

## VILLAGE GOVERNMENT POLICIES IN MANAGING CASE OF EARLY MARRIAGE IN PANDEMIC TIMES

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Article Info	Abstract
<p>Enter: 10/08/2021 Revision: 19/08/2021 Accepted: 28/08/2021 Rise: 30/08/2021</p> <p><b>Keywords:</b> Policy, Child Marriage</p>	<p><i>During the COVID-19 pandemic, cases of early marriage continued to increase. Therefore this research was conducted to find out how the policies that will be carried out by the Lepak village government in tackling the case of early marriage. The data sources used in this research are primary data in the form of interviews, field observations and documentation. From the results of interviews and observations made, it shows that the policies that have been carried out by the Lepak Village government in dealing with cases of early marriage during the pandemic covid-19 are in the form of routine socialization and counseling about the impacts that will occur have been agreed upon by the family and village officials.</i></p>
<p><b>Kata Kunci:</b> Kebijakan Menikah Dini</p> <p><b>P-ISSN: 1412-310X</b> <b>E-ISSN: 2656-3797</b> <b>DOI : 10.33061</b></p>	<p><b>Abstrak</b></p> <p>Di masa pandemi covid-19 seperti sekarang ini kasus pernikahan dini terus mengalami peningkatan. Oleh sebab itu penelitian ini dilakukan untuk mengetahui bagaimana kebijakan yang akan dilakukan oleh pemerintah Desa Lepak dalam menanggulangi kasus pernikahan dini tersebut. Jenis penelitian yang digunakan oleh peneliti yaitu jenis penelitian deskriptif kualitatif. Sumber data yang digunakan dalam penelitian ini yaitu data primer yang berupa hasil wawancara, observasi lapangan dan dokumentasi. Dari hasil wawancara dan yang dilakukan menunjukkan bahwa kebijakan yang telah dilakukan oleh pemerintah Desa Lepak dalam mengatasi kasus pernikahan dini pada masa pandemi covid-19 berupa sosialisasi dan penyuluhan yang rutin tentang dampak-dampak yang akan terjadi serta pernikahan yang disepakati oleh pihak keluarga dan para aparat Desa Lepak.</p>

### I. INTRODUCTION

Underage marriage is an event that is considered normal by some Indonesian people. However, underage marriage can be an issue that attracts public attention and continues to be a legal case. In Indonesia, the case of child marriage is not a new problem. This practice has been going on for a long time with many actors not only in the interior (rural areas), but also in big cities.

Marriage is allowed for those who have met the age limit to get married as regulated in the Constitution of the Republic of

Indonesia Article 7 Paragraph (1) Number 1 of 1974 which reads "marriage is only permitted if the man reaches the age of 19 (nineteen). years and the woman has reached the age of 16 (sixteen) years.

However, here there is a change in the Constitution of the Republic of Indonesia Article 7 Paragraph (1) Number 1 of 1974 concerning Marriage with Law Number 16 of 2019. Following are the contents of Law Number 16 of 2019 concerning amendments to the Law Number 1 of 1974 concerning Marriage. In Article 7 Paragraph (1) of Law Number 16 of 2019 it is stated that "marriage is only permitted if the man and woman have reached the age of 19 (Nineteen) years".

The provisions explicitly explain that every marriage performed by a prospective groom and a woman who is not yet 19 years old is referred to as "underage marriage or early marriage". For underage marriages that have not met the age limit for marriage, in essence, they are called young (children). This is confirmed in Article 81 Paragraph 2 of Law Number 23 of 2002 concerning child protection which reads "that a child is a person who is not yet 18 (eighteen) years old and is categorized as a child, including children who are still in the womb". the marriage was still held firmly said that it was an underage marriage.

For those who want to get married, but do not meet the requirements, they must ask for permission (marriage dispensation) from the religious court or other official appointed by both parents on the male and female side. Dispensation in the big Indonesian dictionary is an exception from the general rule for special circumstances, exemption from an obligation or prohibition. Dispensation in another sense is permission to release from obligations, time leeway or relief in the case of statutory provisions. Marriage dispensation is a waiver for marriages where the prospective groom or bride is still a minor and has not been allowed to marry in accordance with the applicable laws and regulations.

The COVID-19 pandemic brings new problems with the increasing number of underage marriages (early marriages) in Indonesia. In January-June 2020, there were 34,000 applications for dispensation for underage marriage (under 19 years), 97% of which were granted, when compared to 2019 applications for dispensation for underage marriage (early marriage) only amounted to 23,700 applications. The issue of underage marriage has become a separate problem for Indonesia, especially in the Province of West Nusa Tenggara (NTB). West Nusa Tenggara (NTB) recorded quite astonishing data related to early marriage during

the pandemic, from January to September 8, 2020 there were 522 applications for marriage dispensation in the Religious Courts, according to data from the Health Service.

there are 408 cases of pregnancy in children, while the divorce data in NTB is 5,560 cases.

