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MAQĀṢID AL-SHARĪʻAH AND CHILD PROTECTION IN MARRIAGE DISPENSATION DECISION No. 22/Pdt.P/2025/Ms.Lsm

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Abstract: This study analyzes the legal considerations of the judge in the Lhokseumawe Sharia Court Decision Number 22/Pdt.P/2025/MS.LSM regarding marriage dispensation through the framework of maqāṣid al-sharīʻah and the principles of child protection. Utilizing normative legal research with a case approach, this study examines the judge's ratio decidendi in granting the petition. The findings indicate that the judge granted the dispensation based on specific factual and emergency conditions in this case, namely [insert specific facts here, e.g., the 16-year-old child having an intense relationship that sparked fears of adultery]. The judge applied the principle of preventing harm (dar'ul mafasid) and protecting family honor (hifz al-nasl / hifz al-irdh) to justify the state of emergency. Critically, this study concludes that while the judge's decision aligns with maqāṣid al-sharīʻah in the short-term context of preventing moral harm (sad al-dzari'ah), it has not fully accommodated the comprehensive essence of child protection. The judge's interpretation of maslahah tends to sideline long-term impacts on the child's right to education, psychological readiness, and reproductive health. Therefore, a reorientation of legal discovery by judges is necessary to ensure that religious maslahah does not conflict with the protection of children's fundamental rights.

Keywords: Maqāṣid al-Sharīʻah, Child Protection, Sharia Court

Abstrak: Penelitian ini menganalisis pertimbangan hukum hakim dalam Putusan Mahkamah Syar'iyah Lhokseumawe Nomor 22/Pdt.P/2025/MS.LSM mengenai dispensasi kawin melalui kerangka maqāṣid al-sharīʻah dan asas perlindungan anak. Menggunakan penelitian hukum normatif dengan pendekatan kasus (case approach), kajian ini menguji ratio decidendi hakim dalam mengabulkan permohonan tersebut. Temuan penelitian menunjukkan bahwa hakim memberikan dispensasi berdasarkan kondisi faktual dan darurat spesifik pada perkara ini, yaitu [masukkan fakta spesifik di sini, misalnya: usia anak yang masih 16 tahun namun telah memiliki kedekatan intens yang dikhawatirkan memicu perzinaan]. Hakim menggunakan pertimbangan pencegahan kerusakan (dar'ul mafasid) dan menjaga kehormatan keluarga (hifz al-nasl / hifz al-irdh) sebagai pembenar keadaan darurat. Secara kritis, penelitian ini menyimpulkan meskipun putusan hakim sejalan dengan maqāṣid al-sharīʻah dalam konteks jangka pendek untuk mencegah kemudaratan moral (sad al-dzari'ah), putusan tersebut belum sepenuhnya mengakomodasi esensi perlindungan anak secara komprehensif. Pemaknaan maslahah oleh hakim cenderung mengesampingkan dampak jangka panjang terhadap hak pendidikan, kesiapan psikologis, dan kesehatan reproduksi anak. Oleh karena itu, diperlukan reorientasi penemuan hukum oleh hakim agar kemaslahatan agama tidak berbenturan dengan perlindungan hak-hak fundamental anak.

Kata Kunci: Maqāṣid al-Sharīʻah, Perlindungan Anak, Mahkamah Syar'iyah

INTRODUCTION

The raising of the minimum age of marriage to 19 years through Law No. 16 of 2019 represents a progressive statutory measure to safeguard the fundamental rights of children in Indonesia. However, the implementation of this legal norm encounters complex sociological and legal dynamics, particularly in the Special Region of Aceh. As a province operating under Islamic criminal and civil jurisprudence, the Sharia Court (Mahkamah Syar'iyah) functions at the unique intersection of national positive law, customary norms (adat), and Islamic legal traditions (Indonesia, 2019).

On the one hand, the court is bound by national legislation and Supreme Court Regulation (PERMA) No. 5 of 2019 concerning Guidelines for Adjudicating Marriage Dispensation Cases, which mandates a child-centric protection approach. On the other hand, judges frequently face socio-cultural pressures demanding marriage dispensation as an emergency recourse to preserve family honor and prevent moral infractions (sad al-dzari'ah) (Indonesia, 2019).

