THE ENFORCEMENT OF MARRIAGE LAW (NO 16 OF 2019) THROUGH THE AMBASSADORS OF CHILD MARRIAGE PREVENTION IN TEMBARAK DISTRICT, TEMANGGUNG REGENCY

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Abstract
The enforcement efforts of Law Number 16 of 2019 on marriage performed in Temanggung are designed to minimize the divorce rate in Temanggung through the empowerment of Sakinah family ambassadors through pre-marriage education to actualize family resilience. The practical benefit of this study is that it can give insight to the ambassadors about the age limit of marriage and the consequences of early marriage. The ambassadors are meant to use the insight to take action against early marriage so that the number of cases of early marriage in the Tembarak district continuously decreases or even reaches zero. This study employs a descriptive qualitative research approach to explain the enforcement efforts of Law Number 16 of 2019 on marriage in Temanggung. The implementation of Marriage Law Number 16 of 2019 is carried out through a number of Focus Group Discussions (FGD): youth guidance, and ambassadors coaching to prevent early marriage; mentoring; monitoring and evaluation; and outcome exposure. This research intends to lower the number of early marriages among Tembarak District school-age students (Junior and High school students: SMP/MTs and SMS/MA/SMK). The implementation of Law Number 16 of 2019 on marriage is carried out through intense socialization in school assemblies in Temanggung.

I. Introduction

The existence of Law Number 16 of 2019 on marriage in Indonesia is ideal morally due to the urgency of marriage for the community's social sustainability. Marriage is a joyful moment. It should be accompanied by a strong commitment to maintaining it. Numerous factors contribute to the high number of divorce cases in our society, one of which is that married couples marry while they are not of legal marriage age.

As stipulated in Law Number 16 of 2019, the age limit for marriage for men and women is 19 years old.[1] The presence of these norms does not compel individuals to follow them. There are still parents who marry their children while they are not of legal marriageable age. It has been proven that in 2022, as many as 59,000 cases of early marriage were granted by religious courts.[2] This demonstrates that early marriage is still widely practiced in Indonesia.

Tembarak is a district in the Temanggung regency of Central Java. From 2020 to 2022, there were more than 10 cases of early marriage in Tembarak District. The data was acquired from the *KUA* (religious court) in the Tembarak District. The bride and groom are still too young (underage) to marry; they are still students; and, to make matters worse, the bride is already pregnant.

One such case occurred in one of Tembarak District's *Madrasah Tsanawiyah* (*MTs*; equivalent to Islamic Junior High School) Just call the girl's name "Mawar". Mawar is still in Class IX at one of Temabarak District's *MTs* in 2022. Mawar dropped out of school a month before the final exam since she had been pregnant and needed to be married soon. This is a major source of concern not just for her parents but also for the school teachers as well as the local community.

Still in the same neighborhood, there was "Melati" (a pseudonym). Melati, like Mawar, is an *MTs* alumnus who has been married and even divorced. She was known as "the young widow of one kid" in the village where she lived. The moniker is widely used to describe widows who are relatively young (under 20 years old) and already have children. Even more distressing, many more “Melati” experienced a similar fate by getting the title "young widow of one kid".

These cases are examples of violations of marriage. In the instance of Mawar, there is a marital infraction, namely marrying a juvenile while still

[1] Ilma, Mughniatul. 2020. Regulasi Dispensasi Dalam Penguatan Aturan Batas Usia Kawin Bagi Anak Pasca Lahirnya UU No. 16 Tahun 2019. Al-Manhaj. Vol. 2.

[2]Data derived from https://www.idntimes.com/news/indonesia/lia-hutasoit-1/catatan-hari-anak-2022-59000-perkawinan-dini-dikabulkan-pengadilan.

attending school. This is one form of violation seen from the perspective of positive law. On the other side, according to Islamic law, Mawar's pregnancy before marriage is a breach of marriage.

