
Underage Marriage Society 5.0 Perspective of Madzhab Syafi'i Fiqh and Marriage Law in Indonesia

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Abstract

Legal marriage is an absolute obligation according to Islamic teaching. However, these noble intentions often do not meet expectations if the husband and wife, or one of the partners, does not yet possess both physical and mental maturity. This unpreparedness can occur when someone marries while underage a phenomenon increasingly linked to the intensive use of gadgets by children in the Society 5.0 era. This research aims to determine the ruling on underage marriage in Society 5.0 according to the Shafi'i madhhab, as well as its relevance to Indonesian Marriage Law. The method used was normative legal research (library research), with primary materials drawn from the fiqh books of the Shafi'i school and Law No. 16 of 2019. The results show that underage marriage in Society 5.0 is considered valid (permissible) by the Shafi'i school, provided that a girl has reached the age of 15 or shows signs of puberty (menstruation or armpit hair growth), and for boys, the onset of wet dreams. The connection between the Shafi'i school and the Marriage Law lies in the age limit: the Shafi'i school sets the minimum age at 15 years, while the Marriage Law sets it at 19 years. Both regulations serve as legal justification for marriage dispensation. The conclusion is that underage marriage according to the Shafi'i school is valid by prioritizing *maslahah*, and the correlation between the two legal systems can be used to address cases of underage marriage in Society 5.0.

INTRODUCTION

A valid marriage is an absolute requirement according to Islam. Having a harmonious household bound by sacred bonds, marriage is a dream for every couple (Hamid, 2024; Mir-Hosseini et al., 2022). However, this noble intention often does not live up to expectations if one or both partners do not yet possess both physical and mental maturity (Gazeley et al., 2024; Hasyim et al., 2024; Semlali et al., 2025). This unpreparedness can occur if someone marries underage.

Underage marriage is nothing new in Indonesia, even in big cities. Even in remote villages, this practice often occurs in the era of Society 5.0. The concept of Society 5.0 a society centered on humans (*human-centered*) and based on technology (*technology-based*) forces both young and old to adapt quickly to technology. This rapid adoption of technology leads children to use gadgets outside of parental supervision (Andriyani et al., 2025; Astuti et al., 2022; Mohamed et al., 2024; Nudin et al., 2024; Stewart et al., 2022; Wang et al., 2024). The intensity of children's gadget use is increasingly detrimental, given that both school and non-

school activities are now required to use online platforms such as *Zoom* meetings (Dennis, 2024; Young-Jones, 2023).

This intensity creates a gateway for children to explore sensitive areas beyond their age (De Kerckhove, 2023; Duhn, 2025; Sprong et al., 2024). Children who would normally be of school age end up marrying underage due to their intensive gadget use, resulting in a surge of underage marriage filings in the Society 5.0 era in Indonesia. Data obtained from the website of the Religious Courts (*Badilag*) at several Religious Courts in Indonesia, particularly the Jombang Religious Court, shows a dramatic surge in underage marriages in the Society 5.0 era. This surge is inextricably linked to the influence of technology as applied by children in real life.

This issue persists even though it has been regulated by the state through Law No. 16 of 2019 concerning amendments to Law No. 1 of 1974 concerning Marriage, which stipulates that the minimum age for marriage is 19 years for both men and women, with parental permission. Meanwhile, in Islamic law, the Shafi'i school of thought, in its *istinbath* of law, sets the minimum age for marriage at 15 years, alongside the growth of armpit hair as a sign of puberty (*bulugh*) for girls, and the onset of wet dreams for boys. This rule still warrants deeper understanding.

Several studies have examined underage marriage from a variety of perspectives. Denin Adnan et al. (2021) examined the phenomenon of underage marriage in the era of Society 5.0 with a sociological approach, but have not yet analyzed in depth the *fiqh* review of the Shafi'i school. Research by Rasya (2023) discusses the age limit for marriage according to the four *madhhab* and its influence on Indonesian marriage law, but does not specifically relate it to the conditions of Society 5.0. Wahyuni et al. (2020) examined underage marriage according to the Shafi'i school, but did not compare it with the Marriage Law following the amendment by Law No. 16 of 2019. Meanwhile, research by Safitri (2023) and Mr. Y.S. & Agustian (2021) focuses more on the review of Islamic law in general without highlighting the relevance of the age limit between *fiqh* and positive law in the digital era.

