

## **The Law on Marriage for Pregnant Women Due to Adultery in the Socio-Cultural Perspective of Society**

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### **Abstract**

This research wants to explore the law, factors and causes, implications, public perception, and efforts to overcome pregnancy in marriage due to adultery. This research method is a qualitative descriptive approach. Data collection techniques through a. Observation at the research location. In-depth interviews with informants. Documentation of existing data such as meeting notes, books, and archives related to research. The conclusion is that the impact of cases of pregnant marriages due to adultery which occur repeatedly has shown that there is a form of announcement that reflects a shift in the socio-cultural perception of society regarding the issue of marriages of pregnant women due to adultery. This reality is contradictory in the context of social law. Efforts to address the problem of pregnant marriages have been carried out by existing social institutions that do not represent comprehensive and systematic efforts. Therefore, reconstruct the societal paradigm regarding the issue of marriage, and pregnancy due to adultery. To resolve problems that must receive attention from various parties.

**Keywords:** Marriage Law, Pregnant Women, Adultery, Society

### **A. Introduction**

Marriage is part of the legal instruments prescribed by Islam. This marriage law binds the relationship between men and women who are not mahram, which gives rise to rights and obligations between the two. Marriage is also a form of realization of God's promise to make women wives of the male type (body), so that compatibility and perfect humanity can be realized. He also creates a sense of mawaddah and ar-rahmah between the two of them so that they help each other complete their lives.

The essence of marriage is not only an external bond but also an inner bond between husband and wife in a household life that is harmonious, peaceful, and fostered with love by the will of Allah SWT. It is not only worldly-oriented but also spiritual, making it a sacred matter that must be accounted for morally and spiritually.

The realization of this is that Islam regulates marriage issues in a very detailed and thorough manner. Islam sets the conditions and pillars of marriage. In fact, not only, Islam also provides instructions and guidance starting from the pre-wedding process, starting from selecting a partner,

the process leading up to marriage, to its implementation. All of this is carried out by adhering to the noble values of Islam.

This is not only a form of manifestation of the urgency and nobility of the institution of marriage, but also to ensure the realization of the goals of marriage. Therefore, this is where formal legal certainty is important to ensure the realization of the goals of a marriage. In this case, the institution of marriage has an important role in forming relationships whose existence is recognized. However, in subsequent developments, the institution of marriage is faced with various challenges that could threaten its existence. Namely when faced with social problems that can disturb the sanctity of the institution of marriage. One of them is the emergence of the problem of pregnancies that occur outside of marriage. This problem becomes increasingly complicated when in today's social life it turns out that cases like this often occur in society. The various factors behind the marriage of pregnant women due to adultery in Bandung Regency reflect the social problems within it.

Problems of education, quality of family and environment as well as understanding of traditions which are reduced by the development of society are things that need to be considered regarding the incidence of marriages of women who become pregnant due to adultery. These realities include the marriage of pregnant women due to adultery which occurs in the Bandung Regency area with various causal factors.

This problem is not only related to the number of cases of pregnant marriages due to adultery that occurs, but from a sociological aspect, this is of concern because there is still a repetition of the same cases without maximum mitigation efforts. The repetition of cases of marriage of pregnant women due to adultery is even accompanied by a culturally permissive attitude. This attitude is reflected in the case of marriages of women who become pregnant due to adultery, most of which are celebrated as normal marriages so that the impression of discomfort, shame, or disgrace becomes an excuse. Distortion of understanding related to the marriage of pregnant women due to adultery has become a social fact that represents contradictory societal perceptions regarding efforts to overcome the problem of marrying women pregnant due to adultery.

The marriage of pregnant women due to adultery as part of a legal issue has become a discourse among fiqh scholars so on this issue there are various views. As Syafi'i allowed and considered his marriage to be valid. Abu Hanifah also thinks so but adds the requirement that a pregnant woman can be married but cannot have sex before she gives birth. Meanwhile, the opposite opinion was given by Maliki and Ahmad Ibn Hambal who forbade the implementation of this marriage

The perception of formal law that does not touch on the existence of elements of deviation from norms in the issue of the marriage of pregnant women due to adultery as part of a social problem has implications for the weak functioning of the law in terms of social control. Law as an existing instrument in people's lives will ultimately reflect the degradation of moral values and a paradigm shift in a society that is influenced by the permissiveness of legal instruments and the need for dynamization of legal provisions in realizing their objectives by the problems, conditions, and needs of society.

