

Implementation of Child Marriage Prevention Governance Based on Reproductive Health Rights Counseling for Sustainable Regeneration

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Abstract. *One of the Sustainable Development Goals (SDGs) is to ensure justice and the implementation of governance that is able to maintain an increase in the quality of life from generation to generation, including the Millennial Generation who were born on average in 1997-2012 or aged 8-23 years, including by preventing child marriage. This is because child marriage does not meet the requirements for the validity of marriage as stated in Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage, does not comply with the expectations of Law Number 36 of 2009 concerning Health and is not in line with the Sustainable Development Goals Point 5.3, including not supporting the implementation of Lumajang Regent Regulation Number 23 of 2020 concerning the Prevention of Child Marriage, so that intensive legal counseling is needed. The goal is that child marriage will no longer be a prominent issue and hinder the pace of development, along with growing public awareness of the risks that accompany it, especially regarding women's reproductive health. The methods used are a legal approach and a case approach by presenting primary and secondary data. The expected result is that with comprehensive governance, improvements in the quality of life of the next generation can be achieved in connection with the existence of synergistic cross-generational concern in understanding the importance of upholding reproductive rights amidst the phenomenon of child marriage..Thus, understanding reproductive rights as a means of reducing the number of child marriages can be a positive contribution to improving the quality of life of future generations.*

Keywords: *Children; Implementation; Marriage; Prevention; Sustainability.*

1. Introduction

The Sustainable Development Goals (SDGs) are a collectively agreed-upon global commitment. In September 2015, the United Nations General Assembly, attended by 159 heads of state, including Indonesia, agreed to make the Sustainable Development Goals a global agenda for 2030. The SDGs have been integrated into the 2015-2019

National Medium-Term Development Plan (RPJMN) of the Republic of Indonesia and will be continued in subsequent RPJMN. (Pemerintah Kabupaten Lumajang 2019). The steps to develop the SDGs reflect the Indonesian Government's strong commitment to the Sustainable Development Goals while emphasizing the importance of the national development agenda. Through the SDGs, the Indonesian Government can achieve development that consistently maintains the improvement of the economic welfare of the community, the sustainability of the community's social life, the quality of the environment and development that guarantees justice and the implementation of governance that is able to maintain the improvement of the quality of life from one generation to the next. . (Pemerintah Kabupaten Lumajang 2019). The SDGs themselves are global and national commitments in an effort to improve the welfare of the community, encompassing 17 goals, one of which is goal 5 which leads to Gender Equality.

Gender equality refers to the equal conditions between men and women in obtaining opportunities and rights as human beings, enabling them to play a role and participate in various fields. Gender equality is crucial for dismantling gender stereotypes.(Pemerintah Kabupaten Lumajang 2019).]When gender regulations concern men and women, discussions often focus on women, as the facts show that women's status is still considered inferior to that of men. This conception has a significant impact when it comes to the relationship between a man and a woman who are bound together in marriage. When such a marriage occurs between an adult man and a woman, the potential negative impact is less significant. However, the situation is different when it occurs between a man and a woman who are still underage, commonly referred to as child marriage.

Furthermore In the Sustainable Development Goals (SDGs), specifically in sub-goal 5.3, the statement is written: "Eliminate all harmful practices, such as child marriage, early marriage and forced marriage, and female circumcision." This means that the act of carrying out marriage or underage marriage is very risky, not only for the internal self of the man and woman who are the object of the marriage itself, but also indirectly risks external parties, including the State, which in principle wants all its citizens to be sufficiently educated and have a decent living, as implied in Article 31 paragraph (1) and 27 paragraph (2) of the 1945 Constitution. Meanwhile, with child marriage or early marriage, it is very likely that it will be able to close the opportunity to obtain opportunities as regulated in the two articles.

Based on statistical data and studies that have been conducted, child marriage is still a social problem in Indonesia, data from Bappenas shows that 34.5% of Indonesian children marry early. [9]. Underage marriage is still considered a serious problem, because it raises controversy in society, not only in Indonesia but also becomes an international issue. Underage marriage is a problem because it is a fact in society that is still developing. According to the Council of Foreign Relations, Indonesia is one of the ten countries in the world with the highest absolute number of child marriages and the second highest in ASEAN after Cambodia. It is estimated that one in five children in Indonesia are married before they reach the age of 18. The Central Statistics Agency (BPS) recorded five provinces with the highest number of underage marriages, namely: East Java (28%), West Java (27.2%), Jambi (23%), Central Sulawesi (20.8%).[2]

The meaning of underage marriage when viewed from Law Number 1 of 1974 concerning Marriage is a marriage between a man and a woman who both have not

reached the age of 19 years for men and 16 years for women. Or it can also occur with the condition of a man aged 19 years with a woman under the age of 16 years, or a man under the age of 19 years and a woman aged 16 years. So based on the laws and regulations in force at that time, to overcome the situation of age that is still below the minimum limit for marriage, the community can apply for a marriage dispensation at the local Religious Court.[3]. The existence of marriage dispensation itself seems to position the State in two conflicting positions, in the sense that on the one hand it is actively promoting the prevention and/or elimination of child marriage but on the other hand it provides an opportunity for minors to obtain legality towards marriage, even though they are not yet of sufficient age.