Based on a search of the literature, no research has been found that comprehensively connects three elements simultaneously: underage marriage in the context of Society 5.0, the perspective of the *fiqh* of the Shafi'i school detailing the age limit and the basis of its legal determinations, and its relevance to Law No. 16 of 2019 concerning amendments to Law No. 1 of 1974 concerning Marriage. In other words, there is still a gap in the literature that integrates aspects of technology (the Society 5.0 era), Islamic law (*madhhab* Shafi'i), and positive Indonesian law at the same time. This research offers novelty by bridging these three domains: the analysis of the age limit for marriage according to the Shafi'i school (15 years or the signs of puberty) in relation to emergency conditions arising from the misuse of gadgets in the Society 5.0 era; the application of *maslahah* and *dar' al-mafasid* approaches as justification for the permissibility of underage marriage under urgent circumstances; and a direct correlation between the provisions of the Shafi'i school and the age limit articles of the Marriage Law as the legal basis for marriage dispensation.

This research is therefore important to undertake. For this reason, the author is interested in examining the topic entitled, "Underage Marriage in the Era of Society 5.0: A *Fiqh* Perspective of the Shafi'i *Madhhab* and Marriage Law in Indonesia." The purpose of this study is to determine the ruling on underage marriage in the Society 5.0 era according to the

fiqh of the Shafi'i school, as well as to examine the relevance of its legal reasoning (*istinbath* of law) to the Marriage Law in Indonesia, particularly regarding the age limit for marriage in Society 5.0. This research is expected to provide theoretical benefits by enriching the scholarship of Islamic family law, especially in comparing the *fiqh* of the Shafi'i school with the positive laws of Indonesia concerning underage marriage. Practically, the findings of this study can serve as a consideration for Religious Court judges in deciding on marriage dispensation, as well as for parents and educators in understanding the age limit for marriage in accordance with the best interests of children in the digital era. Furthermore, this research offers policy benefits by providing input for policymakers in aligning the regulation of the marriage age limit with social realities and the evolving values of *fiqh*.

RESEARCH METHODS

The research method used in this study is normative legal research (*normative juridical research*) with a library research approach, which aims to analyze the legal provisions regarding underage marriage from the perspective of the *fiqh* of the Shafi'i school and Marriage Law in Indonesia in the era of Society 5.0. The research approaches employed include a statute approach to examine Law No. 1 of 1974 concerning Marriage as amended by Law No. 16 of 2019, a conceptual approach to understand the concepts of maturity, the age limit for marriage, and *maslahah* in Islamic law, as well as a comparative approach to compare the views of the Shafi'i school with positive law in Indonesia. The sources of legal materials consist of primary legal materials in the form of the *Qur'an*, *Hadith*, and *fiqh* books of the Shafi'i school such as *Al-Umm*, *Ar-Risalah*, *Fath al-Qarib*, and *Fath al-Mu'in* as well as related laws and regulations, supported by secondary legal materials in the form of books, scientific journals, and relevant prior research. The collection of legal materials was carried out through documentation studies, while data analysis was conducted using a qualitative descriptive method by examining and interpreting legal materials to identify the relevance and compatibility between Islamic law and national law in responding to the phenomenon of underage marriage in the Society 5.0 era.

RESULTS AND DISCUSSION

The Law on Underage Marriage in the Era of Society 5.0 from the Perspective of Shafi'i Islamic Fiqh

Underage marriage is a marriage that takes place between a man and a woman where one or both of them are not yet adults. Adulthood in Islam refers to two meanings: first, *bulugh bi al-khilqah* (marked by wet dreams for men and the onset of menstruation for women); and second, *bulugh bi al-sinni* (marked by the attainment of a certain age as determined by *shari'a*). At this age, although not marked by physical maturity according to *khilqah*, a person is still considered an adult by the measure of age commonly referred to as being declared an adult by age.

This distinction is important, considering that age is one of the requirements for a valid marriage. According to Imam Shafi'i, while there is no strictly binding minimum age stipulated in Islamic law, he nevertheless recommended that those entering into marriage give due consideration to the attainment of *bulugh* (puberty) as the ideal threshold.

