



IMPACTS AND PROBLEMS OF EARLY MARRIAGE DURING THE COVID-19 PANDEMIC

Yuli Sri Handayani¹, Muhammad Faqihurrahman², Muhammad Izzul Haq³, Farezza Nur Pahlevi⁴,
Dzaki Almas Akbar⁵, Yaafi' Azhar⁶

^{1,2,3,4,5,6} Fakultas Hukum Universitas Janabadra

Article Info

Received : 27/07/2021

Approved: 15/08/2021

DOI: 10.24815/sklj.v5i2.21906

Keywords:

Early-age Marriage;

Pandemic Covid-19;

Economic.

Abstrak

The aim of this research is to explain the factor and the impact of young married people. In this COVID-19 pandemic, there are so many Indonesian teenagers doing married in the young age. Factors that influence the increase of this issue is because of economy, religion, and promiscuity. People who do this thing must ready to face all of problem and impact that will happen because everything getting worse in this pandemic Covid-19 actually in economic.

This is an open access article under the [CC BY](#) license.



Corresponding Author:

Muhammad Faqihurrahman

Email: fickymj14@gmail.com

I. INTRODUCTION

The outbreak of the Corona Virus Disease 2019 (Covid-19) pandemic has become a serious concern for countries around the world, including Indonesia. In a short period of time this pandemic has massively impacted almost all aspects of life. During the COVID-19 pandemic, the situation for early marriage has worsened, especially in Indonesia. The Indonesian Child Protection Commission (KPAI) received reports throughout the pandemic period (2020-2021) that a number of children from poor families who were in junior and senior high school dropped out of school due to marriage.

In addition to economic factors (family poverty), early marriage occurs due to a number of factors such as culture, religion, and the influence of promiscuity. In 2020, 119 children dropped out of school due to marriage. In 2021 there were 33 cases of children dropping out of school because they were married. The majority are caused by economic factors or poverty. For example, they don't have a gadget and quota, as a result, they don't go to school anymore during the covid-19 pandemic. The issue of early marriage in Indonesia is in the world's spotlight. The Central Statistics Agency (BPS), the National Development Planning Agency, UNICEF, and the Center for Research and Advocacy for the Protection and Quality of Life of Children at the University of Indonesia in the report "Prevention of Child Marriage: An Undelayed Acceleration" which was launched in 2020, stated that in 2018,

Women aged 20-24 years who married before the age of 18 in 2018 are estimated to reach around 1,220,900 people. From a statistical perspective, the Central Bureau of Statistics shows that

early marriage is declining, but the trend is expected to increase during the pandemic, following the economic problems faced by the community including families living in disaster areas.

Although the government has revised the minimum age limit for marriage in Indonesia through Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning marriage, it has increased the minimum age for marriage for women from 16 years to 19 years, thereby increasing the marriage age for women and men. Both boys are 19 years old. In addition, there is a rule that stipulates that deviations from the minimum age limit in marriage can only be applied for dispensation to the court. In fact, this regulation has not suppressed the practice of early marriage in Indonesia, dispensation to court is increasing. Data from the Religious Courts Agency (Badilag) of the Supreme Court, throughout 2020 the number of applications for marriage dispensation that entered the religious courts reached 64,000 applications.

This number increased compared to 2019 as many as 24,865 applications. With the increasing number of applications for dispensation from marriage to religious courts throughout Indonesia, it causes concern about the bad consequences of early marriage and the future impacts that will occur such as the potential for failure to continue education, because marriage at an early age is very risky in failing to achieve the education that should be in the era of digital is now very mandatory to get a proper education and higher education so that the population in Indonesia achieves adequate quality of human resources for the progress of Indonesia in the future, Women who are married under the age of 18 have four times less chance of completing higher education than high school .

Marriage at an early age will also have the potential to increase Domestic Violence (KDRT) and the occurrence of divorce due to the lack of maturity in thinking so that when differences of opinion or concern for each other's ego will cause big fights and so divorce occurs. Early marriage also has the potential to increase maternal mortality, complications during pregnancy and childbirth are the second biggest cause of death for girls aged 15-19 years, and are vulnerable to damage to reproductive organs. Marriage at an early age also has the potential to increase infant mortality, because babies born to mothers under the age of 20 years have the opportunity to die before the age of 28 days or 1.5 times greater than if born to mothers aged 20-30 years.