The minimum age for marriage in Indonesia was originally stated in the provisions of Article 7 paragraph (1) of Law Number 1 of 1974 concerning Marriage, which states: "Marriage is permitted if the man is 19 years old and the woman is 16 years old." The minimum age provision is considered to reflect specific discrimination against women and has the potential to violate the constitutional rights of girls by causing underage marriage because the minimum age limit for girls is lower so that this provision becomes a provision that is considered to legalize the marriage of girls compared to boys.[4]. Furthermore, to avoid the perception of discrimination regarding the age eligibility of couples who are going to marry, the Government in Article 7 paragraph (1) of Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage, states as follows: "Marriage is only permitted if the man and woman have reached the age of 19 (nineteen) years." This means that there is no longer any discrimination regarding the minimum age limit between men and women who are going to marry, based on the provisions of State Law.

The factors driving child marriage vary from community to community, and child marriage practices can vary across regions. This is because child marriage is the result of an interaction between economic, social, cultural, and religious forces. Internal factors within the family also contribute to child marriage, often occurring in families with low incomes, low education, and low social harmony, as well as a lack of understanding of reproductive health.[1] Child marriage is likely to occur due to the social conditions of a developing society. It cannot be denied that cultural factors can also be a trigger for child marriage. [14] This means that the underlying factors behind child marriage are quite complex, therefore efforts to prevent or even eliminate child marriage are not easy.

In fact, with the reformulation of the minimum age for marriage, Indonesia has become more courageous, at least in facing allegations of discrimination, when compared with Malaysia in dealing with the problem of child marriage. In fact, both Indonesia and Malaysia face cultural and regulatory challenges, although Indonesia is now stricter (minimum 19 years) than Malaysia (18 years). Both allow marriage dispensations, issued by the Religious Court in Indonesia, or through sharia/religious courts in Malaysia. However, in terms of marriage registration and legal sanctions, Malaysia is stricter than Indonesia. Regarding the main factors causing child marriage, there are almost similarities, including traditional factors, economics, and promiscuity. Some of these differences can be described as follows:

Table 1. Comparison of Child Marriage in Indonesia with Malaysia

No.	Distinguishing Elements of Child Marriage	Indonesian country	Country of Malaysia
1.	Legal Age Limit	Based on Law No. 16 of 2029, the minimum age limit for marriage for men and women is 19 years.	The Islamic Family Law Act sets the minimum age at 16 years for girls and 18 years for boys.
2.	Marriage Dispensation	Dispensation can be granted by the Religious Court if there are urgent reasons, with the number of cases still quite high (50,673 cases in 2022)	Marriages under this age require written confirmation from a Sharia judge
3.	Legal Firmness and Recording	Registration is more flexible with light administrative sanctions (a fine of IDR 7,500) for those who do not register their marriage.	More legalistic and strict. Unregistered marriages are subject to a fine of 1,000 ringgit and six months in prison.
4.	Causative factor	Influenced by economic factors such as low education, premarital pregnancy and customs that consider marriage as a way out of economic and social problems.	Because the groups are almost the same, the factors that influence child marriage are almost the same, including economic factors such as low education, pregnancy outside of marriage and customs that consider marriage as a way out of economic and social problems.

The actual minimum age limit for marriage in Indonesia is higher than Malaysia but not too high when compared to several other countries in the world, such as Algeria which sets the minimum age for marriage at 21 years for men and 18 years for women, as well as in Bangladesh. While in Malaysia the minimum age for marriage is 18 years for men and 16 years for women. In addition, the average Muslim majority country sets the minimum age limit at 18 years for men and 15 to 16 years for women. [17] Law enforcement regarding marriage registration in Malaysia is stricter, whereas in Indonesia it tends to be facultative, meaning that it is better to register it, not registering it is also not mandatory, if the construction of thinking is based on religious law (Islam), while according to state law, registration is mandatory for the marriage to be valid. Including in imposing sanctions, Malaysia is more proportional to the quality of the mistakes made by those who register their marriage, namely a fine of 1000 Ringgit and 6 months in prison. This sanction has a greater deterrent effect compared to the sanctions imposed by the Indonesian government on parties who ignore marriage registration, which is only Rp. 7,500 and without any criminal sanctions in the form of imprisonment.

In Indonesia, comprehensive data management, according to Jones and Gubhaju, is used to determine how much progress has occurred in child marriage cases. [14] Over the past thirty years the number of child marriages has decreased, but this decline has not continued and is currently stagnant, so there is still much to be done to eliminate child marriage. [1] One effort is for the Government to issue firm and clear laws and regulations, meaning they contain proportional rules and sanctions while accommodating the diversity of backgrounds for child marriage. Meanwhile, in a smaller regional scope, what happened in the Lumajang Regency area of East Java Province can be described, namely in 2020 the Lumajang Regency Government referred to Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage, enacting Regent Regulation No. 23 of 2020 concerning the Prevention of Child Marriage. This Regent Regulation serves not only as a legal basis for preventing child marriage but also as an administrative tool for strategic governance in efforts to improve the quality of life from one generation to the next.

