

AL-QADĀU

PERADILAN dan HUKUM KELUARGA ISLAM

Juridical Analysis of the Child Marriage Practice in the Onto Village, Bantaeng Regency

Analisis Yuridis Terhadap Praktik Pernikahan Anak di Kelurahan Onto Kabupaten Bantaeng

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Info Artikel	Abstract
<p>Received* 11 September 2022</p> <p>1st Revision* 10 Oktober 2022</p> <p>2nd Revision* 15 November 2022</p> <p>Approved* 25 November 2022</p>	<p><i>Penelitian ini mengkaji analisis Hukum Islam dan Hukum Nasional dalam menyikapi praktek Pernikahan Anak yang terjadi di Kelurahan Onto Kabupaten Bantaeng. Adapun tujuan penelitian ini adalah membangun sinergitas antara prodi Hukum Keluarga Islam dan pemerintah daerah terkait pencegahan pernikahan anak serta memberikan edukasi terkait usia minimum yang ideal untuk menikah dari segi hukum dan kesehatan. Jenis penelitian ini adalah penelitian lapangan dengan metode pengumpulan data, observasi, dokumentasi serta wawancara beberapa pihak yang bersangkutan langsung dengan objek penelitian ini. Data penelitian diperoleh dari dua sumber yaitu wawancara, penyuluhan hukum, dan kusioner yang mana ini merupakan sumber data primer. Sedangkan yang kedua adalah buku, jurnal, dan literatur-literatur terkait pernikahan merupakan sumber data sekunder dalam penelitian ini. Hasil penelitian ini menunjukkan bahwa pernikahan anak yang terjadi pada masyarakat Kelurahan Onto dilator belakangi oleh beberapa faktor yaitu minimnya pemahaman masyarakat terkait batas usia minimum pernikahan yang diatur dalam undang-undang, begitupula dampaknya secara psikis dan kesehatan reproduksi khususnya bagi mempelai wanita, dan juga faktor ekonomi. Sehingga Implikasi dari penelitian ini akan melahirkan diseminasi pernikahan yang ideal kepada masyarakat Seiring dengan perkembangan psikolgi anak serta dinamika hukum yang ada.</i></p> <p><i>Kata Kunci: Hukum Islam, Hukum Nasional, Pernikahan Anak</i></p> <p><i>This study examines the analysis of Islamic Law and National Law in addressing the practice of Child Marriage that occurred in the Onto Village, Bantaeng Regency. The purpose of this research is to build synergy between the Islamic Family Law study program and the local government regarding the prevention of child marriage and provide education regarding the ideal minimum age for marriage from a legal and health perspective. This type of research is field research with data collection methods, observation, documentation and interviews with several parties concerned directly with the object of this research. Research data were obtained from two sources, namely interviews, legal counselling, and questionnaires which are the primary data sources.</i></p>

	<p>While the second is books, journals, and literature related to marriage which are secondary data sources in this study. The results of this study indicate that child marriage that occurs in the Onto Village community is dilator due to several factors, namely the lack of public understanding regarding the minimum age limit for marriage regulated in law, as well as the psychological and reproductive health impacts, especially for the bride, and also economic factors. So that the implications of this research will give birth to the dissemination of ideal marriage to the community along with the development of child psychology and the dynamics of existing laws.</p> <p>Keywords: Islamic Law, National Law, Child Marriage</p>
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A. INTRODUCTION

Marriage is an institution that is very important in people's lives. In Law number 1 of 1974 and the Islamic law views that marriage is not only seen from the formal aspect, but also seen from the religious and social aspects.¹

There are 5 conditions for a valid marriage according to the Islamic law, including: the bride and groom are Muslim, the groom is not a mahram for the prospective wife, the groom knows the prospective wife's guardian, is not on al-Hajj pilgrimage, there is no element of coercion. Whereas in positive law based on Law number 1 of 1974 contained in articles 6 to 7, it determines two conditions for being able to carry out a marriage, namely internal and external conditions, internal conditions that concern the party who will carry out the marriage.² The internal requirements include:

