

## Research Article

# Maturation of Marriage Age According to Bkkbn in Juridical, Psychological, and Economic Perspectives

Teresa\*, Zuhraini, Abdul Qodir Zaelani, Khairuddin Tahmid

Universitas Islam Negeri Raden Intan Lampung

**ORCID**Teresa: <https://orcid.org/0009-0004-9052-5974>**Abstract.**

Law No. 1 of 1974 article 7 paragraph 1 regarding the age limit of marriage is considered no longer relevant to the present; therefore, the government stipulates the latest regulation of Law No. 16 of 2019 regarding the age limit of marriage. There are various perspectives on the age limit of marriage from the perspectives of Islamic law, law, and BKKBN. The problem that arises is the updated law not being able to provide the best solution regarding the minimum age limit for marriage in Indonesia, due to various aspects ranging from juridical, psychological, and economic aspects, considered not ready to live a married life. This study aims to describe the recommended age limit for marriage for both men and women, and also describes the reasons after being seen from juridical, psychological, and economic aspects. This research uses library research, while the research method used is descriptive analysis, which is to analyze the impact of getting married at an age that is still in the teens or the latest law for men and women of 19 years from a juridical, psychological, and economic perspective. From this explanation, it can be concluded that women aged 21 years and men aged 25 years are considered to be juridically capable, able to regulate emotions psychologically, have a more stable economy, and a more decent job.

**Keywords:** maturation of marriage age, ideal ageCorresponding Author: Teresa;  
email: trsresa@gmail.com**Published** 11 January 2024Publishing services provided by  
Knowledge E

© Teresa et al. This article is distributed under the terms of the [Creative Commons Attribution License](#), which permits unrestricted use and redistribution provided that the original author and source are credited.

Selection and Peer-review under the responsibility of the RIICSHAW Conference Committee.

## 1. Introduction

The age limit of marriage changes along with the development of society, there are various perspectives on the age limit of marriage.

In the juridical perspective, Indonesia regulates the age limit of marriage in Law No. 1 of 1974, Article 7 paragraph 1 marriage is permitted if the man has reached the age of 19 years and the woman 16 years. This age limit has experienced pros and cons in the midst of society. After 45 years of no change, Law No. 16 of 2019 amending Law No. 1 of 1974 concerning marriage was finally inaugurated, having a considerable impact on society, which is expected to have better quality in domestic life in various aspects of life.

**OPEN ACCESS**

Various kinds of conflicts that occur between husband and wife after marriage with various causes and consequences. One source of conflict is due to the age of the married couple who are still not ready to carry out marriage. Marriage can be carried out properly if the couple is physically, mentally and spiritually ready to run the house.

According to the author, although it has undergone a revision from before, namely the age limit for marriage is 16 years for women and 19 years for men in Law number 1 of 1974 and changed to 19 years for women and 19 years for men in Law number 16 of 2019, it has not fully provided the best solution for people's lives, especially for women because at that age they are not physically and mentally ready to become a mother. One of them is that if pregnant in the teenage years, there will be complications for the mother and child such as anaemia, pre-eclampsia, abostus, death, bleeding and obstetric surgery more often than those aged 20 years and over.

The first previously conducted research with the title Ideal Age Limit for Marriage from the Maqasid Sharia Perspective, this research explains that the age limit for marriage has three perspectives, namely the perspective of Islamic law, the perspective of the Law and the perspective of BKKBN. The results of this study state that based on Maqasid Sharia, the ideal age for marriage is 21 years for women and 25 years for men. Second, the BKKBN Marriage Age Maturation Program in Realizing Family Resilience, in this study in order to realize the BKKBN PUP program is to conduct socialization to reduce the number of marriages among adolescents and socialization has a positive impact, namely the decrease in the number of marriages under 20 years of age from 2017 to 2020 in Bondowoso Regency. Third, Changes in the Marriage Age Limit for Women in Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 in the Perspective of Maslahah, this study discusses the irrelevance of Law Number 1 of 1974 in the present so that the latest Law number 16 of 2019 provides maslahah for people's lives. Problem Formulation: How do the Juridical, Psychological and Economic Perspectives view the Maturation of Marriage Age? Has the Maturation of Marriage Age provided a solution to society's problems regarding the ideal age of marriage?