Likewise, the socio-cultural perception that exists in society should be able to play a role in preventing and dealing with cases of pregnant women marrying because of adultery. Socio-cultural forces that have existed long before legal formalization with moral values, religious norms, and various patterns of social interaction are important aspects that can play a role in social control, including in the field of marriage law. However, the reality represents a shift in values regarding this matter.

Apathy or low levels of social awareness, individualism, discomfort, and permissiveness in society have implications for the lack of efforts to address the issue of marriage incidents involving women becoming pregnant due to adultery. This is also indicated by the public's perception of understanding and awareness of the law regarding the marriage of pregnant women due to adultery which does not indicate that the issue of this marriage event is a worrying social problem. This is a study that needs to be carried out because the problem of marriage incidents involving pregnant

women due to adultery has legal and sociological implications which also influence the social structure in the context of the realization of legal order.

## B. Research Methods

This research is descriptive qualitative, namely by describing the application of legal regulation in the context of its implementation in society to explain it systematically, factually, and accurately. According to Soerjono, and Soekanto., descriptive research is also intended to confirm hypotheses, so that it can help strengthen old theories or develop new theories.

### 1. Data Source

This research is included in the field research category so the type of data used is primary data in the form of findings or facts obtained from the field. The data source in this research is the people of Bandung Regency, represented by sources who have relevance to the marriage problem of women who become pregnant due to adultery. The data sources in this case are the perpetrators of pregnant marriages due to adultery, the parents of the perpetrators of pregnant marriages, employees of the religious affairs office, religious leaders, community leaders, and local government officials.

### 2. Data Collection Techniques

Data collection techniques are an important element in research. Therefore, the use of data collection techniques is closely related to the relevance of the type and objectives of the research. In this research, the following data collection techniques were used:

- a. Observation This observation technique is a data collection technique carried out through direct observation of the research object. This observation was carried out on the social or socio-cultural patterns that exist in Bandung Regency, the paradigm and attitudes of society towards the widespread marriage of pregnant women due to adultery, social behavior such as social patterns, the role of parents in child development, the social cohesion of families experiencing this problem, as well as various actions from elements of society and the state as well as activities of social organizations, both formal and informal, which represent a form of response to the marriage of pregnant women due to adultery.
- b. An interview is a conversation with a specific purpose carried out by two parties, namely the interviewer who asks questions and the interviewee who provides answers to those questions. With interviews, it is hoped that researchers will obtain more in-depth information about the topic being researched, which cannot be found through observation.
- c. Documentation is a technique for searching for data in the form of notes, transcripts, books, newspapers, magazines, inscriptions, agenda meeting minutes, and so on, both as a source of study, explanation, and strengthening of data obtained from the field. Documentation in this research includes collecting data or information through written materials, whether from statutory regulations, books, archives, as well as field notes, or the results of interviews and photographs during the research.

## C. Results and Discussion

### 1. Objective Conditions of Marriage for Pregnant Women Due to Adultery in Bandung Regency

Cases of repeated marriages of pregnant women due to adultery indicate that there are social problems that have not been or are not being handled properly. The social problem that is the cause

of cases of pregnant women marrying due to adultery is an issue that is closely related to the implications and efforts to overcome this kind of marriage problem.

For the people of Bandung Regency, the issue of marrying pregnant women due to adultery is not a new and extraordinary problem. Most people view the marriage of pregnant women because adultery is a common thing. This is not only influenced by society's lack of comprehensive understanding of the law regarding the marriage of pregnant women due to adultery, but it is also due to the culture that has developed in social life and the large number of cases of pregnant marriages that occur.

