Research Paper

Gender Bias in Child Marriage Issues: Reconstructing Religious Discourse Based on Islamic Moderation

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Abstract

Child marriage remains a critical issue in Indonesia and is often legitimized through gender-biased religious discourse. However, systematic analysis of how this bias is formed, reproduced, and institutionalized in religious texts and practices remains limited. This study addresses this gap by examining the formation of gender bias in religious discourse on child marriage and proposing a reconstruction framework grounded in Islamic Moderation and the *maqāṣid al-sharīʿah*. Using a qualitative approach through a literature review and critical discourse analysis of religious texts, sermons, and academic sources, this study identifies three dominant patterns of gender bias: (1) the naturalization of women's domestic roles, (2) textual interpretations that equate puberty with marriageability, and (3) the moralization of girls' bodies. These patterns contribute to the normalization of child marriage and exacerbate vulnerabilities in girls' education, mental health, and socioeconomic well-being. This study offers a conceptual model for reconstructing religious discourse that promotes gender justice, child protection, and a welfare-oriented interpretation of Islamic teachings. These findings advance interdisciplinary religious studies and inform efforts to reform religious narratives in the contemporary Muslim public sphere.

Keywords *Gender Bias; Child Marriage; Religious Discourse; Islamic Moderation; Maqāṣid Al-Sharīʿah*

INTRODUCTION

Child marriage remains a complex social problem in Indonesia, strongly shaped by religious discourse. Whether accepted or rejected, public attitudes toward child marriage are largely influenced by dominant religious interpretations (Anggraini & Setiani, 2025). This issue is not only national but also global, particularly affecting Muslim and rural communities (Nguyen & Wodon, 2015; Rumble et al., 2018). In many areas, child marriage is treated as a cultural tradition, where biological signs such as menstruation are perceived as indicators of maturity. Girls are often considered ready for marriage after their first period, despite lacking psychological, emotional, educational, and social readiness. As a result, biological puberty is frequently misinterpreted as eligibility for marriage (Uddin, 2024). Historically, child marriage in Indonesia emerged from pre-modern socio-religious contexts in which marriage served social, economic, and moral functions, leading religious interpretations to prioritize biological maturity over individual rights. Despite profound social transformations in contemporary Indonesia, many inherited religious narratives remain unchanged, creating a gap between past assumptions and present realities that continues to sustain child marriage (Kafidhoh et al., 2024).

Despite major legal reforms, including the 2019 revision of Marriage Law No. 16 that raised the minimum marriage age for girls from 16 to 19, child marriage remains widespread in Indonesia. The country continues to have one of the highest rates of child marriage in Southeast Asia (Aprilia & Rambe, 2024; MacQuarrie & Juan, 2019). According to data from the Central Statistics Agency, approximately one in nine Indonesian girls marries before the age of 18, with the highest prevalence found in rural regions such as West Sulawesi, West Nusa Tenggara, and South Papua
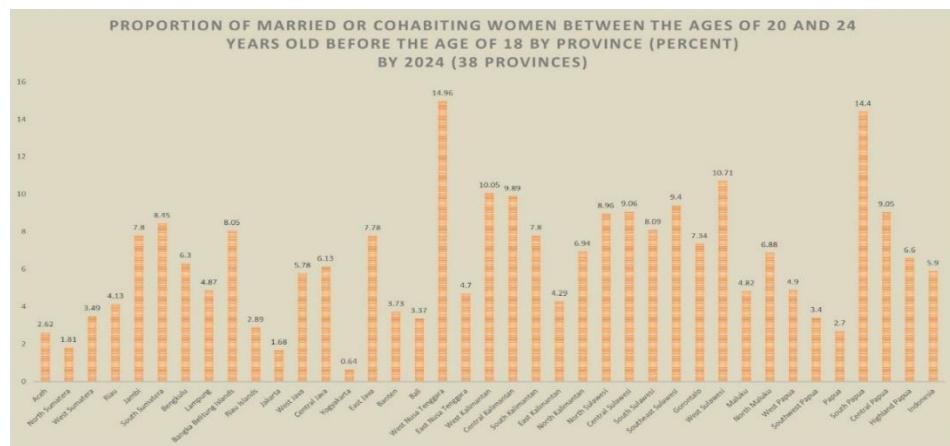
(BPS-Statistics Indonesia, 2024).

