

AL-QADĀU

PERADILAN dan HUKUM KELUARGA ISLAM

The Effectiveness of Supreme Court Regulation No. 5 of 2019 in Efforts to Prevent Child Marriage

Efektivitas Peraturan Mahkamah Agung No. 5 Tahun 2019 dalam Upaya Pencegahan Perkawinan Anak

Muhammad Fajri

Fakultas Syariah dan Hukum UIN Alauddin Makassar

Email: muhammad.fajri@uin-alauddin.ac.id

Info Artikel	Abstract
<p>Diterima 17 November 2022</p> <p>Revisi I 28 November 2022</p> <p>Revisi II 20 Desember 2022</p> <p>Disetujui 23 Desember 2022</p>	<p><i>The birth of Supreme Court Regulation No. 5 of 2019 concerning Guidelines for Trying Marriage Dispensation Applications aims to provide clear rules regarding the procedure for determining or granting marriage dispensation by judges. However, it is considered that it has not made a significant change in the high number of marriage dispensation cases that have entered the judiciary, which at the same time shows the ineffectiveness of limiting the practice of child marriage. The courts that are trying to stem the surge in the practice of child marriage do not seem to have yielded satisfactory results, even with the presence of these guidelines. In reviewing the effectiveness of the law, there are problems with the legal factors themselves, namely the guidelines and Law No. 16 of 2019, which still opens up opportunities for the practice of child marriage for urgent reasons that are still multi-interpreted. Apart from that, on societal factors, the low level of public understanding of the dangers of child marriage can be seen from the rise of permissive free association, and on cultural factors, there are still members of the public who practice child marriage for reasons justified by their culture.</i></p> <p><i>Keywords: Legal Effectiveness, Child Marriage, Child Protection.</i></p> <p><i>Lahirnya Peraturan Mahkamah Agung No. 5 Tahun 2019 tentang Pedoman Mengadili Permohonan Dispensasi Kawin bertujuan memberikan aturan yang jelas tentang prosedur penetapan ataupun pemberian dispensasi kawin oleh hakim. Namun dinilai belum memberikan perubahan signifikan pada tingginya perkara dispensasi kawin yang masuk di lembaga peradilan, yang sekaligus menunjukkan belum efektifnya pembatasan praktik perkawinan anak. Pengadilan yang berupaya untuk membendung lonjakan praktik perkawinan anak nampaknya belum memberikan hasil yang memuaskan, meskipun dengan hadirnya pedoman tersebut. Dalam tinjauan efektivitas hukum, terdapat permasalahan pada faktor hukumnya sendiri yaitu pedoman tersebut beserta UU No. 16 Tahun 2019 yang masih membuka peluang praktik perkawinan anak dengan alasan mendesak yang masih multitafsir, selain itu pada faktor masyarakat, rendahnya pemahaman masyarakat akan bahaya dari perkawinan anak dapat dilihat dari maraknya pergaulan bebas yang permisif, kemudian pada faktor kebudayaan, masih terdapat kalangan masyarakat yang melakukan praktik perkawinan anak dengan alasan dibenarkan oleh budaya mereka.</i></p> <p><i>Kata Kunci : Efektivitas Hukum, Perkawinan Anak. Perlindungan Anak.</i></p>

A. PRELIMINARY

The position of children as the younger generation who will continue the noble ideals of the nation, as future leaders of the nation, and as a source of hope for previous generations, needs to get the widest possible opportunity to grow and develop properly both spiritually, physically, and socially. Child protection is the effort and activity of all levels of society in various positions and roles who are fully aware of the importance of children for the nation and the nation in the future.

Child protection refers to all efforts made to create conditions in which every child can exercise his or her rights and obligations for the proper physical, mental, and social development of children. However, child protection should not be carried out excessively and should pay attention to the impact on the environment and the child himself, so that the protection efforts carried out do not have negative consequences.¹

Child protection is sought by everyone—both parents, family, community, government, and the state. Article 20 of Law No. 35 of 2014 concerning Amendments to Law No. 23 of 2002 concerning Child Protection stipulates: "The state, government, local government, community, family, and parents or guardians are obliged and responsible for child protection."

