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RESEARCH ARTICLE

THE DARKEST PHASE FOR FAMILY: CHILD MARRIAGE PREVENTION AND ITS COMPLEXITY IN INDONESIA

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ABSTRACT

The research is intended to examine how child marriage happened and the implementation of policy to prevent the child marriage. The research also examine some cases concerning to child marriage and its complex condition, especially in some area of Central Java, Indonesia. The method used to obtain the main data for the research is by interviewing and observing the main site location, at Munding Vilage Semarang Regency. Some related government offices also become one of the sources of data. The research emphasized that child marriage occurs because of the education of the bridegroom's children, the local culture of marriage at the age of the child is better than marriage in high school, economic factors of the child's family and social or environmental factors of the child. Impact of child marriages (women): vulnerable to divorce, psychological problems that are not yet stable in the management of the household, the breakup of formal education, reproductive health is not ready. The research highlighted that local culture is a challenge in opposing marriage at the age of the child. The research concluded that preventive efforts carried out by related institutions through education complaints in accordance with the main tasks of each related institution.

Keywords: Child marriage; reasons of Child Marriage; preventive; integrated policy

TABLE OF CONTENTS

ABSTRACT	241
TABLE OF CONTENTS	242
INTRODUCTION	242
CHILD MARRIAGE: REASONS AND PROBLEMS	219
I. REASONS OF CHILD MARRIAGE	244
A. Why Child Marriage Happened?	244
B. How the Law Speaks for Child Marriage?	245
II. CHILD MARRIAGE PREVENTION	250
A. An Integrated Policy to Prevent Child Marriage	250
1. Parents/Family Elders	251
2. Village Officials	252
3. Office of Religious Affairs (KUA) in Bergas District	253
4. Ministry of Religion Unit of Semarang Regency	253
5. The Board of Education	254
6. Health Office	254
CONCLUSION	254
REFERENCES	255

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INTRODUCTION

Indonesia is one of the ten countries in the world with the highest absolute number of child brides. It is the second highest in ASEAN after Cambodia. It is estimatedly that one in five girls in Indonesia are married before they reach their 18 years old. In the world, there are at least 142 million girls get married before adulthood in this decade. In Indonesia, girls are the most vulnerable victims of child marriage, with prevalence: 1. Girls from rural areas experience twice more vulnerability for marriage than those from urban areas. Child brides are most likely to come from poor families. Less educated girls and dropout from schools are generally more prone to become child brides than those attending school (Candraningrum, 2016). However, UNICEF currently reports that this prevalence is shifting mainly in urban areas: in 2014, 25% of women aged 20-24 were married under the age of 18. The 2012 SUSENAS data shows that around 11.13% of girls marry at the age of 10-15, and about 32.10% at the age of 16-18 years. The practice of child marriage also contributes to the high maternal mortality rate (MMR) in Indonesia, which reached 359/100,000 of live births and 48 per 1,000 births for the number of births aged 15-19 years (Candraningrum, 2016).

The Indonesian government bound by the Convention on the Rights of the Child (ratified by Presidential Decree No. 36/1990), the CEDAW Convention (ratified by Law No. 7 of 1984), the International Covenant on Civil and Political Rights (ratified through Law No. 12 of 2005), and The International Covenant on Indonesian Economic, Social and Cultural Rights has ratified the rights of Indonesian children bound to the fifth goal (containing 9 targets) of the agenda of the Sustainable Development Goals (SDGs) in 2015-2030 that is achieving gender equality and empowering all women and girls, as specifically in the Target 5.3 referred to the targets to eliminate all harmful practices such as child marriage, forced marriage, and female circumcision. In the further context, force marriage as well as child marriage in some cases also recognized as child trafficking (Warria, 2017; Setiawan, Saifunuha, Kautsar, & Wulandari, 2019; Prayogo, Amanah, A., Pradana, & Rodiyah, 2019).

Many adolescents in Munding Village, especially in Cemanggal Hamlet, tend to go through child marriage. They do not really understand the meaning of a sacred marriage and the effects of early marriage, such as sexual relations at the age of under 20.The risk of child marriage will trigger the occurring cervical cancer and sexually transmitted diseases, not to mention other arising effects such as anxiety, stress, depression in the face of problems arising in the family that can result in separation and even divorce because of unstable emotions of the adolescents (Minarni, 2014). Munding itself is one of villages in Bergas District, Semarang Regency of which area consists of 3 hamlets, they are Gemawang, Munding or Krajan, and Cemanggal Hamlet. Munding Village has an area of 178,495 Ha, with a yard area of 27,030 Ha, a field area of 72,240 Ha, and rice field area of 75,225 Ha consisting of 3 RWs and 18 RTs. It has population of approximately 3327 people. Munding Village, which is administratively included in the Bergas District area, has administrative borders to the north with Gebugan and Pagersari Villages, to the east with BergasKidul Village and to the south and west bordering Bandungan District (munding.desa.id).