1. Approval of both parties;
2. Permission from both parents if they are not yet 21 years old;
3. Men aged 19 years and women 16 years old, the exception is that there is a dispensation from the court or district head or regent;
4. Both parties are not married;
5. Women who marry for the second time must pass the Iddah period (wait). For women who break up their marriage due to divorce, the Iddah period is 90 days and due to death 130 days;

As for marriage based on the latest Law number 16 of 2019 which basically changes the minimum age permissible for marriage for men and women, namely that is mandatory to be 19 years old.³ Meanwhile, external requirements are conditions related to formalities in the implementation of marriage, these conditions include:

1. Must submit a report to the Marriage, Divorce and Reconciliation Registration Officer;

¹ Kartika Septiani Amiri, "PERKEMBANGAN DAN PROBLEMATIKA HUKUM PERKAWINAN DI INDONESIA," *Al-Mujtahid: Journal of Islamic Family Law* 1, No. 1, (2021), <https://doi.org/10.30984/jifl.v1i1.1639>.

² Danu Aris Setiyanto, "Hukum Islam Sebagai Rekayasa Sosial Dan Implikasinya Dalam Undang-Undang Perkawinan Di Indonesia," *Ijtihad : Jurnal Wacana Hukum Islam Dan Kemanusiaan* 17, no. 2 (2018), <https://doi.org/10.18326/ijtihad.v17i2.175-189>.

³ Supri Yadin Hasibuan, "Pembaharuan Hukum Perkawinan Tentang Batas Minimal Usia Pernikahan Dan Konsekuensinya," *TERAJU* 1, no. 02 (2019), <https://doi.org/10.35961/teraju.v1i02.88>.

2. Announcement, signed by the Registrar which contains:
 - a. Name, element, religion/belief, occupation, place of residence of the prospective bride and groom's parents. Besides that, the name of the previous wife or husband is also mentioned;
 - b. Day, date, time and place of marriage.⁴

Onto Village is one of the villages in the Bantaeng District, Bantaeng Regency, which is located in the northern part of the District City. Onto Village has a population of 4.539 people, with 2.311 men, and 2.228 women. Meanwhile, the area of Onto Village is 7.86 Ha. Which is divided into 14 Community Units (RW) and 26 Neighborhood Units (RT). Administratively, the Onto Village area is bordered on the north by Kayu Loe Village, on the east by Pa'bumbungan Village, on the south by Mamampang Village, and on the west by Karatuang Village. The topography of the Onto Village relatively fluctuates, starting from flat, undulating and hilly topography. However, overall the Onto Village has a flat and undulating topography.

This research was born based on the results of Community Service Islamic Family Law Study Program, Faculty of Sharia and Law, Alauddin State Islamic University Makassar in the form of Legal Counseling on Child Marriage reviewed from the perspective of Islamic, national and health law. Starting from this activity, we found several complaints from the local community regarding the rampant practice of child marriage in the Onto Village and were also submitted by the local Village administration.

The rise of child marriages that are occurring in the Onto Village is caused by several things which in essence boil down to the lack of public understanding of marriage law in Indonesia, the ideal age of marriage, women's reproductive health, and also the economic factors of the Onto community so that we, the Islamic Family Law Study Program felt it was important to conduct this research and examine how aspects of Islamic Law and National Law address the practice of Child Marriage that occurred in Onto Village, Bantaeng Regency.

B. RESEARCH METHODS

This research is a qualitative research that is descriptive and uses analysis. This method is used for several reasons. Among them, qualitative methods are easier when dealing with multiple realities and presenting directly the nature of the relationship between informants and researchers.⁵

In this qualitative research, the researcher uses descriptive analysis, namely the data collected is in the form of pictures, words and not numbers. Qualitative methods emphasize observing phenomena and examining more the substance of the meaning of these phenomena.

This study also uses two approaches, namely the normative theological approach (Syar'i) and the statutory approach (Statue Approach).⁶ The data collection method is

⁴ Dewa Putu Tagel, "PELAKSANAAN PENCATATAN PERKAWINAN PADA DINAS KEPENDUDUKAN DAN PENCATATAN SIPIL," *VYAVAHARA DUTA* 14, no. 2 (2020), <https://doi.org/10.25078/vd.v14i2.1256>.