To begin, agents of charge of campaigning to avoid early marriage are required because the consequences are devastating, such as if the financial and economic conditions are not yet established, it will be subject to divorce, immature reproduction can lead to stunting, an unprepared mentality[3] will be vulnerable to domestic abuse, and so on. As a result, pre-marriage education for Sakinah Family Ambassadors in Tembarak District is required to foster family resilience.

2. Research Method

This is a qualitative study.[4] When considered from the standpoint of the purpose, this research comprises descriptive analysis research, which tries to describe and analyze the topic of the study. The Sakinah Family Ambassadors' activity program in Tembarak Distric, Temanggung Regency, is the object of field research[5]. The Islamic Family Law approach was applied in this study. Data are gathered through observation, interviews, and documentation.[6] The data triangulation test was carried out by extending the observation period, performing in-depth interviews, and questioning coworkers.

3. Results and Discussion

a. Marriage Terminology

Marriage is derived from the Indonesian term "*kawin*", which signifies making a family with the opposite sex, having intercourse, or having sex. Marriage (Indonesian: "*perkawinan*") is also known as "*pernikahan*" derived from the word "*nikah*" (نكاح) which literally means "to collect, insert each other" and is used for the meaning of intercourse (*wathi*). The term "*nikah*" is frequently used to refer to intercourse (coitus), as well as the meaning of a marriage contract.[7]

In accordance with the term in Islamic law, there are several definitions, including:

[3] Husna Nashihin, *Pendidikan Akhlak Kontekstual* (CV. Pilar Nusantara, 2017), https://books.google.co.id/books?id=UBWiDwAAQBAJ.
[4] I Made Pasek Diantha, *Metodologi Penelitian Hukum Normatif Dalam Justifikasi Teori Hukum* (Prenada Media, 2016), https://books.google.co.id/books?id=-MpADwAAQBAJ.
[5] N Qamar et al., *Metode Penelitian Hukum (Legal Research Methods)* (CV. Social Politic Genius (SIGn), 2017), https://books.google.co.id/books?id=hfacDwAAQBAJ.
[6] Z Ali, *Metode Penelitian Hukum* (Sinar Grafika, 2021), https://books.google.co.id/books?id=y%5C_QrEAAAQBAJ.
[7] Ghazaly Abdul Rahman. 2019. Fiqh Munakahat. Jakarta: Prenada Media Gup, p.5.

الزَّوَاجُ ثَرْعًا هُوَ عَقْد وَضَعَهُ الشَّارِعُ لِيُفِيْدَ مِلْكَ اِسْتِمْتَاعِ الرَّجُلِ بِالْمَرْأَةِ وَحِلَّ اِسْتِمْتَاعِ الْمَرْأَةِ بِالرَّجُلِ.

"Marriage according to the *Syara'* is a contract prescribed by the *Syara'* to enable enjoyment between men and women and to legitimize the pleasure of women with men".

Abu Yahya Zakariya Al-Anshary defines

النِّكَاحُ شَرْعًا هُوَ عَقْدٌ يَتَضَمَّنُ إِبَاحَةَ وَطْئٍ بِلَفْضِا اِنْكَاحٍ أَوْ نَحْوِهِ.

"The phrase "*nikah*" (marriage), according to *Syara'*, refers to a contract that contains legal requirements about the legitimacy of sexual intercourse with the word "*nikah*" (marriage) or expressions that have similar meanings."

definition cited by Zakiah Darajat[8]

عَقْدٌ يَتَضَمَّنُ إِبَاحَةَ وَطْئٍ بِلَفْظِ النَّكَاحِ أَوِ التَّزْوِيْجِ أَوْ مَعْنَا هُمَا

"Contract with legal provisions allowing sexual intercourse with the declaration of "*nikah*" (marriage), "*tazwij*," or comparable meaning with both".

Marriage, according to this interpretation, includes features of legal consequences, is founded on shared rights and duties, and seeks to form social relationships[9] based on mutual service. Because marriage is a religious practice, it has the purpose or goal of seeking Allah SWT's blessings.

