

RESEARCH ARTICLE

THE IMPACT OF EARLY MARRIAGE IN THE FULFILMENT OF WOMEN RIGHTS

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It is natural that two men of the opposite sex, a man and a woman, have the power to attract one another to live together. Marriage is a great institution to bind to bind two of the opposite sex in one family bond. However, the occurrence of marriage should be in accordance with the law and the prevailing state. Marriage of ancient people is generally done when they were young and young, it happens because of several factors. One of these factors is the environmental condition of the community that the majority of its young people require to get married soon. Today, in fact, early marriage still occurs in some areas. In Kedungrejo Village, Gabus Sub-district, Grobogan District, there are still many young men or women who are married in their young age. Of course, there are marriage factors that influence and cause some impact on the personal community. Problems in this research is apasaja factors that can encourage early marriage and how the impact of early marriage to condition of society around in Kedungrejo Village, Grobogan District Purwodadi Regency. The purpose of this research is to describe factors driving the marriage dinidan to know the impact of early marriage. The method used in this research is qualitative research method with case study approach and data source come from early marriage and parents of perpetrators. Methods of data collection is done by observation as well as interviews with sources related to the case. Results from research on marriage case dinidi Karangrejo Village District Gabus Grobogan

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District that the majority of them still do early marriage. This is due to several driving factors that cause the occurrence of early marriage one of the factors of parents as well as educational factors. So from these driving factors cause some positive impact and negative impact of Early Marriage.

Keywords: *Early Marriage; Marriage Law; Child Protection; Women Protection; Human Rights*

I. INTRODUCTION

Getting married is a sacred thing that happens an inner birth bond between a man and a woman as husband and wife with the goal of forming an eternally happy family based on God Almighty. Because in marriage is done only once and for life.

Also in the marriage there is a formulation of marriage in which the formulation of marriage is not only a bond of birth alone or inner bonds alone. But the ties of the two. As a birth bond, marriage is a legal relationship between a man and a woman to live together as husband and wife. This birth bond is a formal relationship that is real, both for the binding of himself and for others or society. This birth bond occurs with the marriage ceremony of marriage ceremony ceremony for the religion of Islam.

Between the bond and the inner man, the marriage is from the bondage of the soul that exists because of the same willingness and sincerity between a man and a woman to live together as husband and wife. In the early stages, this inner bond is initiated and marked by the consent of the prospective bride to marry. Furthermore, in life together this inner bond is reflected from the harmony of husband and wife in question. Interwoven her bonds of birth and mind are the main foundation in shaping and fostering a happy and eternal family. This is in accordance with the marriage subsection contained in the Law no. 1 year 1974.

Intruksi also in mendagri in law number 27 year 1983 about marriage age in order to support population program and family planning explains that age of young marriage under age 20 years for woman and under 25 year for man. And in the explanation in Islamic Law article 15 paragraph (1) it is explained that for household and family occasions can only be done by prospective bridegroom whose age already exist in set role Law Number 1 year 1974 article 7 paragraph (1).

Despite the set of these rules, there are still irregularities in marriage under age. Based on Ministerial Religion number 3 of 1975 that the court dispensation is the determination of candidates who are still under age by the Religious court. Religious courts are the executors of power,

the judiciary to examine and adjudicate or decide upon a case. Meanwhile, the Religious court which establishes the *kajih* dispense is the Judge. The application of the marriage Dispatch is addressed in the Religious Courts in the area of the applicant. And in the contents of the letter the applicant explains the need as well as with whom the applicant plans the marriage.

In addition, in marriage, of course there are marriage conditions that must be met. The requirements are according to the law No. 1 year 1974 in the presence of permission of both parents or guardians for prospective bridegroom who has not aged 21 years and the age of the prospective groom has reached 19 years and the age of the prospective bride has reached 16 years. The terms of marriage provide a guarantee that no longer the existence of forced marriage in our society. This provision should be in marital matters in fact a private matter of men as part of human rights to be free in determining their life.

On the other hand the provision of age in maximize to prevent the occurrence of marriages of minors. But because people often assume easy about the *peraturan* it is often violated because of various factors in early marriage often appear, among other internal factors or the desire of self that feel sure is ready mentally in living the household and married because of the mutual fit and love without thinking about the future what will be passed. Factors of economic condition and lack of education and values and norms Religion is low And the misuse of mass media either Television or Mobile is plunged in sexual. Or see a video that is not worth seeing because its age is not enough.

