

Underage Marriage from a Juridical and Psychological Perspective in Indonesian Society

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Abstract: Early marriage is still a significant phenomenon in Indonesia despite regulations that limit the minimum age of marriage. Data shows that 11.21% of women are married before the age of 18, with higher rates in rural areas. The research aims to analyze the juridical and psychological perspectives of underage marriage in Indonesian society, as well as identify the relationship between legal implementation and the psychological impact on children. The research used a qualitative method with a descriptive-analytical approach, involving in-depth interviews with religious court judges, psychologists, and children who married early. The results show that the legal system is weak in protecting children, reflected in the high number of marriage dispensations, which reached 65,000 cases in 2021. Children who marry early experience significant psychological impacts, with 70% experiencing stress and anxiety, 50% experiencing depression, and 65% having difficulty managing household conflicts. The study concludes that an integrative approach combining legal and psychological aspects is needed to address early marriage, and that the legal system needs to be strengthened to provide better protection for children.

INTRODUCTION

Child marriage is a complex problem and still occurs in Indonesian society. This phenomenon not only impacts the individuals involved but also the surrounding social, economic and cultural order. (Alfonso-Sánchez, Peña, Aresti, & Calderón, 2001; Guérin, 2019; Wigertz dkk., 2012). Data shows that early marriage rates in Indonesia are still relatively high despite efforts to prevent the practice through regulations and awareness campaigns. This reflects the gap between the policies implemented and their actual implementation. Law No. 16/2019 on the Amendment to Law No. 1/1974 on Marriage sets the minimum age of marriage at 19 years for both men and women. This regulation aims to protect children from the risks caused by early marriage, both physical and mental. (Gueresi, 2012; Ismayawati & Ngazizah, 2022; Manzano, 2021). However, child marriage is still common, especially in rural areas or communities with certain traditions. Many factors such as poverty, low education levels and cultural norms are

often the main causes of early marriage.

Psychologically, child marriage can significantly affect a person's mental and emotional development. Children who marry early often lack the emotional maturity and ability to shoulder family responsibilities. This situation often leads to family conflict, stress and mental health risks such as depression. (Aryati, Yulianti, & Hardinasari, 2020; D. Rahmawati, Rahmawati, & Aisyaroh, 2022; Smith, Asquith-Charlton, Blodwell, Clements, & Ellam, 1993). Research shows that children who marry young have a higher risk of domestic violence than those who marry as adults. Legally, child marriage poses a major challenge in the practice of law in Indonesia. Although a minimum age is set, legal loopholes such as marriage exemptions are often exploited to legalize child marriage (Liem, Julianto, Haq, & Shofa, 2024; Maharani, Rahardiansyah, & Luthviatin, 2024; Rousseau, 2017a). Religious courts have the authority to grant these exceptions, but they are often granted without full consideration of the psychological or social impact that the child may experience. This situation reflects weaknesses in the legal system that is supposed to protect children's rights.

At the community level, understanding of the negative impacts of early marriage is often limited. Many families view marriage as a solution to economic problems, maintaining family honor, or as a tradition that needs to be preserved. This model treats child marriage as normal, even though it goes against the principles of human rights and child development. This phenomenon requires a more global approach, both legally and psychologically, to come up with effective solutions (Gunawan & Bahri, 2023; Mutakin, Yani, & Muslikaturohmah, 2021; Rousseau, 2017b). Understanding the relationship between legal factors and the psychological impact of early marriage is an important step in creating policies that are more adaptive and responsive to community needs. More research is needed to explore the root causes and develop interventions that can shift mindsets towards sustainability.

Child marriage has become a frequently debated topic but there are still many gaps in understanding its long-term impact on individuals and society. Current research often focuses on statistical and causal aspects, while the in-depth impact on the quality of life of children who marry early, both from a legal and psychological perspective, remains largely unexplored (Calderón, Peña, Morales, & Guevara, 1993; Jorde & Pitkänen, 1991; Peña, Alfonso-Sánchez, & Calderón, 2002). This poses challenges in designing effective interventions to reduce child marriage in Indonesia. Understanding the effectiveness of legal policies, such as setting a minimum age for marriage and granting marriage exemptions, is limited. Research on how these policies are implemented in society and the extent to which religious courts consider psychological aspects when granting licenses has not been conducted. This lack of in-depth data makes it suboptimal in evaluating the success of regulatory policies.

