

Understanding the Decline in Marriage Rates in Indonesia: a Maqashid Asy-Syari'ah Analysis Using Jasser Auda's Systems Theory

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Abstrak

Perkawinan merupakan peristiwa penting. Di Indonesia, telah terjadi gaya mutakhir pemuda pemudi Indonesia terhadap penguasaan perkawinan. hal ini sesuai dengan data BPS ada penurunan angka perkawinan selama tahun 2018-2023. Jenis penelitian ini adalah penelitian hukum doktrinal yaitu jenis penelitian yang fokus pada pemahaman dan analisis peraturan hukum yang berlaku, doktrin hukum, dan kaidah hukum. Penelitian berdasarkan kepustakaan dari kitab hukum, buku, jurnal, dan internet. Analisis penelitian ini berdasarkan maqashid asy syari'ah. penelitian ini menghasilkan beberapa faktor yang menyebabkan penurunan angka perkawinan di Indonesia, antara lain: peningkatan perceraian, ketakutan risiko terhadap perceraian, perubahan pola pikir generasi muda dan kesiapan diri terhadap perkawinan. telaah pada faktor-faktor melalui 5 fitur teori sistem hukum Islam maqashid asy syari'ah Jasser Auda, yaitu: watak kognisi, kemenyeluruhan, keterbukaan, multidimensi, dan kebermaksudan. Perkawinan adalah hak setiap manusia dengan ketentuan hukum yang berbeda-beda sesuai dengan keadaan masing-masing orang.

Kata Kunci: Penurunan Angka Perkawinan, Faktor-Faktor, Teori Sistem Jasser Auda.

Abstract

Marriage is an important event. In Indonesia, there has been a new trend among Indonesian young people towards postponing marriage. This is in accordance with BPS data, there is a decrease in the marriage rate during 2018-2023. This type of research is doctrinal legal research that a type of research that focuses on understanding and analyzing applicable legal regulations, legal doctrine, and legal rules. Research based on literature from law books, books, journals and the internet. The analysis of this research is based on maqashid asy syari'ah. This research produces several factors that have caused the decline in marriage rates in Indonesia, including: an increase in divorce, fear of the risk of divorce, changes in the mindset of the younger generation and their readiness for marriage. study of factors through the 5 features of Jasser Auda's maqashid asy syari'ah Islamic legal system theory, namely: cognitive character, comprehensiveness, openness, multidimensionality, and purposefulness. Marriage is the right of every human being with legal provisions that vary according to each person's circumstances.

Keywords: Decline in Marriage Rates, Factors, Jasser Auda System Theory.

PENDAHULUAN

The Republic of Indonesia guarantees the right of every Indonesian citizen to form a family and continue a marriage based on a legal marriage as stated in Article 28B paragraph 2 of the Constitution of the Republic of Indonesia. As an important event, marriage is regulated in laws and regulations, including Law Number 1 of 1974 in conjunction with Law Number 16 of 2019 concerning Marriage, Government Regulation Number 9 of 1975 concerning the Implementation of Law Number 1 of 1974 concerning Marriage, Compilation of Islamic Law, and others. In Indonesia, a marriage is considered valid if it is carried out according to the rules in the applicable positive law and based on the laws of each religion and belief of each person. (*Undang-Undang R. I. Nomor 1 Tahun 1974 Tentang Perkawinan Dan Kompilasi Hukum Islam*, 2014).

In line with Article 28B of the 1945 Constitution, in essence the purpose of marriage according to Article 1 of the UUP is that two people are able to form a family

institution (household) that is filled every day with happiness, peace and affection so as to create an eternal physical and spiritual bond based on the guidance and teachings of God Almighty - in terms of Article 3 of the KHI, namely *sakinah, mawaddah and rahmah*. (*Undang-Undang R. I. Nomor 1 Tahun 1974 Tentang Perkawinan Dan Kompilasi Hukum Islam*, 2014). One way to achieve the ideal goal of marriage as per the standards above, it must be carried out based on the terms and conditions according to applicable legal regulations, namely the achievement of the age limit of 19 years for both men and women as the minimum standard of maturity and a person's ability to form a family. (*Undang-Undang R. I. Nomor 1 Tahun 1974 Tentang Perkawinan Dan Kompilasi Hukum Islam*, 2014)