On the other side in environmental factors that are too free and can not be accountable then it can be the case that deviate this can also be seen from teenage dating at the moment who do not really understand about religion then at the time dating to things that stimulate for example sexual intercourse leading to pregnancy before marriage. Meanwhile, the biological of a teenager due to early marriage, one of them the increasing number of premarital pregnancy, it resulted in underage marriage. Basically married children are biologically mature and ready, but in social not yet because of life that is still dependent on the parents.

Meanwhile, the biological of a teenager due to early marriage, one of them the increasing number of premarital pregnancy, it resulted in underage marriage. Basically married children are biologically mature and ready, but in social not yet because of life that is still dependent on the parents. And psychological and emotional burdens to women as they complement a homemaker, wife and sexual partner that should be done by an adult. So women tend to have anxiety and depression that lead to high levels of divorce. And young marriage to women, eliminating the right of women in education. Because *mengikari* rights of women in a highly educated. The latter will face limitations of mobility and

pregnancy and responsibility for childcare. Even low education is vulnerable to women in choosing decisions or power in the household. As a result, domestic violence often occurs.

Based on the principal issues studied, namely about the factors supporting the early marriage and its impact in Kedungrejo Village Grobogan Subdistrict Purwodadi Regency, then this research using qualitative descriptive approach. Descriptive method is a method that aims to describe the nature or something that is going on at the time of research done and check the cause of the occurrence of certain symptoms. In this study used a qualitative descriptive approach with case studies, because the problem in this study is not related to the numbers, but concerning descriptions, decomposition and description of a problem that is happening. This research is a kind of detailed research about a certain object for a certain period of time with a certain period of time thoroughly including the environment and conditions surrounding community. In such studies it sometimes involves researchers, with the smallest units such as in certain community groups. However, this study also has its own advantages that researchers get more in-depth information so that it can answer why the situation is happening and also can find relationships that had not been expected.

Data source in this study is the community in the Village District Karangrejo Gabus Grobogan. The focus of this research is based on the problem that comes from the experience of the researcher or through the knowledge obtained through the informant of the community in the Village Karangrejo Grobogan District Purwodadi District. On the research focus on this research include the factors driving them to early marriage, which include economic factors, education, parents, and customs, and the impact of early marriage that includes, positive impacts and negative impact on husband and wife and on their respective families. The method that used to mendapatkan data needed in a research that is using some technique, among others; interview, which is a conversation conducted between two directions, where the interviewer asks questions relating to the case study studied. Interviews were conducted to respondents who aim to earn valid data. Researchers conducted interviews to married couples in which the wife is one of the assistant household researchers and perpetrators of early marriage. On the other hand, the source is one of the people in Karangrejo Village, Gabbian District, Grobogan District. Interview method is done by way of question and answer verbally about the problems asked about the main problem that is early marriage. There are several reasons that researchers choose by using interview techniques such as, (1) with the interview it can reduce the suspicion of the subject about the usefulness and benefits of the data revealed, (2) with the interview it can create an atmosphere of intimacy that occurs so as to enable obtaining objective data, and (3) Interviews can know the real condition of research subjects such as

socioeconomic conditions and environmental conditions of the subjects. The next method, namely by using observation. Observations can also be called observations. Observations participate in which observers participate and become official members observed. The purpose of this observation is to observe directly to find out how the circumstances of the house and the daily life of married couples who carry out early marriage in the Village Karangrejo District Gabus Grobogan District.

II. THE COMMUNITY UNDERSTANDING ON THE IMPLEMENTATION OF EARLY-AGE MARRIAGE

In doing research, knowing the condition of the environment that will be studied to be very important, so that researchers must know will it. The research location chosen by the researcher is Karangrejo Village, Gabbian District Grobogan District. In relation to this study, the things to be considered by the relevant investigators in the area include; geophysical conditions, socioeconomic conditions and research subjects.

Table 1. Population by education level

No	Level of Education	Amount	Percentage
1.	Non-education	172	6,94%
2.	Have not graduated from elementary school	519	20,94%
3.	Finished smp	548	35,27%
4.	Finished SMA	357	22,12%
5.	College	35	1,42%
TOTAL		2.478	100%

Understanding of the execution of capital punishment revealed from the table above, can be seen that residents who are not in school are 6.94%, have not completed primary school 20.94%, graduated from 22.12% SMPMTs, and college 1.42%. So it can be said if the level of community education in Karangrejo Village is still low.