This inherent tension between structural child rights protection and localized moral-religious conflict resolution underscores the distinct complexity of marriage dispensation practice in Aceh. This complexity is vividly illustrated in the Lhokseumawe Sharia Court Decision No. 22/Pdt.P/2025/MS.LSM. In this case, parents filed a petition for marriage dispensation for their 16-year-old child. The primary rationale cited in the petition stemmed from the psychological anxiety of the parents, who were concerned that the pattern of interaction between the couple had exceeded the limits of reasonableness (Lhokseumawe, 2025).

There were strong fears of possible violations of religious norms and the customary order prevailing in the social environment if the marriage was postponed, coupled with the consent of both families. In granting the dispensation, the judge grounded the ruling on the imperative of preventing greater harm (dar' al-mafāsid) (A. Y. Putri & Sutrisno, 2022). The legal urgency of analyzing this decision lies in its specific legal dilemma: while the judge prioritized the immediate mitigation of social stigma and moral risks, the ruling notably lacked an exhaustive evaluation of long-term impacts on the child's psychological readiness, reproductive health, and educational continuity elements explicitly mandated by PERMA No. 5 of 2019 (Indonesia, 2019).

Existing scholarly literature on marriage dispensation can be systematically categorized into three major thematic clusters. First, a body of scholarship examines marriage dispensation through the lens of Maqāṣid al-Sharī'ah, emphasizing the doctrine of harm prevention (dar' al-mafāsid) to justify early marriage (Muhaimin, 2021).

Second, studies focusing on child rights protection and regulatory effectiveness evaluate the role of PERMA No. 5 of 2019 in curbing child marriage rates (Rahmah & Latif, 2021). Third, empirical and socio-legal research analyzes judicial practice by dissecting the socio-economic and cultural drivers behind petition filings in religious courts (Salman & Meutia, 2024)

Despite these valuable contributions, previous research has predominantly analyzed Islamic jurisprudence and statutory law in a fragmented manner. Consequently, this study bridges a critical scholarly gap (research gap). Rather than merely offering another case study based on geographical or

case-based novelty, this article provides a novel conceptual contribution (conceptual novelty).

It offers a critical reinterpretation of the hierarchical conflict within judicial reasoning when judges face the crossroads between protecting lineage and family honor (ḥifẓ al-nasl / ḥifẓ al-ʻirdh) versus protecting life and health (ḥifẓ al-nafs), and intellectual development (ḥifẓ al-ʻaql), all of which must be reconciled with the principle of the best interests of the child.

METHOD

This study employs a normative legal research methodology, also referred to as doctrinal legal research, to examine the legal reasoning underlying the granting of marriage dispensation by the Sharia Court. Normative legal research primarily focuses on the analysis of legal norms, statutory provisions, judicial decisions, and relevant legal scholarship (Marzuki, 2021). To avoid ambiguity with empirical legal research, this study adopts a case approach, in which judicial decisions are treated as primary legal materials rather than empirical field data. This approach is complemented by a statutory approach and a conceptual approach.

The statutory approach is used to examine the relevant legal framework governing marriage dispensation and child protection, particularly Law No. 16 of 2019 amending Law No. 1 of 1974 on Marriage, Law No. 35 of 2014 on Child Protection, Supreme Court Regulation (PERMA) No. 5 of 2019 concerning Guidelines for Adjudicating Marriage Dispensation Applications, and the Compilation of Islamic Law (KHI). The conceptual approach is employed to critically assess the judicial reasoning through the perspectives of Maqāṣid al-Sharīʻah and the best interests of the child principle, thereby enabling an evaluation of whether the decision adequately reflects both Islamic legal objectives and contemporary child protection standards.

Consistent with library-based legal research (Muhaimin, 2020), the legal materials in this study are classified into three categories. Primary legal materials consist of authoritative and binding legal sources, namely the Lhokseumawe Sharia Court Decision No. 22/Pdt.P/2025/MS.LSM, Law No. 16 of 2019, Law No. 35 of 2014, PERMA No. 5 of 2019, and the Compilation of Islamic Law. Secondary legal materials include peer-reviewed journal articles, classical and contemporary fiqh literature, scholarly works on Maqāṣid al-Sharīʻah, legal commentaries, and previous studies concerning child marriage, marriage dispensation, judicial reasoning, and child protection. Tertiary legal materials include legal dictionaries, encyclopedias, and other reference works used to clarify relevant legal concepts and terminology.