Marriage is seen as follows by Islamic jurists, as quoted by Amir Syarifuddin: Marriage, according to Al-Ahmad Ghandur in his book AL-Ahwal Al-Syakhsiyah Fi Al-Tasyri Al-Islamiy and Muhammad Abu Zahrah in his book AL-Ahwal AL-Syakhsiyah, is a contract that raises the ability to get along between men and women in the demands of human instincts, granting both parties reciprocally rights and obligations.

The concept of marriage and its purpose are laid forth in Articles 2 and 3 of the Compilation of Islamic Law. Marriage, according to Islamic law, is characterized as a highly powerful contract, or *mitsaqan ghalizhan*, to observe and carry out Allah's commands, which is defined as worship. Marriage is intended to achieve a *sakinah*, *mawaddah*, and *rahmah* household life.[10]

It is stated in the Quran that living in pairs is the instinct of all creatures of God (Allah), including humans, as Allah says in *Surah adz-Dzariat* verse 49.

وَمِنْ كُلِّ شَىْءٍ خَلَقْنَا زَوْجَيْنِ لَعَلَّكُمْ تَذَكَّرُونَ

"And of everything We have created in pairs so that you may remember the greatness of Allah SWT".[11]

[8] Ghazaly Abdul Rahman. 2019. Fiqh Munakahat. Jakarta: Prenada Media Gup, p.7.
[9] Husna Nashihin, *Pendidikan Karakter Berbasis Budaya Pesantren* (Formaci, 2017), https://books.google.co.id/books?id=X27IDwAAQBAJ.
[10] Abdurrahman. 1995. Kompilasi Hukum Islam di Indonesia. Jakarta: CV. Akademika Pressindo, p. 114.
[11] Departemen Agama RI. 1995. al-Qur'an dan Terjemahannya: Juz 1-30. Jakarta: PT. Kumudasmoro Grafindo.

In *Surah Yasin* verse 36 stated; "Glory be to God, who has created all pairings, both what grows from the soil and what people do not know."[12]

Islam regulates people to live in pairs through marriage, the requirements of which are articulated in the form of regulations known as "Marriage Law."

b. Pillars and Legal Conditions of Marriage

The pillars and conditions of a legal action decide whether or not it is legal from a legal perspective. Pillars are measures of what is lawful and what is unlawful. While conditions must exist in order to decide whether works (worships) are genuine, they are not included in the sequence of those works.[13] These two words have such profound meaning that they must both be held. In a marriage, for example, the pillar and condition should not be neglected, in the sense that marriage is invalid if either one is missing or incomplete.

The marriage contract has several pillars and conditions that must be met. The pillars and conditions of a legal action decide whether or not it is legal from a legal perspective. Both terms have such similar meanings that they must be held simultaneously. In a marriage, the pillars and conditions should not be ignored. That is, a marriage is invalid if one or both are missing. The provisions of the pillars and conditions are that the pillars must exist in a practice and are essential parts of the practice.

The majority of Islamic scholars (*ulama*) agree that marriage includes:

a. prospective husband and wife who will marry.

b. presence of a guardian on the part of the bride.

The marriage contract will be considered legal if there is a guardian or representative who will marry the bride off.

c. two witnesses.

The marriage contract will be legitimate if it is witnessed by two witnesses.

d. *Sighat* of marriage contract, marriage solemnization, is stated by the guardian or representative of the bride and answered by the groom.

Chapter IV, Article 14, of the compilation of Islamic law on the principles of marriage states that the following conditions must exist for a marriage to be valid: a. prospective husband; b. prospective wife; c. guardian; d. two witnesses, e. marriage solemnization.

c. The Age Limit of Marriage Based on *Fiqh* (Jurisprudence)

[12] Departemen Agama RI. 1995. al-Qur'an dan Terjemahannya: Juz 1-30. Jakarta: PT. Kumudasmoro Grafindo.

[13] Ghazaly Abdul Rahman. 2019. Fiqh Munakahat. Jakarta: Prenada Media Gup, p. 33.