As done by the Central Statistics Agency(BPS), the current Indonesian human population is grouped into 6 (six) generations, namely: [16]

1. Post Generation Z (Post Gen Z)

Generation born in 2013 and onwards

2. Generation Z (Gen Z)

The generation born in 1997-2012, or aged between 8-23 years.

3. Millennial Generation

The generation born in 1981-1986, so their ages are between 24-39 years

4. Generation X (Gen X)

The generation born in 1965-1980, or currently aged 40-55 years.

5. Baby Boomer Generation

The generation born in 1946-1964, so their ages are 56-74 years.

6. Pre-Boomer Generation

The generation born before 1945, meaning they are 75 years old and above.

Each generation has its own characteristics, but of the six, the most striking difference, or gap, is between the Baby Boomers and Millennials. Generally, they are people who were born and grew up after the war, so their main characteristic is holding onto principles and customs, so they are known as conservative or old-fashioned. All their work and competence are mastered through a long process and are considered a source of power, and this is not something that is easy to make the Baby Boomer generation change their habits as the generations below them did. Meanwhile, the Millennial Generation is a generation that lives in an era that is changing from conventional to modern. This generation is quite fortunate because they still feel quite strongly about culture and when they grow up they start using technology. This generation is a generation that has high digital intelligence and likes to collaborate through social media and the internet, however, the gap in views with the previous generation should not be ignored because in any case, the future belongs to the Millennial Generation.

Associated with The two generations' views on child marriage and its risks may differ due to differences in socio-cultural conceptions and the changing legal framework. However, according to prevailing legal principles, the latest regulations are the legal basis for resolving a problem known as *Lex Posterior Derogat Legi Priori* (the new trumps the old). Therefore, the current governance of the elimination of child marriage in Indonesia refers to the latest law. The Indonesian laws and regulations that legally and formally apply to marriage are: Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage. Meanwhile, in practice in Lumajang Regency, child marriage prevention uses Regent Regulation Number 23 of 2020 concerning the Prevention of Child Marriage serves as the operational basis. Technically, the action is implemented through educational and outreach activities, with an emphasis on upholding women's reproductive rights. Because the target is the

Millennial Generation, the educational and outreach model is not limited to conventional (face-to-face/offline) methods but can also utilize technological means, allowing for online activities, and perhaps even through specific platforms, to campaign for the elimination of child marriage.

2. Research Methods

The type of research used in this study is Normative Jurisprudential, meaning that the rules are conceptualized as what is written in statutory regulations (law in books). This research refers to the customs that still exist in statutory regulations. [15]

Problem Approach In this research, the focus is on the Statute Approach, namely an approach carried out by considering all relevant laws and regulations related to the matter being handled, and the Case Approach, by prioritizing the problem of preventing child marriage. The types of legal materials used consist of primary legal materials, which include legal provisions arranged in a hierarchy that is legally binding on the community, secondary legal materials, namely legal materials obtained from textbooks, journals, etc., and tertiary legal materials, namely legal materials that provide meaningful guidance/explanations for primary and secondary legal materials, such as legal dictionaries, and so on.

All legal materials to be used as a reference for problem solving are collected and processed to obtain the necessary data. The method used to collect legal materials is textual data using content analysis.

The analysis of legal documents used is interpretive, namely using legal methods to discuss a legal problem, starting by explaining primary, secondary and tertiary legal documents that are relevant to the topic, then the author identifies relevant laws, the results are arranged systematically so that they are easy to read and study.

3. Results and Discussion

3.1. Reasons for Preventing Child Marriage in an Effort to Build the Quality of Life for Future Generations

Child marriage is often interpreted as early marriage, which means marriage that occurs at an age below the legal standard or applicable social norms, generally involving children under 18 years of age. According to UNICEF, child marriage refers to the practice of marriage involving one or both partners who are still children and have not reached adulthood physically or psychologically. This type of marriage occurs in many countries, including Indonesia. [1] Besides Indonesia, several other countries also promote the prevention of child marriage, because it contains very large risks for a child, both physically, psychologically and legally. Marriage that is carried out under the age stipulated by law is considered a violation, unless accompanied by a marriage dispensation issued by the Religious Court. The existence of a marriage dispensation seems to force child marriage to occur, but the regulations for issuing it are valid in Indonesia, even though in terms of physical and mental health, there needs to be maturity for children until they reach the appropriate age for marriage.

According to the National Social and Economic Survey (Susenas), in 2012, it was found that child marriage data in Indonesia showed that among women who had married in the age range of 20-24 years, 25% married before the age of 18. Meanwhile, based on the Indonesian Social Demography and Health Survey (SDKI) in 2012, 17% of women

who had married aged 20-24 years, married before the age of 18. Considering that the phenomenon of child marriage is still a major concern for the entire nation, Indonesia is making every effort to prevent and even eliminate it. It is also said that Indonesia is one example of global progress towards eliminating the practice of child marriage with a five percent decrease in prevalence between the SDKI published between 2007 and 2012. However, trends in the prevalence of child marriage at the regional level and their comparison with the national prevalence are still little known or published.(Yumarni & Suhartini, 2019)

On twoThe previous year, specifically in 2010, the National Socio-Economic Survey (Susenas) presented data on the prevalence of child marriage, which has become a significant issue. Child marriage, for women, is often aimed at improving their economic conditions and affording a more decent life, although the reality does not always meet expectations. On the same occasion, a resource person with a medical and psychological background explained that child marriage has complex negative impacts, particularly concerning the safety of reproductive organs and psychological well-being, resulting from marriages at a young age, when the child is not medically, physically, and psychologically prepared to function as a husband and wife. These risks are not always visible to others, but the psychological burden felt by women with torn reproductive organs often triggers sadness, despair, depression, and the like.