This paper discusses the prevention of child marriage in the disruption era. The focus is on the problem (1) the reason for child marriage, (2) preventive of child marriage. In order to deal with these problems using approach qualitative with the type of sociological-juridical. The research was conducted in Cemanggal Hamlet, Munding Village, Bergas Office of Religious Affairs (*Kantor Urusan Agama*, KUA), and the Ministry of Religion of Semarang Regency as it was in accordance with the examined problems.

CHILD MARRIAGE: REASONS AND PROBLEMS

I. REASONS OF CHILD MARRIAGE A. Why Child Marriage Happened?

The purpose of marriage is to establish a happy, everlasting family. For this reason, husband and wife need to help and complement each other that each of them can develop the personality to help and achieve spiritual and material well-being. In this Law, it is stated that a marriage is legal if it is administered according to the law of each religion and its beliefs; and besides, each marriage must be recorded according to the applicable laws and regulations. Registration of each marriage is the same as important events in a person's life, such as birth, death as stated in the Certificates, an official certificate which is also included in the registration. This law adheres to the principle of monogamy. Only if desired by the person concerned, because the law and religion of the person concerned permits, a husband can have more than one wife. However, the marriage of a husband with more than one wife, even though it is desired by the parties concerned, can only be done by fulfilling the certain conditions and decided by the Court. This law adheres to the principle, that the prospective husband and wife must have been mature by their physical and mind in order to get married, so that they can actualize well the purpose of marriage without ending in divorce and having good and healthy offspring.

Accordingly, marriage must be prevented between prospective under-aged married couples. Moreover, marriage relates with population problems. It is evident that a lower age limit for a woman to get married results in a higher birth rate. Therefore, this Law sets the age limit for marriage for both men and women, which is 19 (nineteen) years old. From the Law above, it is clear that marriage and all its provisions have been properly regulated that marriage must be carried out according to existing provisions. The marriage in which the prospective partner is under the age limit is included in early marriage, as the age of the prospective partner is still in the school-aged.

B. How the Law Speaks for Child Marriage?

Child marriage is a marriage carried out beyond the provisions of the law and regulation, or a marriage under the age recommended by legislation (Julijanto, 2015). Law No. 1 of 1974 concerning marriage does not indicate a strict limit on the "maturity" of prospective brides, that prospective brides who have not yet been "mature" can hold a marriage if desired by the parties concerned, and the court can give them consent to marry. Law No. 35 of 2014 concerning Child Protection, which came later, very much took into account the problem of maturing the age of marriage (Hardani, 2015). This can be evident, among other things, in the principles underlying the establishment of this law, which is the principle of non-discrimination; the principle of the best interests of the child, the principle of the right to life, survival and development, and the principle of respect for the opinions of children. The law states that there are several children's rights to fulfill, they are: (a) The right to education, (b) The right to thought and expression, (c) The right to express opinions and be heard, (d) The right to rest and take advantage leisure time, associating with peers, playing, expressing, and being creative, and (e) The right to get protection. In relation to the marriage of under-aged children, the five children's rights above are violated.

Therefore, it is the obligation of parents to protect their children, educate, even support them in the point of stepping into maturity. Children should be protected from things that have a negative impact on their development, both physically and psychologically. With underage marriage, the protection of sincere and true parents is reduced by switching to the husband. Children should be protected from early marriages that have an impact on their development, both physically and psychologically.

Law No. 35 of 2014 concerning Child Protection has included criminal threats for violators. In the case of underage marriage, in article 82 of Law No. 35 of 2014 stated that whoever commits seduction, deception, a series of lies, or persuades children to commit or allow obscene conduct, then they will be imposed with imprisonment by 3 (three) to 15 (fifteen) years and a maximum fine of Rp. 300,000,000 (three hundred million rupiahs) and at least Rp. 60,000,000 (sixty million rupiahs). Thus, Law No. 35 of 2014 concerning Child Protection has been quite strict in giving sanctions for its violators.

The negative impacts of early marriage include economic, social, health and cultural impacts in each region. The dominant factor of which child marriages occur is because of the lack of comprehensive early reproductive and sexual health education (PKRS) in order to provide the right understanding for adolescents on their choices (Djamilah & Kartikawati, 2014).