There are various indicators commonly used by society to determine that a marriage is the marriage of a woman who is pregnant due to adultery. Among these indicators are the following:

- a. There is a rush to a wedding. Javanese wedding customs, with all their elements, require preparation for the bride and groom's family. It is not only a matter of material things but for the Javanese people, marriage as an important event in the stages of human life must be taken into account when determining the day of the contract (ijab qabul).
- b. Changes in a woman's physical condition (perpetrators of pregnant women marrying due to adultery) Marriages of pregnant women due to adultery that occur in teenagers can be indicated by the physical changes in question. The public can find out about this at the wedding reception or when interacting with the person concerned. Physical changes in young women indicate the physical appearance of someone pregnant or pregnant.
- c. Birth distance from the marriage contract. The gestational age that is commonly understood both in terms of general public understanding and medical parameters is the basis for the normal gestational age, which is approximately nine months and ten days. In other words, if the distance between the marriage contract and the birth is less than the normal gestational age or the distance between the birth and the contract is only a few months apart from the baby's physical appearance at a normal gestational age, then this is strong evidence that the marriage that occurred was a pregnant marriage.
- d. Information that is developing in the Bandung Regency community which still has good sociological ties, generally social interaction takes place quite closely between members of the community. This is not only proven through the practice of social life with the values of cooperation which are still often found in various community activities, but the closeness of this interaction can also be seen from the fact that community members have known each other for quite long distance, not only between RWs.

## **2. Factors that cause pregnant women to marry due to adultery in Bandung Regency**

Marriage is an event that is considered important both from a religious and sociological perspective. The urgency of marriage is then manifested in various efforts and expressions, traditions, and regulations related to marriage. This urgency also cannot be separated from the function of marriage. Functions that do not only concern individual or individual issues but also the functioning of marriage in the context of social life.

In general, the factors that cause the occurrence of marriages of pregnant women due to adultery in Bandung Regency can be divided into two, namely:

- a. Internal Factors The internal factors in question are factors that exist in the subject or perpetrator. In several cases of marriages where women become pregnant due to adultery, several internal factors cause the marriage to occur. These factors are: (1) Low awareness of education. In several cases of marriage, pregnant women due to adultery occurred to perpetrators who were still nine years of compulsory school age or perpetrators whose educational level did not reach high school level. In other words, teenagers with such an educational history are very vulnerable to experiencing this kind of marriage. (2) Lack of religious awareness. The lack of formal education among the perpetrators and the neglect of religious education certainly greatly influence the basis of a person's behavior.

Adolescence, with its various problems and psychological immaturity, makes it very possible to fall into negative things such as promiscuity (adultery).

- b. External Factors The external factors in question are related to external influences on the perpetrator, in this case, it can be viewed from two factors, namely: (1) Family Factors The family, as the smallest unit of society, is a place that plays a very important role in the formation of a person's character. Interaction between individuals is certainly a factor that inevitably causes incidents of marriage between women who become pregnant due to adultery. (2) Environmental Factors The development of a person's personality cannot be separated from their environment. These environmental factors also play a role in the marriage of women who become pregnant due to adultery.

### **3. Implications of the Marriage Event of a Pregnant Woman Due to Adultery in the Socio-Cultural Perspective of Bandung Regency Society**

The marriage of a pregnant woman due to adultery is a marriage that is preceded by an act that contains an element of violation of norms, whether religious norms or moral norms, and even under certain conditions it can also be considered a form of legal violation. This preliminary act is a form of sexual intercourse carried out outside of legal ties, which in religious terminology is called zina. The act of adultery as a form of violation in the provisions of Islamic law has legal consequences in the form of quite severe sanctions, including being beaten up to stoning. Such sanctions certainly sociologically have implications for society's perspective towards the perpetrator. This kind of action is not only considered a violation of social norms but also a violation of legal norms because it has elements of disturbing public order

Regarding the legal impact of the marriage of a pregnant woman due to adultery, according to the fiqhiyah rule "Whoever hastens something before the time, then he bears the consequences of not getting that something." The existence of a pregnant marriage is a loss of rights that should be obtained for the perpetrator, namely the loss of the birthright of the child conceived to its biological father. This is the legal implication that is directly accepted by those involved in marriage who become pregnant due to adultery

The incidents of marriages of pregnant women due to adultery in - Bandung Regency are not recorded in quantity in official documents from any party either at the KUA or in the sub-district - . However, it cannot be denied, or is even no longer a public secret that cases of such marriages are something that happens a lot.