Based onBased on the data and facts about the many cases of child marriage that occur in Indonesia, especially in Lumajang Regency, the Regional Government continues to strive to improve its governance. Governance for preventing child marriage in Lumajang Regency is carried out synergistically between stakeholders through structured and planned methods, such as conducting education, counseling and mentoring by involving the community to carry out the work programs of the authorized Stakeholder Authorities (OPD). For example, the synergy between the Social Service with PPT-PPA institutions, the PKK Mobilization Team, Posyandu Cadres, KMPK (Health Care Community Community), Practitioners, Academics implementing Community Service, and so on. For example, as was done by Lecturers implementing Community Service Grants for 13 young women (who are now in the range of the Millennial Generation) in Wonokerto Village, Lumajang Regency in 2016, previously they were trapped in the mindset that by getting married their lives would be more secure because of the transfer of responsibility from their parents to their husbands, but the reality is not always directly proportional to their hopes. After counseling, four of the thirteen children committed to continuing their education to undergraduate level and are ready to comply with the Marriage Age Regulations. The Lumajang Regency Government's efforts align with the central government's Sustainable Development Goals (SDGs) program, which states that child, early, and forced marriages will be eliminated by 2030. The East Java Provincial Government has also agreed to achieve this target in all regencies and cities.

The policy of the Regent of Lumajang Regency in responding to the hope of eliminating child marriage in 2030, in addition to conducting socialization and education on the Elimination of Child Marriage by referring to Law Number 1 of 1974 as updated by Law Number 16 of 2019 concerning Marriage, Law Number 23 of 2002 which has been updated by Law Number 35 of 2014 concerning Child Protection, and Law Number 36 of 2009 concerning Health, also makes implementing regulations in the form of Regent Regulation Number 23 of 2020 concerning Prevention of Child

Marriage, which was stipulated and promulgated on April 29, 2020. The basis for the preparation of this Regent Regulation is:

- a. That the Regional Government is obliged to guarantee the fulfillment of children's rights to grow and develop and develop themselves and obtain adequate education for the sake of a quality future generation of the nation.
- b. That children must be protected from potential health problems from all forms of violence due to the child's psychological unpreparedness and immaturity of marriage age.(H. Achmad Juntika dan Mubiar Agustin, 2013)

Meanwhile, the aim of preventing child marriage, as stated in Chapter II Article 2 of Regent Regulation Number 23 of 2020, is to:

- a. Realizing child protection and ensuring the fulfillment of children's rights so that they can live, grow, develop and participate optimally in accordance with human dignity and honor;
- b. Realizing the role of local government, community, parents and interested parties in preventing child marriage;
- c. Improving the welfare and quality of life of mothers and children;
- d. Reducing poverty rates;
- e. Reducing maternal and infant mortality rates.(H. Achmad Juntika dan Mubiar Agustin, 2013)

To achieve the intended goal, the regional government optimizes counseling, starting from the Regency, Sub-district, Village level to the lowest level of community groups, such as: Study Groups, PKK, Posyandu Cadre Associations and Health Care Community Communities (KMPK) whose members are community leaders, religious leaders, environmental activists, social workers, cadres, academics and other potential citizen representatives from each Village. Through this method, it is hoped that the regional government's mission to optimize the prevention of child marriage can be achieved, which will have implications for the level of trust of the East Java Provincial Government towards the Lumajang Regency Regional Government in relation to achieving the 2030 target that Child Marriage, Early Marriage and Forced Marriage must be eliminated because it is a form of dangerous activity. Child marriage not only endangers children and violates their rights but also harms the State economically. Children who marry when they are not yet adults are more likely to drop out of school, experience early or unwanted pregnancies, experience domestic violence or divorce, and have difficulty in getting decent work to meet family needs. These things have a negative impact on the economy and hinder regional, provincial and national development.(Pemerintah Kabupaten Lumajang dan KINERJA-OGP, 2019)

These are some of the reasons why the Lumajang Regency Government is committed to preventing child marriage, with the hope that within the next 5 to 9 years, there will be as few as possible children marrying at a young age, so that the positive impact of marital rights or the rights to live a married life for citizens will be implemented at the right age, while also opening up opportunities for the birth of children from legal marriages, with healthy physical and psychological conditions, both from a medical, sociological and legal perspective. Or it can also be said that with

awareness to avoid child marriage, the regeneration process will take place healthily and be ready to present a reliable Millennial Generation.

3.2. The Urgency of Child Marriage Prevention Governance for Achieving Sustainable Development Goal 5.3

Child marriage prevention governance is a structured system that involves communities and families to prevent marriages under the age of 19. This includes strengthening policies (such as the issuance of Law Number 16 of 2019), reproductive health education, economic empowerment, and tightening of marriage dispensations to protect children's rights. [...]. The main objective of this governance is to protect children's rights, including education and health, and reduce the risk of violence and poverty. To achieve these goals, several components of child marriage prevention governance that can support the achievement of these goals can be explained in detail, including:

1. National Strategy

Based on the Stranas PPA (National Strategy for the Prevention of Child Marriage) document, the approach is carried out collaboratively through optimizing the capacity of children, the environment, services, law, and stakeholder coordination.