Source: BPS-Statistics Indonesia (2024)

Recent data show a gradual decline in child marriage in Indonesia. In 2024, the national rate fell to about 5.9 percent, reflecting government programs such as guidance for school-age adolescents and the enforcement of a minimum marriage age of 19 (Hasibuan, 2025). However, child marriage remains a serious concern in several provinces, especially West Nusa Tenggara, where marriage dispensations are still common. In this region, child marriage is driven by factors such as academic stress, extended time at home, local customs, economic hardship, and peer pressure (Koesbardiati et al., 2025; Rahiem, 2021). Similar patterns appear in South Sulawesi, where child marriage is influenced by strong cultural norms, concerns about family prestige, low parental education, economic hardship, and weak legal enforcement, often without clear support from Islamic teachings or formal law (Salenda, 2016). Child marriage also remains prevalent in East Java, driven by interconnected social, economic, cultural, and religious factors. Local practices such as *tan-pangantanan* in Sumenep, which involves early arranged marriages to maintain family ties, and *tompangan*, a system of reciprocal family donations, continue to reinforce the practice, alongside limited education, economic pressure, moral concerns, and the influence of religious leaders (Effendi et al., 2023; Wardita et al., 2024).

Beyond economic and cultural conditions, child marriage in Indonesia is deeply embedded in religious interpretations and social norms. The practice is frequently justified through selective and limited readings of the Qur'an and Hadith, allowing religious teachings to be simplified and misused to legitimize early marriage (Barkah et al., 2023). This pattern is evident in South Sulawesi, where positive views of child marriage remain common among parents and adolescents, indicating strong normative support at the community level (Wibowo et al., 2021). Despite legal reforms and national campaigns highlighting the harms of child marriage, the practice continues to be justified through cultural and religious narratives that depict girls as naturally domestic, morally vulnerable, or biologically ready for marriage after puberty (Horii, 2020; Zara & Akbudak, 2023) and mentally and physically ready, with the consent of the prospective adult woman (Efevbera & Bhabha, 2020). One significant factor contributing to the continuation of child marriage is the influence of gender-biased religious discourse (Malek & Samuri, 2025).

In many communities, femininity is closely associated with domesticity, obedience, and readiness for early marriage. In Central Java, religious preachers frequently promote early marriage as a strategy to prevent adultery, framing puberty as a marker of moral and social maturity. Similarly, in parts of West Nusa Tenggara, religious leaders warn that delaying marriage may lead to moral decline and increased social pressure on families. When reinforced by patriarchal cultural

norms, such interpretations further legitimize child marriage. Against this background, this study seeks to critically examine the role of religious discourse in sustaining child marriage in Indonesia. Specifically, the objectives of this study are threefold: (1) to identify and map patterns of gender bias embedded in religious texts, sermons, and community-level religious narratives related to child marriage; (2) to analyze how these gender-biased interpretations influence social attitudes, legal practices, and the lived experiences of girls; and (3) to develop a reconstructive model of religious interpretation grounded in the principles of Islamic Moderation and the *maqāṣid al-sharīʿah*, aimed at promoting gender justice and child protection. By achieving these objectives, this study intends to contribute to both academic debates on religion and gender and to policy-oriented efforts to address child marriage through contextually grounded and ethically responsive religious discourse.

LITERATURE REVIEW

This study examines the link between gender bias in religious interpretation and discourse, the socio-religious legitimization of child marriage, and the role of Islamic Moderation (*wasatiyyah*) and the *maqāṣid* al-sharīʿah as normative frameworks for child protection. In religious studies, gender bias refers to unequal interpretations and representations that arise from literal, formalistic, and authoritarian readings of religious texts that overlook their social context and ethical aims (Aziz et al., 2020; Gondal & Hatta, 2024; Klingorová & Havlíček, 2015). Within Islamic hermeneutics, such approaches often produce patriarchal structures by positioning women in domestic and subordinate roles, while men are constructed as public actors and holders of moral and religious authority (Shahin, 2020). In Indonesia, gender bias is not confined to classical tafsir and fiqh literature but is continuously reproduced through sermons, fatwas, religious education, and digital da'wah. These platforms shape prescriptive gender identities through selective textual readings, honor-based narratives, and moral metaphors rooted in historical traditions and contemporary social anxieties (Muttaqin, 2020; Rifai, 2021; Warman & Renie, 2023).