Formal legal provisions clearly and unequivocally provide that pregnant marriages are valid and there is no need for remarriage after the unborn baby is born, as stipulated in article 53 KHI paragraph (3). Therefore, for KUA officers, procedurally there is no standard examination regarding this matter. Even if there are direct or indirect indications that the marriage case of a pregnant woman due to adultery was discovered during registration at the KUA.

These indications include the presence of an element of urgency or suddenness in the marriage registration process. Information about cases of marriages of pregnant women due to adultery is also obtained from confessions from people who register marriages, who are generally religious figures or heads of RT and RW who are asked to help take care of the things needed for the marriage process.

The discussion related to the issue of marrying pregnant women due to adultery in this case is not limited to the quantity of cases that occur, but also to the various implications, both related to legal and social issues. The reality of cases of marriages of pregnant women due to adultery which occur repeatedly or continue to occur in Bandung Regency shows that this marriage problem has an impact on the life of the community. These implications are as follows:

- a. The marriage of a pregnant woman due to adultery is an obstacle in efforts to foster Islamic law in society - Bandung Regency. Community development is part of the state's obligation to its citizens. However, it should not be understood that this obligation is only the domain of the state or government, the development of the people is also a collective

- obligation, including the obligation of every family. Community development certainly cannot be separated from the law as the controller and guarantor of public order. Community conduciveness is an important element in creating a prosperous society.
- b. The issue of marriage of pregnant women due to adultery that occurs, degrades cultural values and traditions that have lived and developed in society - Bandung Regency. Marriage from the cultural perspective of Javanese society is a very important phase because the main meaning of the marriage ceremony is the formation of a new family. Apart from this meaning, marriage is also interpreted as a way to expand ties of brotherhood.
  - c. There is a shift in society's paradigm regarding the issue of marriage to women who become pregnant due to adultery. Cases of repeated marriages of pregnant women due to adultery without serious attention from society indicate the socio-cultural perspective of society towards pregnant marriages as something commonplace. The reality that there are cases that are related to the subject or perpetrator either by kinship, proximity of domicile (place of residence), or social interaction correlation, in several cases of marriage of pregnant women due to adultery shows that the domino effect in these cases occurs because of the presence of role models in a case. with new cases emerging.
  - d. The marriage of pregnant women due to adultery is a social problem and reality that is counterproductive to improving the quality of human resources. A pregnant marriage with a background that is termed the result of an "accident" provides a picture of an unintentional event. Therefore, the mental and material readiness of the parties, especially the bride and groom, is certainly an important issue that has a direct impact on the formation of the household. Likewise, from a family perspective, a marriage resulting from an "accident" certainly causes problems, especially psychologically.

#### **4. Bandung Regency Community Perceptions of the Legal Provisions for Marriage for Pregnant Women Due to Adultery**

The law of marrying a pregnant woman due to adultery from a fiqh perspective has different views among the jurists. The implication of this is that the understanding of law in society varies. Therefore, in a formal legal manner, the state as the holder of legal authority in Indonesia adopted a policy through the provisions of the Compilation of Islamic Law, article 53 concerning the permissibility of marrying a woman who is pregnant due to adultery with a man who impregnated her without having to carry out a remarriage after the baby she is carrying. was born. This provision, apart from referring to the views of Shafi'i jurisprudence, also aims to guarantee the protection of the rights of children in the womb. Apart from this, sociologically, the permissibility of pregnant marriage is a form of rehabilitation (if there is curative action) for perpetrators of pregnant marriages due to adultery so that they can socialize with society with the status and spirit of self-improvement through the marriage.

