

ABSTRACT

Tamimi. 2013. **The Engagement of Underage Children in Forced Marriage by the Guardians (Study on Divorce Rate in Gampingan, Pagak Subdistric, Malang Regency)**. Thesis, Department of Al-Ahwal Al-Syakhshiyah. Faculty of Shariah. Maulana Malik Ibrahim State Islamic University Malang. Advisor: H. Mujaid Kumkelo, M.H.

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Discussing about family life, Islam has taught many things to everyone to build a family based on willingness and deliberation in order to be able to shelter the family hood between husband and wife with love, whether in good or bad time. Every human, basically, wants a lasting marriage. Marriage is not only about the physical mating of man and woman, but also to achieve soul happiness, peace and tranquility.

In Indonesia, especially in remote areas, engagement and marriage of underage children done by their guardians is a common phenomenon in recent modern era. It cannot be separated from the culture and tradition developing in our society that women are not allowed to married late. With that unnatural marriage, we will find many disagreement and quarrel in the family which might lead to divorce. In Indonesia, one village which has many early engagement practice is Gampingan, Pagak Subdistrict, Malang Regency.

Based on the facts, the researcher wants to find out the factors which make the parents to match their daughters, and the divorce rate on the forced and underage spouses in Gampingan, Pagak Subdistrict, Malang Regency.

This research is a field research. It employs a qualitative approach, by observation, interview, and document analysis.

The result of this research concludes that there are some factors causing the guardians/parents to force the underage marriage toward their children in Gampingan, Pagak Subdistrict, Malang Regency. They are economic problems, family relationship, to prevent them having a wrong friendship, obedience to the teacher, to tighten a relationship, fear their daughters will become spinster, and reciprocal act. From 35 forced marriages, more than 34% end up with divorce and 66% still lasts until today.