The minimum age standardization for marriage is correlated with the prevention of underage marriages that are still widely practiced by people in Indonesia. However, in recent times there has been a decline in the number of child marriages. Based on the report of the Minister of Women's Empowerment and Child Protection, there has been a decline in the number of child marriages in the last three years, namely from 2021 by 10.35% to 2023, decreasing to 6.92%. This means that the Indonesian government has succeeded in exceeding the target of reducing the number of child marriages according to the 2020-2024 National Medium-Term Development Plan (RPJMN), which is 8.74%. (*Menteri PPPA: Angka Perkawinan Anak Turun Menjadi 6,92 Persen, Lampau Target RPJMN*, 2024)

Regarding the factual data above, in essence the marriage rate has not only decreased in children. The decline in the marriage rate in Indonesia covers the Indonesian people globally. In the last six years, the marriage rate in Indonesia has continued to decline and this has become a modern style in Indonesian society. According to CNN Indonesia, based on records from the Central Statistics Agency, the number of marriages in Indonesia decreased from 2018: 2,016,171, 2019: 1,968,978, 2020: 1,780,346, 2021: 1,742,049, 2022: 1,705,348, and 2023: 1,577,255. BPS reported that the number of marriages has decreased drastically over the past three years by 2 million marriages. ("Angka Perkawinan Di Indonesia Terus Menurun Dalam 6 Tahun Terakhir," 2024)

In 2024, the marriage rate in Indonesia failed to increase and experienced a decline in the number of approximately the same as in 2023, namely 1.5 million marriages. According to the General Chairperson of the Association of Registrars of the Republic of Indonesia (APRI) Madari, the decline in the number of marriage registrations at the KUA has become a concern. Madari has 2 hypotheses regarding the trend of declining marriage rates in Indonesia, namely: first, the impact of the new regulation on the minimum age limit for marriage which has implications for unregistered marriages so that they are not recorded at the KUA; second, the lifestyle of young workers who are mature (age range 30-40 years) delaying marriage on the grounds of waiting until they are established. (Hilmi Setiawan, 2025)

The decline in marriage rates in Indonesia has become a trend, lifestyle and phenomenon in itself. There has been a shift in the meaning of marriage from year to year. Currently, "working" is not an activity that indicates that someone is ready to get married. Basically, everyone who works makes money, but it is not a symbol of someone's stability and comfort. So that many young workers are not directly oriented towards

marriage and prefer to postpone it or even intend not to do it at all. This can be caused by several factors.

This article was written accompanied by a literature review of previous studies with the same theme. The first article concerns research on the decline in marriage rates in the United States during COVID-19. Brandon G Wagner and team compared the number of marriages recorded in 2019 and the number of marriages in 2020. Registered marriages in the United States have continued to decline from 2019 to 2020 and are predicted to decline further in the short term (Brandon G Wagner et al., 2020). The review of this first article and the researcher's research both focus on the decline in marriage rates. The difference in the two studies is clearly in the focus. Previous research examined the decline in marriage rates during the Covid-19 pandemic beside that researchers want to analyze various factors that underlie the decline in marriage rates in Indonesia which has become a modern lifestyle.

The second article, Arwa Sya'ima and other authors analyze the phenomenon of the decline in marriage rates in Indonesia and the relevance of the recommendation to marry contained in the Qur'an and hadith. The authors found various factors that caused the decline in marriage rates over the past 6 years. One of the declines with the pretext that the postponement of marriage does not contradict the texts that recommend marriage. Marriage is not just to channel lust but to achieve *sakinah, mawaddah* and *rahmah* (Arwa Sya'ima et al., 2024). The difference in this study lies in the analytical tool used. The researcher examines his research based on *maqashid asy syari'ah*.

The last article is about the decline in the number of official marriages. Marsha Garrison in her research stated that the decline in the number of official marriages in two paths cannot be stopped or can be changed. The research looked at two cases between men and women who live together under the auspices of an official marriage and the second those who live together without an official marriage. In her research, at least people who live together like a married couple without being in an official marriage have the potential to separate within 18 months at the latest. And that has implications for their descendants who have a greater potential to experience separation from their biological parents. As for people who choose to live together through an official marriage, in the sense that they have committed to various values inherent in married life, namely: having intentions, introducing to parents, siblings, friends and colleagues, compliance with government and state policies, building loyalty and partnerships with partners to the willingness to share assets when one of the partners dies (Marsha Garrison, 2007). The difference in this research lies in the study of the object of the decline in the number of marriages which only focuses on marriages registered at the KUA based on the report of the Central Statistics Agency.