This perception of legal reasoning is interesting if it is related to religious knowledge that is understood by the majority of society. Recognition and practice of religious communities (represented by religious figures) with the Syafi'i school of thought believe more in carrying out remarriages. And this is what many people in Bandung Regency do in responding to the marriage of pregnant women due to adultery.

Viewed from a legal sociological point of view, as stated by the head of the KUA - Bandung Regency, the marriage event of a pregnant woman due to adultery should not be carried out until the birth of the pregnancy. This is a form of sanction so it becomes a lesson for others. However, legally there is no prohibition on marriage and the KUA cannot refuse to marry in cases like this as long as the legal requirements are met. A practice that often occurs in society is marrying off a partner (adultery) in the marriage of a pregnant woman because zina is cirri (not officially reported) and after giving birth they are officially married off to the KUA.

This is done in cases of pregnancies that are considered old enough or there are other reasons

that the family believes should not be officially married first. This reason is like the woman's parental blessing which has not been fully given to the man who impregnated her child so the marriage is just a fulfillment of religious issues. This reality shows that society's perception of the marriage of pregnant women due to adultery empirically takes into account recommendations from religious figures rather than making decisions based on state regulations.

The public's legal understanding and awareness of formal provisions like this shows that the effectiveness of existing laws is considered to be less representative of the needs and conditions of society. Understanding the law of marriage for women who become pregnant due to adultery cannot be separated from the formal provisions of article 100 KHI which confirms that children born outside of marriage only have a lineage relationship with their mother and her mother's family. In this regard, the dictum of article 100 of the KHI is in letter law contradictory to the provisions of Islamic law relating to the determination of this nasal. The contradiction in this case lies in the editorial use of "child born out of wedlock" whereas in the provisions of Islamic law, a child who is assigned to his mother is a child born from sexual intercourse outside of wedlock.

## **5. Efforts to prevent the marriage of pregnant women due to adultery in Bandung Regency**

The discussion is related to efforts to overcome the problem of pregnant marriages because adultery cannot be separated from society's paradigm towards this kind of marriage. The societal paradigm that explains the marriage of a pregnant woman due to adultery, both from the family concerned and society in general, shows that such marriages are not a serious problem.

Therefore, in reality, cases of marriage of pregnant women due to adultery still occur in the community - Bandung Regency. However, there is a paradigmatic announcement by society regarding the marriage of a pregnant woman due to adultery, normatively, in this marriage, there are aspects that conflict with both religious norms and social norms. So there are countermeasures from various elements of society, namely as follows:

- a. Preventive Efforts Preventive means preventing something from happening. Preventive measures; namely actions taken before a social deviation occurs so that an act of violation can be suppressed or prevented. Preventive control is generally carried out through guidance, direction, and invitation.
- b. Curative efforts or actions are efforts that can help cure diseases and so on and have the power to treat them. Curative action; This action is taken after an act of social deviation occurs. This action is aimed at providing awareness to perpetrators of deviation so that they can realize their mistakes and be willing and able to improve their lives so that in the future they will no longer repeat their mistakes.
- c. Repressive Efforts Repressive efforts are efforts that are to suppress, restrain, or restrain. Repressive action is an active action taken by related parties when social deviation occurs so that the deviation that is occurring can be dealt with. Such efforts in the matter of marriage are carried out through raids or catching "red-handed" perpetrators of adultery as actions that cause the marriage. This is generally carried out by the authorities or elements of society such as the Community Police Partnership Forum together with local civil service officials.

## **D. Conclusion and Suggestions**

### **1. Conclusion**

The marriage of a pregnant woman due to adultery is a legal issue as well as a social issue. Based on research on the reality of marriages of pregnant women due to adultery that occurred in Bandung Regency, the following can be concluded:

- a. The perception of the people of Bandung Regency towards legal provisions regarding the marriage of pregnant women due to adultery is greatly influenced by the function of social

institutions through religious figures and community leaders, this has implications for the effectiveness and understanding of the community toward formal laws regarding the issue of pregnant marriage.