Efforts to protect children, which have even been regulated in these laws and regulations, seem to still encounter several obstacles, one of which is related to the high practice of child marriage. Child marriage is the practice of marrying when one or both members of the couple are under the age of marriage, according to the current view. A marriage is considered not to provide benefits if it is carried out when the bride is not yet considered mature.²

There are two types of child marriage implementation processes. First, official marriages are carried out through administrative procedures in accordance with laws and regulations involving authorized state institutions such as village offices, KUA, and the Religious Courts through the authority to grant dispensation from marriage. Second, unofficial marriages are carried out non-procedurally without involving the authorities of state institutions; these marriages are usually facilitated by clerics or religious leaders in the local community.³

Marriage basically cannot be held before the prospective bride and groom reach the stipulated age of 19 years, based on the Marriage Law. Government officials, such as KUA employees and judges at the Religious Courts, fully understand these restrictions. However, for a number of reasons, for example, judges can ignore this and give permission to those who are under the minimum age to marry through dispensation rules. Many couples want to get married but are not old enough to go to court to apply for dispensation. As a result, judges frequently grant these requests.⁴

The alleged indications that judges seem to make it easier to grant requests for marriage dispensation have received a lot of criticism from various child protection observers because marriage dispensation, which incidentally is the last bastion to suppress

¹ Maidin Gultom, *Perlindungan Hukum Terhadap Anak dalam Sistem Peradilan Pidana Anak di Indonesia*, (Bandung: Refika Aditama, 2008), h. 33-34

² Asep Saepudin Jahar dkk, *Hukum Keluarga, Pidana dan Bisnis*, (Jakarta: Kencana, 2013), h. 43.

³ Ah. Azharuddin Lathif dan Muchith A. Karim, "Fenomena Perkawinan di Bawah Umur dan Perkawinan Tidak Tercatat di Kabupaten Malang Jawa Timur," dalam *Menelusuri Makna di Balik Fenomena Perkawinan di Bawah Umur dan Perkawinan Tidak Tercatat*, (Jakarta: Puslitbang Kemenag RI, 2013), h. 293.

⁴ Asep Saepudin Jahar dkk, *Hukum Keluarga, Pidana dan Bisnis*, h. 44-46

the high practice of child marriage, is actually a facility that smooths out the practice itself. So, together with the issuance of Law No. 16 of 2019 concerning Amendments to Law No. 1 of 1974 concerning Marriage, the Supreme Court of the Republic of Indonesia issued Supreme Court Regulation No. 5 of 2019 concerning Guidelines for Trying Marriage Dispensation Applications with the aim of providing clear rules regarding the procedure for determining or granting marriage dispensation by judges.

However, in reality, there has been no significant change in the high number of marriage dispensation cases that have entered the judiciary, which at the same time shows the ineffectiveness of limiting the practice of child marriage. The courts that are trying to stem the surge in child marriage practices do not seem to have yielded satisfactory results, even with the presence of the Guidelines for Trialing Applications for Dispensation of Marriage. This, of course, raises a big question mark regarding the effectiveness of these regulations.

B. RESEARCH METHODS

This research is a type of normative legal research whose object is Supreme Court Regulation No. 5 of 2019 concerning Guidelines for Adjudicating Applications for Dispensation of Marriage and Law No. 16 of 2019 concerning Amendments to Law No. 1 of 1974 concerning Marriage. To support this matter, a statute approach and a case approach are used, with related primary and secondary legal sources, then analyzed from the aspect of legal effectiveness. The data collection technique was using library research, namely tracing and studying related literature, then analyzing it using qualitative analysis techniques so as to produce descriptive and meaningful data.

C. DISCUSSION

Efforts to Protect Children from Child Marriage Practices

The Child Protection Law defines a child as someone under the age of 18 and includes a child in the womb, while the concept of child protection itself is all activities to ensure and protect children and their rights so that they can live, grow, develop, and participate optimally in accordance with human dignity and receive protection from violence and discrimination (Article 1 of Law No. 35 of 2014 concerning Amendments to Law No. 23 of 2002 concernAs for those who are obliged and responsible for the implementation of child protection, as stated in Article 20 of this law, they are the state, the government, the local government, the community, the family, and the parents or guardians.