In addition, the impact of early marriage triggers the quality of the household in less superior performance both in reproductive health, psychological and economic readiness of the family that it is vulnerable to have an impact of divorce and the neglected education quality for the children. Moreover, it has an effect of the lacks of psychological maturity, ill-considered in solving their problems, less optimal in doing their chores. Furthermore, their emotions have not been stable in resolving successive household problems (Julijanto, 2015).

There are differences in the age limit for marriage according to the Marriage Law and the Child Protection Act. The age of marriage in Law No. 1 of 1974 concerning marriage is stated in article 7 paragraph (1) and (2):

- 1. Article 7 paragrah(1): marriage is only permitted if the man reaches the age of 19 and the woman reaches the age of 16;
- 2. Article 7 paragraph (2): in the case of deviations in paragraph (1) this article may request dispensation to the Court or other officials requested by both the prospective bride and groom's parents.

Meanwhile the Child Protection Act in article 1 stipulates that "children are those whose age below 18 (eighteen), including those who are still in the womb." Thus, a marriage performed before a person reaches 18 years old is categorized as a child marriage.

When children are defined as individuals under the age of 18, marriage at age of 16 and 17 are categorized as the child-aged marriage. Accordingly, it seems it is appropriate if there is an effort to increase the marriage age into above the child-age that there will be no child marriage. Even though there is another concept in Islam, namely *aqil baligh*, in which a person is considered mature after *aqil baligh*, that is, he must be responsible and carry out basic obligations. The concept of *aqil baligh* allows the person to be mature before 18 (the age limit of a child according to the Child Protection Act). In general, *Baligh* in men and women occurs at the age before 16.

The author limits the discussion of the extent of the marriage age limit from aspects of the law/act of marriage and child protection. Based on data obtained from Munding Village, Office of Religious Affairs (KUA) Bergas and Ministry of Religion of Semarang Regency are described as follows. Child marriage is carried out under the age of 18. The child marriage in the Munding village is the most common in Cemanggal Hamlet. The following data is obtained:

Year	Number of Child Marriage
2013	13
2014	10
2015	8
2016	0
2017	2
2018 *per-August	0

Table 1 Number of Child Marriage

Source: Personal Interview with Munding Village Head, August 2018

Marriage is held at the age of 14-15. The factors triggering child marriage as emphasized by Romdotun (2018) such as: (1) Customary habits (culture) of marriage at young age, (2) Lack of public insight about child marriage, (3) Lower education level because the location of the Cemanggal Hamlet which is isolated away from secondary school.

The reason for child marriage according to the Head of Office of Religious Affairs (KUA) Bergas as highlighted by Amiruddin (2018) because of: (1) Parental pressure/encouragement to marry in young age, (2) Parents' concerns about their children to be out of date that they insist their children to marry, and (3) Most actors have pre-marital pregnancy.

Meanwhile according to the Ministry of Religion, Semarang Regency, the reason for child marriage is among others (Ahmadi, 2018): (1) the women have been pregnant before time, (2) they have already committed adultery, (3) lower education level of parents (graduate or not even graduate from elementary school), (4) The viewpoint of the surrounding environment that if the children are "aged" yet unmarried is considered "non-saleable" thus it is better to marry in young age.

The level of education of those in child marriage is elementary school graduate and they break off school but work as a farmer, laborer or builder to help earning the family income. Thus, it affects the psychic readiness of the bride and groom. Correlation of age with the level of education of the bride and groom influences their maturity and they do not understand what they will deal with. Nearly 70% in Munding are committed to child marriage at the child-aged. Thus, each prospective bride and groom must understand the marriage's rights and obligations. They must also grasp that the risk may cause undesirable effect such as divorce. Such child marriage is at high risk of divorce. Besides, the aspect of religious education also has an

effect in it. In addition, prior to marriage, you must get prepared in advance of what they will deal with.

The choice to marry at young age is because the assumption that while their age are still relatively young that they can have grandchildren (children). Even though the child marriage are vulnerable for divorce and their babies born in less quality of human resources (because the parental care is carried out by those whose education level is low).

There is a complex correlation between child marriage and education in Indonesia. Girls who marry before the age of 18 (child marriage) have lower levels of educational achievement compared to unmarried girls, especially after elementary school. In addition, children who marry younger have lower educational achievement compared to children who marry in older age. Girls tend to break off school after they marry (BPS, 2016).