In child marriage practices, gender bias is closely linked to local customs and socioeconomic pressures, resulting in religious justifications that harm girls. Early marriage is often legitimized through notions of puberty, family honour, and moral protection, especially when puberty is seen as readiness for marriage without considering psychological maturity, education, or long-term well-being (Miedema et al., 2020; Nisa, 2020). Empirical evidence shows that child marriage persists despite legal age limits, as marriage dispensations issued by religious courts often function as compromises between state law and local traditions (Rohman et al., 2023). Scholarly debates increasingly contrast traditional readings of Islamic jurisprudence with contextual approaches grounded in the *maqāṣid al-sharīʿah*, which prioritize the protection of life, intellect, and future generations as the basis for rejecting child marriage in contemporary settings. In this context, Islamic Moderation and the *maqāṣid al-sharīʿah* provide a clear normative framework for reshaping religious discourse toward child protection and gender justice while preserving its theological legitimacy (Asmuni & Adikara, 2024; Nazah et al., 2025).

Islamic Moderation (*al-wasaṭiyyah*) serves as an epistemological approach to religious interpretation that emphasizes balance, justice, tolerance, equality, and contextual understanding in response to contemporary social realities, including debates on child marriage. Derived from the concept of *wasaṭ* as the middle and best path, it frames Muslims as *ummatan wasaṭan* (Qur'an 2:143), avoiding both rigid literalism and excessive liberalism (Fuadi et al., 2024; Ramadhan et al., 2024). Within this approach, religious interpretation is evaluated not in purely legalistic or ahistorical terms, but through its ethical objectives and social consequences. Principles such as *tawāzun*, *i'tidāl*, and *tasāmuḥ* enable critical reassessment of religious narratives that justify child marriage in the name of tradition or morality, particularly given clear evidence of its negative

effects on girls' reproductive health, mental well-being, and educational continuity (Singh, 2024).

Islamic moderation is emphasized in both classical and contemporary Islamic thought, which views justice and human welfare as the core objectives of sharia. Al-Ghazali stresses moral balance, while Ibn Taymiyyah rejects excess by promoting ease and proportionality in Islamic law (QS Al-Baqarah:185). Building on this tradition, Yusuf al-Qaradawi developed *wasaṭiyyah* as a *maqāṣid*-based approach that aligns religious texts with social realities. The principles of justice (*al-ʿadl*) and equality (*musāwah*) affirm that practices causing injustice and structural harm, including child marriage, contradict the aims of sharia. Consequently, moderate Islam provides strong theological grounding for child protection and gender justice as essential to preserving human dignity and well-being.

Maqāṣid al-sharīʿah provide a normative and methodological framework in Islamic law that prioritizes welfare and harm prevention through the protection of life, intellect, lineage, property, and religion (Norman & Ruhullah, 2024). This approach moves beyond literal readings by assessing religious teachings according to their ethical and social impact, enabling Islamic law to adapt to changing contexts while upholding justice and human welfare. Accordingly, practices such as marriage should be evaluated based on their contribution to human dignity, safety, and well-being rather than solely on textual or traditional legitimacy alone (Chamdan, 2025).

In relation to girls' protection, the *maqāṣid al-sharīʿah* provide a clear theological basis for rejecting child marriage. The principles of *ḥifẓ al-nafs* and *ḥifẓ al-ʿaql* stress the obligation to safeguard children's physical and mental health as well as their right to education, especially given evidence linking child marriage to health risks, psychological distress, school dropout, and heightened vulnerability (Keeley, 2021; Yousif, 2026). Likewise, *ḥifẓ al-nasl* and *ḥifẓ al-māl* call for protection from intergenerational poverty and economic insecurity, which are often intensified by early marriage and structural exploitation of girls (Umar & Maâ, 2017). These principles are reinforced by *ḥifẓ al-dīn*, which promotes religious education grounded in compassion, justice, and respect for human dignity rather than coercion or discrimination, as emphasized in Qur'an 16:125.