⁵ Sulistyowati Irianto, "METODE PENELITIAN KUALITATIF DALAM METODOLOGI PENELITIAN ILMU HUKUM," *Jurnal Hukum & Pembangunan* 32, no. 2 (2017), <https://doi.org/10.21143/jhp.vol32.no2.1339>.

⁶ Kornelius Benuf and Muhamad Azhar, "Metodologi Penelitian Hukum Sebagai Instrumen Mengurai Permasalahan Hukum Kontemporer," *Gema Keadilan* 7, no. 1 (2020), <https://doi.org/10.14710/gk.2020.7504>.

carried out in three ways, namely; observation, interview, and documentation. Meanwhile, there are two sources of data from this study, namely primary data in the form of interviews and secondary data in the form of books, journals, and laws and regulations related to the object of study in this study.

C. RESULTS AND DISCUSSION

1. The Practice of Child Marriage in Onto Village, Bantaeng Regency

90% of the residents who lives in the Onto Village work as farmers. Of this 90%, there are 30% of the population whose profession is sharecroppers, 3% who work as civil servants including soldiers, 4% who work as construction workers, and there are around 400 other people who migrate, from here we can conclude that the Onto Village can be said to be the poorest village in Bantaeng Sub-District.⁷

The Covid-19 Pandemic that has hit Indonesia since 2020 has instantly changed people's lifestyle. In order to slow down the transmission of the virus, the government has issued various policies that have an impact on reducing community activities. Changes in activities that affect the economic condition of the community are one of the triggers for the increase in child marriages under the age of 19.⁸ This condition does not only affect adults, but also affects children, especially due to the closure of schools which is their main activity.

The Covid-19 Pandemic has forced a change in the learning system to a distance learning method (PJJ) with an emergency curriculum which is still difficult to implement optimally, especially in various areas in the Onto Village which are geographically quite far from the city, so that some areas do not have access adequate network. Schools are a safety net for many people, especially girls. Children not going to school are considered to be a burden when combined with a reduction in family income. Therefore, parents marry off their children with the aim transferring the burden to others.⁹

After marriage, the usual work for the Onto people is farming, as is the case for children who have just married, those who started out as students have now changed their profession to become farmers. The main reason why married women don't go to the school anymore is because they are married. The next biggest reason is taking care of the household and there are no school fees. For boys, the main reason for dropping out of school is marriage, followed by the second biggest reason, namely working or earning a living. Economic life after marriage is indeed a very important problem in everyday life.

Onto Village is one of the sub-district that has a fairly high number of child marriage in Bantaeng Regency. However, not all children who marry under the age of 19 is record and report their marriage to the Local Religious Affairs Office (KUA). According to Mr. H. Hamka, one of the Head of KUA Bantaeng District, there are many pairs of prospective brides who come to the KUA of Bantaeng District,

⁷ Muhammad Arifin (47 Years old)), Head of Onto Village, Bantaeng Regency, Interview, Bantaeng July 10th 2021.

⁸ Ayunda Pininta Kasih, "Pakar Unpad: Angka Pernikahan Dini Melonjak Selama Pandemi," *Kompos.com*, 2020.

⁹ Reka Maulidia Anatasya, Fela Sufah Aidatul Izzah, Rizqa Nur Aini, and Muhammad Roy Purwanto, "Dampak Pandemi COVID-19 Terhadap Peningkatan Jumlah Pernikahan (Studi Kasus DI KUA Jekulo Kabupaten Kudus)," *At-Thullab Jurnal* 3, no. 1, (2021).

however, we clearly give rejection to prospective brides whose age has not reached the standard set by law, which we then direct them to apply for dispensation from marriage to the Court.¹⁰ However, what happened was that only few people continued to report their marriages to the KUA after obtaining a marriage dispensation from the court, and some others continued to carry out marriages not known by the KUA or married underhanded. Because the KUA also does not have the authority to proactively prohibit or hinder this, so their marriages are still carried out in accordance with the wishes of their respective families.