## 2. Methods

This research is library research, namely the Maturation of the Age of Marriage according to BKKBN from a Juridical, Psychological Perspective, and also qualitative research with descriptive analysis because this research describes the facts and phenomena that occur from children who marry in their teens by presenting data in the form of age categories given by WHO, then the Health Office of the Republic of Indonesia,

providing an overview of the health impacts, especially for women who marry under the age of under 20 years then analysed from a Juridical, Psychological and Economic perspective.

### 3. Results and Discussion

Increasing age is marked by physical changes in the human body that affect the function of organs in the human body. So that physical readiness is very much related to human age. Therefore, the State must regulate the age limit of marriage for the benefit of its people. The law that regulates after marriage is Law number 1 of 1974, then after 45 years it was renewed because it was deemed irrelevant to the present.

Regarding the age limit of marriage, Islam provides flexible limits so that it can apply to all places and times.[1] As explained in Qs. An-Nisa verse 6 and Hadith which states that the Prophet Muhammad made a marriage contract with Aisyah who was 6 (six) years old[2] and at the age of 9 (nine) years[3] he had intercourse. Marriages conducted at an immature age have the risk of increasing family breakdown, and can weaken the husband-wife relationship.[1] On the other hand, there is the potential for poor offspring, which can be the result of immature seedlings, as well as a lack of knowledge about child care methods so that the child grows up with minimal care. This can also be based on the attitude of young couples who have thoughts and feelings that have high egos, and only expect and think about pleasure after marriage.

Maturation of the Age of Marriage (PUP) is an effort to delay marriage until a certain age, namely women 21 years and men 25 years, not only delaying it until that age, but also trying to make the first pregnancy occur at a mature age. The first pregnancy or birth is postponed until the age of majority if a person is married.[4]

The age of marriage as stipulated in Marriage Law Number 1 of 1974 is a difficult issue to resolve legally. Article 7 paragraph (2) states that dispensation to marry can be granted by the Court or other officials appointed by both parents of the male and female parties to be considered as reducing the sacredness of marriage. This was the most prominent issue. After 45 years had passed, the government finally revised Law Number 1 of 1974 with Law 16 of 2019 regarding the age of marriage for men 19 years and women 19 years.

Considering the fact that Indonesian society lives with a religious nature, in order to maintain the sacredness of marriage, religious teachings must be included in the legal considerations used for the enforceability of marriage age provisions.

The family formed by a couple will consist of a father, mother, and children. Children are the successors of the family generation or offspring that every family hopes for. The maturity and readiness of the couple is very important to have a quality next generation. It is very important for a woman who is getting married to fulfil the age requirement. Because adulthood is related to the physical, mental, and emotional maturity of women and the maturity of women’s reproductive organs. Therefore, the Marriage Law must stipulate the age limit for marriage by the government. Limiting the minimum age of marriage protects children in various ways. The physical, mental health and well-being of children must be improved if child marriage continues to occur. Keeping in mind the fact that early marriage increases the risk of domestic violence, sexual assault, and higher divorce rates.[5]

The World Health Organisation (WHO), provides new age categories. The WHO age categories are quite different from the previous age categories and the age categories of the Ministry of Health of the Republic of Indonesia. The old age categories according to WHO[6]

TABLE 1:

Age Category	In Years
Toddler	0-5
Childhood	5 - 11
Early Adolescence	12 - 16
Late Adolescence	17 - 35
Early Adulthood	36 - 45
Middle Age	45 - 50
Advanced Age	60 - 74
Old Age	75 - 90
Very old	>90