The relationship between social, economic and cultural factors and the psychological impact of early marriage is also not fully understood. Current research often considers these factors separately without studying how they influence each other. It is important to analyze the combination of these factors to provide a more complete picture of the causes and impacts of early marriage. The psychological impact on child victims of early marriage, especially on mental health, is often mentioned in general terms without in-depth analysis. There is little research examining how child marriage affects aspects such as emotional development, decision-making ability, and the risk of long-term trauma (Husna, Rahmatillah, & Imran, 2022; Jaafar, 2018; Rosenbeck, 2018). This lack of understanding hinders efforts to provide appropriate psychological support to victims of child marriage.

Lack of understanding of how society views early marriage from a legal and psychological perspective is also an issue. It is not clear how cultural values and social norms interact with legal policies to shape public perceptions of child marriage. It is important to be aware of these gaps so that a more comprehensive and evidence-based approach can be developed to address this issue. Addressing the knowledge gap on child marriage is critical to creating more effective and targeted policies. An approach that combines legal and psychological perspectives can help explain how legal and psychological factors influence early marriage practices and how these two factors can complement each other to ensure child protection. Thorough research will provide a strong basis for designing interventions that are not only rights-based but also consider the mental and emotional well-being of the child. Indonesia's diverse cultures and traditions require more specific research to understand the causes and impacts of child marriage in the local context. These insights will help create more customized strategies that meet the needs of each specific community. Research that integrates legal and psychological aspects should also provide guidance to policymakers, legal officials and mental health service providers.

Filling the knowledge gap on early marriage is not only important to protect children's rights, but also to create a more inclusive and equitable society. This research can serve as a foundation for strengthening legal systems and psychological support services to provide sustainable solutions. By understanding this issue in depth, efforts to prevent and address early marriage can be more effective and targeted.

RESEARCH METHODS

This research uses a qualitative design, with descriptive and analytical methods, to investigate child marriage in Indonesia primarily from a legal and psychological perspective. This approach aims to gain an in-depth understanding of how legal and psychological aspects influence early marriage, as well as its impact on individuals and society. The data collected includes primary data from in-depth interviews and secondary data obtained from legal documents, policies and previous research reports.

The research population includes people who have direct or indirect experience with child marriage, including children who marry early, their families, law enforcement officers, and psychologists ("Preventing Child Marriage in Lampung: An Analysis of the Community Embedded Implementation Process Adopted for the Provincial Regulation Number 55 of 2021 and Its Harmonisation with Local Custom and Islamic Law," 2024; M. Rahmawati & Nuraeni, 2021; Rohman, Mahsus, Abduh, & Arnone, 2023). The sample was purposively selected to ensure a diversity of views, especially in areas with high rates of child marriage. The sample also included religious court judges, mental health counselors, and community leaders who understand the issue.

The research tools used include semi-structured interview guides to collect in-depth information from participants, as well as observation sheets to record relevant phenomena during data collection. The tools were designed based on the research objectives, focusing on the legal, psychological and socio-cultural aspects of child marriage. The validity of the tool was tested through pilot testing on a small sample before widespread adoption.

The research process began with a preparatory phase, which included the preparation of interview guides and collection of relevant documents. Data collection was conducted through in-depth interviews with selected participants, and review of relevant legal documents and reports.

Data analysis was conducted using a thematic approach, where findings and interview materials were analyzed to identify patterns and key themes relevant to the research objectives. The results of the analysis were then systematically organized to provide a comprehensive picture of child marriage from a legal and psychological perspective.

RESULTS AND DISCUSSION

The practice of child marriage is still a serious problem in Indonesia, especially in areas that have limited access to education and face economic difficulties. Referring to BPS statistics in 2022, more than 11% of girls were married before reaching the age of majority (18 years old) (Betawi & Nasution, 2024; Palupi, Sulistiadi, & Asyary, 2019; Rudi Mayandra, 2020). There is a significant gap between rural and urban areas, with the rate of early marriage in rural areas reaching 14.22%, while in urban areas it is 8.54%. The three provinces with the highest early marriage rates are West Sulawesi, South Kalimantan and Central Kalimantan.

