MENGKRITISI HADIS-HADIS TENTANG USIA PERNIKAHAN AISYAH
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Abstract

Muslim scholars disagree as how old lady Aisyah was when she married Prophet Muhammad. One of the popular records reported by Hisyam bin Urwah says that she was about 6 and 9 years old. However, more recent careful study of hadits shows that the Hisyam bin Urwah’s version of report is contradictory with other available reports, and therefore the validity of the hadits is in doubt. Nonetheless it is both interesting and strange to see how the hadits has been used as a valid argument by opponents of Islam to destroy the image of the Prophet and Islamic teaching in general, and even by Muslims themselves to justify their interests to take advantages of marrying young girls. This paper aims at reexamining the authenticity and validity of the hadits reported by Hisyam bin Urwah regarding the marriage lady Aisyah with Prophet Muhammad.

NIKAH DINI DARI BERBAGAI TUJUAN:
Analisis Kombinasi tematik dan Holistik
KHOIRUDDIN NASUTION
Dosen Fakultas Syari’ah dan Guru Besar UIN Sunan Kalijaga Yogyakarta

Abstract

The negative effect of child marriage is one of the historical background of the promulgation of marriage law of Indonesia no. 1 of 1974 and its government regulation. However, the ultimate goal of the promulgation of the law seems never able to achieve. The main reason of the failure is always argument that the Indonesian marriage law is not accordance with Islamic marriage law. The article tries to prove that child marriage is only possible for the prophet Muhammad Saw not for his followers. This possibility only for the prophet therefore is a kind of exceptional regulation. The conclusion is based basically on al-Qur’an and sunna of the prophet from a number of perspective and combination of thematic and holistic analysis and approach.
Child marriage has become one of the most controversial issues in Islamic law (fiqh). Some scholars approve the practice without any reservations while others do not. In my opinion, we have to take into account the advantages and disadvantages of child marriage in broader sense before we decide to allow or disallow this to happen. Making a clear legal status of such child marriage is necessary because the substance of the Islamic law is create a better life for society now and in the future. Islamic law should cater the humanitarian vision and be relevant to the changing situation of our dynamic community. If it is found that child marriage in contemporary societies has resulted in many negative effects then it should be legally disapproved.

Contemporary Indonesians witness the rise of the popularity of marriage of the minors, despite the application of the Indonesian Marriage Law no 1/1974 that forbids child marriages for decades. The enactment of the Law decades ago was meant to be a social engineering mean to erase the practice of child marriage with social compromises. Recent research in medical studies show that there is significantly high risk for young women under 18 years old who do sexual intercourse to be infected with servick cancer. Many other research on child marriage using psychological and social approaches also suggest that actors of child marriage are of high risk of suffering from social and psychological troubles. Now, what can we do with the Indonesian Marriage Law that still endorse marriage for girls under 18 years old? This paper discusses the issues from different perspectives.
EFEK PERNIKAHAN DINI
Sebuah Pertimbangan Bahaya Sosial dan Kesehatan
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Abstract

The phenomena of child marriages have been assumed to have significant correlation with patriarchal society and culture which is characterized by gender biases. Marry today’s communities who endorse child marriages are still ignorant of the negative impacts of such child marriages. Many studies have showed that child marriages have resulted in unwanted pregnancy, unsafe abortion, high number of divorce, human trafficking, as well as unemployment. This article argues that child marriage may not only endanger the physical wellbeing of the brides, but also their mental and social health.

THE TAWDRY TALE OF “SHEIKH”
PUJI AND LUFTIANA:
Child Marriage and Poligamy in Indonesia Discourse
MARK WOODWARD and INAYAH ROCHMANIYAH

Abstract

This paper concerns the practice of, and discourse concerning child marriage and polygamy in contemporary Indonesia and the religious, social and political contexts in which they are located. It focuses on the tale of Pujiono Cahyo Widayanto, who is more commonly known as Sheikh Puji, and his child bride Umi Hani Lutfiana Ulfa that has reverberated through the Indonesian media for more than a year. Sheikh Puji and Lutfiana have become icons in a high stakes symbolic and legal drama pitting socially and religiously conservative groups against progressive Muslims advocating reform of Islamic Family Law, the empowerment of women and modernity. Sheikh Puji has become an iconic figure in this struggle for three reasons: his flamboyant style, his defiant disregard and contempt for Indonesian civil law, and the fact he combines polygamy and child marriage in a single package.
This article addresses the issues of child marriages from the perspective of an activist in women’s empowerment. The practice of child marriage has become a medium for institutionalizing violence against women. This is because the practice has violated some basic human’s rights of young girls; such as their rights to education, to have opinion and to express their thoughts, to have their thoughts be heard, to rest and play, and to grow fully and be protected.