One form of child protection that has received special attention from the state and even the world so far is the elimination of the practice of child marriage, which is considered to be very detrimental to children, especially girls. Some of the losses that can be experienced from the practice of these marriages are maternal deaths at a young age due to premature pregnancy, women's illiteracy due to loss of opportunities to obtain basic education, and other losses related to both physical and mental health, as well as being vulnerable to experiencing domestic violence and living in a vicious circle. poverty.⁵

Efforts to protect children from the practice of child marriage encounter the biggest obstacle originating from the Marriage Law itself; this law is considered to accommodate the practice of child marriage because the minimum age limit for marriage,

⁵ Asep Saepudin Jahar dkk, *Hukum Keluarga, Pidana dan Bisnis*, h. 47-48.

especially for women, namely 16 years, has not been updated for a long time. This age limit is considered out of accordance with current developments and not in line with the spirit of the Child Protection Act, which incidentally is the result of ratification of the International Convention on the Rights of the Child. Criticism of the Marriage Law, particularly regarding the minimum age limit for marriage, has long been echoed by various groups, especially child and women's rights activists.

Apart from being contrary to the Child Protection Law, the minimum age limit for marriage in the Marriage Law is also considered by some to be contrary to the 1945 Constitution, especially the articles related to the fulfillment of certain rights. On this basis, several attempts have been made to amend the age limit, one of which is by submitting a judicial review to the Constitutional Court. At its climax, this effort found a bright spot after the Constitutional Court issued Decision No. 22/PUU-XV/2017 granting the petition of the applicant stating that Article 7 paragraph (1) of the Marriage Law, specifically the 16-year age limit for women, is contrary to the 1945 Constitution, does not have binding legal force, and has resulted in discrimination on the basis of gender, which results in the non-fulfillment of the rights of girls. In its order, the Constitutional Court ordered the legislators to change the provisions on the minimum age limit for marriage for women within a period of three years after the issuance of the decision.

The product of the Constitutional Court's decision is Law No. 16 of 2019 concerning Amendments to Law No. 1 of 1974 Concerning Marriage, the contents of which amended the provisions of Article 7 by equating the marriage age limit for both men and women, namely 19 years. The Constitutional Court's decision, which led to changes in the minimum age limit for marriage in the Marriage Law, received appreciation from various groups because it was considered to be able to reduce the practice of child marriage as an effort to protect children, especially girls.

Then, to support the new regulation, the Supreme Court tightened the dispensation for marriage by issuing Supreme Court Regulation No. 5 of 2019 concerning Guidelines for Adjudicating Applications for Dispensation of Marriage. It is hoped that judges will no longer easily grant requests for dispensation of marriage for children. This means that although there are still opportunities for the practice of child marriage through the judiciary's authority to grant dispensations, there are real efforts to suppress and limit the practice of such marriages.⁶

Supreme Court Regulation No. 5 of 2019 concerning Guidelines for Adjudicating Applications for Dispensation of Marriage

Guidelines for adjudicating applications for marital dispensation are established to provide clear, firm, and detailed rules of the game regarding the process of adjudicating cases on applications for marital dispensation, which had not previously been regulated in laws and regulations. The guideline, which consists of seven chapters and 21 articles, is also equipped with a pocket book version, which will be published in 2020.

The objectives of this guideline, as stated in article 3, are:

1. Applying the best interest principle for children; the right to life and development of children; respect for the child's opinion; respect for human dignity; non-discrimination; gender equality; equality before the law; justice; expediency; and legal certainty;

⁶ Muhammad Fajri, "Interpretasi Perubahan Batas Minimal Usia Perkawinan Perspektif Maslahat," *Jurnal Al-Qadāu: Peradilan dan Hukum Keluarga Islam*, Vol. 7 No. 1 (Juni 2020), h. 64-65.

2. Ensure the implementation of a justice system that protects children's rights;
3. Increasing parental responsibility in the context of preventing child marriage;
4. Identifying whether or not there was coercion behind the request for dispensation from marriage; and
5. Realizing standardization of the process of adjudicating applications for marriage dispensation in court.⁷

The definition of a child according to these guidelines is a person who is not yet 19 years old or has never been married, according to statutory regulations. In addition, the context of the "best interests" of the child in question includes all actions that must be considered to ensure the protection, care, welfare, survival, and development of children.

In filing a marriage dispensation application, the party entitled to apply is the parents. In the event that the parents are divorced, the application is still submitted by both parents or by one of the parents who has custody over the child based on a court decision. If one of the parents has passed away or the whereabouts of one of the parents are unknown, an application can be submitted. And if both parents have died, their powers have been revoked, or their whereabouts are unknown, the application can be submitted by the child's guardian. In the event that the parent or guardian is unable to attend, the application can be submitted by a power of attorney based on a power of attorney from the parent or guardian in accordance with statutory regulations.

If there is a difference in religion between the child and the parent or guardian, the application shall be submitted to the court according to the child's religion. And if both prospective husbands and wives are under the age limit for marriage, the application for dispensation is submitted to the same court according to the domicile of one of the parents or guardians.