The impact of the updated age categories according to the WHO was quite surprising, considering that the age limit for youth is 65 (sixty-five) years old. This means that 60 years of age is no longer grouped in old age like the old age category by WHO. The age of 17 (seventeen) years is still considered a child. This is different from the division of age groups according to the Ministry of Health where previously the age of 17 (seventeen) years old was included in the late adolescence group. This certainly has an impact on the way people see age as mature or old. The calculation of this age division is adjusted to the ability of each person to participate in activities. The purpose of the recent age groupings created by the World Health Organisation (WHO) is to improve human well-being and living standards.[6]

To ensure that the country’s laws protect children from the womb, it is necessary to limit the age of children who fall into this age category so that it is easier to provide education, care and other services. The ages defined by the Ministry of Health are:

TABLE 2:

Age Category	In Years
Toddler	0-5
Childhood	5 - 11
Early Adolescence	12 - 16
Late Adolescence	17 - 25
Early Adulthood	26 – 35
Late adulthood	36 - 45
Early old age	45 - 55
Late elderly	56 - 65
Elderly period	>65[7]

Some laws regulating the age limit of children do not provide uniformity or equality of age. To maintain legal certainty and avoid public confusion, this is very important in civil law. Article 7 of the Marriage Law changes the age limit for marriage, providing the same age limit for men and women, which is 19 years old. So that there is no more gender discrimination, this change is very beneficial. The age limit for marriage still needs to be reviewed in its implementation.

### 3.1. Health Impact

For women who marry in their teens, many miscarriages can be caused by many factors, including growth abnormalities of the products of conception, placental abnormalities, and maternal illnesses. External factors are also included. Data shows that the incidence of miscarriage is higher when the mother is younger (under 20 years old).

TABLE 3:

	Age Group	Frequency	Percentage
1	High risk < 20 years and > 35 years	6	42.9 %
2	Low risk 20 - 35 years	8	57.1 %
	Jumlah	14	100 %

It can be seen that of the 14 respondents, most (57.1%) were low-risk 20-35 years old.[8]

The number of pregnant women aged between 20 to 35 years is more because at this age women are usually considered mature, ready to become mothers, and have reached the peak of reproduction. The ideal age for pregnancy is 20 to 30 years old.

According to Health, the state of the reproductive organs that are not ready to accept pregnancy at less than 20 years of age increases the risk of maternal blood pressure and miscarriage and at more than 35 years of age, the birth canal is no longer flexible because the tissues and organs of the womb change. In addition, there is a possibility that the mother will suffer from high blood pressure and diabetes mellitus.[8]

### 3.2. Juridical Perspective

The rules that discuss the age of adulthood in Indonesian legislation are very diverse. Article 1 paragraph (1) of Law of the Republic of Indonesia Number 23 of 2002 concerning Child Protection which explains that a child is someone who is not yet eighteen years old including children who are still in the womb.[9] the age of the child is also mentioned in Law Number 3 of 1997 concerning Juvenile Courts. Article 1 paragraph (1).[10]

The stipulation of the age limit for children to marry stated in these laws and regulations has various views. The age limit is related to the obligations that are entrusted to a person, whether he already understands the law or not. The Constitutional Court has enacted Law Number 16 of 2019 concerning Marriage to amend Law Number 1 of 1974 concerning Marriage.[11] Law Number 16 of 2019 in Article 7 paragraph 1 states that the conditions for obtaining a marriage licence for a man and a woman after reaching the age of nineteen years.

The provision of the age limit for marriage aims to benefit members in the family. In Presidential Regulation No. 9 of 1975 concerning the Implementation of Law No. 1 of 1974 concerning Marriage, implementing the marriage law is recycled in its preparation. For men and women who want to carry out marriage who are not of legal age, it is still allowed, as long as they meet the requirements for consideration for marriage from the Religious Court or commonly referred to as marriage dispensation.