Data released by KPPA indicates an increasing trend in granting early marriage licenses through the Religious Courts. It was recorded that throughout 2021, 65,000 marriage dispensation applications were granted, an increase compared to the previous year which amounted to 64,000 cases. The majority of marriage dispensation applications were motivated by cases of pregnancy outside marriage and family economic problems. This situation reflects that the problem of early marriage does not stand alone, but is related to various interrelated social factors.

The following table illustrates a comparison of the number of marriage dispensations applied for and approved in different parts of Indonesia in 2021:

Province	Number of Dispensations Filed	Number of Dispensations Approved
East Java	15.203	14.890
West Java	12.870	12.654
South Sulawesi	8.320	8.245
South Kalimantan	5.450	5.430

The high rate of marriage dispensation reflects the strong influence of social and cultural pressures in society, especially in areas with low levels of education. Marriage at a young age is often seen by families as a way out of social problems, such as unplanned pregnancies or maintaining the family's good name. This illustrates how cultural values still play a major role in encouraging child marriage, even when it is not in line with existing legal provisions.

From a legal perspective, there are weaknesses in the application of regulations related to child marriage. The marriage dispensation mechanism, which should be the last option, is often used as an easy way by families. Judges in religious courts tend to grant dispensation without an in-depth study of the psychological and social consequences that will be faced by the child (Hamidah, 2019). This indicates that child protection efforts in the legal realm have not been maximized.

The following table illustrates the psychological impact often experienced by children who marry early based on interviews with psychological counselors:

Psychological Impact	Number of Respondents (%)
Stress and anxiety	70%
Mild to severe depression	50%
Inability to manage household conflict	65%
Emotional dependence on family of origin	40%

Based on interviews with Religious Court judges, economic factors are the dominant reason for applying for marriage dispensation. Not a few girls are forced to marry in order to ease the financial burden on the family or to cover the disgrace caused by pregnancy outside marriage (Aditya & Waddington, 2021; Al’Ghani & Susilo, 2024; Ishom, 2023). The judges acknowledged that they were often in a difficult position and were forced to grant dispensation applications because of the pressure from the community. According to psychologists, early marriage has a negative impact on children's mental health and emotional development. Emotional unpreparedness often leads to ongoing household problems, such as divorce or domestic violence. Another impact is seen in the low self-confidence of children who marry young, especially in carrying out their roles as spouses and parents.

A review of legal regulations reveals that the Indonesian legal system is still not maximized in protecting children from the practice of early marriage. Although Law No. 16/2019 has raised the minimum age of marriage to 19 years, marriage dispensation is still a serious obstacle. The lack of supervision in granting dispensation has resulted in the ineffective implementation of the law. Economic issues and tradition are the main triggers for child marriage in Indonesia. For underprivileged families, marrying off children is considered to reduce economic dependence. On the other hand, societal views that associate virginity with family honor also encourage this practice, especially in communities that are still thick with patriarchal culture.

From a psychological perspective, child marriage poses a high risk to mental health. The lack of emotional and mental maturity in dealing with household burdens often results in psychological problems such as stress, anxiety and depression. In addition, children who marry young generally have difficulty continuing their education or building a career, which in turn perpetuates the cycle of poverty. The interplay of legal and psychological aspects of early marriage reveals a gap in efforts to protect children in Indonesia. The existing legal framework has not been able to provide adequate protection from the social and cultural pressures that encourage child marriage. The mental impact of early marriage shows the importance of an approach that does not only focus on legal aspects, but also considers the psychological well-being of children.

The practice of early marriage in Indonesia is formed from a combination of cultural values, economic conditions, and the legal system (Bay, 2020; Nasrulloh, Fauzi, Mubarak, Suryanto, & Sa’dul Kholqi, 2024). The strong patriarchal culture in many communities often ignores children's basic rights to education and protection. The situation is exacerbated by

economic pressures that force many families to turn to child marriage as a financial solution. The legal system still struggles to overcome the influence of cultural and economic factors in encouraging child marriage. Despite the minimum age of marriage, marriage dispensation mechanisms are often misused to formalize early marriage. Weak supervision of the dispensation process further increases the potential for violations of children's rights.

The combination of community pressure, economic limitations and legal loopholes creates a cycle that is difficult to break. Children who are victims of early marriage generally have difficulty accessing proper education and health services, potentially passing on similar patterns to the next generation. This underscores the importance of a holistic approach to addressing the issue of early marriage. A case study was conducted in a rural area in South Sulawesi, where early marriage rates are among the highest in Indonesia (Rana, Arifin, & Kurniawan, 2022; Yetta, Rajafi, & Subeitan, 2024). A 16-year-old girl was married under family pressure after being found pregnant out of wedlock. The family felt that marriage was the only way to maintain honor, even though the child wanted to continue her studies.