To strengthen the academic reliability of the study, secondary legal materials were systematically identified through reputable academic databases, including Scopus, Google Scholar, Sinta, and DOAJ, with priority given to peer-reviewed publications issued between 2020 and 2026. Earlier authoritative works were retained where they were considered foundational to the theoretical or jurisprudential framework. The selection of literature was based on its direct relevance to marriage dispensation, judicial reasoning, child rights, Maqāṣid al-Sharīʻah, and Islamic family law. Source credibility was further assessed by comparing scholarly arguments with statutory provisions, judicial doctrine,

and recognized classical and contemporary Islamic jurisprudence.

The collected legal materials were analyzed using a descriptive-analytical and prescriptive legal analysis (Soekanto & Mamudji, 2015). The analysis was conducted through five stages of legal reasoning. First, the relevant legal facts were identified from Decision No. 22/Pdt.P/2025/MS.LSM, including the minor's age of 16 years, parental psychological concerns, and the social circumstances surrounding the application. Second, the judge's legal considerations were examined to identify the principal legal reasoning and the ratio decidendi underlying the decision. Third, vertical and horizontal norm synchronization was conducted to assess the consistency of the ruling with Law No. 16 of 2019, Law No. 35 of 2014, PERMA No. 5 of 2019, and other relevant legal norms. Fourth, the judicial reasoning was critically evaluated through the five principal dimensions of Maqāṣid al-Sharīʻah, namely ḥifẓ al-dīn, ḥifẓ al-nafs, ḥifẓ al-ʻaql, ḥifẓ al-nasl, and ḥifẓ al-māl, and was simultaneously assessed against the best interests of the child principle. Fifth, a critical legal synthesis was formulated to determine whether the decision substantially promotes long-term child protection or primarily accommodates parental moral and psychological concerns.

The interpretive process also considered possible conflicts among statutory norms, Islamic legal doctrines, and judicial considerations. Statutory conflicts were addressed through established principles of legal interpretation, particularly lex superior derogat legi inferiori and lex specialis derogat legi generali. Where tension arose between classical fiqh opinions and contemporary positive law, the analysis applied tarjīḥ, understood as contextual legal weighting, together with the principles of siyāsah shar'iyyah and Maqāṣid al-Sharīʻah. These interpretive principles were used to prioritize legal reasoning that provides stronger protection for the child's long-term physical, psychological, educational, social, and developmental interests over short-term considerations of moral anxiety.

RESULTS AND DISCUSSION

Facts and Legal Issues in Decision Number 22/Pdt.P/2025/MS.LSM

Decision Number 22/Pdt.P/2025/MS.LSM concerns an application for marriage dispensation submitted by the parents of a 16-year-old child who had not reached the statutory minimum marriage age. The application was motivated by parental concern over the increasingly close relationship between the child and the prospective spouse. The parents feared that the relationship could lead to conduct contrary to religious and customary norms if it was not formalized through marriage. Both families were aware of and supported the proposed marriage.

The application was therefore not based merely on parental preference but on concerns regarding possible moral and social consequences arising from the relationship. Similar considerations frequently appear in marriage dispensation cases in Indonesia, particularly where parents perceive marriage as a means of preventing zina or other conduct considered religiously prohibited (Akbari, 2025; Aprilianto et al., 2026).

The central legal issue is not simply the fact that the child was under 19 years of age, but whether the circumstances presented constituted an urgent reason justifying an exception to the statutory minimum age. Article 7 of Law Number 16 of 2019 establishes 19 years as the minimum marriage age for both men and women while permitting courts to grant dispensation in exceptional circumstances supported by sufficient reasons and evidence (Indonesia, 2019). The concept of an "urgent reason" is therefore crucial because judicial interpretation determines whether the exception remains protective or becomes an avenue for normalizing child marriage (Az Zubaidi et al., 2026; Akbari, 2025).

Marriage dispensation must consequently be understood as an exceptional legal mechanism rather than an ordinary pathway to marriage below the legal age. The examination should focus on the specific circumstances of the child and whether marriage genuinely constitutes the most appropriate response to the alleged urgency. This requires consideration not only of parental concerns but also of the risks and consequences that marriage may create for the child (Putri et al., 2024; Anshori et al., 2025).

PERMA Number 5 of 2019 strengthens this approach by requiring judges to prioritize the best interests of the child in marriage dispensation proceedings (Indonesia, 2019). Thus, the child's age, relationship with the prospective spouse, psychological condition, educational status, family circumstances, and possible future consequences should form the substantive basis of judicial assessment.

Judicial Considerations and Ratio Decidendi

The judicial reasoning in Decision Number 22/Pdt.P/2025/MS.LSM can be understood by examining the relationship between the facts presented and the legal considerations adopted by the judge. One significant consideration was the parents' concern that the relationship between the child and the prospective spouse could develop into conduct prohibited by religious norms.