The *maqāṣid al-sharīʿah* underline that preventing child marriage and ensuring girls' access to education, health, and welfare are central objectives of Islamic law in protecting humanity and future generations. Marriage practices should therefore consider psychological readiness, social support, and economic stability to achieve family well-being; when these conditions are ignored, child marriage risks causing serious harm (Harisudin & Choriri, 2021). Accordingly, both the state and religious authorities are urged to prioritize child protection as part of the public good (*maslahah ʿammah*) and human rights. Together, Islamic Moderation and the *maqāṣid al-sharīʿah* support a shift toward a more just, contextual, and child-centered religious discourse.

RESEARCH METHOD

This study employs a qualitative approach to examine gender bias in religious discourse on child marriage. Data were collected through document analysis of academic journals, books, religious texts, and relevant research reports. Academic sources were retrieved from Scopus, Google Scholar, and DOAJ, complemented by authoritative books and institutional reports. The literature search covered publications from 2010 to 2025, capturing contemporary debates following global child protection initiatives and Indonesia's 2019 marriage law reform. Key search terms included *"child marriage," "early marriage," "religious discourse," "Islam and gender," "gender bias," "Islamic law," "maqāṣid al-sharīʿah,"* and *"Islamic moderation,"* in both English and Indonesian.

Sources were included if they addressed child marriage in relation to religion and gender, were peer-reviewed or institutionally credible, and focused on Indonesia or relevant Muslim contexts. Materials lacking engagement with religious discourse or gender analysis, non-academic publications, and redundant sources were excluded. Following this screening process,

approximately 60–80 core sources were selected for analysis. Data were analyzed using qualitative content analysis to identify recurring themes and interpretive patterns in religious texts, sermons, and academic literature. These themes were organized into key analytical categories that form the basis of the study's findings and discussion.

FINDINGS AND DISCUSSION

The findings show that gender bias in religious discourse, the unequal portrayal of women in religious texts and authority, and the socio-religious legitimization of child marriage operate as a mutually reinforcing system. Consistent with theories of religious discourse as a social force, religious narratives not only reflect social realities but also actively shape norms, legitimacy, and everyday practices through their symbolic authority. In many Muslim contexts, this religious legitimacy makes gender hierarchies and child marriage appear natural and morally justified, particularly when reinforced by local traditions and notions of family honour.

Interconnected Patterns Reinforcing Gender Hierarchy and Child Marriage

First, the naturalization of women's domestic roles serves as a key ideological basis for accepting child marriage. Religious narratives that define women primarily as wives, mothers, and caregivers transform socially constructed roles into perceived divine norms. Consequently, religious texts and sermons repeatedly emphasize women's domestic identity through phrases such as "guardians of the home", "naturally serving the family," or "better staying at home for safety." This finding supports the arguments of Wadud (1999) and Ahmed (2021) that patriarchal interpretations often turn contextual gender relations into fixed theological norms. In Indonesia, digital sermons and da'wah frequently emphasize women's domestic piety while marginalizing their intellectual and leadership roles (Said et al., 2024). Empirical data further show that regions with strong domestic norms and high female school dropout rates also have higher levels of child marriage, highlighting how the naturalization of domestic roles restricts girls' life opportunities (BPS-Statistics Indonesia, 2023; UNICEF, 2022).

Second, equating puberty (*baligh*) with readiness for marriage provides normative justification for child marriage. Despite evidence that biological puberty does not equal psychological or social maturity (Skirbekk et al., 2025), popular religious discourse often reduces maturity to this single biological marker. Many religious texts and sermons frame *baligh* as sufficient grounds for marriage, thereby legitimizing the practice of marrying girls immediately after puberty. Data from the Supreme Court of Indonesia (2022) show that claims of "having reached puberty" and "preventing adultery" dominate marriage dispensation requests, indicating that legalistic and ahistorical interpretations of Islamic law continue to undermine child protection and reinforce gender inequality (Mir-Hosseini, 2009).

Third, the moral control of girls' bodies functions as a mechanism that frames child marriage as a form of protection. Honor-based narratives that link women's morality to family dignity create moral pressure and encourage early marriage to avoid stigma and shame; a pattern widely criticized in gender studies (Kandiyoti & Kandiyoti, 1987; Morgenroth et al., 2025) In many Indonesian Muslim communities, fears of gossip, social stigma, and premarital pregnancy further reinforce this practice, even though evidence shows that child marriage increases risks of violence, school dropout, and health problems (Tascón et al., 2016). This pattern operates cyclically: domestic roles are naturalized, biological maturity is used as justification, and religion provides symbolic legitimacy. As a result, child marriage is framed as a moral-religious choice rather than a form of structural injustice.