This interesting phenomenon, researchers in this study have found the factors behind the latest style of decreasing marriage rates that occur in Indonesia. As a country that recognizes the existence of religious and belief diversity and with the majority of the population in Indonesia being Muslim, researchers examine the matter of marriage based on the perspective of *maqashid asy-syari'ah*. *Maqashid asy-syari'ah* can be examined not only from the perspective of Islamic law but universally where all religions recommend the union of two people through legal marriage. So this study focuses on the guidance

and objectives of sharia, recommendations, appeals for marriage that are correlated with the essential value of the welfare that is the primary need of every human being.

METODE

This type of research is normative law based on legal review in the basic rules, laws and theories of maqashid asy-syari'ah on the trend of declining marriage rates in Indonesia (Sigit Sapto Nugroho et al., 2020). This library research includes a description of the analysis of factors that influence the trend of declining marriage rates (Soerjono Soekanto & Sri Mamuji, 1995). The object of this research study is the norm system which includes elements of basic norms, laws and regulations, legal doctrines or teachings, and all forms of documents that are made formally and have binding force (Sigit Sapto Nugroho et al., 2020). The research materials are sourced from books and the internet.

HASIL DAN PEMBAHASAN

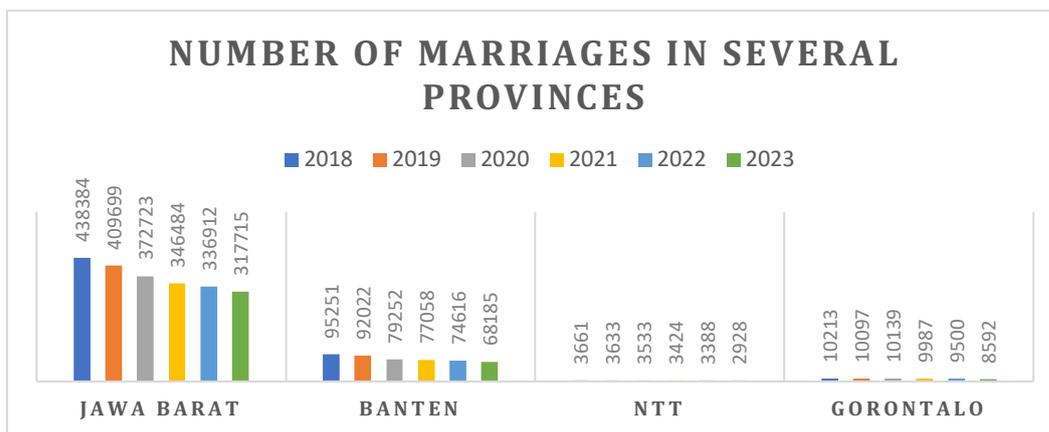
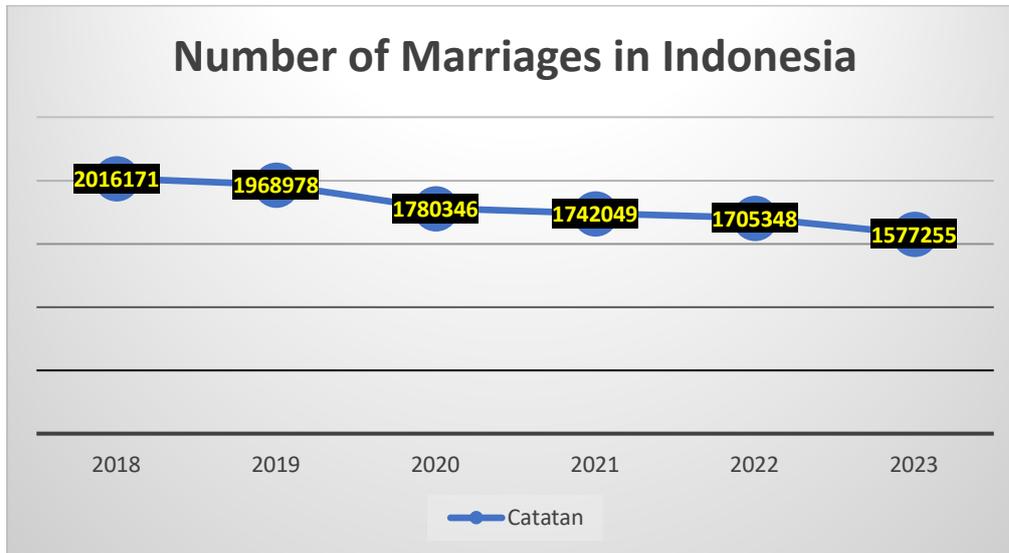
1. *Data on the Decline in Marriage Rates in Indonesia*