The age limit for marriage is not discussed in the *Fiqh* books, either explicitly or implicitly. According to Ibn Humam, as cited by Amir Syarifuddin, marriage might take place between a little man and a little woman, and if the wife is nursed by the husband's mother, the marriage becomes *haram* (unlawful).

In Islamic law, marriage can be performed by people of all ages. Marriage can be performed if both the bride and the groom are mentally and spiritually capable of raising a family and are willing to live side by side with the community. Marriage requires preparation not only material but also self-readiness both physically and mentally for men and women.[14] In the Qur'an, it is stated that the capacity of a married person is to have attained puberty (adolescence), as Allah says in the Q.S. An Nisa verse 6:

وَابْتَلُوا الْيَتٰمٰى حَتّٰٓى اِذَا بَلَغُوا النِّكَاحَۚ فَاِنْ اٰنَسْتُمْ مِّنْهُمْ رُشْدًا فَادْفَعُوْٓا اِلَيْهِمْ اَمْوَالَهُمْ

It means, "Test the orphans till they are of marriageable age". Then, if you believe they have been intelligent (excellent at maintaining wealth), give them their assets (Depag, 1994).

This puberty issue becomes very crucial since current research suggests that marriages performed at an early or young age are more likely to terminate in divorce. This issue makes sense since young couples' mental preparedness to handle early household life is insufficient. This concept was eventually incorporated into Marriage Law No. 1 of 1974.[15]

In Indonesian law, specifically in Law No. 1 of 1974 the Republic of Indonesia Law Number 1 of 1974 on marriage offers a comprehensive explanation of it. Because this rule conforms to the premise that "the prospective husband and wife must be mature physically and mentally[16] to be able to engage in a marriage, so that they can accomplish the aims of the marriage properly without terminating in divorce and acquire nice and healthy things". As a result, marriages between potential spouses who are still juveniles must be avoided. Furthermore, marriage is linked to population issues. The lower age limit for a woman to marry results in a higher birth rate. In this regard, this law determines the age limit for marriage at 19 years old.

As stipulated by the provisions of Article 288 of the 1945 Constitution of the Republic of Indonesia, everyone has the right to form a family and continue offspring through legal marriage, and the state guarantees the child's right to survival, growth, and development, as well as protection from violence and discrimination.

[14] Supriadi, Dedi and Mustafa. 2009. Perbandingan Hukum Perkawinan di Dunia Islam Bandung: Pustaka Al-Fikris, p. 23.
[15] Bina KUA dan Keluarga Sakinah, 2017, p. 32-22.
[16] Husna Nashihin, *Proceedings of 2nd International Conference on ASIC*, 2019, https://doi.org/10.1109/icasic.1996.562734.

Article 7 paragraph (1) of Law Number 1 of 1974 states that marriage is only permissible if the male is 19 (nineteen) years old and the woman reaches the age of 16 (sixteen) years old. The provision allows marriage in the age of children for women because a child is defined, in Article 1 Number 1 of the law on amendments to Law Number 23 of 2002 on Child Protection, as those who are not yet 18 (eighteen) years old, including children who are still in the mother's womb.[17]

The Constitutional Court of the Republic of Indonesia issued Constitutional Court Decision Number 22/PUU-XV/2017, which states that "however, when the difference in treatment between men and women affects or hinders the fulfillment of basic rights or constitutional rights of citizens, both belonging to the group of civil and political rights as well as economic, educational, social, and cultural rights, which should not be differentiated solely on the basis of gender".[18]

d. The legal marriage age limit

As shown by Marriage Law No. 1 of 1974 (hereinafter referred to as *Undang Undang Perkawinan*, or *UUP*), the prospective groom is only permitted to marry if he has achieved the age of 19 (nineteen) years old and the prospective bride has reached the age of 16 (sixteen) years old.