Developing cultural and religious values are also a driving factor for child marriage. For example, married women, although they are still young age, are more valued than unmarried ones. Negative impacts such as divorce and widow status are never a problem. Textual understanding of religious doctrine is one of the driving factors of the occurrence of underage marriage. Parents often worry about children who have entered the age of *bâligh*, if they are not immediately married, they will act against religion (Ramadhita, 2014). Parents consider a woman if she is able to read and write is considered to be mature enough, without having to continue the next level, as the girl will later return to the home kitchen. Most parents prefer to marry off their daughters at a relatively young age without being offset and paying attention to the child's physical and psychological readiness and maturity (Rahmi, Saroeng, & Yoesoef, 2013).

The reality on the field shows that underage marriages do not give benefits to family and household, as the marriage is actually vulnerable to divorce, and it is very easy to wobble in wading through the household. As the couple is unprepared to understand the meaning and wisdom of a marriage, they are not able to reach the desired marriage. Thus, there will be various problems, for the couples who marry at a young age psychologically and economically are not ready to deal with new life in a family and society (Maardi, 2012). Meanwhile, a successful marriage would require maturity and responsibility physically and mentally to materialize ideal expectations in married life (Sulaiman, 2012).

In the perspective of tradition and culture, underage marriages often occur due to the cultural impulse in a community that places women as second class in which people avoid the stigma of being called "spinsters" (unmarried women) and try to speed up marriages for various reasons (Inayati, 2015). Those who go through marriage, especially at the underage, their desire to continue school or pursue higher education will not be achieved or will not be materialized. This can take place, as their learning motivation will begin to lessen due to many tasks they have to do after marriage. In other words, underage marriage is a factor inhibiting the occurrence of education and learning processes (Zulfiani, 2017).

Al-Azhar's International Islamic Center for Population Studies & Research stated that early childhood marriages have no strong and valid religious basis and arguments in an Islamic perspective (Ali, 2015). In the light of psychological aspect, the best age for marriage is between 19 and 25. The most basic psychological characteristics are about the patterns of emerging feeling, mindset and behavior among others: stability begins to arise and increase; more realistic self-image and attitude, more mature in dealing with problems, and more peaceful feeling (Mapreane, 1982).

Child marriage has the following effects: (1). it tends to be very difficult to realize the goal of marriage well. The effect is that marriage only brings suffering. (2). It is difficult to have good and healthy offspring. The impact is that their children are vulnerable to disease. (3). It relates to population problems. It turns out that lower age limit for woman to marry results in very rapid population growth rate.

Regardless of the pros and cons of child marriage, unconsciously and determinedly, the child marriage can have negative impacts, including: (1). Interrupted child education: early marriage causes children to drop out of school that it has an impact on the lower level of knowledge and access to information on children. (2). Poverty: two children who get married early tend to have less income or even unemployed. It causes the child marriage vulnerable to poverty. (3). Domestic violence: spouse's dominance due to unstable psychological conditions causes emotions that the bias has an impact on Domestic Violence (Nasrullah, Muazzam, Khosa, & Khan, 2017; Yudhanti, Arifin, & Rismadini, 2017). (4). Children's psychological health: the mothers who conceive at an early age will suffer from prolonged trauma, lack of socialization and crisis of confidence. (5). The born children: When the developing children suffer from the earlier process of pregnancy, there is opposition for nutrition with the fetus they bear, that the weight of pregnant women is often difficult to increase, which it can be accompanied by anemia due to nutritional deficiencies, and the risk of giving birth to babies with low birth weight. It was discovered that approximately 14% of babies born to mothers under the age of 17 are mostly premature (Efevbera, 2017). Children are at risk of suffering from mistreatment and or negligence. Various studies reflect that children born from child marriages are at risk of having developmental delays, learning difficulties, behavioral

disorders, and tend to be parents at the child age. (6). Reproductive health: pregnancy at the age of less than 17 increases the risk of medical complications, both in the mother and in the baby. Pregnancy at extremely young age turns out to correlate with maternal mortality and morbidity. It was stated that girls aged 10-14 had a fivefold risk of dying during pregnancy or childbirth compared to the age group of 20-24, while this risk doubled in the age group of 15-19. It is because the child's reproductive organs are not well developed and the pelvis is not ready to give birth. Data from UNPFA in 2003 reflected that 15% -30% of early childbirths were accompanied by chronic complications, namely obstetric fistula. Fistula is damage to female organ, which causes leakage of urine or feces into the vagina (Mubasyaroh, 2016).