The legal basis for the scholars who permit underage marriage is:

1. Allah's Word QS An-Nur verse 32:

وَأَنْكِحُوا الْأَيَامَىٰ مِنْكُمْ وَلصَّٰلِحِينَ مِنْ وَاِمَائِكُمْ إِنْ يَكُونُوا فُقَرَاءَ يُغْنِهِمُ اللَّهُ مِنْ فَضْلِهِ وَاللَّهُ وَاسِعٌ عَمَّ

Meaning: "And marry those who are alone among you, and those who are worthy (to marry) from your male servants and your female servants."

Wajh al-dilalahnya, the meaning of "ayaamaa" in this verse is a woman who does not have a husband. It uses a general *sighat*, encompassing both adults and children.

The interpretation of this verse is as follows:

وَأَنْكِحُوا الْأَيَامَىٰ مِنْكُمْ (And marry those who are alone among you)

The meaning (الأيام) is a man who does not have a wife and a woman who does not have a man, whether the woman is still a virgin or a widow.

Marriage is one of the *sunnahs* that is highly recommended, as the Prophet said: "And whoever hates my sunnah is not among my group." But of course, this is for people who are capable and have a living.

وَالصَّٰلِحِينَ مِنْ عِبَادِكُمْ (and those who are worthy (to marry) from among your male slaves) Namely your male slaves.

وَإِمَائِكُمْ (and your female slaves) Namely your female slaves. And the meaning of (الصلاح) is faith.

إِنْ يَكُونُوا فُقَرَاءَ يُغْنِهِمُ اللَّهُ مِنْ فَضْلِهِ (If they are poor Allah will enable them with His grace)

That is, do not refrain from marrying two people because of poverty, because whoever marries, Allah will give him wealth, namely wealth of soul and wealth of property.

وَاللَّهُ وَاسِعٌ (and Allah is vast)

Namely, it has a vastness that cannot be reduced because it gives wealth to His servants.

عَلِيمٌ (Almighty Knowing) Namely knowing the benefits for His servants.

The content of the verse is the command to maintain this honor followed by the command to do things that can facilitate the implementation of the command to maintain honor and lower the gaze, namely by ordering the guardians and believing masters to marry off pious believers who are able to bear the dowry and maintenance, whether from men or women, and free people or slaves; and are obliged to help them to marry.

Hadith of the Prophet SAW in Sahih Muslim Juz II page 1039:

"ابنة تسع ابنة وأنا بي وبني سنين ست وأنا وسلم عليه الله صلى النبي تزوجني" قالت عنها الله رضي عائشة عن (عليه متفق)

Meaning: "From Aisyah ra she said: "I was married by the Prophet SAW when I was six years old, and I had sexual intercourse with him when I was nine years old." (Muttafaq Alaih).

Hadith of the Prophet SAW:

عُمَانُ فَالْقِيَةِ اللَّهِ عَبْدٌ مَعَ كُنْتُ قَالَ عُلْقَمَةُ عَنْ إِبْرَاهِيمَ حَدَّثَنِي قَالَ الْأَعْمَشُ حَدَّثَنَا أَبِي حَدَّثَنَا حَفْصُ بْنُ عُمَرَ حَدَّثَنَا مَا نَذَكْرُكَ بِكُرًا نُزَوِّجَكَ أَنْ فِي الرَّحْمَنِ عَبْدٌ أَبَا يَا لَكَ هَلْ عُمَانُ فَقَالَ فَخَلَّوْا حَاجَةَ إِلَيْكَ لِي إِنْ الرَّحْمَنِ عَبْدٌ أَبَا يَا فَقَالَ بِمَنْ ذَلِكَ قُلْتُ لَنْ أَمَا يَقُولُ وَهُوَ إِلَيْهِ فَانْتَهَبْتُ عُلْقَمَةَ يَا فَقَالَ إِلَيَّ أَشَارَ هَذَا إِلَى حَاجَةٍ لَهُ لَيْسَ أَنْ اللَّهُ عَبْدٌ رَأَى فَلَمَّا تَعَهَّدُ كُنْتُ فَعَلَيْهِ يَسْتَطِيعُ لَمْ وَمَنْ فَلْيَنْزَوِّجِ الْبَاءَةَ مِنْكُمْ اسْتَطَاعَ مِنَ السَّبَابِ مَعَشَرَ يَا وَسَلَّمْ عَلَيْهِ اللَّهُ صَلَّى النَّبِيُّ لَنَا قَالَ لَقَدْ وَجَاءَ لَهُ فَإِنَّهُ بِالصَّوْمِ