Table 1: Married Couples Who Are Underage (Through KUA) 2017-2021

No.	Spouse Name		Date of Birth	Age	Village		Marriage Year
	Husband	Wife			Husband	Wife	
1.	Sahrul bin Sampara	Lusi Maya binti Codding	May 26 th 1999 / December 4 th 1999	18/17	Bonto Karaeng	Bonto Sapiri, Onto	2017
2.	Jufri bin M. Nasir	Syamsinar binti Ambo	April 20 th 2001 / January 7 th 2000	16/17	Karatuan g	Barakassi, Onto	2017
3.	Lukman bin Sappara	Hasrah binti Tudding	January 11 th 2000 / May 1 st 1999	17/18	Bonto Rita	Pammotokan, Onto	2017
4.	Saldi bin Bakka sa	Rahmi binti Nasiri	May 13 th 2002 ./ August 9 th 2001	15/16	Layoa	Jalonjong, Onto	2017
5.	Junaedi bin Mursalim	Rosdiana binti Amir	May 6 th 2001 / November 26 th 1996	18/23	Bonto Lojong	Binamungana, Onto	2020

Source : Local Religious Affairs Office Bantaeng District.

¹⁰ Hamka (45 years old), Head in the Local Religious Affairs Office Bantaeng District, Interview, Bantaeng, July 13rd 2021.

Table 2: Husband-Wife Couples Married Underhanded in 2019-2021

No .	Spouse Name		Date of Birth	Age	Village		Marriage Year
	Husband	Wife			Husband	Wife	
1.	Misi	Ekawati binti Bakri/Tio	July 24 th 2000			Kampung Beru, Onto	2019
2.	Rauf bin Siala/Mainna	Seba	September 7 th 2003		Kassi, Onto		2019
3.	Marwan bin Saripuddin/Saeba	Lina	July 8 th 2007		Lonjong, Onto		2019
4.	Saraba bin Cacang/Habia	Amalia Putri	December 31 st 2001		Pasui, Onto		2019
5.	Nasrung	Saida	November 10 th 2001 / May 12 th 2003		Onto	Onto	2019
6.	Umang	Nuraeni binti Rakking/Te'ne	December 16 th 2000			Barakassi, Onto	2020
7.	Yunding bin Nasir/Yati	Reski Wulandari	September 7 th 2003		Binamungan, Onto		2020
8.	Anjasmara	Fitri		18/19	Onto	Onto	2020
9.	Ramli	Anti	May 12 th 2002 / February 14 th 2002	18/18	Onto	Onto	2020
10.	Irwan	Tita binti Modding				Pammotokang, Onto	2021
11.	Iccang	Intan	October 9 th 2000 / December 12 th 2004	21/17	Onto	Onto	2021

Source : Local Religious Affairs Office Bantaeng District.

Based on the data above, we can see a very significant difference in numbers, underage couples who registered at the KUA and had a marriage dispensation in 2017-2018 there were 4 couples registered, the prospective bride at that time was considered old enough if she was already 16 years. Meanwhile, since the amendment to Law Number 16 of 2019 concerning amendments to Law Number 1 of 1974 which stipulates that the minimum age for children both boys and girls who are allowed to marry is a child who is even 19 years old, the number of married couples without going

through the KUA is increasing. From the data obtained, starting from 2019-2021 there is only one couple who gets a marriage dispensation.

According to Mrs. Kamsiah, the archivist staff at the Onto Village Office, the data in table 2 above is a list of names of couples under the age of 19 who are getting married and asked for recommendations at the village office, so they could come and register at the KUA, but because they were negligent when they were directed to apply for a marriage dispensation to the court, in the end they were still married without being recorded by the State, there were even many other couples who were married and were not known by the village administration.¹¹

2. Analysis of Islamic Law and National Law on the Practice of Child Marriage in the Onto Village

Islamic law does not specifically mention the minimum age limit for marriage for both men and women, in the Holy Quran there are three verses relating to a person's eligibility for marriage, namely surah an-Nur verse 32, verse 59, and surah an-Nisa verse 6.