An application for a marriage dispensation is submitted to the competent court. The Registrar then checks the administrative requirements; if they do not fulfill them, the Registrar will return the application file to the applicant to be completed, and if the requirements are met, the application is registered in the register after paying the court fee down payment for applicants who cannot afford to apply for dispensation for free (*pro deo*).

In the case examination process, at the first hearing the applicant must present the child being requested for dispensation, the prospective husband/wife, and the parents/guardians of the prospective husband/wife. If the applicant is not present, the judge adjourns the trial and recalls the applicant legally. If the applicant is not present again at the second trial, the application for dispensation shall be declared null and void. In the event that the applicant is unable to present the parties in question at the first, second, and third hearings, then the request for dispensation cannot be accepted. The parties' attendance does not have to be on the same day of the hearing.

In the trial, the judge must use language and methods that are easy for children to understand and not use the attributes of the trial with the substitute clerk. Judges must also advise applicants, their children, prospective husbands and wives, and their parents and guardians. The advice conveyed by the judge aims to ensure that the parties understand the risks of marriage, especially with regard to the possibility of stopping education for children, the sustainability of the child in carrying out the 12-year

⁷ Republik Indonesia. *Peraturan Mahkamah Agung RI No. 5 Tahun 2019 Tentang Pedoman Mengadili Permohonan Dispensasi Kawin.*

compulsory education, the child's reproductive organs not being ready, the economic, social, and psychological impact on children, and the potential for disputes and domestic violence. Advice submitted by the judge will be considered in the determination; if the judge does not provide the advice as intended, it will result in the decision being null and void.

Furthermore, the judge must hear the statements of the child whose dispensation is sought, the prospective husband or wife, the child's parents or guardians, and the prospective husband or wife's parents or guardians. The information obtained by the judge must be considered in the decision; otherwise, it will result in the decision being null and void. In addition, the judge is also required to identify that the child submitted in the application knows and approves of the marriage plan; the psychological condition, health, and readiness of children to enter into marriage and build a family life; and psychological, physical, sexual, or economic coercion against children and/or families to marry or give birth to children.

In examining the child being requested for dispensation, the judge can hear the child's statement without the presence of the parents; hear the child's testimony through a remote audio-visual communication examination at the local court or elsewhere; suggest that the child be accompanied by a companion; ask for recommendations from psychologists or doctors/midwives, professional social workers, social welfare workers, integrated service centers for the protection of women and children, Indonesian/regional child protection commissions; and present translators or people who usually communicate with children, if needed.⁸

The judge pays attention to the best interests of the child by carefully studying the petition of the applicant, examining the legal standing of the applicant, exploring the background and reasons for child marriage, explore information related to whether there are obstacles to marriage; collect information related to children's understanding and consent to being married; paying attention to the age difference between the child and the prospective husband or wife; hear the statements of the applicant, children, prospective husband or wife, and parents or guardians of the prospective husband or wife; taking into account the psychological, sociological, cultural, educational, health, and economic conditions of children and parents, based on recommendations from psychologists, doctors or midwives, professional social workers, social welfare workers, integrated service centers for the protection of women and children, and Indonesian or regional child protection commissions; Consider whether or not there is an element of psychological, physical, sexual, and/or economic coercion, and ensure the commitment of parents to share responsibility related to economic, social, health, and child education issues.

The judge, in determining the application for marriage dispensation, considers the child's best interests and protection under statutory regulations and unwritten laws in the form of legal values, local wisdom, a sense of justice that lives in society, and international conventions or agreements related to child protection. Against the determination of marital dispensation, a cassation can only be filed. And the judge adjudicating the request for dispensation is a judge who already has a decision letter from the Chief Justice of the Supreme Court as a juvenile judge, has attended training and/or technical guidance on women dealing with the law, is certified in the juvenile justice

⁸ Republik Indonesia. *Peraturan Mahkamah Agung RI No. 5 Tahun 2019 Tentang Pedoman Mengadili Permohonan Dispensasi Kawin.*

system, or has experience adjudicating requests for dispensation from marriage. If there is no judge who meets these criteria, each judge can adjudicate a marriage dispensation application.⁹