Meaning: "It was narrated to us by 'Umar ibn Hafis, who narrated to us from his father, who narrated to us from Al-A'mash, who said: Ibrahim narrated to me from 'Alqamah, who said: I was with 'Abdullah when 'Uthman met him in Mina. 'Uthman said, 'O Abu 'Abdurrahman, I have something I wish to discuss with you.' Thus, the two of them spoke privately. 'Uthman then asked, 'O Abu 'Abdurrahman, shall we not marry you to a young woman who may remind you of what you once experienced?' When 'Abdullah saw that 'Uthman had no interest in that matter, he gestured to me and said, 'O 'Alqamah.' So, I came toward him. He then said, 'As for what you have mentioned, the Prophet sallallahu 'alayhi wa sallam indeed said to us: O young people (ya ma'shar al-shabab), whoever among you has the capability (ba'ah), let him marry; and whoever is not able, let him fast, for indeed it will be a restraint for him" (HR. Bukhari and Muslim).

Fiqh rules in *Qawaid al-Ahkam fi mashalih al-Anam* by Izzudin Abdul al-Salam volume I page 51:

God bless you للوسائل أحكام المقاصد فالو سيلة إلى أفضل المقاصد هي أفضل

This means: "The law of means is the same as the law of the intended purpose. The means leading to the most important purpose are the most important means. Whoever is given the grace of Allah to prioritize the interests of others will surely know what is most important."

In Ta ' bir Kitab Fathul Mu'in

وكره لعاجز عن المؤمن غير نائق. ويجب بالنذر حيث ندب

Meanwhile, for those who lack the desire for sexual intercourse and cannot afford the aforementioned costs, marriage is considered *Makruh* (rejected). Marriage is essentially considered *sunnah*, but if there is a reason to make a vow, marriage is considered obligatory.

In this case, the issue of underage marriage is not specifically explained in the *Fathul Mu'in* book. However, it can be likened to the fact that marriage is *Sunnah* and can be made obligatory when a vow is made. Therefore, in the context of underage marriage in the era of Society 5.0, which is carried out for the purpose of adultery, the law permits underage marriage, provided it meets the requirements.

In the book *Fathul Qarib*

و النكاح يستحب لمن يتجاب إليه بتوقان نفسه للوطء ويجد أهفته كمهر ونفقه فإن فقد الإهفته لم يستحب له النكاح

Marriage is recommended for those who need it because of a strong desire to do wathi' and they have the means such as a dowry and maintenance.

The *Fath al-Qarib* does not explain the context of underage marriage in explicit detail. However, if we compare the explanation above with the *sunnah* ruling on marriage which applies when there is a necessity (*hajah*) then underage marriage in the Society 5.0 era may refer to this *sunnah* ruling, given that "necessity" in this context refers to the consequences of deviant behavior arising from underage marriage in the Society 5.0 era.

The assumption that underage marriage is religiously permissible, as cited in the example of the Prophet Muhammad's (*sallallahu 'alayhi wa sallam*) marriage to 'Aisha, remains a subject of ongoing debate in contemporary society. Nevertheless, Islam is considered to at least implicitly regulate a minimum threshold of readiness for marriage, even if no explicit minimum age is prescribed.

In this regard, it is understood that the ruling on arranging the marriage of a minor is permissible (*mubah*). However, due consideration must still be given to the child's mental and psychological readiness before any such marriage is contracted.

The digital lifestyle of the Society 5.0 era, dominated by the widespread use of gadgets, has led many underage children to engage in activities prohibited by religion, one of which is frequent access to pornographic content. Many children who are still of school age become

exposed to such activities, which subsequently yields harmful consequences. Premarital pregnancy is the primary consequence, and marriage is often presented as the immediate solution.

In light of this, examining the issue through the *fiqh* of the Shafi'i school, the answer to this problem lies in considering the natural *maslahah* (welfare and benefit) of marriage for both parties.

From a welfare perspective, marriage between minors or those who have not yet attained psychological maturity carries the potential to harm the couple's future. However, if the harm of not marrying outweighs the harm of marrying, then proceeding with the marriage becomes permissible on grounds of *dar' al-mafasid* (the repelling of harm).