A. Early Marriage Driving Factors

1. *Economic factors*

Early marriage can occur due to several driving factors, one of which is the economic condition of the family is lacking. They assume that by secularly marrying their children, the burden on the parents is slightly reduced. Because a married child will be fully borne by her husband. Moreover there are assumptions from some parents which one

and they also assume that the responsibility as a parent has been slesai if the child has been married.

2. Educational Factors

The next factor that affect the occurrence of early marriage is Education. The lack of education between parents and their children who are only educated up to elementary school level, even not infrequently there are some children who do not go to school. So a parent who has a daughter will be happy if her child has been asked to marry or be married to a man

3. Parent Factor (Family)

Parent factor is one of the main factors that can trigger the occurrence of early marriage. Parents have the thought to immediately marry off their children if their children have started adulthood. This goes back to the low level of education and knowledge of the parents, causing the mindset to resign and accept. Similarly, delivered by the interviewer who interviewed the interviewer that his parents married his son quickly because he saw his son who is already big and has memepunyai lovers. Because they do not want their children too far and are afraid of things that are not appropriate if they happen, then they have the thought to immediately marry off their children, besides they also assume that the responsibility as a parent has slesai if his son has married.

B. Impacts That Happen Due Early Marriage

1. Positive impact

a) Reducing the economic burden of the family

Marriage of children at an early age is expected to reduce the economic burden of weak parents. Children who are married indirectly all the needs of his life will be fulfilled by the husband, and the old man has great hope that his son and son-in-law can help the economy of his parents.

b) Prevent the occurrence of adultery

The next positive impact of early marriage, which is preventing adultery among adolescents, because by marriage they can make the husband and wife relationship is legally religion and state. On the other hand can also prevent pregnant couples outside marriage.

2. Negative impact

a) Impact on married couples

Early marriage is also the impact of negative impact given one of them is the negative impact that occurred in married couples who married in a young age. Many people go on without thinking about life to be lived after marriage. Yet when the couple is steady marriage, it should automatically also ready to bear the risks of grief after marriage. Starting from taking care

of and managing the economy, the problem of their children
 bhkan mutual care between husband and wife.

- b) Impact on each parent
 The majority of people's opinions in Karangrejo Village, Gabbian District, Grobogan District stated that the low level of education is only completed by elementary school. So, the husband and wife couple pay less attention to the harmony of their parents 'in-laws', they just give up and silence when their parents scolded him. The impact of a young marriage will result in rights and obligations between both parties, whether in relation to themselves, to the children, or to their respective families.
- c) Impact on husband and wife
 It can not be denied that in married couples who have married at a young age can not meet or do not know their rights and obligations as husband and wife. It arises because of their physical and mental maturity, which tend to both have a high selfish nature.
- d) Impact on his children
 Communities that have been married at a young age or under age will have an impact. In addition to the impact on couples who hold marriage at a young age, marriage of young age also affects the children. Because for women who are married under the age of 20, when pregnant will experience disturbances in the womb and many of those who bear children.
- e) Impact on each family.
 In addition to the impact on married couples and their children marriage at a young age will also have an impact on each of his family. If the marriage among their children is smooth, it will certainly benefit their parents. But if otherwise the circumstances of their households are not happy and finally what happens is a divorce. This will lead to an increase in the cost of their lives and the most severe will break the family ties between the two sides.

Table 2 Impact of Early Marriage

No	Target	Impact
1	Husband And Wife	<ul style="list-style-type: none"> a) Lack of awareness to understand the duties and rights of husband and wife b) Absence of harmony in running the ark of the household c) The existence of disputes in domestic life

2	Each Family	<ul style="list-style-type: none"> a) Reduced family burden to support their children b) In the event of a divorce the breaking of the rope to the family is broken Can benefit both parties
3	Childern	<ul style="list-style-type: none"> a) Low level of child intelligence b) Will experience disturbances in the physical development of children

