution (Interview with Sharia, 2021).

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Marriage Ceremony

Marriage, as stated in Law Number 1 of 1974, is an inner and outer bond between a man and a woman as husband and wife to form a happy and eternal family (household) based on the one and only God. In Lingga Bayu District, marriage services are categorized as low because many of these communities do not report to KUA Lingga Bayu District, and it has become commonplace in the local community not to report their marriage administration to KUA, including underage marriages, which the local leaders of religion always handle. Sirri marriages are carried out by couples who are young enough. As a result, many couples in this area who carry out their marriages still need to get a marriage certificate. The marriage can be proven by the existence of a marriage certificate made by Pegawai Pencatat Nikah (PPN). If the marriage certificate cannot be proven, the marriage.

Can be submitted an itsbat to the Religious Court Community Comments

Some people have negative and positive views, such as disagreeing with marrying underage. When viewed in the study of the Marriage Law, this is because the marriage violates the Marriage Law Number 1 of 1974, especially Pasal on the age limit for marriage, namely 19 years for men and 16 years for women. According to the confession of the Head of KUA Lingga Bayu that they do not accept data under the age of 19 years and 16 years. On the other hand, some people have a positive view, meaning that they agree with underage marriage by arguing that older people used to marry young, their bodies are very strong, and their minds mature. Some are married for 16 years, 15 years, and even 13 years, as Buk Nismawati Simpang Gambir admitted. Underage marriage is based on the 1945 Constitution Pasal 28 and Pasal 29, concerning freedom of religion. Based on this law, every religious community is guaranteed to practice their religion, including marriage. In addition, this kind of marriage is based on the sunnah of the Prophet. When he married Siti Aisyah, who was said to be nine years old. Although the Prophet's hadith still invites debate, the community believes that it is a strong foundation for carrying out early marriage.

This kind of marriage invites controversy in the community because some view it negatively, and others view it positively. It is seen as negative because this kind of marriage violates Marriage Law Number 1 of 1974, Pasal 6 Ayat 1 and 2. In addition, underage marriages have many negative effects on family life, especially for children and women. It is considered positive because this marriage is based on Pasal 28 and Pasal 29 of Law 1945 concerning freedom of religion. In addition, this kind of marriage is based on the sunnah of the Prophet, although this still invites debate. Underage marriage harms the family because it becomes a burden on the family, and it is easy for separation or divorce to occur. It becomes a burden on the family because of the lack of independence for married couples, so all household needs are borne by their parents.

Meanwhile, marriage is also easy for divorce because it does not have the readiness of marriage age to build a happy household. More than that, the divorce procedure is easy and is only ratified through a

letter of agreement in front of the village head. This divorce is certainly not justified in state procedures because divorce can only be carried out in a Religious Court trial.

Conclusion

Factors influencing underage marriage in the Javanese Ethnic Society in Lingga Bayu District, Mandailing Natal, are economic and cultural factors carried out by the Javanese. The rights and obligations in the compilation of Islamic law are concluded that, in the general view, it can only be accepted by Muslims from the majority of Islamic jurists but not from the general public, namely those who carry out underage marriages. As a follow-up, in reaching this understanding, the perpetrators of underage marriages need to understand the rights and obligations of husband and wife, especially regarding the leadership or control of the household in the hands of the husband. Meanwhile, the wife should obey her husband as long as it is within limits justified by religion. Furthermore, as stated in the compilation of Islamic law, the wife is entitled to household expenses, proper housing, good treatment from her husband, and security protection from her husband, and the husband is obliged to fulfill all of these. The wife is also obliged to regulate and control her needs and household activities as well as possible, such as cooking, cleaning the house and family clothes, taking care of children, and everything related to household matters.

As an axiology, efforts to realize law-abiding behavior regarding the minimum age limit for marriage are necessary to have good legal communication. It is indispensable to support the religious elite and the government as authoritative figures in transforming and interpreting religious teachings and the benefit of their people. So that the existing laws and regulations are not seen as secular products that are separated from the spirit of Islamic law, in a sociological perspective, a person will obey the age limit for marriage. The consequences of these actions destroy the household, especially in the fulfillment of rights and obligations in the household that are not actively fulfilled.

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