Legal Effectiveness Review

The rule of legal effectiveness is a benchmark regarding appropriate attitudes or behaviors. The thinking method used is the deductive-rational method, giving rise to a dogmatic way of thinking. On the other hand, some people regard law as an attitude or pattern of behavior. The method of thinking used is inductive-empirical, so that the law is seen as an act that is repeated in the same form and has a specific purpose. The effectiveness of law in action or legal reality can be known if someone states that a rule of law succeeds or fails to achieve its goals. Then, it is usually known whether its influence succeeds in regulating certain attitudes or behaviors so that they are in accordance with their goals or not.¹⁰ There are several factors that affect the effectiveness of the law, as stated by Soerjono Soekanto as follows:

1. The legal factor itself: The law functions for justice, certainty, and expediency. In the practice of administering law in the field, there are times when there is a conflict between legal certainty and justice. Legal certainty is concrete and tangible, while justice is abstract, so when a judge decides a case by applying the law alone, there are times when the value of justice is not achieved. So when looking at a legal problem, at least justice is a top priority. Because law is not solely seen from the point of view of written law, there are still many rules that live in society that are able to regulate people's lives.
2. Law enforcement factors: This factor includes parties that form or apply the law, namely law enforcement officials who are able to provide certainty, justice, and the benefits of the law proportionally. The term "law enforcement apparatus" refers to law enforcement institutions and their personnel, whereas "law enforcement officers" refers to the police, prosecutors, judiciary, legal advisers, and prison wardens. Each officer and apparatus is given the authority to carry out their respective duties in accordance with applicable regulations.¹¹
3. Facilities or facilities factor: supporting facilities can simply be formulated as a means to an end. Its scope is mainly physical facilities that function as supporting factors. Supporting facilities include educated and skilled human resources, good organization, adequate equipment, adequate finances, and so on. If the supporting facilities are not fulfilled, it is impossible for law enforcement to achieve its goals. The certainty and accuracy of case settlement are highly dependent on existing support facilities.
4. Community factors: law enforcement comes from society and aims to achieve peace in society. Communities have certain opinions about law because people

⁹ Republik Indonesia. *Peraturan Mahkamah Agung RI No. 5 Tahun 2019 Tentang Pedoman Mengadili Permohonan Dispensasi Kawin.*

¹⁰ Soerjono Soekanto, *Beberapa Permasalahan Hukum dalam Kerangka Pembangunan di Indonesia*, (Jakarta: Universitas Indonesia, 1976), h. 45-48.

¹¹ Soerjono Soekanto, *Beberapa Permasalahan Hukum dalam Kerangka Pembangunan di Indonesia*, h. 51-56.

live in different contexts, so what should be put forward is its harmony, which aims to have a common starting point.¹²

5. Cultural factors: This factor emphasizes the problem of the value system, which is the core of spiritual or non-material culture. Culture or the legal system basically includes the values that underlie applicable law, values that are abstract conceptions of what is considered good and what is considered bad.¹³

The factors that measure the effectiveness of a law or regulation are implemented in the implementation of Supreme Court Regulation No. 5 of 2019 concerning Guidelines for Adjudicating Applications for Dispensation of Marriage in a normative manner. These guidelines have been implemented in all judicial institutions that have the authority to grant dispensation for marriage, such as the Religious Courts for citizens who are Muslim and the District Court for other residents, as an effort to limit the granting of dispensation for marriage itself while preventing the practice of child marriage. However, there are problems in the legal factors themselves, namely the guidelines in question and Law No. 16 of 2019, which actually still opens up opportunities for the practice of child marriage for urgent reasons that are still multi-interpreted. Apart from that, on societal factors, the low level of public understanding of the dangers of child marriage can be seen from the rise of permissive free association, and on cultural factors, especially in areas with strong customary values, there are still groups of people who practice child marriage with reasons justified by their culture. Thus, it can be concluded that the guidelines for adjudicating applications for marriage dispensation as an effort to prevent the practice of child marriage are still ineffective. Even though normatively the practice of child marriage outside of court dispensation facilities has shown a decline, at least from what is recorded or recorded by the state,

D. CLOSING

Conclusion

The guidelines for adjudicating applications for marriage dispensation are aimed at applying the best interests of the child, ensuring the implementation of a justice system that protects children's rights, increasing parental responsibility in the context of preventing child marriage, identifying whether or not there is coercion behind the request for dispensation from marriage, and realizing standardization of the process of adjudicating applications for marriage dispensation in court. The judicial institutions, through their judges, have implemented the intent of these guidelines well, although it needs to be acknowledged that there are still gaps in interpreting very urgent reasons in the context of the best interests of the child. In terms of legal effectiveness, the implementation of guidelines for adjudicating applications for marriage dispensation as an effort to limit the practice of child marriage is measured by five indicators, namely the law itself, the law enforcer, facilities, the public, and culture. There are problems in the legal factor itself, namely Law No. 16 of 2019, which still opens up opportunities for the practice of child marriage for urgent reasons that are still multi-interpreted. Apart from that, on societal factors, the low level of public understanding of the dangers of child marriage can be seen from the rise of permissive free association, and then on cultural

¹² Satjipto Rahardjo, *Hukum dan Masyarakat*, (Bandung: Angkasa, 1980), h. 87.