Marriage at an early age also has the potential to cause economic losses, child marriage is estimated to cause economic losses of at least 1.7 percent of gross domestic income (GDP). This means that child marriage has the potential to harm the development of human resources in the future. And marriage at an early age will generally pose a risk of difficulty in getting a job so that it has the potential to increase the poverty rate in a society. In connection with the problems described above, this study aims to find out and understand more deeply the factors, consequences and problems of early marriage during the COVID-19 pandemic according to legal reviews in Indonesia.

II. RESEARCH METHOD

This research is a juridical-normative type, using library materials, both primary and secondary legal materials. The primary legal materials used are in the form of basic norms or rules, basic regulations and related laws and regulations. While the secondary legal materials used in this study are all sources that can be used as references to explain further from primary legal materials in the form of literature, articles, journals. As well as relevant research results. Data collection was carried out by literature study, while data analysis was carried out in a qualitative descriptive manner to answer the problems in this study.

III. RESULTS AND DISCUSSION

3.1. Factors that cause early marriage

The Covid 19 pandemic that has hit Indonesia since 2019 has caused many new problems to emerge and existing and unaddressed problems are increasingly difficult to control, one of which is early marriage.

Law 16 of 2019 concerning Amendments to Law 1 of 1974 concerning Marriage has a background in relation to the Constitutional Court of the Republic of Indonesia which has issued a Constitutional Court Decision Number 22/PUU-XV/2017 which one of the considerations of the Constitutional Court in the decision is "But when the difference in treatment between men and the woman has an impact on or hinders the fulfillment of basic rights or constitutional rights of citizens, both those included in the group of civil and political rights as well as economic, educational, social, and cultural rights, which should not be distinguished. solely on the grounds of sex, then such a distinction is clearly discrimination." The increase in early marriage during the COVID-19 pandemic is caused by several factors, namely economic, religious, and social factors.

In addition, there is a rule that stipulates that deviations from the minimum age limit in marriage can only be applied for dispensation to the court. In fact, this regulation has not suppressed the practice of early marriage in Indonesia. Dispensations to court are increasing.

a. Economic Factor

Factors that have led to an increase in early marriage in the midst of a pandemic include economic problems. In 2020 there were 119 children who dropped out of school due to marriage. In 2021 there were 33 cases of children dropping out of school due to marriage.

The majority are caused by economic factors or poverty. For example, they don't have a gadget and quota, as a result, they don't go to school anymore during the pandemic. Because they are unemployed and do not want to be a burden on their parents, they finally choose to get married or be married off, and many workers are laid off.

Difficult economic conditions make some parents think that marrying off their children can ease the burden on the family. The issue of child marriage in Indonesia is in the world's spotlight.

The Central Statistics Agency, the National Development Planning Agency, UNICEF, and the Center for Research and Advocacy on the Protection and Quality of Life of Children at the University of Indonesia in the report "Prevention of Child Marriage: An Undelayed Acceleration" which was launched in 2020, stated that in 2018, Indonesia was on the list of 10 countries with the highest absolute number of child marriages in the world.

In the report, it is stated that one in 9 girls is married in Indonesia. Women aged 20-24 years who married before the age of 18 in 2018 are estimated to reach around 1,220,900 people. In terms of numbers, the Central Statistics Agency survey shows child marriage is declining, but the trend is expected to increase during the pandemic, following the economic problems faced by the community, including families living in disaster areas.

b. Religion Factor

Saving from sexual perversion / Adultery the surrounding environment if allowed to flow without direction will be dangerous too, he will overwhelm and destroy the surroundings. On the other hand, if it is regulated, by making a special channel, it will be able to support thousands of hectares of rice fields and benefit livestock.

Likewise, sex, if not channeled, will cause a lot of mental shock (stress) which is not good for mental development. If without a clear channel, resulting in sexual deviation (adultery). On the other hand, if it is arranged in the marriage channel, there will be many benefits, healthy offspring will be born (outwardly), giving joy to the family, infinite pleasure and enjoyment for the husband and wife themselves.