According to Imam al-Nawawi, a prominent scholar of the Shafi'i school, the marriage of a woman who is pregnant outside of wedlock is valid, whether to the man who impregnated her or to another man. This ruling may be used as a reference for the marriage of a pregnant individual, regardless of whether she is still a minor or an adult. Given the absence of explicit textual restrictions regarding age in this circumstance, the permissibility of such a marriage is grounded in a specific cause namely, pregnancy outside of wedlock which, if left unaddressed, would result in greater harm (*mafsadah*) to all parties involved.

Where Islam in its Shari'a requires benefit as formulated in the rules of fiqhiiyyah:

درءالمفاسد مقدم على جلب المصالح

Meaning: "*removing evil must be prioritized over gaining benefits.*"

Marrying underage girls before menstruation or when they are 15 years old is legal in the view of the Syafi'i school of *fiqh*. In this case there is no *ikhtilaf* among the ulama. One of the arguments of the ulama is the word of Allah SWT in QS At-Thalaq:

وَالَّذِي يَبْسُئُ مِنَ الْمَحِيضِ مِنْ نِسَائِكُمْ إِنْ ارْتَبْتُمْ فَعِدَّتُمْ وَاللَّيْ لَمْ يَحْضَنْ وَأُولَتْ الْأَحْمَالِ أَجَلُهُنَّ أَنْ يَضَعْنَ حَمْلَهُنَّ وَمَنْ يَتَّقِ اللَّهَ يَجْعَلْ لَهُ مِنْ أَمْرِهِ يُسْرًا

Meaning: "*for women who no longer menstruate (menopausal) among women, if you are in doubt (about their iddah period), then their iddah period is three months; and the same (also) for women who do not menstruate. And women who are pregnant, their iddah period is until they give birth to their womb. And whoever is devoted to Allah, Allah will surely make things easy for him in his affairs*"

In this regard, it is clear that according to the Shafi'i school of thought, arranging the marriage of minors is permissible (*mubah*). However, the difference of opinion (*ikhtilaf*) among scholars concerns who is entitled to serve as the guardian (*wali*) in contracting such marriages.

Imam al-Shafi'i stated in his book *Al-Umm*: "*As for young male children and girls who are still virgins, it is permissible for their fathers to marry them off to young boys, and the child has no right upon reaching adulthood to annul the marriage. If the child's genitals are severed or damaged, and the father contracts a marriage on his behalf, then the marriage is void, because he has no need for marriage. If a person of unsound mind (majnun) is married, the father has no right to contract such a marriage, and the authority (sultan) separates him from his wife on the basis of khul' (divorce initiated by the wife). Likewise, if one of the two parties is of unsound mind at the time of marriage, the marriage is invalid unless it takes place after the attainment of puberty (bulugh) and there are signs indicating a need for marriage. If a man who is not of sound mind pronounces talaq (divorce), such talaq is invalid. Likewise, if he pronounces ila' or zihar*, both are considered void, as legal accountability (taklif) is lifted from him. Similarly, if he accuses his wife of adultery or refuses to acknowledge his child, the ruling*

of* li'an (*mutual imprecation*) is not applied to him; rather, he is required to acknowledge the child born to his wife."

The opinion of Ibn Hazm, as cited in *Fath al-Bari* (Vol. 9, p. 237), states that the distinction between the marriage of a young boy and a young girl lies in the role of the father as *wali*. The marriage of a young girl contracted by her father is permitted, whereas the marriage of a young boy contracted by his father without the boy's capacity for consent is not permitted.

The Relevance of Legal Reasoning on Underage Marriage from the Perspective of Shafi'i School of Fiqh and Marriage Law in Indonesia

Underage marriage in the era of Society 5.0, as has been elaborated above, is regulated by both Islamic law and civil law. Islamic law, in this case according to the Shafi'i school of jurisprudence, permits underage marriage with a minimum age limit of 15 years for women, or at least the onset of menstruation or the growth of underarm hair as signs of puberty (*bulugh*), while for men, the minimum threshold is the onset of wet dreams. Although Islamic law as contained in the *Qur'an* and *Hadith* does not explicitly stipulate age limits for marriage, Imam al-Shafi'i conducted *istinbath* of law until he arrived at a minimum age limit for marriage. According to Imam al-Shafi'i, this age limit was determined on the basis that at 15 years of age, a man is permitted to participate in warfare and is subject to the *hadd* (prescribed legal penalty). This threshold was then analogized (*qiyas*) as the basis for determining the minimum age limit for marriage.