¹³ Nur Fitriyani Siregar, "Efektivitas Hukum," *Al-Razi: Jurnal Ilmu Pengetahuan dan Kemasyarakatan*, Vol. 18 No. 2 (2018), h. 6-16.

factors, especially in areas with strong customs, there are still groups of people who practice child marriage with reasons justified by their culture. Thus, it can be concluded that the guidelines for adjudicating applications for marriage dispensation as an effort to limit the practice of child marriage are still ineffective.

Recommendation

Guidelines for adjudicating applications for marriage dispensation are a supporting tool for changes to regulations on the limit of marriage age, which require an in-depth and thorough study and consideration of all aspects that affect it so that the desired benefit can be achieved. For this reason, related parties and observers are expected to continue to study it and come up with the right solution. in solving the problem of child marriage.

BIBLIOGRAPHY

- Gultom, Maidin. *Perlindungan Hukum Terhadap Anak dalam Sistem Peradilan Pidana Anak di Indonesia*. Bandung: Refika Aditama, 2008.
- Jahar, Asep Saepudin. dkk. *Hukum Keluarga, Pidana dan Bisnis*. Jakarta: Kencana, 2013.
- Lathif, Ah. Azharuddin dan Muchith A. Karim. "Fenomena Perkawinan di Bawah Umur dan Perkawinan Tidak Tercatat di Kabupaten Malang Jawa Timur," dalam *Menelusuri Makna di Balik Fenomena Perkawinan di Bawah Umur dan Perkawinan Tidak Tercatat*. Jakarta: Puslitbang Kemenag RI, 2013.
- Rahardjo, Satjipto. *Hukum dan Masyarakat*. Bandung: Angkasa, 1980.
- Soekanto, Soerjono. *Beberapa Permasalahan Hukum dalam Kerangka Pembangunan di Indonesia*. Jakarta: Universitas Indonesia, 1976.
- Fajri, Muhammad. "Interpretasi Perubahan Batas Minimal Usia Perkawinan Perspektif Maslahat," *Jurnal Al-Qadāu: Peradilan dan Hukum Keluarga Islam*, Vol. 7 No. 1 (Juni 2020).
- Siregar, Nur Fitriyani. "Efektivitas Hukum," *Al-Razi: Jurnal Ilmu Pengetahuan dan Kemasyarakatan*, Vol. 18 No. 2 (2018).
- Indonesia Judicial Research Society (IJRS), dkk. *Buku Saku; Pedoman Mengadili Permohonan Dispensasi Kawin*. Jakarta: Mahkamah Agung RI dan IJRS, 2020.
- Kementerian Perencanaan Pembangunan Nasional RI. *Strategi Nasional Pencegahan Perkawinan Anak*. BAPPENAS, 2020.
- Mahkamah Konstitusi RI. *Dokumen Putusan No. 22/PUU-XV/2017*.
- Koalisi Perempuan Indonesia, dkk., *Naskah Akademik RUU Perubahan UU No. 1 Tahun 1974 Tentang Perkawinan*
- Republik Indonesia. *Undang-Undang RI No. 1 Tahun 1974 Tentang Perkawinan*.
- Republik Indonesia. *Undang-Undang RI No. 16 Tahun 2019 Tentang Perubahan Atas Undang-Undang RI No. 1 Tahun 1974 Tentang Perkawinan*.
- Republik Indonesia. *Undang-Undang RI No. 35 Tahun 2014 Tentang Perubahan Atas Undang-Undang RI No. 23 Tahun 2002 Tentang Perlindungan Anak*.

The Effectiveness of Supreme Court Regulation No. 5 of 2019 in Efforts to Prevent Child Marriage

Muhammad Fajri

Republik Indonesia. *Peraturan Mahkamah Agung RI No. 5 Tahun 2019 Tentang Pedoman Mengadili Permohonan Dispensasi Kawin.*