Based on legal provisions, through marriage two people are absolutely allowed to live together as a family and carry out regeneration by having children. Meanwhile, based on religious provisions, the implementation of marriage as a form of human obedience to their God with the aim of obtaining eternal peace and happiness with their life partner. Meanwhile, based on social provisions, a person who has been married means that they have achieved an indication of the will of society and there is an assumption that people who are married are of a higher rank than those who are single (Zaeni Asyhadie et al., 2022)

Table 1. Number of Marriages in Indonesia 2020-2023 (Indonesia, n.d.)

No.	Province	2018	2019	2020	2021	2022	2023
1	Aceh	54399	45648	42298	40931	39572	33979
2	Sumatera Utara	85989	88348	78892	84202	80004	70630
3	Sumatera Barat	46053	46336	43136	45073	42483	38355
4	Riau	45523	44784	44791	45046	44167	40301
5	Jambi	28265	26370	24993	25837	25624	23037
6	Sumatera Selatan	65668	66728	58749	59987	57888	51346
7	Bengkulu	15382	14964	14358	15064	14697	13538
8	Lampung	69435	66816	58423	59587	58766	54257
9	Kepulauan Bangka Belitung	10118	9458	8806	8711	9204	8559
10	Kepulauan Riau	12348	12552	12437	11541	11905	11436
11	DKI Jakarta	58764	57814	50776	47724	47225	43363
12	Jawa Barat	438384	409699	372723	346484	336912	317715
13	Jawa Tengah	320677	312061	271452	277060	270304	256144

14	DI Yogyakarta	24387	24427	26030	21983	21448	20123
15	Jawa Timur	339797	339304	316103	298543	305458	285189
16	Banten	95251	92022	79252	77058	74616	68185
17	Bali	3410	3397	3115	2912	3047	3056
18	Nusa Tenggara Barat	43959	42425	34657	35651	32939	27850
19	Nusa Tenggara Timur	3661	3633	3533	3424	3388	2928
20	Kalimantan Barat	25660	26231	23025	23586	24266	21533
21	Kalimantan Tengah	15902	15516	13941	14136	14548	13702
22	Kalimantan Selatan	30789	31983	27401	27417	27071	25579
23	Kalimantan Timur	24979	26080	25030	22386	22757	22449
24	Kalimantan Utara	3807	4041	4782	3547	3615	3088
25	Sulawesi Utara	8054	7605	7369	7533	7071	6246
26	Sulawesi Tengah	20517	20814	18236	16189	16571	14848
27	Sulawesi Selatan	65997	69892	61904	64396	57789	53216
28	Sulawesi Tenggara	18517	19795	16058	18061	16616	15355
29	Gorontalo	10213	10097	10139	9987	9500	8592
30	Sulawesi Barat	9685	9759	8366	8817	7791	6548
31	Maluku	6698	6569	6571	5933	5648	5043
32	Maluku Utara	6830	6912	6981	6862	6080	5271
33	Papua Barat	2569	2435	1984	2247	2499	1113
34	Papua	4484	4463	4035	4134	3879	1162



The table and chart above are data obtained by researchers based on the population report of the Central Statistics Agency from 2018 to 2023. The Central Statistics Agency's report on the number of marriages in 34 provinces is sourced from the Ministry of Religion (Directorate General of Islamic Community Guidance) and the Supreme Court (Directorate General of Religious Courts) which consists of marriages inside and outside the Religious Affairs Office (KUA) and is limited to Muslim couples. The provinces that continue to experience a decline are West Java, Banten, East Nusa Tenggara, and Gorontalo. Meanwhile, several other provinces experience ups and downs in the rate of marriages. Although the number of marriages has experienced ups and downs in most provinces, on a national scale it has continued to decline in the period from 2018 to 2023 on a national scale.

The decline in marriage rates in Indonesia over the past 6 years has been dominated by young people. Based on the report of the Central Statistics Agency (BPS), the percentage of young people who are unmarried is 68.29% of the total number of Indonesian youth in 2023. Young people who are unmarried are more than

young women with a ratio of 102.42 (Nanda Istiqomah et al., 2024). According to Article 1 Paragraph 1 of Law Number 40 of 2009 concerning Youth, the definition of youth is an Indonesian citizen who is entering an important period of growth and development aged 16 to 30 years (*UU No. 40 Tahun 2009*, n.d.).