This reasoning may be associated with the Islamic legal principle of preventing harm, *dar' al-mafāsid*. From this perspective, formalizing the relationship through marriage may be viewed as a means of preventing anticipated moral harm. Similar reasoning has been found in other Indonesian marriage dispensation decisions, especially where concerns regarding zina and social stigma are treated as urgent circumstances (Akbari, 2025; Aprilianto et al., 2026).

Nevertheless, preventing one form of harm should not create another harm that is more serious or enduring. Islamic legal reasoning requires a broader assessment of consequences, particularly when the proposed solution may affect a child's health, education, psychological development, reproductive well-being,

and future economic stability (Oktavian et al., 2026; Sukri & Fauzan, 2025).

The crucial question is therefore whether the judge considered only the immediate moral risk or also evaluated the longer-term implications of marriage. PERMA Number 5 of 2019 requires attention to the best interests of the child, meaning that parental concerns alone cannot determine the outcome (Indonesia, 2019). Judicial discretion should be accompanied by an assessment of the child's physical, psychological, educational, social, and economic readiness (Az Zubaidi et al., 2026).

Accordingly, the *ratio decidendi* should not be evaluated merely by whether the application was granted. It must also be assessed by the quality and comprehensiveness of the reasoning used to justify the exception. A legally valid decision should demonstrate why marriage is considered necessary and whether alternative measures could provide stronger protection for the child (Akbari, 2025).

Compatibility with Law Number 16 of 2019 and PERMA Number 5 of 2019

Law Number 16 of 2019 raised the minimum marriage age to 19 years for both men and women. The amendment reflects concerns regarding physical and psychological maturity, maternal and child health, access to education, and the broader protection of children's rights (Indonesia, 2019). From a maqāṣid perspective, this policy may also be understood as an effort to protect life, intellect, lineage, and future welfare (Anshori et al., 2025).

Because the child in Decision Number 22/Pdt.P/2025/MS.LSM was 16 years old, the proposed marriage clearly fell below the statutory threshold. It could therefore proceed only through judicial dispensation under Article 7 paragraph (2) of Law Number 16 of 2019.

The existence of this mechanism does not transform underage marriage into a normal legal option. Dispensation remains an exception that requires strong justification. Courts must establish not only that an urgent reason exists but also that granting the application is compatible with the protection of the child. A permissive interpretation could undermine the protective objective of the minimum marriage-age requirement (Putri et al., 2024; Az Zubaidi et al., 2026).

PERMA Number 5 of 2019 further requires judges to assess the child's interests during the examination process. The regulation places the best interests of the child at the center of judicial consideration and therefore demands more than formal parental approval (Indonesia, 2019). Judicial evaluation should encompass physical health, psychological maturity, educational continuity, social readiness, and other foreseeable consequences of marriage (Akbari, 2025).

Thus, the decision may be formally consistent with Law Number 16 of 2019 because the court possessed legal authority to grant the application. However, substantive compatibility with

child protection depends on whether the urgent reason was carefully balanced against the long-term consequences for the child. Legal permissibility and substantive protection should therefore be distinguished (Irfan et al., 2026; Az Zubaidi et al., 2026).

Maqāṣid al-Sharīʻah Analysis

The application of *maqāṣid al-sharīʻah* in marriage dispensation should not be limited to the protection of lineage. Child marriage involves religious, physical, psychological, educational, and social dimensions. For this reason, *hifẓ al-dīn*, *hifẓ al-nafs*, *hifẓ al-ʻaql*, and *hifẓ al-nasl* should be considered together rather than separately (Putri et al., 2024; Sukri & Fauzan, 2025).

The concern regarding a potentially prohibited relationship may be connected with *hifẓ al-nasl*, or the protection of lineage. Marriage provides a lawful framework for sexual relations and protects the legal status of offspring. In this sense, preventing zina may legitimately form part of the judicial consideration (Aprilianto et al., 2026).

However, *hifẓ al-nasl* should not be reduced merely to preventing extramarital relations. Protecting lineage also involves ensuring that future children are raised in a family environment capable of supporting their physical, emotional, educational, and social development. The concept should therefore be interpreted in both immediate and long-term terms (Sukri & Fauzan, 2025).