2. The Role of Family and Society

Parents and guardians are responsible for guiding their children to avoid early marriage. Religious and community leaders are tasked with outreach to change cultural norms that support child marriage.

3. Service Optimization

Includes health approaches (reproductive education), education (compulsory education), and social protection.

4. Strengthening of Law and Administration

Tightening of marriage dispensations in Religious Courts and strengthening policies at the village/regional level (Child-Friendly Villages).

5. Children's Participation

Empowering children as pioneers and reporters (pedir) in peer groups to prevent early marriage.

The National Strategy for the Prevention of Child Marriage (Stranas PPA) is a cross-sector coordination umbrella that focuses on 5 (five) main strategies, namely: strengthening regulations, child capacity, supportive environment, service accessibility and stakeholder coordination. This means that implementing these five components is not solely the responsibility of the state, but rather that parents, the community, and the children themselves must share responsibility for their future growth and development, as well as for the protection of their rights. Specifically, the main components of preventing child marriage must be accompanied by concrete action:

1. Empowering children with information and education on reproductive health, and encouraging the active role of the Children's Forum as a pioneer and reporter, this initiative implements the Child Capacity Building and Participation component.
2. Educating parents about the impact of child marriage, increasing 12 years of compulsory education, and empowering families economically are all examples of the implementation of the Supportive Environment Strengthening Action.
3. Providing child-friendly health, education, and social protection services, especially for vulnerable children, is a manifestation of the implementation of Service Accessibility Improvements.
4. Implementing the Marriage Law, which sets a minimum age of 19, and tightening the granting of dispensations in Religious Courts, as well as establishing Peer Support Groups and Community-Based Integrated Child Protection (PATBM) at the village level. These concrete actions are implementations of the Regulatory and Institutional Strengthening component.
5. Integrated collaboration between the government (Bappeda, PPPA Office), community organizations, community/religious leaders, and the media for campaigns and regulation enforcement. This collaborative action is an implementation of Stakeholder Synergy.

The National Strategy for Women's Empowerment and Child Protection serves as a stepping stone for regional governments in determining concrete actions that can be implemented in their regions, taking into account the situation, conditions, and potential of their respective regions. The Lumajang Regency Government, based on commitment to support the implementation of the National Strategy for PPA, issued Lumajang Regent Regulation Number 23 of 2020 concerning the Prevention of Child Marriage. Chapter III Article 3 paragraph (1) states that there is a strategy chosen by the regional government to implement the prevention of child marriage, further in paragraph (2) it is stated that: "The prevention strategy as referred to in paragraph (1) is:

- a. Implement programs to prevent child marriage;
- b. Provide budget allocation for child marriage prevention activities;
- c. Forming a task force to prevent child marriage
- d. Implementing synergy and coordination in implementing child marriage prevention policies at the sub-district level."

The strategy that has been formulated in Article 3 paragraph (2) is followed up with comprehensive policies from the Regional Head, so that the aims and objectives to be achieved through the implementation of the strategy can be realized and synergized with institutional and community activities. Article 12 paragraph (1) of Regent Regulation Number 23 of 2020 concerning Prevention of Child Marriage, states that: "The Regional Government is obliged to formulate and implement policies and programs as well as budget allocation in efforts to prevent child marriage by synergizing policies to realize Child-Friendly Cities (KLA) by considering local wisdom and prioritizing the best interests of children." Furthermore, Article 12 paragraphs (2) to (6) emphasize that the Regional Apparatus Authority (OPD) in accordance with their

respective affairs and authorities, must be responsible for every activity that leads to efforts to prevent child marriage, which is carried out in a planned and legal manner, whether by government institutions, the private sector, academics or other communities.

Cross-sectoral synergy is very relevant for efforts to protect children from the dangers of child marriage, such as in the clause considering letter b of Regent Regulation Number 23 of 2020 it is stated that children must be protected from potential health problems and all forms of violence due to the child's psychological unpreparedness and immaturity of marriage age. This statement is a form of attention and concern of the Regional Government towards its citizens from the bad risks of a marriage carried out at a child's age. Furthermore, in Article 1 number 9, it is stated that: "Child protection is all activities to guarantee and protect children and their rights so that they can live, grow, develop and participate optimally in accordance with human dignity and honor, and receive protection from violence and discrimination." Likewise, Article 2 paragraph (1) states that: "The purpose of preventing marriage at a child's age is to realize child protection and guarantee the fulfillment of children's rights so that they can live, grow, develop and participate optimally in accordance with human dignity and honor."

Protection of children's rights, related to efforts to prevent child marriage, is carried out preventively and repressively. Preventive means protection is provided in the form of educational activities and/or outreach aimed at preventing legal violations of children's rights. Meanwhile, repressive means the implementation of children's rights must be carried out in accordance with applicable provisions and parties who violate children's rights will be given legal sanctions. The forms of legal sanctions applied include those stipulated in Law Number 23 of 2002 concerning Child Protection, or Law Number 39 of 1999 concerning Human Rights (HAM).