That's why the Rasullullah SAW. remind:

"Tidak ada pria muda! Siapapun diantara kalian yang cukup umur untuk menikah, maka segera menikah, karena kualitas dapat menjaga pandangan dan menjaga (kesucian vagina)." (HR. Bukhari-Muslim)..

Those who hasten to marry for fear of falling into the valley of adultery are very noble in the view of Islam. The Rasullullah SAW said:

"Tiga golongan yang berhak mendapat pertolongan yaitu orang yang menikah karena ingin menjaga kehormatan, orang yang ingin menunaikan ,janjinya serta orang yang berperang di jalan Allah." (HR Ahmad, An-nasai, dan Al-Hakim)

Households provide more worship values. Many charities in the household. For a husband, supporting his wife and children, providing spiritual support, and so on is a very noble act and is even categorized as jihad. Likewise, wives in providing food for their husbands, welcoming them when they come to work, educating children will get abundant rewards.

Rasulullah SAW. said:

"Siapa di antara kalian (para istri dan ibu) ikhlas tinggal di rumah untuk mengasuh anak-anak dan melayani segala urusan suaminya, maka ia akan memperoleh pahala yang kadarnya sama dengan pahala para mujahidin di jalan Allah." (HR Bukhari-Muslim).

c. Cultural Factor

The view of marriage can avoid adultery and to maintain the good name of the family. In Eastern culture, the existence of children is sometimes exploited for the glory, honor and even wealth of their parents. Not infrequently children are dictated to obey their wishes. Children are forced to marry men of their parents' choice just because the man is rich or has a high rank.

Some parents don't even care about the moral condition of their children who have been dating for a long time, they seem to close their eyes to the dangers that arise later. This indifferent attitude is more because the child's boyfriend is not working or is an ordinary person (he thought, who knows there will be more). Wise parents will not be at peace until their children who are old enough are married. Especially if the prospective child already exists because those who try to date (khalwat) are very close to various moral violations. The violation will not happen all at once, but gradually, which will eventually lead to adultery. Therefore, it is the duty of parents to immediately marry off their children in order to save the future of the child itself. (Abu Al-Ghifari, 2003).

d. Free promiscuity factor

In a weak family, parental supervision of children has an impact on the occurrence of promiscuity which results in pregnancy out of wedlock. Pregnancy out of wedlock forced the parents to apply for a marriage dispensation to the religious court. In DI Yogyakarta Province, during 2020, of the 700 marriage dispensations granted in religious courts, 80% of them were due to pregnancies out of wedlock.

The judge chose to grant it because if not married, it could create new problems, such as hostility between families. As many as 89% of judges said that the application was granted to respond to parents' concerns about fear and shame because their child was pregnant but not married. Therefore, there are many opinions that the marriage dispensation seems to "simplify" the marriage process by emphasizing the fulfillment of inner livelihood without considering the harmony of family life in the future (Candra, M, 2018). As a result, the essence of marriage is lost. This dilemma needs to be resolved by the government by making technical rules regarding this dispensation (Candra, M, 2018).

3.2. The impact of increasing early marriage during the COVID-19 pandemic

3.2.1. Terrible Impact

Child marriage should be prevented by all parties because the impact is very dangerous for both the family and the country. The phenomenon of child marriage at an early age, according to the Head of the Office of Women's Empowerment, Child Protection and Population Control (DP3AP2) DIY, Erlina Hidayati Sumardi, is a terrible phenomenon because it will have a long impact on the newly formed family, both in terms of physical and mental health.

The immaturity of the reproductive organs in children makes them potentially experience complications of various types of diseases both during pregnancy and during childbirth. Not only that, babies born to mothers who are under the age of 20 also have a twice higher potential to die at the age of the first 28 days.

The mental condition of children who are still under 20 years old are also immature to build a household because their emotions are not yet stable. This will potentially lead to cases of domestic violence (KDRT) and the increase in divorce rates.