Related to this, with the increase in cases of underage marriage (early marriage) in West Nusa Tenggara (NTB), especially in East Lombok Regency, the researcher has made an initial observation. From the initial observation data obtained by researchers related to the submission of a marriage dispensation application at the East Lombok Regency Religious Court, it has been noted that in 2017 the marriage dispensation application received by the East Lombok Regency Religious Court was 9 applications received and 10 applications were decided. , then in 2018 there were 17 applications for marriage dispensation received and 13 applications were decided.

Then it was continued again in 2019, 37 applications for marriage dispensation were received and 14 applications were terminated, and the latest data is data recorded during this pandemic in 2020 for the January - September period, the number of applications for marriage dispensation has increased, which is 30 applications received. and 27 applications were decided. From this data, applications for marriage dispensation have always increased over the last 3 years, especially during a pandemic like now.

Cases of early marriage usually occur in school-age children. As a result, in children who marry early, their dropout rate is very high. Along with the times like today, there are many phenomena of early marriages that occur, especially among rural communities, especially in Lepak village, East Sakra District, East Lombok Regency. For this reason, researchers have conducted an initial observation to obtain data on early marriage. The data obtained by researchers from the 2017-2020 period. In 2017 as many as 5 cases of early marriage occurred, then in 2018 as many as 4 cases of early marriage have occurred, then in 2019 as many as 6 cases of early marriage have occurred, and the rest occurred in 2020 as many as 8 cases

So the total cases of early marriage that occurred since 2017-2020 were 23 cases, this case increased during the pandemic period that occurred in 2020. However, although this total data is 23 cases, it is possible that there are many more cases of early marriage in Indonesia. village which is not known by the village officials. Because the data that the researchers got was only approximate data that was only known by some of the local village officials. What is the local government's policy in

dealing with these cases, and what is the role of their parents in helping to prevent this?

the occurrence of this case. So that researchers are interested in studying more deeply related to cases of early marriage that occurred in Lepak Village, East Sakra District, East Lombok Regency. So that researchers are interested in studying more deeply related to cases of early marriage that occurred in Lepak Village, East Sakra District, East Lombok Regency

## RESEARCH METHODS

The approach that the author uses in this research is the approach Sociological Jurisdiction. The Sociological Juridical Approach is emphasizing research which aims to obtain legal knowledge empirically by means of go directly to the object.<sup>1</sup> Sociological juridical research is research

The law uses secondary data as its initial data, which then followed by primary data in the field or on the community, researching effectiveness of a Ministerial Regulation and research looking for a relationship (correlation) between various symptoms or variables, as a data collection tool consisting of document studies or library materials and interviews (questionnaires)<sup>2</sup>

## DISCUSSION

*Cases of early marriage in Indonesia are increasing, especially during the current covid-19 pandemic, various efforts have been made by the government in tackling these cases. Especially in West Nusa Tenggara Province, to deal with this case, the West Nusa Tenggara government has made a special regional regulation for cases of early marriage which has just been legalized. Where the contents of the regulation discuss sanctions for anyone who violates.*

*The sanctions referred to here include, among others, a written warning, dismissal from office and an administrative fine of a maximum of IDR 5 million rupiah. This sanction applies to anyone who violates it, be it parents of children or village officials. In addition to the sanctions mentioned above, there are also criminal sanctions with the threat of imprisonment for a maximum of 6 months and a fine of a maximum of Rp. 50 million rupiah. On the other hand, anyone and any party deemed to have an active role in preventing early marriage will be rewarded. Including village governments who are able to minimize early marriage, they will get incentives and grants.*

*Meanwhile, at the district level, especially East Lombok Regency, they are trying to overcome cases of early marriage. The Office of Women's Empowerment and Child Protection and Family Planning (DP3AKB) is pushing for the East Lombok Regent to make a regional regulation on the prohibition of early marriage. With this*

<sup>1</sup> Soerjono Soekanto, Pengantar Penelitian Hukum, Jakarta: Penerbit Universitas Indonesia Press, 2005, hlm. 51.

<sup>2</sup> Amiruddin, Pengantar Metode Penelitian Hukum, Jakarta: PT. Raja Grafindo Persada, 2012, hlm. 34.