No. 1 of 1974 on marriage had finally been renewed after 45 years. Article 7 paragraph (1), which previously specified that the minimum age for women to marry was 16 years old, was subsequently amended to 19 years old, the same as males. This amendment accompanies the judgment of the Constitutional Court No. 22/PPUU-XV/2017 on the application for judicial review of Article 7 paragraph (1), which is deemed unconstitutional and discriminatory. The amendments to Law No. 1 of 1974 on Marriage were legally entrenched in Law No. 16 of 2019, which was issued on October 15, 2019.[19]

The updated *UUP* (marriage law) states in Articles (2) and (3) that the parents or guardians of the prospective groom and/or bride can request to the court for a dispensation of marriage for urgent circumstances, provided by adequate supporting evidence. After hearing the perspectives of the two prospective bride and groom, the court grants a marriage dispensation based on the spirit of avoiding child marriage with moral considerations, religion,

[17] Tim Penyusun. 2017. Undang-Undang RI Nomor 1 Tahun 1974 tentang Perkawinan dan Kompilasi Hukum Islam. Bandung: Citra Umbara, 78.
[18] Satria Rio. Dispensasi Kawin Di Pengadilan Agama Pasca Revisi Undang-Undang Perkawinan. www.badilag.mahkamahagung.go.id, accessed on 2 Desember 2022.
[19] Ilma, Mughniatul. 2020. Regulasi Dispensasi Dalam Penguatan Aturan Batas Usia Kawin Bagi Anak Pasca Lahirnya UU No. 16 Tahun 2019. Al-Manhaj. Vol. 2, p. 133-166.

customs, and culture, psychological factors, health concerns, and the consequences (Law No. 16 of 2019).

Changes in this regulation have an impact on other regulations, particularly those under it, such as provisions in the compilation of Islamic law. Article 15 paragraph (1) states that "for the benefit of the family and household, marriage may only be carried out at the prospective bride's and groom's age set by Article 7 of Law Number 1 of 1974, namely, the prospective husband at least 19 years old and the prospective wife at least 16 years".

Prior to the changes in the Marriage Law, the provisions of the maturity of children can be seen in Law No. 23 of 2002 on Child Protection, where the formulation of a person who is categorized as a child is someone who is not yet 18 (eighteen) years old, including children who are still in the womb, so that adult provisions are 18 years old. Therefore, maturity can be defined as a person's ability to carry out lawful activities. [20] Then it is mentioned that one of the responsibilities and obligations of parents to their children is to prevent marriage from occurring when the children are of legal marriageable age.

A person can still engage in an underage marriage if specific conditions are met, as determined by the Religious Court and known as the dispensation of marriage. Underage marriage is defined as marriage with a potential bride and groom who have not achieved the marriage age requirement. This type of marriage will be authorized and legally valid if it is done through the institution of a religious court, which has absolute jurisdiction over processing instances of marriage dispensation.[21]

With the amendment of Law No. 16 of 2019 concerning Amendments to Revised Law No. 1 of 1974 on Marriage, it provides for an increase in the number of applications for dispensation of the age of marriage at the Religious Courts. This is due to the fact that the marriage age for women who were previously 16 has been raised to 19 years.

e. *Sakinah* Family

Based on Islamic traditions, having a family is one way to sustain human dignity and honor. Having an ideal family is everyone's dream. The following are the sociological functions of the family[22]:

1. Biological Function

[20] Waqiah, Siti Qomariatul. 2019. Diskursus Perlindungan Anak Perempuan di Bawah Umur Pasca Perubahan Undang-Undang Perkawinan. An-Nawazil: Jurnal Hukum dan Syariah Kontemporer, Vol. 1. No. 2, p. 66.
[21] Satria Rio. Dispensasi Kawin Di Pengadilan Agama Pasca Revisi Undang-Undang Perkawinan. www.badilag.mahkamahagung.go.id, accessed on 2 Desember 2022.
[22] Bina Keluarga Sakinah, 2019, p. 15.

The family is a great environment to have offspring in a healthy and lawful manner.