In Tafsir Ibn Katsir it is explained that this verse is an order to marry as the opinion of some scholars requires marriage for those who can afford it.¹² Al-Maraghy interprets as quoted by Mustofa, the sentence "*washâlihîn*" in surah an-Nur verse 32, men or women who are able to marry and exercise the rights of husband and wife, such as being able-bodied, having property and so on. Quraish Shihab interpreted the verse as "*washâlihîn*", that is, someone who is mentally and spiritually capable of building a household, does not mean someone who is religiously devout, because the function of marriage requires preparation not only materially, but also mentally and spiritually, both for male candidates and female candidates.¹³

In the verse Tafsir al-Ahkam that a child is said to be *baligh* if a man has had a wet dream, as it has been agreed by scholars that a child who has dreamed then he is *junub* (semen discharge) means he has reached puberty, while the characteristics of a woman when she is pregnant or menstruating then that's the *baligh* limit.¹⁴ As explained in Tafsir Al-Misbah, the meaning of the basic word *rushdan* is the accuracy and straightness of the road. Then the word "*rushd*" was born in surah an-Nisa verse 6, for humans is the perfection of mind and soul that makes them able to behave and act as accurately as possible.¹⁵

Al-Maraghy interprets, as quoted by Mustofa, the "*rushdan*" adult, namely when a person understands well how to use wealth by spending it, while what is called

¹¹ Kamsiah (38 Years old), Archivist Staff at the Onto Village Office, Interview, Bantaeng, July 11th 2021.

¹² Muhammad Sigit Arrosyid, "Konsep Keluarga Sakinah Mawadah Warahmah Surat Ar-Rum Ayat 21 (Studi Perbandingan Tafsir Ibnu Katsir Dan Tafsir At-Thabari)," *Journal.lainkudus.Ac.Id*, 2019.

¹³ Eko Zulfikar, "TINJAUAN TAFSIR AHKAM TENTANG HUKUM PERNIKAHAN DALAM AL-QUR'AN SURAT AL-NUR AYAT 32-33," *Mahkamah : Jurnal Kajian Hukum Islam* 5, no. 2 (2020), <https://doi.org/10.24235/mahkamah.v5i2.6857>.

¹⁴ Zulfikar.

¹⁵ Muhammad Fuad Zain and Ansori, "REKONTRUKSI BATAS USIA PERKAWINAN PASCA PUTUSAN MK NO. 22/PUU-XV/2017 SEBAGAI PENGUAT BANGSA DI ERA INDUSTRI 4.0," *ADHKI: Journal of Islamic Family Law* 1, no. 1 (2019), <https://doi.org/10.37876/adhki.v1i1.9>.

baligh al-nikah is when the age is ready to marry.¹⁶ This means, al-Maraghy interprets that immature people should not be burdened with certain problems. According to Rasyid Ridha, the sentence "*baligh al-nikah*" in surah an-Nisa verse 6 shows that the age of a person to get married, that is to dream, at this age a person can give birth to children and give offspring so that his heart is moved to get married. Religious law is also imposed on him, such as worship and *mu'amalah* and the implementation of *hudud*. Because of that, *rushdan* is a person's decency in contemplating and bringing goodness.¹⁷ Clever in interpreting and using wealth, even though he is still ignorant and ignorant in religion.

Another proposition that we can refer to is the Word of the Prophet Muhammad SAW:

يَا مَعْشَرَ الشَّبَابِ مَنِ اسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ، فَإِنَّهُ أَغْضُ لِلْبَصَرِ وَأَحْصَنُ لِلْفَرْجِ، وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ فَإِنَّهُ لَهُ وَجَاءٌ.

It means: "Young people! Whoever among you is able to marry, then marry, because marriage lowers the gaze more, and fortifies the genitals more. And whoever is unable, then let him fast (fasting), because fasting can fortify himself." (Reported by Bukhari, Muslim, Tirmidhi, and others).

The word *Albaa'ah* or capable above also has a very broad meaning, not just being *baligh*, *aqil*, and economically capable but also mentally and mentally healthy, and being able to take responsibility for later building a household based on *sakinah*, *mawaddah* and *rahmah* principles.

The legality of marriage in Indonesia refers to the Marriage Law No. 1 of 1974 and its amendment to Law no. 16 of 2019 and added the Compilation of Islamic Law for those who are Muslim.