The *istinbath* of law carried out by Imam al-Shafi'i involved a thorough examination of the verses of the *Qur'an* and *Hadith* related to the topic of marriage. The results of this *istinbath* were subsequently adopted as a reference by the scholars of the Shafi'i school (*Shafi'iyyah*), who reached consensus on the legal determinations of Imam al-Shafi'i, as set out in several foundational works such as *Al-Umm* and *Ar-Risalah*, which have been widely recognized and studied across Islamic scholarly communities.

In civil law, the regulations governing marriage are contained in Law No. 1 of 1974 concerning Marriage, as amended by Law No. 16 of 2019, both of which address the minimum age limit for marriage. This regulation reflects the importance of both physical and psychological maturity as prerequisites for entering into marriage. The minimum age for marriage was previously 16 years for women and 19 years for men; however, following the amendment introduced by Law No. 16 of 2019, the minimum age for marriage is now uniformly set at 19 years for both men and women. This policy was implemented by the government to ensure that both parties are genuinely prepared physically and psychologically before entering into marriage.

Among the factors contributing to underage marriage in the Society 5.0 era is the lifestyle of parents who are heavily engaged in the digital sector and numerous work-related activities, resulting in reduced supervision of and attention to their children. Simultaneously, in the Society 5.0 era, many children attend school through online platforms. This has led underage children to use digital technology not only as a learning tool but also to explore activities outside the scope of their education, some of which are harmful.

What should have been a constructive digital lifestyle in the era of Society 5.0 has instead given rise to behaviors deemed undesirable under both Islamic and civil law. The misuse of digital technology by minors has yielded harmful consequences, ultimately forcing them to sacrifice their education and future prospects by entering into marriage at a young age.

Underage marriages in the era of Society 5.0 have seen a rapid increase compared to previous eras. Data obtained from Religious Courts across Indonesia through the website of the Religious Courts Agency (*Badilag*) indicates a significant increase in the number of

marriage dispensation (*dispensasi nikah*) applications attributable to underage marriages. The data is as follows:

Table 1. Data on the Number of Marriage Dispensation Cases at the Religious Courts

No	Year	Number of Marriage Dispensation Cases
1	2017	10,897
2	2018	13,822
3	2019	24,864
4	2020	64,196

Source: Religious Justice Agency (Badilag) of the Supreme Court of the Republic of Indonesia, Data on Marriage Dispensation Cases in 2017–2020, accessed via <https://badilag.mahkamahagung.go.id>

If it is in a bar chart model, it will look like this:

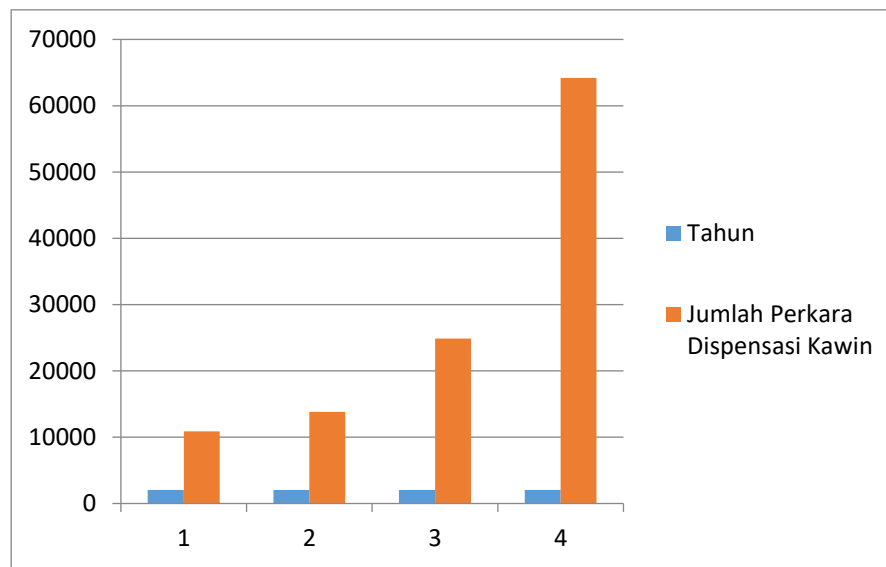


Figure 1. Graph of the Increase in Marriage Dispensation Cases

Source: Author's processing based on data from the Religious Justice Agency (Badilag) of the Supreme Court of the Republic of Indonesia in 2017–2020