2. *Factors of the Decline in Marriage Rates in Indonesia*

In essence, a person aged 16-30 years is still in several development processes, namely attending junior high school (SMP) and senior high school (SMA), continuing marriage is hindered by the minimum age limit of 19 years, developing talents and potential, and working. Meanwhile, BPS states that someone who wants to get married is influenced by three things, namely economic, educational and cultural demands (*Jumlah Pemuda Lajang Di Indonesia Lebih Tinggi Dari Yang Kawin | Databoks*, n.d.). Factual data from the Central Statistics Agency (BPS) on the decline in marriage rates dominated by young Indonesian men and women indicate that there are several developments and changes in personal individuals or social society in terms of how to think, act and interpret a marriage.

The research related to the marriage rate in Indonesia was conducted by Indira with the title "Factors Affecting the Decline in the Marriage Rate in Indonesia", in her research she explained several things including the following: (Indira Setia Ningtias, 2022)

1. There is a change in views that occurs in society to live a better life so that improving education and economy are prioritized compared to marriage,
2. Increasing cases of Divorce. In 2020 there were 291,677 cases of divorce and increased by 156,743 to 447,743 cases in 2021. The causes of the increase in divorce are: economic problems, disputes/quarrels, Domestic Violence (KDRT), negative habits (gambling, adultery, and drunkenness), polygamy, forced marriage, physical disabilities, and others.
3. The COVID-19 pandemic. People prefer to postpone marriage during the COVID-19 outbreak because of the prohibition on gathering (holding wedding parties).
4. Implementation of Law No. 16 of 2019 amendment to Law No. 1 of 1974 concerning Marriage regarding the minimum age limit for marriage of 19 years. Young people in Indonesia who are not married/single are increasing every year. In contrast, while young people who are married are decreasing every year.



5. Many people choose to have underhanded marriages (sirri). Marriage is an important event. The requirements for implementing a marriage, in addition to fulfilling the provisions of religious law and belief, must also be in accordance with the provisions of positive law in Indonesia. So that the marriage must be registered at the Civil Registry Office (KCS) or the Religious Affairs Office (KUA). The problem is, in Indonesia there are still many practices of underhanded marriages/not registered with authorized officials. In fact, marriage registration is authentic evidence of a marriage that actually occurred which has implications for the legal consequences that accompany it.

The above factors are the background to the decline in marriage rates in Indonesia, both directly and indirectly. Currently, technological developments can be felt both from print media, digital media from the internet and social media. Indonesian people can receive various information massively, both valid and uncertain. Educational facilities are also available on various digital platforms, so that people can easily access and seek knowledge with all its developments. The sophistication of technology that everyone feels is like two sides of a coin. On the other hand, there is a negative side that cannot be avoided. If there is a negative issue that spreads on social media, as the main example in this study is about marriage such as disharmony between couples, family neglect, infidelity, Domestic Violence (KDRT), high divorce rates, murder of spouses, and others that are carried out by public figures or ordinary civilians can be accessed and known by the public. So that the negative information above that is available and spread can be read, absorbed by individuals and even society and can also influence their views on a marriage.

Related to the development of digital media and the decline in marriage rates, Azizah Fadhilah Adhani and other researchers conducted a study in 2024 entitled "Generation Z's Perspective on Platform X on the Decline in Marriage Rates in Indonesia". In their research, they focused their research on Generation Z in Indonesia. They are people in Indonesia who were born in the mid-1990s to the 2010s. There are three main factors that influence Generation Z to delay marriage: (Azizah Fadhilah Adhani & Acep Aripudin, 2024)

1. Financial condition. For generation Z, financial stability is important to consider when continuing family life. So that unstable finances are the main reason for delaying marriage. Daily household expenses and wedding costs are important considerations for generation Z, so they prefer to save strictly accompanied by working hard in order to live a peaceful and happy married life.
2. Fear of the risk of divorce. The reality of divorce life in Indonesia can be read and known by the public today. Regarding the increasing number of divorces in Indonesia, as a shield for generation Z to better prepare themselves emotionally and maintain mental health if they later face divorce.
3. Changes in mindset. The purpose of marriage is to build a household institution together to achieve eternal happiness. From the scheme of the purpose of marriage in various literatures, it is based that marriage is a sacred, holy bond so that it is expected to never lead to divorce. Changes in mindset towards the concept of marriage, accompanied by the development of the mindset of those who have high ambitions for themselves. Currently, opportunities are open to develop potential for anyone who wants to try. Increases in educational strata are also prepared as early as possible as well as choices to determine a varied career.