II. CHILD MARRIAGE PREVENTION A. An Integrated Policy to Prevent Child Marriage

Situation of child marriages in Indonesia in 2017, according to the Central Bureau of Statistics (BPS) is that, (1) the distribution of child marriages above 10% is evenly distributed throughout Indonesia Provinces (2) the distribution of child marriage rates above 25% is in 23 of 34 provinces in Indonesia. This means 67% Areas in Indonesia is in emergency of child marriage. During 2017, alleviating the number of child marriages in Indonesia did not progress even failed compared to 2015 with the numbers shown progressively increase (Koalisi Perempuan, 2017).

Hence, it is necessary to prevent child marriages. The preventive act is done holistically and synergizes with various agencies. It is impossible to solve by one party, as child marriage is a complex problem (Amin, Saha, & Ahmed, 2018). The scheme of prevention as shown on Figure 1.



Figure 1. Diagram of Integration Policy for preventive child marriage involving various parties. Source: Personal Research & Observation, 2018

Various backgrounds and various aspects cause integration policy as the settlement of child marriage, starting from law, culture, education, and economy. Collective participation from various parties to deal with traditional practices that have been entrenched in the long term is a necessity, from both the government and private (non-government organizations-NGO) (Hanafi, 2014).

Integration starts from internalization and awareness about the importance of readiness to come at marriage, one of them is with an age indicator. The ideal marriage age is not mentioned in the marriage law. However, it only mentions about the age limit for marriage. For men and women is 19 years. Child age according to child protection law is under 18 years old. In detail, the role of each party is as follows:

1. Parents/Family Elders

They have an important role in preventive efforts to child marriage. The parents give permission for the first time, whether or not they can marry. However, in Cemanggal Hamlet, Munding village, parents actually encourage to marry off their children at young age. The urge to have grandchildren while they are still young, instigates children to get married. And children tend to be obedient to their people. If parents have paradigm of psychological, physical, economic maturity as major principle in building the new family, then the child marriage can be eliminated. Customary values that place children as property rights and assets that can be treated as desired by parents also need to be slowly eroded and deconstructed from the community mindset. It includes gender bias and man's preference over woman, which has implications for the low status of women in indigenous peoples. All of that needs to be changed through the synergy of governmental programs with institutions and customary stakeholders. Because they are variables that contribute to the practice of underage marriage (Hanafi, 2014).

Whereas mentioned in Article 26 of the Law on Child Protection that one of the obligations and responsibilities of parents is to prevent the occurrence of child marriage. The culture/habit of marriage in young age in the family also causes the born offspring to follow and carry out marriage at young age. Marriage is legal event that initiates legal relations and consequences between the husband, wife and children. In the Marriage Law stated that the age of marriage is at least 16 for women and 19 for men. However, in the Cemanggal Hamlet Community, a legal culture respects the Marriage Law. Legal culture is one part of such vast human culture. It is the same general response from certain communities to legal symptoms. The response is a unity of views on legal values and behavior. Therefore, legal culture reflects the pattern of individuals' behavior as members of society who describe the same response (orientation) to the legal life practiced by the community concerned (Hadikusuma, 1986).

2. Village Officials

Recommendation Letter from the Village/Urban Village is required for the administration of marriage registration to the Office of Religious Affairs in District Level. Village officials (*Lurah*) as the spearhead of marriage guidance that it will be carried out according to the mature age in marriage. It requires maturity in psychology, economic, sexual organs. If the administration of marriage file reveals that the age is still below 18, then the Head of the Village advises and provides insight into the consequences of marriage in the child-age.

The target is for couples who want to get married to postpone their marriage in the point of reaching the adult-age limit. Long-term plans for making village regulations on child marriage can be a strategic step to minimize child marriage. Village regulation is a law as a tool of social control. In viewing law as a tool for human social control, the law is one of the social control tools. Other tools still exist as there are still other social institutions recognized (e.g. beliefs, decency). Social control is a normative aspect of social life. It can even be stated as a provider of deviant behavior definitions and the consequences thereof, such as various prohibitions, demands, and compensation (Rahardjo, 1983).

Law as a means of social control gives the meaning that it can determine human behavior. This behavior can be defined as a matter that deviates from the rule of law. As a result, the law can provide sanctions or actions against the offender. Therefore, the law also stipulates sanctions that the perpetrators must accept. It means that the law directs people to do things according to the rules to materialize the peace. The legal function as a tool of social control can work well if there are things in favor of it. The implementation of this function is closely related to good and clear legal material. In addition, the implementing party is very decisive.