The age of majority is also confirmed in Law No. 23/2006 on Population Administration. Article 63 paragraphs (1) and (2) state that every Indonesian and foreigner who has a permanent residence permit who has reached the age of seventeen or has been married is required to have a Population Identity Card.[12]

In Law No. 23/2002 on Protecting Children's Rights, the age of majority is eighteen years old. The age of adulthood in the discussion varies greatly. According to the author, the determination of the age of baliqh in Indonesian legislation is inconsistent.

The age limit of the Marriage Law is clearly not directly proportional to Law Number 23 of 2002 concerning protecting the rights of a child. The ratified conference of the Indonesian Presidential Decree of 2000 on the Rights of the Child states that the age limit of a child is eighteen years.

Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage has provided such a great benefit, where the initial 16 years for women and 19 years for men have changed to 19 years for men and 19 years for women's age.

Taking into account the various legislative bases above, it is clear that the concept of adulthood is inconsistent. Therefore, for some reason, almost every current legislation will set a different age of majority based on their respective interests. Since the age of majority is used in many disciplines, such as law, sociology, politics, economics, and religion, the age of majority is one of the principles in religion. Indeed, age can be one measure of maturity, but it is not always the right measure because maturity itself is a state in which a person has reached a level of maturity in thinking and acting, while the level of maturity present in each person is different. Therefore, which regulations can or are more appropriate to be used to measure maturity needs to be thoroughly researched.

According to the author, juridically, the Age of Maturity of Marriage is a solution considering that law is social jurisprudence which reflects the values that live in society where Indonesian society is a religious society so that it needs to be seen from the community concerned. The age of marriage given by the current government according to the author has not provided the best solution because looking from various perspectives in terms of health, women who are not yet 20 years old are prone to miscarriages, high blood pressure in mothers, in the WHO age table it is stated that the age of 17-35 years is still included in late adolescence in the Department of Health table 17-25 is included in late adolescence. This means that adolescence based on this data has a long time to pass, even though age cannot describe a person's maturity but in terms of physical readiness above 20 years is physically ready. Therefore, the author supports the age of marriage maturity of 21 years for women and 25 years for men as a juridical hold.

### 3.3. Psychological Perspective

One of the main reasons for postponing marriage is psychological readiness, which means that one is ready to assume household responsibilities as a husband or wife. Therefore, being psychologically prepared is very important when entering marital life

so that couples are ready and able to handle various problems in a wise, less indecisive and less desperate manner. Young couples who marry too early are usually unprepared to accept the consequences and do not prepare themselves for the change in roles and end up experiencing difficulties after marriage. As a result, the psychological impact of getting married is obvious. This can lead to regret at having to leave their teenage years behind. In addition, pregnancy at a young age can have a psychological impact on women because of self-confidence in body changes, seeing friends who can still hang out with other friends without any parental responsibilities, busy taking care of children, and the occurrence of baby blues syndrome. So according to the author, the age of 21 years for women and 25 years for men is a solution because they are more emotionally stable.

### 3.4. Economic Perspective

The following factors lead to early child marriage: poverty (economic) factors, girls are forced to marry at a young age by their parents to help the family's economic burden, because married girls are no longer the responsibility of their parents, even in poor countries, girls are sold or married to release parents from financial burdens. Because of caste and economic and political power, their children are married off to maintain their social status and descent, or other reasons.[13]

This means that poor economic factors will produce children who marry quickly and are likely to be economically unprepared and experience economic difficulties and this will be repeated again because the economy of children who marry at a young age is poor, it will continue to produce generations who are economically unprepared and will produce more and more people with middle and lower economies in society and the cycle of poverty will continue to occur. Young people in marriage often do not yet have a job that is less decent and permanent due to low levels of education, and it is not uncommon for this to become a burden on parents so that the burden of parents increases. . Based on the author's analysis that the right age is 21 for women and 25 years for men because at this age at least that women and men have completed 12 years of education and can also continue to pursue education as a student, can also work to improve skills, or work while studying as a student. With this readiness, women and men are more economically prepared.



