

Counseling to Increase Legal Literacy About Early Marriage in Pocangan Village, Sukowono District, Jember Regency

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Abstract

Early marriage has become a tradition in village communities. As happened in Jember Regency, in 2023 there will be approximately 905 of early marriage cases. Even though Law No. 16 of 2019 regulates that the minimum age limit for men and

DOI: <https://doi.org/10.47134/comdev.v4i3.171>

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Received: 02-01-2024

Accepted: 03-02-2024

Published: 07-02-2024



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women to marry is 19 years. Apart from traditional factors, many other factors cause early marriage, such as promiscuity, economic factors, and also the lack of legal literacy in society regarding the age limit for marriage. Therefore, we are conducting counselling to increase legal literacy regarding early marriage in Pocangan Village, Jember Regency to reduce and prevent early marriage cases. The method used in this activity is Asset Based Community Development (ABCD). From all stages of service, it was successful in improving public literacy and understanding of marriage laws including age limits for marriage, as well as public awareness to comply with regulations, as well as being able to prevent early marriage and provide positive education to other communities. However, in terms of awareness regarding continuing education, the level of education is still low. Because there is no social or institutional support for continuing school.

Keywords: *Counseling, Increasing Legal Literacy, Early Marriage*

I. INTRODUCTION

Early marriage has become a trend in society today because, in terms of religious law, it can be a solution to prevent adultery among minors. Early marriage has also become a tradition and culture for village communities (Hanafi, 2011). Religion does not strictly prohibit underage marriage, but also never encourages it, especially if it is carried out without regard for the physical, mental, and rights of children (Puspaningrum, Zulaika and Wardana, 2022).

Age at marriage is one of the parameters considered for building an ideal family. (Gaza *et al.*, 2023) The Marriage Law states that the age requirement that must be met as a condition for a person to marry is to apply the maturity standard, namely the age of 19 years (male and female) (Law No. 16 of 2019). Even though there is an age limit, underage marriages still occur. This clearly contradicts the marriage guidelines and conditions regulated in the Marriage Law. The Marriage Law offers an alternative to this deviation in the form of a dispensation issued by the court.

Child marriage in Indonesia is still a social problem that needs attention. Data on child marriages obtained from the Religious Courts Agency recorded 64.2 thousand in 2020, which was a threefold increase from the previous year. Indonesia is ranked 2nd in ASEAN and 8th in the world for cases of child marriage. It is known that around 22 of the 34 provinces in the country have child marriage rates that are higher than the national average. This is very worrying (Djanuardi *et al.*, 2023).

There are several factors that cause early marriage, namely the mindset of primitive times which is proven by a marriage paradox between parents' choice and their own will, economic factors, wanting to perpetuate the relationship, and factors that are actually undesirable, namely MBA (married by accident). A man and a woman are forced to marry at a young age because the woman became pregnant outside of marriage. In fact, because of these factors, some parents falsify the age data of brides who are not yet 19 years old in order to get married (Sariroh, 2021).

Meanwhile, according to DP3AK data, the number of early marriages in East Java province has seen an increase in the percentage of early marriage cases. In 2020 there were 9,457 cases or 4.97 percent of the total 197,068 marriages. This percentage increase compared to 2019 which was only 3.6 percent or 19,211 cases out of a total of 340,163 marriages. This increase also occurred in Jember. The increase in cases of early marriage is an important thing to pay attention to. Referring to data from the Jember Religious Court regarding cases of applications for marriage dispensation in 2018, there were 161 cases received. In 2019 it rose to 349 cases. In 2020 there were 1,461 cases. And in 2021, from January to August, there were 962 cases decided by the Religious Courts (Ivona, 2021). In 2023, according to data from the High Religious Court as of August, the city of Jember is ranked first with the highest number of early marriages, namely 903 cases (Digital Radar Jember, 2023). Understanding religious rules and teachings in marriage is important for husband and wife and parents, this is very related to the domestic life that will be lived (Ichrom, Rofiq and Muafiq, 2023), Such as understanding the rights and obligations of husband and wife in the family and the roles of both.

This data shows that cases of early marriage in Jember district have increased significantly. To address this problem, regulations have been regulated very strictly as stated in the Marriage Law no. 1 of 1974 which was 2 revised to become Law No. 16 of 2019. The revised law raises the minimum age for men and women to 19 years. Previously, the boy was 19 years old and the girl was 16 years old. However, this age limit has not had any side effects in reducing the rate of early marriage, both nationally and regionally. This means that the phenomenon of early marriage that occurs in Jember is a social phenomenon that occurs in all places. In this context, the role of all stakeholders, including universities, is to take part in reducing the rate of early marriage. Starting from this problem, we carried out a service to increase legal literacy regarding the dangers of early marriage for teenagers and parents in Pocangan Village, Sukowono subdistrict, Jember Regency.