Those who will implement this law also have their roles. A rule or law that has fulfilled the expectations of a community and received support may not necessarily work well if it is not supported by the implementing officials committed for the implementation of the law. This last thing is that most Indonesian people often complain of. The officials seem to be influenced by other elements which should not be a determining factor, such as power, material and self-respect as well as collusion. The image of law enforcement is still vulnerable (Aspandi, 2002). The Munding Local Officials continue to make efforts in order to disseminate information to residents that they shall not marry at the childage as it is considered to have less good effect on their married life. The scope of its socialization material consists of 3 fields as follows: (1) Religion (99% of the village population are Muslim); (2) Health; (3) Education (Chari, Heath, Maertens, & Fatima, 2017). The local officials also cooperate with rural scholars and customary leaders to succeed in the goal of socialization related to delays in the event of marriage at the child-age that they will get prepared physically and mentally in the future.

3. Office of Religious Affairs (KUA) in Bergas District

Outreach workers at Office of Religious Affairs (KUA) in Bergas regularly conduct education program on marriage law and family law that the bride and groom can be well-prepared and establish a solid family resilience to produce a strong generation. If there is bride and groom at the age of marriage below the rules of the Marriage Law, then the KUA takes a personal approach to them. In addition, this long-term plan in prevention needs to be held as a certificate for individuals/partners as a legal provision as well as being a condition for marriage and avoiding children to marry in young age.

KUA also has the role of disapproving marriage permits for those who register marriages at KUA Bergas District and that last year there were two cases which KUA has rejected as they were not mature enough. KUA as a government tool that registers marriage needs to strengthen the educational function in order to prevent child marriage (Pranawati, 2018). The reinforcement is administered by developing education and building communication that people have a good perspective on marriage, which is marriage as grand agreement (*mistaqanghalidza*). As a sacred agreement, marriage is not just to bring together two people. However, it carries out the mandate of humanity, civilized beings and continuing moral life with civilization.

4. Ministry of Religion Unit of Semarang Regency

Ministry of Religion of Social Guidance Division, conducts guidance socialization awareness as follows: a) guidance on marital insight for premarried adolescents (19-20), b) pre-marital guidance by giving advice on the importance of marital readiness for prospective bride and groom from every sub-district in Semarang Regency (1 KUA sending 10 prospective brides and grooms) (Ahmadi, Personal Interview, September 6, 2018). According to the main tasks and functions of Guidance of the Islamic Community, one of them provide and guidance to establish 'sakinah mawaddah warahmah' or family with tranquility, love and mercy. Such guidance and education is expected to increase legal awareness. The problem of fostering legal awareness is closely related to various factors, especially the attitudes of law enforcers, meaning that law enforcement has a big role in fostering the growth of public awareness. Legal awareness in this context means the awareness to act in accordance with legal provisions and function as a bridge connecting legal regulations with the behavior of members of the community as it reflects on legal development certainly from the existence of community life in which the law applies and changes according to the dynamics in social life.

Nowadays, there is still a gap between the supposed law (*das sollen*) and the actual law (*das sein*). This gap certainly occurs because of the disharmony between *law in the books* and *law in action*. In line with that, legal development efforts are required, which are often interpreted as carrying out certain changes to society (*law is a tool of social engineering*), and definitely the development expected by law is a change in society that is in order, controlled, effective and efficient (Ancient, 2017)

5. The Board of Education

It provides information about the importance of education at the advanced level in both junior high school and senior high school and even Diploma Equalization Program by '*Kejar Paket* Program.' The high cost of education is not an excuse for breaking off school. The tendency in the Cemanggal hamlet, if they have passed elementary school, it is considered sufficient and does not need to attend secondary school. However, one of the children's rights pursuant to Article 9 paragraph (1) of Law No. 35 of 2014 concerning Child Protection are to obtain education, but because of the local culture make children lethargic to attend school, even though parents have an adequate amount. The Board of Education can provide vocational training services and apprenticeship programs for young girls from under privileged families to empower them economically (Kalamar, Lee-Rife, & Hindin, M.J., 2016; Kristiana, 2019).