- b. The marriage of pregnant women due to adultery which occurred in Bandung Regency was a social reality that was considered normal and then constructed the sociological paradigm of society - Bandung Regency which empirically describes the society's permissiveness towards cases of women pregnant due to adultery.
- c. Efforts to overcome the problem of pregnant women marrying due to adultery have been carried out by various parties in Bandung Regency. These efforts include preventive, curative, and repressive efforts. However, existing efforts are still pragmatic and incidental.

## 2. Suggestions

Based on the results of the discussion and conclusions, recommendations can be made in the form of suggestions, including the following:

- a. Legal certainty which is transformed into statutory regulations is not intended as a restraint on legal functions which are tied to textual aspects. Therefore, for related parties, stakeholders, and stakeholders to prioritize the conditions and needs of society by using alternative legal sources extracted from local wisdom, consensus rooted in tradition which can be used as a legal approach to deal with incidents of pregnant women's marriages because of adultery that occurred.
- b. The prediction of a Regency City as an educational city with all regional regulations such as the implementation of study hours and curfews must be strictly implemented down to the RT-RT. These positive policies will be more effective if they can collaborate with existing elements of society such as majlis ta'lim, Karang Taruna, or community protectors as government partners to control these policies.
- c. The cooperative attitude of the people of Bandung Regency is an important asset in dealing with the marriage of pregnant women because adultery continues to emerge. Every element in society should be aware that this issue is a social problem that must receive serious attention. This awareness must be manifested in a system that is not only incidental. In short, to address and overcome cases of women becoming pregnant due to adultery in Bandung Regency, goodwill from all parties is required.

## Reference

- Abdul Hadi, Fiqh Munakahat, Semarang: CV. Karya Abadi Jaya, 2015.
- Aladin, "Marriage of Pregnant Women Out of Wedlock in the Perspective of the Compilation of Islamic Law and Islamic Fiqh in the Office of Religious Affairs", *Legal Issues*, Vol. 46, no. 3(2017).
- Aladin, "Marriage of Pregnant Women Out of Wedlock in the Compilation Perspective of Islamic Law and Islamic Fiqh in the Office of Religious Affairs", *Journal of Legal Issues*, Vol. 46, no. 3 (2017).
- Aladdin. Pregnancy out of wedlock from the perspective of the Compilation of Islamic Law (KHI) and Islamic Fiqh in the Office of Religious Affairs (Case Study in Kupang City). *Legal Issues*. Volume. 46 No.3. 2017.
- Alpian, Muh. Maqasid Al-syariah review of Article 53 KHI (Compilation of Islamic Law) concerning the Permissibility of Pregnant Marriage (Case Study of Lawonua Village, Besulutu District). *Journal of Islamic Thought*. Vol. 5. No. 1. 2019.
- Anwar, Muhammad Choirul. Review of Islamic Law on the Practice of Marriage to Pregnant Women Out of Wedlock by Lottery in Parang. Thesis. IAIN Ponorogo. 2019
- Dedi. Marriage of a Pregnant Woman Due to Zina (Descriptive Study of Islamic Law on KHI