III. PATTERNS OF FAMILY CARE

A. Understanding Parenting

Patterns are the ways or forms of child care according to Chabib Thoha (1997: 109), that the pattern of care is the best way that parents can take in educating children as a manifestation and sense of responsibility to the child. Khan and Sulayman (1997: 116) states that parenting is the attitude of parents in dealing with their children, this attitude can be seen from various aspects such as how the parents give rules to the child, how to give gifts, and punishment and the way parents. Foster care is the ability of families and communities to provide time, attention and support to children in order to grow well as well as physically, mentally and socially (Soekirman, 2000). The child will experience a natural growth in his life, although children are still very dependent on the existence of adults. Patterns will greatly affect the process of growing up the child who lives in a family filled with affection and who are always under pressure will be in its development. The pattern of parenting in terms of attitudes and behaviors of the mother or other caregivers in terms of proximity to the child providing food, taking care of hygiene, all of which are related to the state of the mother in terms of health (physical mental) nutritional status, family and community general education for knowledge of parenting either, the role in the family or in the community, the nature of the daily work, the customs of the family and the community divide the affection and so on a thousand or the care of the child.

B. Factors that affect parenting

1. *Education Mother*

Education is a tool in society to renew itself in conducting social life. In essence education is an attempt to develop personality and abilities in and out of school that lasted his life (Suharjo, 1999).

2. *Mother's Knowledge*

Maternal knowledge about health and nutrition has a close relationship with education. Children and mothers with a high educational background will make it possible to have the opportunity

to attend and grow well (Kardiyati et al, 1987). Raising a healthy child is not enough with mere instinct of affection, but the mother needs good knowledge and skill. Increased knowledge and ability to care for children is very important and should be cultivated by mothers in order to raise their children (Nadesul, 1996). Knowledge is not necessarily obtained through formal education, but also mass-based information or the outcome of the experience of others (Alex Sobur, 1981).

3. *Mother activity*

Women's needs for duty and outside duties as mothers are different. There are some women who are happy with their particular role as housewives. For him there is nothing pleasurable than childhood and joyful teenagers to his children (Alex Sobur, 1991).

States that 85 percent of girls in Indonesia terminate their education after they get married. It also means that early marriage of women contributes greatly to the increase in dropout rates. Data of Komnas Perempuan in 2016, said that the number of girls who are not in school or out of school is twice the number of men.

The limited rights to obtain education in girls also impact on the limited employment opportunities of women. Because the high-low employment opportunities are also determined by the education that is pursued according to the demands of the labor market. World Bank data mentions only 53.5 percent of working-age women in Indonesia who are part of the workforce. This figure is well below the average for the East Asia and Pacific region. That is, early marriage women inhibit women to participate in the world of work.

The low participation of women in the world of work is also reflected in the data from the Ministry of Finance in 2017 stating that only 32 percent of women are involved in the formal industry. While the rest, ie 68 percent filled by men. On average (55 percent) of women work in the informal industry and consequently the average income of women is lower than that of men. This is reflected in the 2017 BPS data that the average female wage is lower (Rp 2.27 million per month) than the average wage of male workers (2.95 million per month).

But often marriage at an early age is perpetuated by the mindset and culture of society and even endorsed by conservative interpretations of a particular religion, which tend to sustain patriarchal culture to survive, which still places women solely as a complement, merely as "objects". To that end, the government needs to design a development design that takes into account gender equality, a development design that does not merely promote economic growth, but a development design that places women as a whole, who has the right to develop their potential.

Early marriage is one of the triggers of high maternal mortality (MMR) in Central Java. According to BKKBN, maternal mortality occurred in many teenagers between (15-19 years). Data in Central Java shows that the number of teenagers who gave birth is very high, reaching 38 out of 1,000 births. To suppress early marriage figures in Central Java, the head of TP PKK Central Java Hj Siti Atikoh Ganjar Pranowo said it is still hampered by Law No. 1 of 1974 on marriage. The law states that the age limit allowed for women is 16 years. In fact, according to Law No. 35 of 2014 on Child Protection, the so-called children are under the age of 18 years.

The high rate of early marriage in Central Java, because many areas of low education level of society. In addition, the mindset of citizens who consider women who do not immediately married as an old spinster also a driver of early marriage, in addition to teenage associations that are currently too free. Therefore, Atikoh believes efforts to suppress early marriage are not enough through regulation, but there must be government efforts in improving education and expanding employment, as well as changing people's mindsets.