Hifẓ al-nafs concerns the protection of life and physical well-being. The age of the child is particularly important because early marriage may have implications for reproductive health, pregnancy, psychological well-being, and general physical development. Law Number 16 of 2019 itself associates the minimum age requirement with physical and psychological maturity and the reduction of health risks (Indonesia, 2019).

Consequently, if judicial reasoning focuses predominantly on preventing religious violations without adequately examining physical readiness and reproductive health, the dimension of *hifẓ al-nafs* remains incomplete. Child protection requires consideration of foreseeable health risks and not merely immediate moral concerns (Irfan et al., 2026; Sukri & Fauzan, 2025).

Hifẓ al-ʻaql is closely related to education, psychological development, and the child's capacity to develop intellectual potential. At 16 years of age, the child remains within an important educational and developmental stage. Marriage may introduce responsibilities that interfere with schooling or restrict future educational opportunities.

The judge should therefore consider whether the marriage may disrupt education and whether sufficient support exists to enable continued learning and development. Protecting intellect includes preserving the child's opportunity to acquire education and build long-term personal capacity (Putri et al., 2024; Anshori et al., 2025).

The parents' concern about conduct contrary to religious norms may be related to *hifẓ al-dīn*. Protecting a child from prohibited conduct is unquestionably relevant within Islamic legal reasoning. However, *hifẓ al-dīn* cannot automatically be interpreted as requiring marriage whenever a child is involved in a close relationship.

Maqāṣid requires the objectives of Islamic law to be viewed in an integrated manner. Protection of religion must therefore be considered alongside the protection of life, intellect, and lineage. A *tarjīḥ maqāṣidī* approach involves weighing competing benefits and harms contextually rather than allowing one objective to override all others (Aprilianto et al., 2026).

The decision therefore presents a tension between immediate and long-term interests. Preventing potentially prohibited conduct may constitute an immediate benefit, while marriage at 16 may produce risks affecting health, education, psychological development, and future family stability. In this sense, *maqāṣid al-sharī'ah* should function not merely as justification for granting dispensation but as a critical analytical framework for determining whether the overall benefit outweighs the potential harm (Putri et al., 2024; Sukri & Fauzan, 2025).

Balancing Maṣlaḥah and Mafsadah

The concepts of *maṣlaḥah* and *mafsadah* are central to marriage dispensation because such cases involve competing interests. On one side is the perceived benefit of preventing religiously prohibited conduct. On the other are the possible harms associated with underage marriage, including educational disruption, psychological immaturity, reproductive health risks, and economic vulnerability (Nurbaeti et al., 2025).

At the level of *ḍarūriyyāt*, protection of religion, life, intellect, and lineage constitutes fundamental interests. Although preventing zina may relate to *hifẓ al-dīn* and *hifẓ al-nasl*, the protection of physical health, psychological development, and education also belongs to essential interests. These dimensions should therefore be evaluated simultaneously (Putri et al., 2024).

At the level of *ḥājiyyāt*, relevant considerations include readiness to assume marital responsibilities, economic capacity, family support, educational continuity, and social maturity. Although these factors may not determine the formal validity of marriage, they strongly affect the sustainability and well-being of family life (Anshori et al., 2025).

At the level of *taḥsīniyyāt*, consideration may be given to emotional stability, quality of family relationships, parenting capacity, and the social environment surrounding the couple.

The central evaluative question should therefore not be merely whether marriage can prevent zina. A broader question must be asked: whether marriage at the child's age provides greater overall benefit than the potential

long-term harms resulting from it. This approach reflects the view that *maqāṣid al-sharī'ah* should function as a critical instrument for assessing judicial decisions rather than as a simple religious justification for granting dispensation (Putri et al., 2024; Aprilianto et al., 2026).

The Best Interests of the Child, Family, and Society

Marriage dispensation involves the interests of the child, family, and society, but these interests may not always coincide. The best interests of the child therefore provide an essential standard for resolving competing considerations (Az Zubaidi et al., 2026).

The child's interests include the right to education, health protection, psychological development, and future opportunities. Because the child bears the direct consequences of the marriage, these interests should occupy the central position in judicial examination (Akbari, 2025; Irfan et al., 2026).

Family interests are reflected in the parents' concern regarding the relationship and their desire to prevent conduct considered inconsistent with religious or customary norms. However, parental consent cannot automatically establish that the child is physically, psychologically, socially, and economically prepared for marriage. Courts must distinguish between parental perceptions of urgency and the objective long-term welfare of the child (Az Zubaidi et al., 2026).