6. Health Office

The Health Office through the local health center conducts education program on the urgency of the maturity of reproductive organs in marriage. Moreover, it also psychologically affects the establishment of a strong family. For prospective brides and grooms, they must have reproductive health checks at the health center. When they have obtained the proof that the examination has been done, marriage can be processed. Sex education, reproductive health, and premarital preparation need to be incorporated into the school curriculum to create awareness among young people about the dangers and risks of underage marriage through Sex Education, Reproductive Health, and Premarital Programs (SERHAPP). They are lack of psychological maturity, ill-considered in solving their problems, less optimal in doing their chores. Their emotions have not been stable in resolving household problems in succession, making them vulnerable to divorce (Julianto, 2015). Unwanted pregnancies due to a lack of understanding of reproductive health that is common in children is one of the main factors of child marriage (Djamilah & Kartikawati, 2014).

The integration policy if carried out in synergy will prevent child marriages. Thus the protection of children's rights can be materialized. Children can enjoy a pleasant school time with their friends to achieve their goals. A high level of education can produce building capacity capable.

CONCLUSION

The research concluded and emphasized that child marriage occurs due to (1) customary habits (culture) marrying at young age, (2) lack of public insight into child marriage, (3) lack of access and interest in continuing education. Preventive efforts are carried out with an integration policy involving various parties related to child marriages they are parents, village officials, Office of Religious Affairs (KUA), Ministry of Religion, Department of Education, and Health Office. Thus, marriage can be carried out in adulthood with maximum quality of human resources and giving birth to quality offspring.

REFERENCES

- Amin, S., Saha, J. S., & Ahmed, J. A. (2018). Skills-Building Programs to Reduce Child Marriage in Bangladesh: A Randomized Controlled Trial. Journal of Adolescent Health, 63(3), 293–300. DOI: 10.1016/j.jadohealth.2018.05.013
- Candraningrum, D. (2016). Pernikahan Anak: Status Anak Perempuan? Jurnal Perempuan untuk Pencerahan dan Kesetaraan, 21(1), 4-8.

https://www.jurnalperempuan.org/uploads/1/2/2/0/12201443/jp_88cjp_4_.pdf

- Chari, A.V., Heath, R., Maertens, A., & Fatima, F. (2017. The Causal Effect of Maternal Age at Marriage on Child Wellbeing: Evidence from India. Journal of Development Economics, 127(1), 42-55. https://doi.org/10.1016/j.jdeveco.2017.02.002
- Djamilah, D., & Kartikawati, R. (2014). Dampak Perkawinan Anak di Indonesia. Jurnal Studi Pemuda, 3(1), 1-16. https://doi.org/10.22146/studipemudaugm.32033
- Efevbera, Y., Bhabha, J., Farmer, P.E., & Fink, G. (2017). Girl Child Marriage as a Risk Factor Foe Early Childhood Development snd Stunting. Social Science & Medicine, 185(July), 91-101. DOI: 10.1016/j.socscimed.2017.05.027
- Haikal, H. (2015). Analisis Yuridis Normatif Dan Hukum Islam Terhadap Putusan Mahkamah Konstitusi Nomor 30-74/PUU-XII/2014 Tentang Batas Usia Perkawinan Anak (Perempuan). Jurnal Pembaharuan Hukum, 3(3), 348-355. http://dx.doi.org/10.26532/jph.v3i3.1363
- Inayati , I.N. (2015). Perkawinan Anak Di Bawah Umur dalam Perspektif Hukum, HAM dan Kesehatan. Jurnal Bidan Midwife Journal, 1(1), 46-53. http://jurnal.ibijabar.org/wpcontent/uploads/2015/12/PERKAWINAN-ANAK-DI-BAWAH-UMUR-DALAM-PERSPEKTIF-.pdf
- Julijanto, M. (2015). Dampak Pernikahan Dini dan Problematika Hukumnya. Jurnal Pendidikan Ilmu Sosial, 25(1), 62-72. DOI: https://doi.org/10.2317/jpis.v25i1.822
- Kalamar, A.M., Lee-Rife, S., & Hindin, M.J. (2016). Interventions to Prevent Child Marriage Among Young People in Low and Middle Income Countries: A Systematic Review of the Published and Gray Literature. Journal of Adolescent Health, 59(3), 16-21. DOI: 10.1016/j.jadohealth.2016.06.015
- Kristiana, M. D. (2019). Politics of Law on School Days Policy: Legal Reform on Indonesian Education Policy. *Journal of Law and Legal Reform*, 1(1), 5-24. https://doi.org/10.15294/law & legal reform.vli1.35405

Mapreane, A. (1982). Psikologi Remaja. Surabaya: Usaha Nasional.