- Article 53 and Opinions of Ulama. *Al-Afkar Journal For Islamic Studies*. Vol.2 No. 2. 2019. Accessed 02 February 2020
- Hermanto, Agus. Prohibition of Marriage from a Fiqh Perspective and Its Relevance to Marriage Law in Indonesia. *Muslim Heritage*. Vol.2 No.1. 2017.
- Jamaluddin and Nanda Amalia, *Textbook of Marriage Law*, Lhokseumawe: Unimal Press, 2016.
- Lexy J Moleong, *Qualitative Research Methodology*, Bandung: PT. Rosdakarya Youth, 2016
- Khamid, Abdul. Factors Causing the High Rate of Pregnancy Marriage from an Islamic Legal Perspective. Thesis. UIN Sunan Kalijaga Yogyakarta. 2018
- Millah, Saiful. Marriage of Pregnant Women Out of Wedlock and Its Legal Consequences. *Misykat*. Vol.2 No. 2. 2017.
- Mukarromah, H Najachatul. Process for Implementing Guardianship of Extramarital Children Based on Islamic Law and Positive Law at KUA - Selogiri, Wonogiri Regency. Thesis. UIN Sunan Kalijaga Yogyakarta. 2015
- Mughniatul Ilma, "Dispensational Regulations in Strengthening the Marriage Age Limit Regulations for Children After the Birth of Law Number 16 of 2019", *Al-Manhaj: Journal of Islamic Law and Social Institutions*, Vol. 2, no. 2 (2020).
- Moh. Ali Wafa, *Marriage Law in Indonesia*, Tangerang: Modern Indonesian Asy-Syari'ah Foundation, 2018.
- Nugrahani, Farida. *Qualitative Research Methods in Language Education Research*. Surakarta. 2015
- Pradewi, Dekna Nindia. Repetition of the Marriage Contract for Pregnant Women Due to Zina After Childbirth According to Islamic Law. Thesis. IAIN Zawiyah Cot Kala Langsa. 2018
- Daughter, A Rizkia. Juridical Analysis of the Implementation of Article 53 of the Compilation of Islamic Law Concerning Pregnancy Marriage. Thesis. Lampung University. 2019
- Putrie, D Rizky Yunneke. Early Marriage Due to Pregnancy Out of Marriage in a Review of Islamic Law and Positive Law at KUA - Selogiri, Wonogiri Regency. Thesis. UIN Sunan Kalijaga Yogyakarta. 2015
- Rohmah, N Kholilatur. Implementation of Marriages for Pregnant Women Outside of Wedlock from Maqasid Shari'ah Perspective. Thesis. IAIN Ponorogo. 2018
- Rio Satria, "Marriage Dispensation in Religious Courts After the Revision of the Marriage Law", *Journal of Legal Insights*, Vol. 34, no. 1, (2020).
- Slamet Riyanto and Aglis Andhita Hatmawan, *Research Methods Quantitative Research*, Yogyakarta: CV. Budi Utama, 2020.
- Sri Ahyani, "Consideration of Religious Courts regarding the Dispensation for Early Marriage Due to Pregnancy Out of Wedlock", *Wasan Hukum Journal*, Vol. 34, no. 1, (2016)
- Saiful Millah, "Marriage of Pregnant Women Out of Wedlock and Its Legal Consequences: Study of the Dualism of Fiqh and the Compilation of Islamic Law", *MISYKAT Journal*, Vol. 2, no. 2 (2017)
- Solikhin, Muhammad. Legal Provisions for Pregnancy Marriage from the Perspective of Four Madzhabs and Compilation of Islamic Law. Thesis. UIN Sunan Kalijaga Yogyakarta. 2018
- Sugiyono. *Quantitative, Qualitative, and R&D Research Methods*. Bandung: Alfabeta. 2017
- Syam, Muhammad, et al. Review of Pre-Marital Pregnancy in the Compilation of Islamic Law Article 53 Perspective of Islamic Law. *Al-Maslahah: Journal of Islamic Law and Social Institutions*. Vol.5 Vol.10. 2017.
- Team Citra Umbara. *Law of the Republic of Indonesia Number 1 of 1974 concerning Marriage and compilation of Islamic Law*. Bandung. Image of Umbara. 2017
- Law No.16 of 2019 amends Law No.1 of 1974. Accessed 23 February 2020
- Umar Haris Sanjaya and Aunur Rohim Faqih, *Islamic Marriage Law in Indonesia*, Yogyakarta: Gama Media, 2017.
- Wahyu Wibisana, "Marriage of Pregnant Women Out of Wedlock and Its Legal Consequences from a Positive Fiqh and Legal Perspective", *Journal of Islamic Religious Education-*

Ta'lim, Vol. 15, no. 1 (2017).

Wibisana, Wahyu. Marriage of a Pregnant Woman Out of Wedlock and Its Legal Consequences from a Fiqh and Positive Law Perspective. Journal of Islamic Religious Education- Ta'lim. Vol.15 No.1. 2017.