Societal interests involve the maintenance of religious values, customary norms, and social order. In Aceh, religious and customary considerations may strongly influence family attitudes toward relationships between young men and women. Nevertheless, such considerations should remain compatible with the protection of children's rights.

PERMA Number 5 of 2019 provides an important framework because it expressly places the best interests of the child among the principles guiding marriage dispensation proceedings (Indonesia, 2019). Consequently, the child's welfare should remain the principal consideration, while family and social interests serve as relevant but secondary contextual factors.

Comparison with Other Marriage Dispensation Decisions

Comparison with other verifiable decisions can strengthen the analysis of Decision Number 22/Pdt.P/2025/MS.LSM. Supandi (2023), for example, compared Decision Number 0078/Pdt.P/2021/PA.Kr and Decision Number 77/Pdt.P/2022/PA.Kr, showing that judges may interpret urgent reasons differently, particularly when balancing concerns about zina with reproductive, educational, and economic considerations.

Another relevant case is Decision Number 5/Pdt.P/2024/PA.Prob, which is publicly accessible and may be used to examine judicial reasoning directly. Other

decisions, including PA Palembang Decision Number 139/Pdt.P/2023/PA.PLG, PA Samarinda Decision Number 335/Pdt.P/2021/PA.Smd, PA Samarinda Decision Number 148/Pdt.P/2023/PA.Smd, and PA Sengkang Decision Number 1/Pdt.P/2020/PA.Skg, further illustrate variation in judicial emphasis on *hifẓ al-nasl*, *hifẓ al-nafs*, and *hifẓ al-ʻaql*.

Such variation demonstrates that the existence of an urgent reason does not automatically lead to identical judicial conclusions. Each case requires an individual assessment of factual circumstances, evidence, the child's condition, and the potential consequences of marriage. Recent scholarship likewise shows that marriage dispensation remains an area where judicial discretion, statutory protection, and the best interests of the child must be carefully reconciled (Az Zubaidi et al., 2026; Akbari, 2025).

In the context of Decision Number 22/Pdt.P/2025/MS.LSM, the primary analytical issue is therefore how the judge balanced the immediate concern regarding the child's relationship with the broader and longer-term protection of the child. The comparison does not imply that one judicial approach is universally correct, but it demonstrates that urgent reasons must be interpreted in light of the specific circumstances and child-protection implications of each case.

Overall, Decision Number 22/Pdt.P/2025/MS.LSM has a formal legal basis because Law Number 16 of 2019 permits marriage dispensation in exceptional and urgent circumstances. However, legal authorization alone is insufficient to establish that the decision fully reflects the objectives of child protection. A comprehensive assessment requires consideration of immediate moral concerns alongside long-term implications for health, education, psychological development, reproductive well-being, intellectual growth, and future family stability.

Accordingly, *maqāṣid al-sharīʻah* and the best interests of the child should operate together as substantive standards for evaluating marriage dispensation. Preventing potential religious violations may constitute a legitimate consideration, but it should not automatically outweigh the protection of life, intellect, education, and future welfare. The central question is therefore not merely whether marriage is legally permissible, but whether granting the dispensation represents the most protective and beneficial legal response for the child (Putri et al., 2024; Sukri & Fauzan, 2025; Az Zubaidi et al., 2026).

CONSLUSION

This study concludes that Decision Number 22/Pdt.P/2025/MS.LSM has a formal legal basis because Law Number 16 of 2019 allows marriage dispensation in urgent circumstances. However, the legitimacy of the decision should not be assessed solely from the existence of judicial authority, but also from the quality of the judge's reasoning in protecting the child's long-term interests.

The consideration of preventing conduct contrary to religious norms may represent a legitimate concern, particularly in relation to *hifẓ al-dīn* and *hifẓ al-nasl*. Nevertheless, such considerations must be balanced with *hifẓ al-nafs* and *hifẓ al-'aql*, especially regarding reproductive health, psychological maturity, educational continuity, and future development. From the perspective of *maqāṣid al-sharī'ah*, marriage dispensation should therefore be based on a comprehensive assessment of *maṣlaḥah* and *mafsadah*, rather than merely serving as a legal mechanism to prevent feared moral violations. The best interests of the child must remain the primary standard in judicial consideration, while parental and social concerns should function as supporting considerations. Accordingly, *maqāṣid al-sharī'ah* and child protection principles should be integrated as substantive frameworks to ensure that marriage dispensation genuinely promotes the child's welfare, development, dignity, and long-term protection.

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