### 3.5. Maturing Age of Marriage as a Solution

The Maturation of Marriage Age (PUP) programme offers a solution to the ideal age of marriage, which is a minimum of 21 years for women and 25 years for men. The positive impact of increasing the ideal age of marriage: increasing prosperous families who are more economically prepared, increasing education, mental readiness for husband and wife, increasing understanding of the importance of the ideal age of marriage, The non-ideal age for marriage is when marriage is held with a high probability that the objectives of marriage will not be achieved, if achieved, the results are not optimal.

Determining the maturity of the age of marriage is even more important when considering that experts in Islamic Law, even other scientists determine the limits of maturity vary. Since maturity is one of the important components in maintaining marital relations, the importance of maturity to be used as a measure of one's legal capacity needs to be studied more deeply.

## 4. Conclusion

Based on the juridical perspective that the age of adulthood does not have a single understanding, regarding the age of marriage, the maturation of the age of marriage is a solution that can be used as a juridical guide after being seen from various scientific studies, based on the psychological perspective, seeing the maturation of the age of marriage is a wise solution, seeing that the mental readiness of a married couple who are old enough is not surprised to face problems in the household, from an economic perspective, couples are more economically prepared because they already have decent jobs due to higher education and increased expertise.

Maturation of Marriage Age is a solution because with a mature age, household harmony will be achieved, so that with this it reduces the divorce rate, by looking from various perspectives it can be concluded that Maturation of Marriage Age is a solution for the benefit of society.

## References

- [1] Moh Ali Wafa. Telaah Kritis Terhadap Perkawinan Usia Muda Menurut Hukum Islam. J Ilmu Syariah; 2017.
- [2] Hamzah. Pernikahan Di Bawah Umur (Analisis Tentang Konsekuensi Pemidanaan). Al-Daulah n.d.;6.

- [3] Al Khatib MA. Ushul Al Hadits. Gaya Media Pratama; 2007.
- [4] BKKBN. Program Genre Dalam Penyiapan Kehidupan Berkeluarga Bagi Remaja. Semarang: BKKBN; 2013.
- [5] Elkhairati. Pembatasan Usia Perkawinan (Tinjauan Undang-Undang dan Maqasid Syari'ah). Al Istinbath 2018. <https://doi.org/DOI>: <https://doi.org/10.29240/jhi.v3i1.403>.
- [6] Heryanti R. Implementasi Perubahan Kebijakan Batas Usia Perkawinan. J Ius Const. 2021;6(1):120.
- [7] Net M. Muamla Net n.d.
- [8] Mardiyanti I. Kejadian Keguguran Ditinjau Dari Umur Ibu Di BPS Ita Ariani Wonoayu Sidoarjo. Ilm Kesehat n.d.;Vol 2. <https://doi.org/10.33086/jhs.v8i2.207>.
- [9] Syaifullah. Undang-Undang Rumah Tangga Nomor 23 Tahun 2004 & Undang-Undang Perlindungan Anak Nomor 23 Tahun 2002. Padang: Baduose Media; 2008.
- [10] Undang-Undang Republik Indonesia Nomor 3 Tahun 1997 tentang Pengadilan. Diakses Pada 24 Mei 2023 n.d.
- [11] Undang-Undang Republik Indonesia Nomor No. 16 tahun 2019 tentang Perubahan atas Undang-Undang Republik Indonesia No. 1 Tahun 1974 tentang Perkawinan n.d.
- [12] Undang-Undang Republik Indonesia Nomor 23 tahun 2006 tentang Administrasi Kependudukan n.d.
- [13] Rilka S. Hukum Perlindungan Anak Di Indonesia. Bandung: PT. Citra Adi Bakti; 2015.