*regulation, it is possible to arrange for each village to have a village regulation related to handling cases of early marriage. This regulation is expected to reduce the number of early marriages.*

*That way, the prevention of early marriage can be carried out with the seriousness of the local government which will later be stated in the form of regional regulations. These things are expected to be a policy in efforts to overcome cases of early marriage. This has also been regulated in East Lombok Regent Regulation Number 41 of 2020 concerning Prevention of Child Marriage. In the regional regulation it is stated that the prevention of child marriage is efforts in the form of policies, programs, activities, social actions, and other efforts carried out by local governments, parents, children and the community in order to prevent child marriage and reduce the number of marriages. the age of the children in the area.*

*At the village level, especially Lepak Village, Sakra Timur District, East Lombok Regency, a policy is made as an effort to minimize cases of early marriage in Lepak Village. The policy referred to here will be conveyed from the results of interviews that researchers have conducted with the secretary of Lepak Village Mr. Hasanul Ahmadi, 46 years old:*

"So far, the policies carried out by the Lepak village apparatus to reduce the number of early marriages are one of them we carry out socialization and counseling, besides that if there are our people who marry underage, we will usually pick them up and return them. It means that if the woman is from Lepak village, we as village officials will work with the woman's family to pick up. Prior to the pick-up, there will be deliberation and consensus between the village apparatus and the woman's family. So there we will first explain to them the intent and purpose. Moreover, in terms of knowledge, parents in rural areas are still in the low category, For this reason, as village officials, we provide explanations and directions first about the dangers of early marriage. If the family has agreed, the pick-up will be carried out. And vice versa if this prospective bride comes from another village or other district, the delivery/return will be carried out to her family."

Based on the results of the interviews above, it shows that the policies that have been carried out by the Lepak village apparatus are one of them by conducting socialization and counseling first, besides that they also seek to cancel the marriage by picking up and returning the bride to their respective families. This is expected to help overcome cases of early marriage in Lepak Village, East Sakra District, East Lombok Regency, West Nusa Tenggara Province.

As for the connection from the results of interviews that researchers have conducted with the Lepak Village Secretary regarding the results of the policies they have implemented so far, whether these policies can go according to plan and whether this newly created policy can help the Lepak Village Government reduce the number of cases of early marriage in the village. Take off. The following is the content of the interview connection that the researcher conducted with the Lepak Village Secretariat Mr. Hasanul Ahmadi, 46 years old:

"So far, Alhamdulillah, after we carry out regular socialization and counseling, at least it can help our community in Lepak Village better know and

understand the impacts that will occur in the future if they allow their children or their families to continue their marriage when they are not yet mature. In addition, we have made a new policy as a result of our initiative as village officials to protect our community, especially teenagers who want to marry young. So the policy we mean here is a marriage cancellation. As I have explained to you earlier. If we continue to allow this case of early marriage to continue to occur, it will be us as village officials who will be subject to sanctions.

Based on the results of the interview above, it shows that the new policy made and implemented by the Lepak Village Government has succeeded in reducing the number of cases of early marriage. The written data of the Lepak Village community who married under the age of 19 years which the researchers got from the Lepak Village Apparatus were as follows:

	Name	TTL	ype ex	ddress
di	Junai	Repok Tengah, 20-09- 2003		aluh Garden
Fikri	M. Ali	Keloko, 01-07-2003		aluh Garden
Samudra	Dani	Lepak, 08-04-2004		aluh Garden
Ramadia Irawan	Reza	Gelogor, 04-04-2005		elogor
Reza Wira Hadi	M.	Gelogor, 05-08-2003		elogor
Nurholis	Aditya	Jorong, 12-01-2004		orong
ni	Musti	Mt. Bagek, 17-03-2003		t. Bunut
Anja Romance	Dodi	Ds. Tingg ang, 02-11- 2003		s. Tinggan g
Sakia Pitri	Riza	Bongkem , 11-11-2003		ongkem
Lara Lakasuka	Desti	Ministry, 24-24-2003		ongkem
Agustina	Asri	Dude Pole, 08-16-2006		eave
Wahyuni	Meli	Lepak, 12-06-2004		eave
	Reza	Lepak,		



	Bluedi Abdul	09-04-2003		eave
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The data above is the data of the people of Lepak Village who are married under the age of 19 years. The data above shows marriages that occurred during the COVID-19 pandemic. The names written in the data above are only part of it. However, according to the Lepak Village Government, it is possible that there are still many early marriages that occurred during this pandemic in Lepak Village.

