

Child marriage and zina in indonesia legislation in law

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Abstrak

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Article 7 paragraph (1) of Law No. 1 Year 1974 on Marriage determines marriage permitted if the man is 19 years old and female 16 years old. The age limit of marriage for 16-year-old women is considered an early age and is a problem. Child marriage in this paper is a marriage performed by men and women under the age of 18 years. It is able to cause divorce and obstruction of education. In addition to article 7 paragraph (1), child marriage is also due to pregnancy due to free sex (zina) of teenagers. According to Islamic Law, zina is an out-of-wedlock marriage committed deliberately and consciously by man and woman with their individual willingness, likes, without coercion. How is the protection of Article 7 paragraph (1) on child marriage and women under 18 years old who commit zina in terms of Islamic Law? The method of research is normative-juridical and descriptive-qualitative, apply the theory of maqashid al sharia and neo receptio a contrario theory