Education and/or socialization as well as Guidance and Counseling for the prevention of child marriage, in Lumajang Regency is carried out synergistically, both by OPD, Community, and Family, by using certain strategies as determined in Article 3 paragraph (1) and paragraph (2) of Regent Regulation Number 23 of 2020. In addition, the Lumajang Regency Government also provides space for children and their parents to receive Guidance and Counseling facilities for Child Marriage from Regional Apparatus Authorities, including: Office of Religious Affairs, Health Service, Population Control and Family Planning (Dinkes, P2KB), Women's Empowerment Service, Education and Culture Service, and others whose technicalities have been regulated in Article 4 paragraph (2) to Article 7 of Regent Regulation Number 23 of 2020. In the event that there are still people who force their will to undergo marriage at a child age, the Regional Government through Article 4 paragraph (1) of Regent Regulation Number 23 of 2020, provides the following statement: " Child marriage can be carried out if the following requirements are met:

- a. Get guidance from the relevant authorities;
- b. Get recommendations from authorized agencies;
- c. Get a decision from the Court.

The provisions for obtaining guidance, recommendations and court decisions for legal acts of marriage at the age of the child are regulated in Articles 8, 9, 10 and 11 of Regent Regulation Number 23 of 2020.

The involvement of parties outside the government to participate in constructive efforts to prevent child marriage is also regulated in the regulation. These external parties consist of parents, children, and the community. Parents can act as mentors, motivators, and inspirators for children in fulfilling their rights to life, including the right to obtain reproductive health information so that children can treat it wisely and responsibly. Children in this context can act as peer counselors for siblings, friends, and their environment so that the intention to marry below the national legal age standard can be postponed until adulthood, precisely when they are physically and psychologically ready to play the role of husband and wife. The position of the community, according to Article 15 paragraph (1) of Regent Regulation Number 23 of 2020, can play an active role starting from the process, planning, implementation, supervision, monitoring, and evaluation. Furthermore, Article 15 paragraph (3) of Regent Regulation Number 23 of 2020 states that: "The role of the community is carried out by:

- a. Conducting community education about the importance of reproductive health education as an effort to prevent child marriage.
- b. Providing input in formulating government policies related to preventing child marriage;
- c. Report to the authorities if forced marriage occurs at a child's age;
- d. The active role of the community can be carried out through involvement in child-focused institutions, including: the Child-Friendly City Task Force, the Lumajang United Children's Army and PPP-PTA.
- e. The community can organize a joint agreement and/or declaration on preventing child marriage together with the Regional Government and all stakeholders, and;
- f. Community participation in preventing child marriage is carried out with the spirit of the best interests of children, family and local wisdom.

Community participation in persuasive, constructive, solution-oriented, and adaptive ways in making child marriage prevention programs a success is a form of positive external intervention, and the results can be a consideration for the current generation and the Millennial generation, in terms of realizing point 5.3 of the Sustainable Development Goals (SDGs), namely "Elimination of Child Marriage, Early Marriage, and Mass Circumcision." It can also encourage the achievement of national hopes, that by 2030 all forms of child marriage must be eliminated. In the hands of the Millennial Generation, whose growth and development are in line with technological advances, the process to achieve these goals will certainly not be separated from the use of technology-based educational tools.

3.3. Effectiveness of Child Marriage Prevention Through Reproductive Rights Education on the Sustainability of Future Generations

Women's Reproductive Rights are fundamental human rights, where every woman has the freedom and full autonomy to decide about her body and reproductive life without discrimination, coercion, or violence. This autonomy includes determining the number, spacing, and timing of children, access to safe sexual health information and services, and freedom from forced sterilization/abortion. Important components related to women's reproductive rights include five types, each of which is upheld by international

treaties and is an integral part of human rights to ensure gender equality and prevent discriminatory views on the marital status of men and women. These five types are:

1. Body Autonomy

The right to make one's own decisions about sexual and reproductive health without interference from others.

2. Freedom from Violence

The right to be protected from sexual violence, coercion, harassment and harmful practices such as genital mutilation.

3. Access to Health Services

The right to safe, affordable and quality reproductive health services, including contraception and information about sexually transmitted diseases.

4. Family Planning

The right to decide whether to get pregnant or not, when and how many children to give birth to.

5. Maternal Health

The right to protection from death due to pregnancy and childbirth.

In reproductive health analysis, early marriageChild marriage can create a vulnerable situation. This is not only related to the immaturity of the child's reproductive organs, but also to their level of mental and emotional maturity. Marriage is intended to build a family life based on mutual love, giving, and mutual support for the common good. Therefore, mature mental and intellectual readiness is required to determine one's life.(Angga, 2011)Teenagers, who are the next generation of the previous generation, are required to have knowledge and skills about reproductive health so that they care for themselves and can determine their attitudes and be responsible. Considering their role as the next generation, teenagers must be proactive in knowledge about reproductive health, including having to be intensively transformed by authorized and competent parties, both through formal learning in schools, as well as non-formal education initiated by organizations formed by the Government, potential community groups, or volunteers who are concerned with the elimination of child marriage. The connotation of teenagers, according to the theory, is divided into:

- a. Early Adolescence (ages between 10 and 12 years) and future Middle Adolescence
- b. Middle Adolescence (ages between 13 and 15 years) and also future Late Adolescence
- c. Late adolescence (ages between 16 and 19 years) and also the future of adulthood.