Islamic Moderation and *Maqāṣid al-Sharīʿah* as a Corrective Framework

In this context, the findings show that Islamic Moderation (*wasatiyyah*) offers an effective framework for reshaping religious discourse toward inclusivity and justice. As developed by Al-Qaradawi and further applied in Indonesia Islamic Moderation emphasizes balance, justice, rationality, and sensitivity to social context. This approach challenges rigid interpretations that confine women to domestic roles, rejects the equation of puberty with maturity, and promotes an ethical understanding of religion based on human welfare rather than fear. Supported by the *maqāṣid al-sharīʿah*, which prioritize the protection of life, intellect, lineage, and human dignity, this framework clearly contradicts child marriage, given its proven harm to girls' health, education, and future (Kurniawan et al., 2020; Rifandanu & Febrianti, 2023). Therefore, child marriage cannot be justified solely through classical legal arguments but must be evaluated through ethical and theological considerations.

Conceptual Model of Reconstruction of Religious Discourse

Based on empirical findings and literature review, this study proposes a conceptual model for reconstructing religious discourse toward gender justice and child protection. The model is grounded in the view that religious discourse functions as a symbolic force shaping social norms and practices, where meaning is produced not only through content but also through authority, context, and symbolic power. The model consists of four key components. First, a *maqāṣid*-based reinterpretation of religious texts prioritizes the ethical objectives of sharia; protecting life, intellect, lineage, and human dignity over literal readings. This approach challenges interpretations that equate puberty with marriage readiness, particularly given evidence that child marriage increases risks of school dropout, violence, and reproductive health problems (Santhya, 2011).

Second, contextualization situates religious teachings within contemporary social, cultural, and psychological realities, following Fazlur Rahman's "double movement" approach. This step addresses the gap between traditional textual readings and current conditions affecting children's education, mental health, and rights (Estrada et al., 2019; Mustafa et al., 2025; Skirbekk et al., 2025). Third, ethical reframing shifts religious morality from controlling women's bodies and honor toward human dignity, gender justice, and children's rights. Studies show that honor-based narratives increase girls' vulnerability to violence and poverty, making ethical reframing essential for just religious messaging (Gregory et al., 2020; UNFPA, 2021).

Fourth, dissemination strategies emphasize spreading reconstructive discourse through mosques, educational institutions, social media, and religious training. As digital platforms increasingly shape religious authority, effective dissemination is crucial for translating normative reform into social change (Abusharif, 2023). Overall, this model frames the reconstruction of religious discourse as both a theological and social strategy grounded in empirical evidence. The study contributes to religion and gender scholarship and offers a practical framework for religious leaders, institutions, and policymakers to promote more just, inclusive, and child-protective religious narratives (Campbell, 2022).

CONCLUSIONS

This study finds that child marriage in Indonesia is sustained not only by economic and legal factors but also by gender-biased religious discourse that portrays women as domestic, obedient, and bearers of family honour. Such narratives normalize child marriage as a moral solution, equate puberty with readiness for marriage, and legitimize control over girls' bodies, causing the practice to be seen as socially and religiously acceptable rather than unjust.

Using the frameworks of Islamic Moderation (*wasatiyyah*) and the *maqāṣid al-sharīʿah*, this study reframes child marriage as contrary to Islamic ethical values that prioritize justice, human

dignity, and the protection of future generations. It proposes a model for reconstructing religious discourse through ethical reinterpretation of texts, contextual understanding of social realities, and the dissemination of child-cantered religious messages, demonstrating that religion can serve as a force for child protection and gender justice.

LIMITATIONS & FURTHER RESEARCH

This study is limited to textual and discourse analysis and does not capture the lived experiences of girls, families, or religious leaders. Future research should incorporate interviews and fieldwork to better understand how religious teachings on marriage are interpreted and practiced at the community level. Further studies should also examine digital da'wah and social media, which increasingly shape young people's religious views, as well as comparative cross-country contexts to assess how cultural and legal differences influence child marriage.

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