Mawardi, M. (2012). Problematika Perkawinan di Bawah Umur. Jurnal Analisa. 19 (2), 201-212. https://media.neliti.com/media/publications/42020-ID-problems-ofunder-age-marriage.pdf

- Mubasyaroh, M. (2016). Analisis Faktor Penyebab Pernikahan Dini Dan Dampaknya Bagi Pelakunya. Jurnal Pemikiran dan Penelitian Sosial Keagamaan Yudisia, 7(2), 385-411. DOI: 10.21043/yudisia.v7i2.2161
- Nasrullah, M., Muazzam, S., Khosa, F., & Khan, M.M. (2017). Child Marriage and Women's Attitude Toward Wife Beating In A Nationally Representative Sample Of Currently Married Adolescent And Young Women In Pakistan. *The Royal Society of Tropical Medicine & Hygiene Int Health*, 9(1), 20-28. DOI: 10.1093/inthealth/ihw047
- Prayogo, B. E., Amanah, A., Pradana, T. M. W., & Rodiyah, R. (2019). Increasing Legal Capacity for Communities in the Context of Realizing a Village of Law Awareness and Child Friendly. Indonesian *Journal of Advocacy and Legal Services*, 1(1), 65-78. https://doi.org/10.15294/ijals.vli1.33776
- Raharjo, S. (1983). Permasalahan Hukum di Indonesia. Bandung: Alumni.
- Ramadhita, R. (2014). Diskresi Hakim: Pola Penyelesaian Kasus Dispensasi Perkawinan. *De Jure: Jurnal Hukum dan Syar'iah*, 6(1), 59-71. DOI: 10.18860/j-fsh.v6i1.3192
- Republic of Indonesia. (1974). Law Number 1 of 1974 concerning Marriage, State Gazette of 1974 Number 1, Additional State Gazette Number 3019 [Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan, Lembaran Negara Republik Indonesia Tahun 1974 Nomor 1, Tambahan Lembaran Negara Nomor 3019]. Available online at https://www.hukumonline.com/pusatdata/detail/26834/undangunda ng-nomor-1-tahun-1974
- Republic of Indonesia. (2014). Law Number 35 of 2014 concerning to Amendment of Law Number 23 of 2002 concerning Child Protection, State Gazette of 2014 Number 297, Additional State Gazette Number 5606 [Undang-Undang Nomor 35 Tahun 2014 tentang Perubahan Atas Undang-Undang Nomor 23 Tahun 2002 tentang Perlindungan Anak, Lembaran Negara Tahun 2014 Nomor 297, Tambahan Lembaran Negara Nomor 5606]. Available online at

https://www.bphn.go.id/data/documents/14uu035.pdf

Salam, S. (2017). Dispensasi Perkawinan Anak di Bawah Umur: Perspektif Hukum Adat, Hukum Negara & Hukum Islam. *Pagaruyung Law Journal*, 1 (1), 110-124.

https://jurnal.umsb.ac.id/index.php/pagaruyuang/article/view/273

Sulaiman, S. (2012). Dominasi Tradisi dalam Perkawinan di Bawah Umur. *Jurnal Analisa*, 19 (1), 15-26. https://media.neliti.com/media/publications/42045-ID-dominationof-tradition-in-under-age-marriage.pdf

- Rahmi, Z., Saroeng, A.H., & Yoesoef, D. (2013). Tinjauan Yuridis Terhadap Perkawinan Anak di bawah Umur (Studi Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan dan Kompilasi Hukum Islam). Jurnal Ilmu Hukum, 2(2), 65-73.
- Setiawan, S., Saifunuha, M. A., Kautsar, J. L., & Wulandari, C. (2019). Community Empowerment on Establishment of Friendly-Village for Women and Children. Indonesian Journal of Advocacy and Legal Services, 1(1), 5-22. https://doi.org/10.15294/ijals.vli1.33756
- Yudhanti, R., Arifin, S., & Rismadini, F. (2017). The Protection to Victims of Violence Based on Gender as a Fulfillment of the Constitutional Rights in the Perspective of Human Rights in Boyolali's District, Indonesia. JILS (Journal of Indonesian Legal Studies), 2(1), 15-24. https://doi.org/10.15294/jils.v2i01.16638
- Zulfiani, Z. (2017), Kajian Hukum Terhadap Perkawinan Anak di bawah Umur Menurut UU. No. 1 Tahun 1974, Jurnal Hukum Samudera Keadilan, 12 (2), 211-222. https://ejurnalunsam.id/index.php/jhsk/article/view/136
- Warria, A. (2017). Forced child marriages as a form of child trafficking. Children and Youth Services Review, 79(August), 274-279. https://doi.org/10.1016/j.childyouth.2017.06.024