The marriage dispensation process was conducted quickly in the religious courts without considering the psychological condition of the child. The judge revealed that the dispensation application was filed on an urgent basis, so there was no time to conduct an in-depth assessment. After marriage, the child reported experiencing domestic conflict because her 20-year-old husband did not have a steady job. Interviews with the child revealed severe emotional distress. She felt that she had lost her teenage years and had difficulty adjusting to home life. The child also reported feeling isolated from her peers because she had to stop going to school. This case study shows how social pressure and weaknesses in the legal system can have a significant impact on the lives of individuals.

In South Sulawesi, case studies show that cultural demands to maintain the good name of the family are often the main driver of child marriage. Traditional views that place women as symbols of family honor often ignore children's fundamental rights to education and protection. This phenomenon illustrates the inequality in cultural values that are still rooted in society. The weakness of the legal system in protecting children is reflected in the hasty and superficial process of granting dispensations. Judges are often under pressure from family and social circles to grant permission for early marriages, even though it contradicts the principles of child protection. The absence of psychological evaluation in this procedure increases the potential for negative impacts on the married child.

Case studies reveal the severe psychological impact experienced by girls who are victims of early marriage. The loss of educational opportunities and the burden of taking care of the household result in significant mental distress. This indicates the need for a more comprehensive approach to protecting children from early marriage. The linkages between cultural, economic and legal aspects are evident in these case studies. Cultural pressure to maintain family dignity forces parents to marry off their children, contrary to children's rights. Economic factors exacerbate the situation, with poor families feeling forced to marry off their children as a way out.

The weakness of the legal system, particularly in the marriage dispensation process, further exacerbates the situation. Legal procedures that ignore psychological aspects demonstrate a lack of understanding of children's rights. This situation illustrates the importance of strengthening the legal system to protect children from social and cultural pressures that encourage early marriage. The interaction between cultural pressures, economic limitations and

legal weaknesses forms a cycle that is difficult to break. Children who marry early generally lose access to adequate education and health services, potentially perpetuating a similar pattern for the next generation. These conditions emphasize the need for a comprehensive approach that combines legal, psychological and socio-cultural aspects to effectively address the issue of early marriage.

This research reveals that underage marriage in Indonesia remains a significant phenomenon, driven by cultural, economic and weaknesses in the implementation of the law. The data shows that marriage dispensation is often used as a legal loophole to legalize early marriage, without considering the psychological and emotional impact on children. The findings also show high rates of stress, depression and emotional problems in children who marry early, which worsen their quality of life in the future. The research findings reveal that the existing legal framework has not been able to provide maximum protection to children. Judges in religious courts tend to grant marriage dispensation without in-depth review, mainly due to community and family pressure. In some areas, the strength of tradition means that there is a conflict between formal regulations and social practices driven by custom.

From a psychological perspective, early marriage has serious and lasting impacts on children's mental and emotional development. The main problems faced by child victims of early marriage include emotional unpreparedness, financial dependency, and difficulty coping with household problems. This emphasizes the importance of comprehensive treatment that includes legal, social and psychological aspects. This research reinforces the results of previous studies that show the dominance of economic and cultural factors in driving the practice of child marriage in Indonesia. UNICEF (2021) research also found that poverty and patriarchal culture are the main triggers, especially in rural areas. This study also confirms the findings of KPPA (2020) on the increase in marriage dispensation which contributes to the prevalence of early marriage.

In contrast to previous research, this study places special emphasis on the psychological impact of early marriage. The study revealed that children who marry young have a higher vulnerability to mental disorders such as depression and anxiety. Previous studies focused more on the economic and educational aspects without delving into the psychological dimension. The emphasis on psychological aspects provides a new perspective in understanding the complexities of early marriage. The link between a weak legal system and psychological impacts is a novel finding that has rarely been discussed in previous research. This study shows that the failure to apply the law, particularly in the context of marriage dispensation, has a direct impact on the mental and emotional state of children. This finding indicates the need to develop legal approaches that pay more attention to the psychological aspects of children in an effort to address early marriage in Indonesia.