The Purpose of Service

The objectives of the outreach that will be carried out are:

1. To increase awareness of teenagers and parents in Pocangan villages regarding the impacts of early marriage

2. To increase legal understanding and awareness regarding early marriage.

Expected Assistance Output

Based on the reality of the conditions of assistance mentioned above, the implementation of assistance to the community in Pocangan Village, Sukowono District, Jember Regency, especially parents and teenagers, this has several expected outputs including:

1. Increased knowledge, understanding and awareness of the Pocangan Village community regarding the marriage age limit regulations in the Marriage Law.
2. The creation of a society that is able to prevent marriage at a young age.
3. The creation of human resources that are able to have a positive influence on other communities.

II. METHOD

This research uses ABCD (Asset Based Community Development) approach, which focuses on the benefits of assets and potential possessed by the village and its community, by maximizing the use of available resources. ABCD is a community development strategy that starts from existing assets owned by the community, capacities, associations and community institutions and is not based on assets that do not exist or based on problems or community needs.

The ABCD approach is a service method that seeks to develop an asset-based community (potential), such as developing educational, economic communities, and so on. There are 5 (potential) assets in ABCD, namely: Individual, Association, Institutional, Physical or Material Assets and extensive communication connections or networks. Thus, the essence of ABCD is its focus on efforts to empower and develop communities in accordance with the assets they already have, whether individual, association, institutional, physical or material assets, as well as connections or extensive communication networks (Anam, 2020). This empowerment focuses on teenagers and parents in Pocangan Village, Jember Regency. The assets that will be empowered are the assets of knowledge and awareness of teenagers and older people regarding the rules in the Marriage Law, especially regarding the age limits for marriage and the impacts that are likely to occur.

In the stages of this method there are 5 steps used, 1). Discovery, discovery is a companion in carrying out an in-depth search process, such as searching for and identifying 5 assets owned by the community. In this stage we do this by means of friendship, area searches, community mapping, asset activities, and individual asset mapping. 2). Dream, in this stage the companion formulates a dream or goal that can be developed by the asset. This is done by means of deliberation. 3). Design, companions with the community begin to formulate strategies, processes and divide roles and responsibilities in supporting the realization of solving community problems. 4) Deliver, at this stage is the implementation of activities or programs that have been designed, such as counseling, providing materials and assistance in resolving cases. 5). Destiny, in this stage the companion evaluates the implementation of the program that has been carried out.

III. RESULTS AND DISCUSSION

On Wednesday, 23 August 2023, the research team began providing legal assistance and counseling regarding the legal problems of early marriage to increase public legal awareness. This counseling, which was carried out in Pocangan Village, Sukorambi sub-district, Jember regency, went smoothly. This outreach activity was attended by several teenagers and parents. Presentation of legal counseling regarding the problems of early marriage according to Indonesian marriage law was delivered by one of the accompanying team and lecturers who are experts in legal science. Matters related to theories and results from material studies or legal materials regarding early childhood marriage based on Islamic law and marriage law in Indonesia. In this stage it is delivered in the form of a lecture.



Figure 1: Delivery of material in outreach activities to increase legal literacy regarding early marriage

Regarding the age of marriage, basically Islamic law does not regulate absolutely the age limit for marriage. The absence of religious provisions regarding minimum and maximum age limits for marriage is assumed to provide leeway for humans to regulate it. The Qur'an indicates that the person who will enter into marriage must be someone who is ready and able. The Word of Allah SWT in QS. An Nuur verse 32 which means;

“Marry off the ‘free’ singles among you, as well as the righteous of your bondmen and bondwomen. If they are poor, Allah will enrich them out of His bounty. For Allah is All-Bountiful, All-Knowing.”

Indirectly, the Qur'an and Hadith acknowledge that maturity is very important in marriage. The age of adulthood in fiqh is determined by physical signs, namely signs of puberty in general, including, the perfect age of 15 (fifteen) years for men, *ihtilām* for men and menstruation for women at least at the age of 9 (nine) years (Munib and Huda, 2023). By fulfilling the criteria for puberty, it is possible for a person to enter into marriage. So that a person's maturity in Islam is often identified with puberty.