Hoffman, in his book by Achmad Juntika et al., interprets adolescence as a period of forming attitudes toward everything an individual experiences. The development of psychophysical functions during adolescence is very rapid, requiring integrative actions to create harmony between these functions within the individual. Meanwhile, Conger interprets adolescence as a very critical period that may be the best of times and the

worst of times. If an individual is able to overcome the various demands they face in an integrative manner, they will find their identity, which they will carry into adulthood. Conversely, if they fail, they will be in a state of prolonged identity crisis.(H. Achmad Juntika dan Mubiar Agustin, 2013)

From the perspective of Health Science, during adolescence there are typical things that occur and require special attention from parents, namely: a) The emergence of Puberty, b) Increased Production of Sexual Hormones in the body, c) Psychological Changes, and d) The need for adequate nutritional intake. Regarding these four things, at the implementation level, extra attention is needed from parents, because if there is no proper direction, it is feared that it will cause negative impacts, such as sexual relations that risk pregnancy, thus pushing for marriage at a young age., on the basis of coercion, the birth of stunted babies due to lack of nutrition during pregnancy, the death of mothers and / or babies during childbirth due to negligence of examinations and so on. Therefore, the introduction of reproductive organs in adolescents must be done early, so that children can be wiser in maintaining and appreciating their reproductive health.

The goal of reproductive health education is to increase knowledge about the functions, systems, and processes of reproduction as a result of natural growth and development according to the life cycle of each adolescent. With this understanding, adolescents can make wise and safe decisions regarding their bodies and sexual activity. Lack of education and knowledge regarding reproductive health will trigger undesirable events, such as: Sexually Transmitted Infections (STIs) or unplanned pregnancy (KTD). This situation is exacerbated because the topic of sex and reproduction is still considered taboo by most people. Therefore, the educational process must be flexible, adapting to the suitability of the audience. The visual aids used for education must be proportional so that they are easily understood by the audience. The use of terms should be specific and up-to-date and contain scientific content for deeper understanding. To support the smooth implementation of reproductive rights education, many parties can be involved according to their scientific knowledge and skills, but still must be coordinated with authorized institutions.

There is a principle that both girls and boys need to know about reproductive health, including: a) Introduction to the reproductive system, processes, and functions, b) Risks of disease and pregnancy, and c) Sexual violence and efforts to avoid violence. By understanding the risks of abuse of reproductive organs, the principle of caution and obedience to the rules will be built. If these two principles are firmly held by every child, they have the potential to become a driving force for strengthening respect for reproductive rights, including driving a decrease in the rate of child marriage.

According to La Ode Angga in his article published in the *Muwazah Gender Studies Journal*, volume 3 number 2 of 2011, it is said that women's reproductive rights from the perspective of Islamic law consist of:(Angga, 2011)

a. Female Circumcision

Circumcision is an early stage problem in women's reproductive health. The Quran does not explicitly mention either male or female circumcision. It simply states: "Follow the tradition of Abraham." Many views have been expressed on the necessity of female circumcision, but the hadith supporting its necessity are, according to a number of

scholars, very weak. Medically, female circumcision offers no benefit, and can even harm or damage body parts.

b. The Right to Determine Marriage

Women in many traditions are often considered to have no right to decide when and to whom they will marry. All of a girl's interests are determined by her parents and she must obey them without being able to refuse, because refusing to parents is considered an act of disrespect. In some societies that firmly adhere to tradition, there is a belief that marrying off a girl at an early age is a source of family pride. Conversely, if a girl is held back from marrying immediately, it is feared that it will bring negative views from society, as if the girl is unsaleable. Often the tradition of marrying off immature girls takes religious grounds, including placing the child's condition of puberty as the right time to marry, even though according to state law, she has not met the minimum age requirement. In fiqh literature, it is explained that underage marriage is not something good (*mustahab*). Imam Syafi'i once stated: "It is better for a father not to marry off his daughter until she reaches puberty, so that she can convey her permission (her willingness) because marriage will bring various obligations and responsibilities."

c. The Right to Determine Pregnancy

It is highly sympathetic that the Qur'an emphasizes the need for society to pay serious attention to women's pregnancies. Pregnancy, according to the Qur'an, is a very difficult reproductive process "*wahman 'ala wahmin*" (double weakness) as stated in Surah Luqman, 14 and Surah Al Ahqaf, 15. The Qur'an, through these two verses, advises humans to be kind to their parents. This extremely weak and extremely difficult condition reaches its peak at childbirth. There are many social facts and research data regarding maternal deaths resulting from complications of pregnancy and childbirth. Therefore, it is very reasonable, and even should be, that the desire to become pregnant or not, to have children or not, needs to consider the voice of women more than the voice of men, considering that women are the primary owners of the womb, where the embryo of a human being is conceived. Alternatively, the desire to postpone pregnancy while awaiting the mental and physical readiness of women as prospective mothers is an important agenda to be communicated internally. Currently, the process of postponing or regulating pregnancy can be done through various and more sophisticated techniques, methods, and contraceptive devices. The majority of current Islamic scholars have given the green light for Muslims to use any contraceptive methods and tools, as long as they are not intended to limit the reproductive process.