IV. LEGAL REVIEW IN EARLY MARRIAGE

The Convention on the Rights of the Child (CRC) applies as international law and CRC is ratified by Presidential Decree No.36 of 1990, hereafter ratified as Child Protection Law (UU PA) No.23 year 2002.7,18 The ratification of the Act aims to achieve protection and prosperity child. It is clearly stated in the Law on the Law that the Unitary State of the Republic of Indonesia guarantees the welfare of each of its citizens, including the protection of the rights of the child which is a human right.18 The Convention on the Rights of the Child has become part of the national legal system, so as a consequence we shall recognize and fulfill rights as defined in the CRC. One of the principles in the CRC is "*the best interests of the child*".

The intent of the principle of "*the best interests of the child*" is that in all child-related acts committed by the government, the public, the legislative and judicial bodies, the best interests of the child shall be the primary consideration.9,18 In the Law on the state article 1, paragraph 2 it states that "child protection" means all activities to guarantee and protect children and their rights in order to live, grow, develop and participate optimally in accordance with human dignity and values, and to be protected from violence and discrimination.18 In the Declaration of Rights human rights, it is said that marriage must be done with the full consent of both partners. But the reality faced in this early marriage, marriage consent is often the accumulation of coercion or the pressure of

the parent / guardian of the child, so the child agreeing to marriage is often a sense of devotion and respect for the parents. Parents consider marrying their child as a form of protection against the child, but this leads to a loss of a child's opportunity to grow, to grow healthy, and to lose freedom of choice. A similar statement was made by the International Humanist and Ethical Union that child marriage is a form of mistreatment of children (child abuse). In this case, considering the various consequences that children suffer associated with early marriage as it is in ba has, then child marriage must lead to non-fulfillment of the principle of "the best for children", to the extent that this is a violation of the human rights of children.

The Child Protection Act clearly states the obligations of parents and the community to protect children and the obligation of parents to prevent the occurrence of marriage at the age of the children (article 26). Criminal sanction in the form of punishment of imprisonment and fine is provided in article 77-90 if violation of the provisions of the protection of the child is granted. For a marriage a person must be 21 years of age, while not yet 21 years of age must obtain permission from this parent in accordance with article 6 of the Marriage Act no. 1 of 1974 which states that "*to marry a 21-year-old must get permission from both parents*". For those who are not yet 19 years old for men and not yet 16 years of age for women should not be allowed to marry even if permitted by both parents, unless there is a dispensation of permission from the court or other officials appointed by the male and female parent, this is appropriate with article 7 of the Marriage Law no. 1 Year 1974. So the meaning of underage marriage is a marriage performed by a man and a woman where each party has reached the age of 21 years and still under the authority of parents so that all acts can not be justified legally.

V. CONCLUSION

Based on the geographical conditions of Karanrejo Village District Gabus Grobogan District, the village is classified as rural. Where the average eyed-eyed as a farmer and the average level of education is also still minimal, because the majority of graduates only up to elementary school level. Many of them after graduating from elementary school decide to work either join the parent farming or wander outside the area in order to generate more income, while not infrequently also the girls also decided to get married, they assume by marriage then the burden that ditangung by oang old so far slightly reduced, other than that of the parents themselves have the presumption that by marrying his daughter then the parents can be helped also the economy by the son-in-law, but in fact not all always so.

The driving factor that triggers the early marriage among villagers Karangrejo District Gabus District Grobogan namely; Economic Factors, Education Factors, and Parents Factors. So that some of the driving factors cause the effects or effects of early marriage. The impact is divided into two parts: Positive impacts that include positive impacts can help the family economy, and can prevent from the act of adultery. The next impact is the negative impact of early marriage is a positive impact on couples, and the positive impact for each parent. And supposedly the Government as the highest power holder in the country of Indonesia is expected to mediate between the disputing parties and be able to enforce regulations related to marriage of minors. Synergy between the two sides of government and society is the best way out that can be taken temporarily so that underage marriage can be prevented and minimized its existence in the middle of society, Essentially, a household is built on a shared commitment and is a meeting of two different persons. However, this is difficult to do in adolescent marriage. This spurred the occurrence of conflicts that could result in separation of houses, or even divorce. It's all because teenage emotions are still unstable. Sometimes household problems can also cause neuritis depression.

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