The results of this study show that early marriage in Indonesia is not only a legal issue, but also a social issue driven by cultural and economic norms. The existing legal system has not been able to fully protect children from social and family pressures that encourage them to marry early. Weaknesses in the application of the law, such as the too-easy granting of dispensations, indicate that existing regulations are not strong enough to protect children's rights. This phenomenon also indicates that Indonesian society still faces major challenges in changing the paradigm related to early marriage. Strong cultural norms and a lack of understanding of the negative impacts of early marriage point to the need for more intensive interventions in the form of education and awareness campaigns. The findings underscore the importance of a cross-

sectoral approach to address the root causes of early marriage.

The increase in marriage dispensation rates is also a sign that the legal system has not been able to balance the needs of society and the protection of children. Children who marry early are often victims of social, economic and legal pressures. This phenomenon emphasizes the need for reforms in the legal system and policies to provide better protection for children. Early marriage has far-reaching impacts on children's quality of life, in terms of education, health and mental well-being. Children who marry early tend to lose access to education, which in turn limits their opportunities to improve their lives. Psychological impacts such as stress and depression also pose a serious threat to their future, increasing the risk of poverty and domestic conflict.

Another implication is the need for reform in the legal system, particularly in relation to the granting of marriage dispensation. The current too-easy dispensation process needs to be tightened up to include in-depth psychological and social assessments. A stricter legal system that is sensitive to children's conditions could be an important step towards reducing the number of early marriages in Indonesia. The results of this study also have implications for the design of social and educational interventions. Awareness campaigns targeting communities, especially in rural areas, need to be conducted to change the paradigm about early marriage. Education on children's rights and the negative impact of early marriage needs to be improved to provide better understanding to the community. Strong cultural factors are one of the main reasons why early marriage is still prevalent in Indonesia. Societies in many regions still uphold patriarchal norms that place women as the guardians of family honor. Social pressure to marry off girls, especially in cases of premarital pregnancy, often overrides children's rights to education and protection.

Economic factors also play an important role in encouraging early marriage. Families with difficult financial conditions often consider child marriage as a solution to reduce the economic burden. This is further exacerbated by the lack of access to adequate education and economic opportunities in many rural areas. Weaknesses in the legal system also explain why the rate of early marriage is still high. Marriage dispensation, which should be a last resort, is often used as the main solution by families. The lack of supervision and in-depth assessment in the dispensation process shows that the legal system is not fully capable of protecting children from early marriage.

A cross-sectoral approach is needed to address the problem of early marriage in Indonesia. The government needs to strengthen legal regulations by tightening the process for granting marriage dispensation and ensuring that each dispensation application involves an in-depth psychological and social assessment. These legal system reforms should be supported by training for judges and legal officers to improve their understanding of the psychological impact of early marriage. Education and community awareness are also important steps to change the paradigm of early marriage. Programs involving community leaders, religious leaders, and educational institutions can help increase community understanding of children's rights and the negative impacts of early marriage. Community-based approaches can be an effective way to change cultural norms that support the practice of early marriage. Psychological support for children who have married early also needs to be improved. Counseling and mental rehabilitation services can help children who experience the psychological impact of early marriage to recover their emotional state. A holistic approach involving legal, social and psychological elements is key to effectively and sustainably addressing the problem of early marriage.

CONCLUSION

The research revealed important findings regarding the relationship between weaknesses in the legal system and the psychological impacts of early marriage that have rarely been discussed in previous studies. Failure to implement the law, particularly in the process of granting marriage dispensation without in-depth assessment, has a direct impact on children's mental health. Data shows that 70% of children who marry early experience stress and anxiety, 50% experience depression, and 65% have difficulty managing household conflicts. The research makes a significant contribution through an integrative approach that combines juridical and psychological perspectives in analyzing early marriage. An analytical method that links legal aspects with psychological impacts provides a more comprehensive understanding of the complexity of the problem of early marriage in Indonesia. This analytical model helps identify systemic weaknesses in child protection and their impact on children's mental well-being. A limitation of the study is that the geographical coverage is limited to a few regions with the highest rates of early marriage. Further research is needed to expand the coverage area and develop a community-based intervention model that integrates legal and psychological aspects. Longitudinal studies are also needed to understand the long-term impact of early marriage on children's psychological development and the effectiveness of legal interventions in preventing the practice.

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