d. The Right to Obtain Reproductive Health Information

It is crucial for women to obtain reproductive health information from competent sources, such as doctors, midwives, and others. This is because it is natural for women to become pregnant after marriage, and during pregnancy, they will experience many physical and psychological changes. Therefore, they must obtain accurate information from their families, especially from health professionals. Regarding women's obligation to protect their wombs, the Qur'an provides interesting guidance when discussing the origins of humankind and their reproduction. It then emphasizes the importance of sharing information with one another about the importance of protecting the womb.

e. The Right to Determine Birth

In principle, Islam forbids all forms of destruction, injury, and even murder. The Qur'an states, "Do not distance yourself from destruction," and in a Hadith, the Prophet Muhammad (peace be upon him) once stated, "No one has the right to do anything that endangers themselves or others." This can only be done on the basis of sound law for the sake of human justice. In many birth cases, sometimes a mother is faced with the choice of terminating her pregnancy for health reasons, for example because the mother has a history of chronic heart disease, lung cancer, and so on, which if the pregnancy continues will endanger both mother and baby. However, such a choice is certainly the most difficult alternative, because in essence, a woman when given the gift of pregnancy and giving birth to a child safely, is like receiving a priceless treasure, so it is an obligation for her to protect and preserve it until its destiny. Apart from such thinking, in fact the government, through the health institutions under its auspices, has also provided support to every pregnant and giving birth mother, both in the form of pre- and post-natal facilitation, unless otherwise required by compelling circumstances.

Meanwhile, according to *International Planned Parenthood Federation*, there are 12 (twelve) types of reproductive rights, namely:

1. Right to Life

It is the right to be free from the risk of death due to pregnancy and the reproductive process.

2. Right to Liberty and Security

It is the right to be free from forced sterilization, abortion or pregnancy.

3. The Right to Equality and Freedom from Discrimination

In the form of providing equal opportunities in reproductive health regardless of gender or status.

4. Right to Privacy

That in order to obtain reproductive services, patient privacy must be respected.

5. The Right to Freedom of Thought

It is free from narrow interpretations of religious teachings or traditions that limit reproductive rights.

6. Right to Information and Education

Includes the authority to gain access to accurate information about sexual and reproductive health.

7. The Right to Choose to Marry or Not

It is the right to decide whether to form a family or not.

8. The Right to Decide to Have Children

It is the right to determine when, how often and how many children one wants to have.

9. The Right to Health Services and Protection

It is the right to have access to reproductive health facilities, family planning (KB) and maternal health.

10. The Right to Benefit from Scientific Progress

It is the right to have access to the latest safe reproductive health technologies.

11. Right to Assemble and Participate

Includes the right to urge the government regarding reproductive health policies.

12. Right to be free from abuse/harassment

It is the right to receive protection from violence, rape and sexual torture.

These twelve rights are also guaranteed in Indonesian law, specifically in Article 49 paragraph (3) of Law Number 39 of 1999 concerning Human Rights, which reads as follows: "Special rights inherent in women due to their reproductive function, are guaranteed and protected by law." This protection is valid and applies as long as the regulations are determined formally as in the law. Especially in the 21st century, specifically in the era of the presence of the Millennial Generation and the birth of Generation Z (Gen Z), there are many additional reasons why children and adolescents need to understand their bodies and the concept of healthy sex. Children in the Gen Z range often discuss sexual issues with their peers freely, even tending to be vulgar, because hormonal changes make them curious to know more about the problem, especially with the easy access to pornographic content on the internet, making children want to learn and imitate the behavior of others, even though what they see and imitate may not be appropriate for themselves. Therefore, it is important for children to understand what is normal and what is not. (Pemerintah Kabupaten Lumajang dan KINERJA-OGP, 2019) This also includes the need for guidance and support from within the family, especially parents, so that children's activities can be monitored to avoid psychological influences that can result in unethical or uncontrolled behavior.

4. Conclusion

Child marriage, according to Article 1 number 8 of Lumajang Regent Regulation Number 23 of 2020, is a marriage carried out between a man and a woman where one or both of them are not yet 19 years old, which means they are not physically, mentally and emotionally ready so that they bring more negative impacts, which are not only detrimental to themselves because their rights to receive education, to get a decent living, as mandated by the 1945 Constitution cannot be fully enjoyed, but also indirectly have an impact on the government's conduct, because the excesses of child marriage tend to give rise to high school dropout rates, fragile households, increased divorce rates, the birth of children with disabilities, increased cases of Domestic Violence, etc., all of which if not addressed wisely, such as: by providing access to formal education, educating future generations about reproductive health and rights and promoting gender equality at the grassroots level, through education that is

integrated with cross-sectors and cross-interests. The initiative of the Lumajang Regency Government to issue Regent Regulation Number 23 of 2020 concerning the Elimination of Child Marriage, including as a constructive effort to overcome child marriage, so that starting from the regional scope, contains great hope in efforts to support the achievement of the development rate targets of the Regional Government, Provincial Government and even the Central Government.

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