Child marriage at an early age will also hamper the growth of the Human Development Index (HDI) and the SDGs at the same time. The reason is, because they got married when they were still in school, they had to drop out of school.

3.2.2. Psychological impact

1. Depression

Actors of early marriage are prone to depression. This is related to their unstable age, where their mental and personality are not yet mature. Someone who is not old enough, is generally not strong enough to be burdened with child problems, family conflicts, and economic pressures. These burdens can not be denied can trigger a person to experience depression. Not to mention if the marriage itself causes protracted disappointment, which ultimately results in depressive neuritis.

2. Family disharmony

From the psychological aspect, early marriage can lead to family disharmony. This is because the perpetrators are still in a transitional phase from childhood to adulthood. In this transitional phase, they do not yet have a mature personality and way of thinking so they are prone to conflict. Then these conflicts will inevitably have an impact on the disruption of family harmony. In fact, early marriage is claimed to be one of the causes of domestic violence and also high divorce rates (Lauma Kiwe' 2017).

3.3.3. Social impact - education

1. Drop out of school

The impact of early marriage spreads to education. People who marry early will lose the right to education. For example, when the marriage took place, the perpetrator had just graduated from junior high school or was still in high school so that the desire to continue school became dim.

2. Limited association

Early marriage has the potential to limit the association of the perpetrators. Someone who is married certainly has limitations unlike those who are still single. These limitations make their association limited. Even though at their young age, the turmoil to get along with many people is high (Lauma Kiwe, 2017).

IV. CONCLUSION

The outbreak of the COVID-19 pandemic has become a serious concern for countries around the world, including Indonesia. In a short period of time this pandemic has massively impacted almost all aspects of life. During the COVID-19 pandemic, the situation for early marriage has worsened, especially in Indonesia. The Indonesian Child Protection Commission received reports during the pandemic that a number of children from poor families who were in junior and senior high school dropped out of school due to marriage.

Factors that cause an increase in early marriage in the midst of a pandemic The majority are due to economic factors or poverty. For example, you don't have a device and quota, as a result, you don't go to school anymore during the pandemic. Because they are unemployed and do not want to be a burden on their parents, they finally choose to get married or get married. In addition to these factors, there are other factors, namely; religious factors, cultural factors, and promiscuity factors. Meanwhile, the impact of increasing early marriage during the COVID-19 pandemic is:terrible impact, Psychological impact and socio-educational impact.

BIBLIOGRAPHY

- Al-Ghifari, Abu. 2003. Pernikahan dini dilema generasi ekstravaganza. Mujahid, Bandung.
- Anggraeni, Tasya. 2020. “Kasus Pernikahan Dini Meningkat Selama Masa Pandemi”, <https://yoursay.suara.com/news/2020/10/21/110151/kasuspernikahan-dini-meningkat-selamamasa-pandemi> , di akses 1 juni 2021
- Ashri, Abdullah Fikri, dkk. 2021. Pandemi Perburuk Situasi Perkawinan Anak, artikel pendidikan & kebudayaan. <https://www.kompas.id/baca/dikbud/2021/04/19/pandemi-perburuk-situasi-perkawinan-anak/>, Diakses 1 Juni 2021
- Candra, M. 2018. Aspek Perlindungan Anak Indonesia: Analisis tentang Perkawinan di Bawah Umur (Edisi Pertama). Predana Media. Jakarta.
- Kiwe, Lauma. 2017. Mencegah pernikahan dini. Ar-Ruzz Media. Yogyakarta :
- MOM. 2021. “Hamil Duluan Penyebab 80 Persen Perkawinan Anak di DIY, Darurat Langkah Konkret”, <https://kumparan.com/pandanganjogja/hamil-duluan-penyebab-80-persen-perkawinan-anak-di-diydarurat-langkah-konkret1uyGgzc4foh> , Diakses 1 juni 2021
- Mufarida, Binti. 2021. “Menkes Beberkan Faktor Meningkatnya Pernikahan Dini saat Pandemi Covid-19”, <https://nasional.okezone.com/read/2021/03/18/337/2379901/menkes-beberkan-faktor-meningkatnya-pernikahan-dini-saat-pandemi-covid-19>, di akses 1 juni 2021