Some of the reasons why someone gets married at a young age are due to economic factors, family, education, their own will/other people. Marriage at a young age has implications for consideration of biological, psychological, sociological, and economic aspects. According to Zakiah Darajat and Elizabeth Hurlock as quoted by Hendi Syubhan Syafii in their research, a child's maturity can be seen from the environmental conditions in which he lives and grows. In addition, it is also necessary to pay attention to the child's psychological development. (Hendi Syubhan Syafii, 2021)

From the above factors that influence the decline in marriage rates in Indonesia, there is a change in thinking among young Indonesians towards marriage. Young Indonesians tend to focus more on themselves regarding personal readiness both physically, psychologically, and financially. So that the concept of sacred marriage will only be implemented if they have achieved perfect preparation to form a family with minimal conflict and free from divorce.

3. *Review in the Perspective of Maqashid Asy-Syari'ah*

Etymologically, maqashid asy-syari'ah comes from two words, namely "maqashid" and asy-syari'ah". Maqashid is the plural form of the word maqshad. Maqshad has four meanings, namely a handle, a straight path, justice, and a fraction. While asy-syari'ah means the path to the source of water/the main source of life. In terms of terminology, maqashid asy-syari'ah according to Wahbah az-Zuhaili is the values and objectives of sharia' implied in all/most of its laws (Tgk. Safriadi, 2021). Among Usul Fiqh scholars, maqashid asy syari'ah is called the purpose of law. The purpose of the law can be understood through tracing the sources of Islamic law. The tracing carried out by scholars resulted in the conclusion that the purpose of asy-

Syari' in establishing law is for the benefit of humans both in the world and in the hereafter. (Dahlan, 2011)

This contemporary research is used to analyze it through the concept of maqashid asy syari'ah designed by one of the contemporary Muslim thinkers who concentrates on the field of ushul fiqh reform, namely Jasser Auda. Ulama Jasser Auda uses maqashid asy syari'ah as the basis for his thinking by introducing system theory as his method of thinking and analysis. System theory generally means a series of interactions of units that form an integrated whole and are designed to carry out several functions. So that when correlated with ushul fiqh, the basics of Islamic law as a "system" that interacts with the text and reality of life and produces Islamic law. System theory has five features that are optimized for analysis, namely: cognitive character, wholeness, openness, multidimensionality, and purposefulness. (Jasir 'Audah, 2015)

4. *Cognitive Characteristics of the Islamic Legal System*

According to the Big Indonesian Dictionary (KBBI), cognition is the activity/process of acquiring knowledge (including awareness, feelings, and so on) (Badan Pengembangan Bahasa dan Perbukuan, 2016). The cognitive feature (al-drakayah/cognition) offers an Islamic legal system that distinguishes between "revelation" and "acquisition of knowledge". This means that there is a shift in fiqh from divine knowledge to the field of cognition. The distinction between sharia and fiqh has implications for the absence of fiqh opinions that are claimed as divine knowledge. The Islamic legal system is a conceptual construction that appears in the cognition of a fakih.

The words of Allah SWT and the hadiths of the Prophet Muhammad SAW regarding marriage have been widely included in the literature on fiqh munakahat/Islamic marriage law. As stated in QS Ar Rum (30): 21 and the hadith: (Idhamy, 1984)

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ

“Di antara tanda-tanda (kebesaran)-Nya ialah bahwa Dia menciptakan pasangan-pasangan untukmu dari (jenis) dirimu sendiri agar kamu merasa tenteram kepadanya. Dia menjadikan di antaramu rasa cinta dan kasih sayang. Sesungguhnya pada yang demikian itu benar-benar terdapat tanda-tanda (kebesaran Allah) bagi kaum yang berpikir”.