Data on the Religious Courts Agency (*Badilag*) website can only be released or published up to 2020, while data for 2021 has not yet been updated on the official website. Nevertheless, data from 2017 to 2020 is sufficient as a benchmark, considering that this period marked the beginning of the Society 5.0 era, even though the peak of the Society 5.0 era is projected to occur in 2023 and 2024.

Examining the data above, applications for marriage dispensation (*dispensasi nikah*) as presented in Table 4.1 showed a gradual increase from 2017 to 2018. However, beginning in 2019, the number increased significantly, coinciding with the enactment of new legislation. Under the previous law, the minimum age limit for marriage was 16 years for women and 19 years for men. Following the amendment introduced by Law No. 16 of 2019, the minimum age for marriage was uniformly set at 19 years for both men and women. More significantly, from 2019 onward, the number of marriage dispensation applications across Indonesia has increased drastically in the Society 5.0 era. To address this phenomenon, both the government and parents play a crucial role. Given the demands of Society 5.0, the responsible development and use of

advanced technology among young people may help reduce social gaps and mitigate various related problems.

The relevance between underage marriage as viewed by the Shafi'i school of jurisprudence and the Indonesian Marriage Law lies in the existence of shared regulatory concern over the minimum age limit for marriage. The Shafi'i school sets the minimum age for marriage at 15 years, or alternatively by the onset of physical signs of puberty (*bulugh*) namely, the growth of underarm hair or the onset of menstruation for girls, and the onset of wet dreams for boys. Meanwhile, pursuant to the Marriage Law, specifically Law No. 16 of 2019 in conjunction with Law No. 1 of 1974, the minimum age for marriage is 19 years for both men and women.

In light of the findings derived from the examination of both regulations, their relevance is understood as constituting the legal basis for the validity of underage marriage. Law No. 16 of 2019, amending Law No. 1 of 1974 concerning Marriage, serves as the primary legal benchmark for underage marriages seeking formal legal recognition in Indonesia.

However, within the Shafi'i school of jurisprudence, the permissibility of underage marriage must be grounded in a clear and legitimate cause (*sabab*). If the marriage is contracted due to a woman becoming pregnant outside of wedlock as a casuistic circumstance or if a situation arises that is prohibited by religion, then the marriage may be permitted on the basis of *maslahah* (public welfare and benefit) for both parties. Similarly, under the Marriage Law, the permissibility of underage marriage is contingent upon the existence of exceptional circumstances (*dispensasi*) as stipulated in the relevant articles. In the absence of valid Islamic or legal justification, underage marriage may be prevented or annulled, as established by both the Shafi'i school of jurisprudence and the Indonesian Marriage Law. The existence of a minimum age limit for marriage as recognized by both the Shafi'i school and the Indonesian Marriage Law serves to prevent or at least minimize the potential for legal and social irregularities, while simultaneously upholding the principles of *maslahah 'ammah* (public interest) and legal certainty (*kepastian hukum*).

CONCLUSION

The conclusions of this research are as follows: The law on underage marriage in the era of society 5.0 according to the Shafi'i school of thought is legal or permissible if a woman has reached the age of 15 (marked by the growth of armpits) or has menstruated. Meanwhile, for men, it is characterized by wet dreams. This is confirmed by the Prophet's provisions when he gave men the ability to participate in war when they were 15 years old and prescribed a fine (hadd) for them. The relevance of underage marriage law in the era of Society 5.0, from the perspective of the Shafi'i school of thought and the Marriage Law, is the age limit. The Shafi'i school of thought sets the minimum age for marriage at 15 years, while the Marriage Law sets it at 19 years. The relevance lies in the "legality" of the marriage. Both clearly regulate the age limit for marriage. This correlation can be used to conceptualize underage marriage in the era of Society 5.0 and all its deviations.

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