In the provisions of these laws and regulations it has been clearly regulated that the minimum age for marriage for men and women is 19 years, namely in article 7 of Law No. 16 of 2019.¹⁸

This provision spontaneously gave birth to many requests for dispensation from marriage at the office of the Religious Courts. because the application for dispensation from marriage is considered by the community as a legal loophole to continue to be able to carry out marriages that are legal according to religion and state, even though prospective brides according to law are still categorized as children because they are not yet 19 years old.

¹⁶ Himawan Tatura Wijaya and Erwin Jusuf Thaib, "Efektivitas Pelaksanaan Undang-Undang Republik Indonesia Nomor 16 Tahun 2019 Tentang Perubahan Atas Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan Di Kabupaten Pohuwato," *As-Syams: Journal Hukum Islam* 1, no. 1 (2020).

¹⁷ Teguh Anshori, "ANALISIS USIA IDEAL PERKAWINAN DALAM PERSPEKTIF MAQASID SYARI'AH," *Al-Syakhsiyyah: Journal of Law & Family Studies* 1, no. 1 (2019), <https://doi.org/10.21154/syakhsiyyah.v1i1.1827>.

¹⁸ Agoes Dariyo, Mia Hadiati, and R. Rahaditya, "Pemahaman Undang-Undang Perkawinan Terhadap Penundaan Perkawinan Usia Dini Di Indonesia," *Journal An-Nafs: Kajian Penelitian Psikologi* 5, no. 1 (2020), <https://doi.org/10.33367/psi.v5i1.928>.

The factors that support the occurrence of child marriage in the Onto Village are family debt or poverty which are indirectly borne by parents on daughters who are considered assets to be married off in order to help ease the burden on the family.¹⁹ Furthermore, due to the traditions or habits of the Onto people who still regard women as entities that must be supervised, protected, and directed, child marriage is considered a legal vehicle for some communities to be carried out on the basis of protecting the dignity of girls, as well as the most important factor. Many of which have had a negative impact on children in the Onto Village, namely the development of smartphone technology, which coincides with the creation of free association between children.²⁰

There are several forms of concern that have been carried out by the local KUA as an effort that is expected to be able to reduce the number of child marriages in the Onto Village, including carrying out various forms of outreach to villages through the Family Planning Village (KB) which discusses the age of marriage. Even though Law Number 16 of 2019 states that marriage only occurs if a boy and a girl are 19 years old, we still convey and encourage parents to marry their children after they are 21 years old and older, because in general they are getting older. The older a person is, the more mature his thoughts, attitudes and behavior will be. Even though there are many people out there who are quite old but their minds are still childish. This is also expected to be able to minimize the divorce rate.²¹

Departing from this, the Head of Onto Village said that the Village had also made the same effort, which had several times gathered the heads of the RT, RW, as well as the heads of the mosques, then we socialized about children's education which is far more important than the mindset of the society assume that children who marry early are actually better.²²

Getting married early is a matter of pride for some Onto people. They do not have a level of awareness of the risks that post-marriage children have, such as aspects of education and self-development being hampered, increasing the risk of neglect, triggering domestic violence (KDRT), sexual and reproductive health problems, psychological health and even to the extent of opportunities divorce at a recent age of marriage. Even though Article 26 of the Child Protection Act states that "parents are obliged and responsible for preventing marriage at a young age", but there are still many parents who do not care about this.

There are not a few children who marry under the age of 19 in the Onto Village which is their own wish, one of the reasons they stated is that they like each other and already know each other, then they feel that by getting married sooner it is actually more good. In addition, there are also those who marry based on the considerations and wishes of their parents, and some even accept the marriage because they are forced to.

As said by Nasrung (source person), initially he was hesitant to get married because basically he accepted this marriage because he was arranged. This started with

¹⁹ Muh. Tahir (47 Years old), Staff in the Onto Village Office, Interview, Bantaeng, July 11th 2021.

²⁰ Muh. Tahir (47 Years old), Staff in the Onto Village Office, Interview, Bantaeng, July 11th 2021.

²¹ Hamka (45 years old), Head in the Local Religious Affairs Office Bantaeng District, Interview, Bantaeng, July 13rd 2021.