يَا مَعْشَرَ الشَّبَابِ مَنِ اسْتَظَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ، وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصُّومِ فَإِنَّهُ لَهُ وَجَاءٌ»
صحيح البخاري

“Wahai sekalian pemuda, siapa di antara kalian yang telah mempunyai ba-ah, maka hendaklah ia menikah, dan barangsiapa yang belum mampu, hendaklah ia berpuasa karena hal itu akan lebih bisa meredakan gejolaknya”. (H.R Al Bukhari)

The first verse is the word of Allah SWT about the purpose of marriage. The existence of marriage provides permissibility for them (men with the status of husband and women with the status of wife) to have sexual relations. Sexual relations

are only one of the purposes of marriage. The main purpose of marriage is peace (sakinah), full of love (mawaddah) and affection (rahmah). These three aspects can be achieved if each family member knows their rights and obligations and carries them out (Tihami & Sohari Sahrani, 2022). In the second verse, the prophet's command to carry out marriage. However, the command above does not apply absolutely without conditions. The word "ba ah" in the hadith above means a person's ability to have sexual relations and the ability to pay for the cost of marriage. (Syarifuddin, 2006) Basically, the majority of ulama stipulate that marriage law is sunnah, but marriage law for each individual can be different, namely: (Syarifuddin, 2006)

1. Obligatory: for people who are fit to marry, wish to marry, have the equipment to marry, and are afraid they will fall into adultery if they do not marry;
2. Sunnah: for people who are fit and desire to marry, have the equipment to marry, while they are not afraid of falling into adultery if they do not marry;
3. Mubah: for people who have the urge to marry and marriage brings harm to anyone;
4. Makruh: for people who are not yet fit for marriage and the equipment for marriage does not yet exist; And
5. Haram: for people who do not fulfill the sharia requirements for marriage and who believe that marriage will bring harm to their partner.

The law of marriage is according to each person's circumstances. The marriage rate in Indonesia, which has decreased over the past six years, stems from various factors experienced by every young person in Indonesia. So that matters of marriage for them are also adjusted to the factors that accompany the wishes of each reason for postponing marriage.

5. *The Wholeness of the Islamic Legal System*

Wholeness (al-kulliyah/wholeness) is a solution to the problem of the partial/atomistic approach. Each causal relationship is part of the whole picture, where a group of relationships produce characteristics that emerge and combine to form a whole (holistic). The application of the wholeness feature is not focused on the verses of the law, but rather makes the entire verses of the Qur'an a consideration in determining Islamic law.

In addition to the marriage law that applies to everyone, the provisions of positive law that apply in Indonesia, religious provisions, and preparation for oneself need to be considered. The provisions of marriage law in Indonesia are based on Law No. 16 of 2019 concerning marriage, PP No. 9 of 1975 concerning the implementation of Law No. 1 of 1974 concerning marriage, Compilation of Islamic Law, and others. These legal regulations contain the principles of marriage as concrete rules and implementation of law in Indonesia. (Zaeni Asyhadie et al., 2022)

Marriage in Indonesia recognizes the principle that prospective husband and wife must be mentally mature, namely the minimum age limit for marriage is 19 years.

In addition, marriage must be based on the consent of both parties. From the two principles above, Indonesia emphasizes the prevention of early child marriage, so that the decline in the national scale marriage rate also includes children. The Indonesian government's emphasis on preventing child marriage is evident in the change in the age limit for marriage, the strictness of marriage dispensation rules, and education through counseling in regions in Indonesia.

Mental maturity is not the only principle that causes the decline in public interest in getting married. Maximum self-preparation is another factor. Physically: in this modern era, health education has spread and influenced Indonesian society. People tend to be active in exercising to maintain fitness and to minimize disease, maintain regularity in what they consume, so that when they get married they are ready to live together and continue quality offspring. Financially, people prepare themselves to reach the peak of financial comfort and security, work hard to save for marriage costs, have enough savings to meet lifestyle, family life to fulfill daily needs, quality children's education, to preparing themselves for a pleasant retirement. Potentially, people prepare themselves to improve their personal quality through higher education, developing potential through hobbies, achieving a career that they are engaged in and aspire to. Emotionally, prepare themselves to do various things and try new opportunities so that there are no regrets later when choosing to get married. Someone is truly ready to enter the marriage stage, changing their status to husband/wife and even as a parent.

6. *Openness of Islamic Legal System*

The openness feature (*al-iftitahiyah/openness*) is the opposite of the closed feature. Open systems interact with the environment. In the history of the development of Islamic law, there was an era of decline with the term known as "the door of *ijtihad* has been closed" so that the stagnation of thinking and developing the Islamic legal system stopped. In essence, *ijtihad* is a necessity for Islamic law because special texts are limited, while changes in circumstances are unlimited.