In addition to conducting interviews with the Secretary of Lepak Village, the researcher also conducted direct interviews with the Head of Gelogor Hamlet, Lepak Village, Sakra Timur District, Mr. Zainal Abidin S.Pd, 51 years old:

"To assist the village government in reducing the number of early marriages, as the Head of Gelogor Hamlet, I have sought regular socialization and counseling at least once or twice a month. In this socialization and counseling, I collaborate with young people who are still in college to be able to guide their younger siblings who intend to marry young. This socialization is usually done every time they are on vacation from college, since this covid they study at home with an online system. So, of course, they also spend more time at home, for that we use this opportunity to invite them to work together to carry out routine socialization and counseling. In this socialization and counseling, the impacts that will occur if a child marries at a young age will be conveyed. Because if we let the case of early marriage continue to grow, we as the Head of the Hamlet or the Village Apparatus will also be subject to sanctions. Therefore, we as Lepak Village Apparatus, especially myself as the Head of Gelogor Hamlet, have made various efforts, one of which is by conducting socialization to the surrounding community. With this routine socialization, it is hoped that it can provide views and at the same time an understanding for the community, especially young people about the dangers of early marriage."

Based on the results of the interviews above, it shows that so far what has been done by the head of the local hamlet in tackling cases of early marriage is by conducting regular socialization and counseling. This is expected to help increase public awareness in minimizing the number of cases of early marriage. So with regular socialization and counseling, it is hoped that it can help the Village Apparatus to suppress

the reduction in cases of early marriage in Lepak Village, Sakra Timur District, East Lombok Regency, West Nusa Tenggara Province.

In addition to conducting interviews with the Head of Dusun Gelogor, the researcher also conducted interviews with one of the youths from Dusun Gelogor who participated in the socialization intended by the Head of Dusun Gelogor. This interview the researchers conducted to find out and dig deeper regarding what things were conveyed in the socialization. The contents of the socialization will be conveyed by a resource person named Ridho Divine, age 21, 6th semester student:

"So Sis, we do have a collaboration with the head of our village. They included us to help them together in preventing early marriage in our village. During the covid pandemic in Lepak village itself, early marriage has increased, especially in our hamlet. I don't know why the marriage can also happen even though this early

marriage already has laws and regulations. But here, we only focus on helping the village government, especially in our hamlet, so that we can continue to carry out socialization and counseling more regularly. This socialization and counseling has also been routinely carried out since the covid pandemic, considering that during this covid pandemic, there are indeed a lot of people in our hamlet who are getting married young. Usually, we hold this socialization and counseling at the house of one community who has a large yard so that it can accommodate other people. But this is done alternately, there is a kind of schedule that we make. This socialization and counseling discussed the impacts of early marriage, such as biological impacts, psychological impacts, social impacts, economic impacts, and health impacts. And thank God, since we have been doing this socialization and counseling for several months, cases of early marriage are rare. " And thank God, since we have been doing this socialization and counseling for several months, cases of early marriage are rare. " And thank God, since we have been doing this socialization and counseling for several months, cases of early marriage are rare. "

From the results of the interviews above, it shows that regular socialization and counseling has succeeded in increasing local community awareness so as not to marry early or let their children marry at a very young age. With this socialization and counseling, it can add insight and knowledge to the community about the dangers of early marriage. So, in the future, it is hoped that the community or in particular

Teenagers are not easy to make decisions just like that to get married at a very young age.

Policies are always related to regulations or regulations that become the legal umbrella in the public policy-making process. In relation to efforts to deal with the problem of early marriage, the village government has ratified Village Regulation Number 7 of 2021 concerning Prevention of Child Ageing. In the village regulation in article 1, it is explained that prevention of ageing children is all forms of activities carried out in an effort to prevent marriage of children under 17 years which is carried out by teenagers, parents, families, government and society. The child in the village regulation is someone who is not yet 18 (eighteen) years old, including children who are still in the womb. Giving fines to people who violate will certainly receive sanctions in the form of a sum of money obtained from the sanctions set due to the violation

## CONCLUSION

So far, the policy taken by the government in tackling cases of early marriage in Lepak Village, East Sakra District, East Lombok Regency, West Nusa Tenggara Province is to carry out various kinds of efforts including regular socialization and counseling at least two to three times per month, canceling marriages. by picking up and returning the bride and groom to their respective families, besides that the local government and village government also ratified an East Lombok Regent Regulation Number 41 of 2020 concerning Prevention of Child



Marriage which regulates cases of early marriage, especially in East Lombok. There is also the Lepak Village Regulation Number 7 of 2021 concerning Prevention of Withdrawing Children's Age. This is done to reduce the number of cases of early marriage.

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