A person who will marry is a capable person. Some scholars interpret that what is meant by a worthy person is a person who is spiritually and mentally capable of fostering and building a household well (Shihab, 2015). In Islamic studies, this means not only being able to fulfil a partner's biological desires, but

also being able to guarantee the life of their family and children (Munib and Huda, 2023), and a wife is able to maintain the honour of herself and her family and her husband's property and is able to manage the household well in accordance with their respective functions.

Meanwhile, Marriage Law Number 16 of 2019, an amendment to Law Number 1 of 1874, stipulates that the minimum age limit for men and women to marry is 19 years. In Law No. 16 of 2019, considering: that marriage at a child's age has a negative impact on the child's growth and development and will result in the non-fulfilment of basic rights such as the right to protection from violence and discrimination, children's civil rights, health rights, educational rights and children's social rights (Adawiyah, 2022). In this service activity, the presenters explained in detail the rules of marriage in Islam and the marriage regulations in law. Including the negative impacts of early marriage on physical, emotional and household integrity. In the principle of a harmonious family, there must be a balance between the rights and responsibilities of husband and wife. Therefore, husband and wife must have a deep understanding of domestic life (Sariroh, Ali and Syakur, 2023).

The next activity will be held on Thursday 24 August 2023, namely mentoring activities regarding solving problems in the household including what solutions the family can take. This activity was carried out as an FGD so that participants could also share their opinions. This activity was also accompanied by a lecturer and the research team. This activity was carried out over two days, the first day being an FGD activity with parents and the second day with teenagers in Pocangan Village. Outreach activities regarding increasing legal literacy to prevent early marriage in Pocangan Village are supported by the village head and village officials. This is a form of appreciation and awareness from the village head that this activity is very useful for the community.



Figure 2. FGD assisting in resolving household problems with parents in Pocangan Village



Figure 3. FGD assisting in resolving household problems with teenagers in Pocangan Village

In the FGD activity, we also discussed and asked what reasons made early marriage a reason to carry it out. After we concluded from the results of the FGD, parents were forced to marry off their children because of economic limitations, they were unable to pay for their children to continue their education. By getting married, they can reduce the burden on their family's needs because they have a husband who can help meet their daughter's needs. Apart from that, there is also promiscuity and the will of the teenager.

In this activity, participants are expected to increase the public's literacy understanding of the marriage law, including the age limit for marriage, as well as public awareness of complying with these legal regulations. As well as being able to prevent early marriage and provide positive education to other communities. It is also hoped that the implementation of this service activity can reduce the number of cases of early marriage that occur in Jember Regency, especially in Pocangan Village, Sukorambi District.

Early marriage cases should be prevented because they have many negative impacts, including obstruction of the education and learning process, high rates of maternal and child mortality and other health problems, difficulty in meeting household needs, emotional stability, conflicts that lead to divorce, marriage. who do not have legal force, the status of the child is unclear (Hasan *et al.*, 2021).

From all stages of service, the result was that this service was able to increase participants' understanding and awareness of preventing early marriage. Because not all people in Pocangan Village understand the regulations regarding marriage limits in the law, most parents understand that marriage can be carried out if their son is an adult and reaches puberty. After carrying out this activity, they understand and realize that early marriage is an action that is not good for the child's future. However, in terms of awareness regarding continuing education, the level of education is still low. Because there is no social or institutional support for continuing school. They also understand the negative impacts of early marriage.

The implementation of this service can be carried out smoothly according to the plan that has been prepared. The team coordinated well with village officials in planning, implementation and evaluation. So

you don't experience significant problems. However, there is one thing that makes service less than optimal, namely the participants' lack of courage in expressing opinions or information openly.

The recommendations from this activity are, firstly, for village officials to increase counseling or assistance activities regarding family problems, and also to implement pre-marital counseling regulations for teenagers who are about to get married. Second, increasing the role of parents in supervising children's relationships, including increasing understanding of religious knowledge and the character of teenagers.

IV. CONCLUSION

The conclusion from the results of the service activities we carried out in Pocangan Village, Sukorambi sub-district, Jember Regency, was an increase in understanding of legal literacy regarding early marriage among the community. Apart from that, the community also understands the negative impacts of early marriage, both in terms of the physical aspect and the continuity of the household. People can also understand how to resolve problems in the household.

ACKNOWLEDGMENTS

Thank you to LPPM University and the Sharia Faculty of UIN KHAS Jember for supporting this activity. And also to the head of Pocangan Village who was willing and supported this activity until it was completed. As well as to the PKM team who have collaborated to launch this activity.

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