The creation of a happy family is closely related to regeneration. Married couples achieve happiness in addition to upholding religious guidance, they also have offspring, where parents ensure that their children can live happily, grow up in a healthy environment and enjoy proper education. This is the right of every child and the obligation of parents to realize it. Another peace is maintaining the integrity of family members so that they remain united as an eternal family. The eternity in question is unity without divorce. (Hilman Hadikusuma, 1997)

Today, there has been a change in the mindset of Indonesian youth regarding the essence of marriage. In ancient times, someone who was old and had not yet married was a disgrace to him in society. Because the tradition that has developed is that a person's maturity has implications for the recommendation to marry. Currently, young people still view marriage as a sacred bond and its existence is glorified. So that the desire to marry is not focused on increasing age which is correlated with the rate of reproduction or simply on the pretext of fulfilling religious demands that have the value of worship.

This mindset is partly due to the phenomenon of divorce carried out by many Indonesians. Based on PP No. 9 of 1975, there are 6 reasons why divorce can occur in Indonesia. While based on reality, the high divorce rate is caused by economic problems, disputes/quarrels, Domestic Violence (KDRT), negative habits (gambling, adultery, and drunkenness), polygamy, forced marriage, physical disabilities, and others. The reasons that occur based on the reality of life are more numerous and varied compared to those found in positive law in Indonesia. Departing from this phenomenon, Indonesian youth have the preparations needed solely to reduce the fear of divorce. Because every person who is united has the potential to separate if there is a principle in it that is disturbed/injured.

7. *Multidimensionality of Islamic Legal System (multidimensionality)*

According to KBBI, multidimensional means having various possibilities/aspects. The multidimensional feature (*ta'addud al-ab'ad/multidimensionality*) has two main concepts, namely rank and level. Rank, presents the number of dimensions in the field to be discussed. While the level, presents the number of proportional levels that may exist in a dimension. In this feature there is a change in the meaning of the arguments/provisions that appear to be contradictory (such as collective/individual, objective/subjective, universal/specific) can be reconciled in a *maqashid* context. So that Islamic law becomes more flexible in dealing with complex contemporary problems.

In Indonesia, there is a classification of marriage. there is a registered marriage status and unregistered marriage. There is also a classification of single and married. Until the classification of the decline in marriage rates is observed from the number of unmarried young people increasing every year, correlating with the number of married young people decreasing every year. In previous years, population density in Indonesia was a demographic bonus. Currently, in the past 3 years, the Indonesian government has succeeded in reducing the number of early child marriages. This needs to be maintained in order to obtain a quality successor generation. However, if the decline in the number of marriages among young people aged 19-30 later continues to decline, this needs to be observed more closely so as not to cause degradation of the next generation of the Indonesian nation.

8. *Purposefulness of the Islamic Legal System (purposefulness)*

The purposefulness feature (*al maqashidiyah/purposefulness*): directed by purpose and purpose. Purposefulness in the Islamic legal system is related to: first, the system achieves the same results in different ways in the same environment; and second, achieving different results in the same environment or in different environments. In this feature, primary sources are aimed at the Qur'an and hadith and rational sources are aimed at *qiyas*, *istihsan*, *maslahah mursalah*, *'urf*, *sadd adz dzari'ah*, and others.

The purpose of marriage is to achieve benefit. Everyone lives a life of civil matters according to their respective preparation processes. Marriage is not an important event that must be carried out every time they reach a certain age, but

everyone has the right to determine the time of their marriage according to their wishes.

SIMPULAN

The number of marriages in Indonesia continues to decline every year. Based on data from the Central Statistics Agency (BPS), there has been a decline in the number of marriages between 2018 and 2023. Basically, the number of early child marriages has also decreased over the past three years. The factors behind the decline in the number of marriages in Indonesia include the fear of the risk of divorce. Better prepare yourself in financial, psychological, physical aspects, increasing cases of Divorce (economic problems, disputes/quarrels, Domestic Violence (KDRT), negative habits (gambling, adultery, and drunkenness), polygamy, forced marriage, physical disabilities, etc., the Covid-19 pandemic, implementation of Law No. 16 of 2019 amendment to Law No. 1 of 1974 concerning Marriage regarding the minimum age limit for marriage of 19 years, many people who choose to have underhand marriages (sirri), unstable financial conditions, and changes in mindset. These factors are analyzed using Jasser Auda's maqashid asy syari'ah with the theory of the system and five features of the legal system, namely cognitive character, comprehensiveness, openness, multidimensionality, and intention. Everyone lives their life in civil matters according to their respective preparation processes. Marriage is not an important event that must be carried out every time they reach a certain age, but everyone has the right to determine the time of their marriage according to their wishes.

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