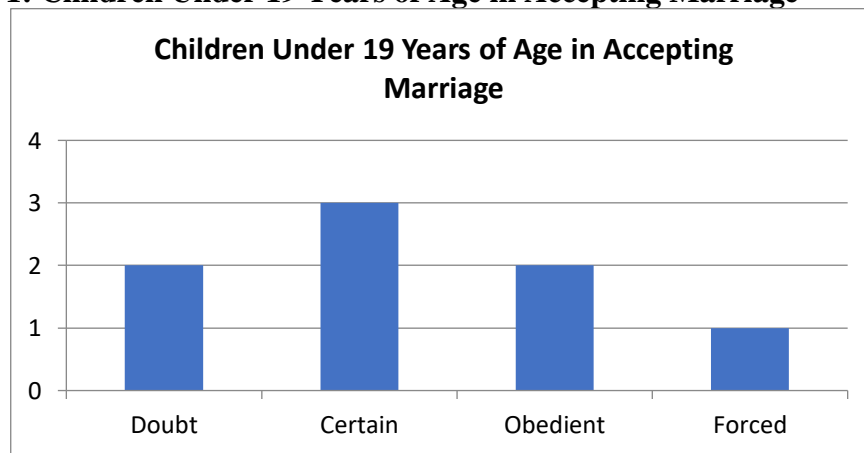
²² Muhammad Arifin (47 Years old)), Head of Onto Village, Bantaeng Regency, Interview, Bantaeng July 10th 2021.

a misunderstanding, once Saida (Nasrung's wife) was seen riding with a man, her family did not accept this then the Saida family thought that the man was Nasrung, until finally Saida's family came and asked for accountability told Nasrung to marry Saida. As a response from the community, of course the neighbors were surprised because he suddenly wanted to get married, while residents thought that he was unable to provide for his family (Nasrung, informant).

It's not only Nasrung who has doubts, but there are several other couples who feel the same way, such as the married couple Ramli and Anti. Before getting married, they had doubts because they did not know each other before, but because their parents intended to arrange an arranged marriage, they finally thought that their parents' choice was the best, so in the end they were elated to accept this marriage (Ramli and Anti, resource person).

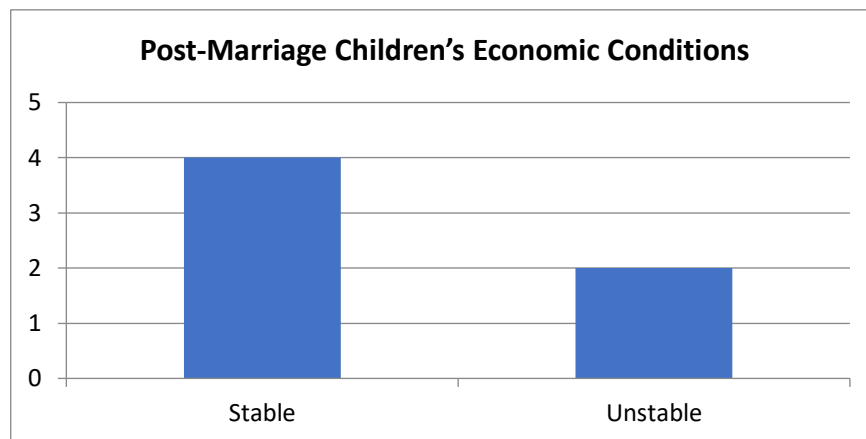
From the data we obtained from 2019 - 2021, the following is an image that describes the background of children in accepting their marriage.

Figure 1: Children Under 19 Years of Age in Accepting Marriage



In accordance with the results of the research obtained, there were those whose economic conditions were stable during their marriage, as stated by Iccang (source person) that currently he works as a farmer, but his economic life remains stable. It is different from Anjasmara's statement (source person) who said that his economic condition is currently experiencing ups and downs, meaning that sometimes it is stable and sometimes it is not. The following is a description of the economic situation of children after marriage:

Figure 2: Post-Marriage Children's Economic Conditions



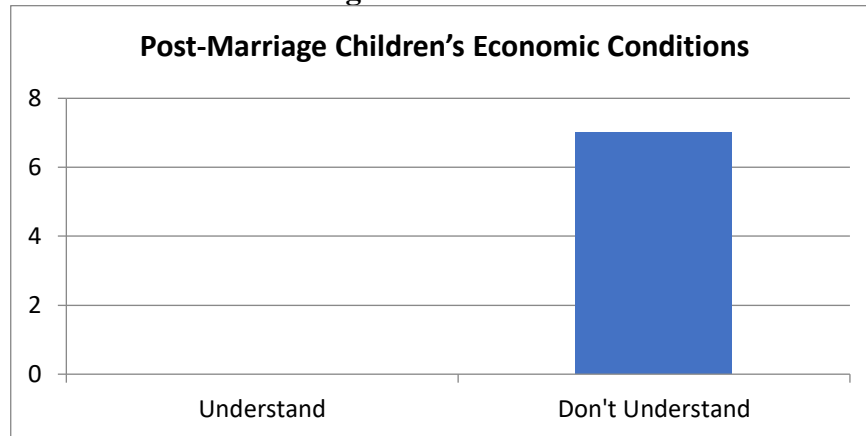
From the picture above, it can be concluded that 4 out of 6 people have stable economic conditions after marriage, and two of them have experienced ups and downs.

Departing from economic problems, children who marry without obtaining a dispensation from marriage are of course only recorded by the sub-district administration. That means that the child who is married does not have a marriage certificate and other types of administration. Therefore, one of the objectives of our research is to help socialize or explain to the public that there is a solution that can be taken by children who have already entered into marriages under the hand or without being registered by the State, namely by submitting an *Isbat Nikah* application to religious courts. *Isbat Nikah* is the determination and legalization of marriage by the court with certain reasons. One of the ways to obtain a marriage certificate is to attend an integrated trial held by the court.²³ In addition, we also inform the public that administrative completeness for married children is very important, because if this is not the case, then the children or offspring resulting from the marriage apart from their unfulfilled rights as citizens of the State, the child will also experience various difficulties, especially if the child will pursue formal education.

All husband and wife couples whom we use as sources in this article, admit that they have never heard of and have absolutely no idea about what is *Isbat Nikah*. One of them was the couple Raja and Asmiranda (source person) who said that they did not know what ia *Isbat Nikah* was, apart from that the couple Ramli and Anti (source person) also said that they had never heard of the term of *Isbat Nikah*, nor did the couple Raja and Asmiranda (source person) who said that they did not know about *Isbat Nikah* at all. Therefore, we try to explain to them what the *Isbat Nikah* is and the importance of the marriage certificate for couples who marry without going through the KUA. The following is an overview of the level of public understanding of the *Isbat Nikah*.

²³ Ahmad Fauzi, "Isbat Nikah Solusi Bagi Nikah Siri," *Jurnal Sosial Sains* 1, no. 9 (2021), <https://doi.org/10.36418/sosains.v1i9.192>.

Figure 3: Level of Understanding of Children About *Isbat Nikah*



D. CLOSING

1. Conclusion

The data as described above clearly show the urgency of problems related to child marriage that occur throughout the territory of the Republic of Indonesia, especially in rural areas. *First*, there are several factors that influence child marriage to occur, namely justification through tradition, cultural values, religious orders and other reasons that must be straightened out. The factors of low family economic income, avoiding promiscuity as a result of technological developments, and the lack of education about children's mental health are the things that make child marriages rife in Onto Village, Bantaeng Regency. The majority of the people of the Onto Village work as farmers and they perceive that when their children have worked as farmers they are considered ready to have a family even though they are not yet 19 years old. *Second*, the marriage law in Indonesia through article 7 of Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage has strictly stipulated a minimum age limit for someone to enter into marriage, namely for men and women at least 19 years of age. Islam does not expressly prohibit marriage for those who are not yet 19 years old as long as each party has been able to fulfill the conditions and pillars set by the Islamic religion and the marriage is carried out to strengthen the sense of diversity between the two. However, seeing that there are more negative impacts than positive impacts, it is better not to marry children who are not yet 19 years old if the goal is only to satisfy lust, because of course it will provide more harm than benefit that will arise later on and in the end the purpose of marriage cannot be achieved. materialized may even be detrimental to one of the parties.

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