2. Educational Function

The family is a great environment for education for all family members.

3. Religious Function

The family became the first place to instill religious values.

4. Protective Function

The family transforms into a safe place for all of its members, protecting them from both internal and external threats.

5. Socialization Function

The family serves as a place to socialize social values within the family.

6. Recreational Function

The family becomes a lovely place to rest and unwind, providing freshness and comfort to all members.

7. Economical Function

The family is built on a strong economic basis. It is intended that the basic needs of the family be met.

Creating a *Sakinah* family is not easy. *Sakinah* means peace. *Sakinah*, in this context, is regarded as a state of tranquility in the face of all challenges and obstacles in life.

The characteristics of the *Sakinah* family are as follows[23]:

1. Stand on a solid foundation of faith,
2. Mission of worship in life,
3. Obey the teachings of religion,
4. Love and cherish each other,
5. Care for each other and strengthen in goodness,
6. Give each other the best as couple,
7. Consultation to resolve problems
8. Divide roles fairly,
9. Concise in educating children
10. Contribute to the good of society, the nation, and the country.

As stated in the Minister of Religious Affairs of the Republic of Indonesia's Decree No. 3 of 1999 on the initiative of the *Sakinah* Family Movement, the Ministry of Religious Affairs of the Republic of Indonesia is responsible for the mentoring and founding of marriage. The five levels of the *Sakinah* family are defined in the Minister of Religious Affairs of the Republic of Indonesia's Decree No. 3 of 1999 as follows:

[23] Bina Keluarga Sakinah, 2019, p. 12-13.

1. Pre-Sakinah Family

Pre-*Sakinah* families, those formed without the availability of formal marriage, are unable to provide the fundamental spiritual and material needs. The indicators are as follows:

a. families are formed through illegitimate marriages.
b. are not in conformity with the law.
c. no basis of faith.
d. do not perform obligatory prayers.
e. do not give out Zakat al-Fitr.
f. do not carry out compulsory fasting.
g. do not complete primary school and are illiterate
h. include in the needy and the poor category
i. act the sacrilege.
j. involved in criminal matters.

2. Sakinah I Family

The Sakinah I family includes those built on legal marriage that are able to meet their spiritual and material needs minimally but not their psychological and social needs, such as education, religious guidance, and religious social interaction with their surroundings. The indicators are as follows:

a. marriage based on Shariah standards and Law No. 1 of 1974.
b. possesses a marriage certificate or other documentation of a legitimate marriage.
c. possess prayer equipment as proof of performing mandatory prayers and as a foundation for faith.
d. fulfilment of basic food needs as proof that they are not poor and needy.
e. prayer is still frequently abandoned.
f. when feeling sick, go to the shaman.
g. believe in superstition.
h. do not come to the religious recitations or *majelis taklim* (religious assembly).
i. the family members, on average, graduate from primary school and have primary school diploma.

3. Sakinah II Family

Sakinah II Family includes those built on legal marriage. They can meet the needs of life and understand the importance of religious teachings

and guidance in the family. They can interact socially and spiritually[24] with their surroundings, but they have not been able to live and develop the values of faith, piety, *infaq*, *zakat*, *amal jariyah* saving, and so on. The indicators are as follows:

a. there is no divorce except in cases of death or other exceptional reasons.
b. family income surpasses basic necessities, enabling them to save.
c. the family members, on average, graduate from and have junior high school diploma.
d. own a home, no matter how simple it is.
e. the family is actively involved in community and religious social activities.
f. able to meet the standards for healthy food.
g. are not involved in criminal cases, gambling, inebriation, prostitution, or other immoral acts.

4. Sakinah III Family III

The Sakinah III family includes those who can satisfy all of the criteria of religion, dedication, moral character, social psychological interaction, and family development but have not been able to be a role model for their surroundings. The additional indicators include:

a. actively involved in enhancing religious activities and religious acts in mosques and families.
b. the family is involved in organizing religious and social activities.
c. actively encourage and motivate people to enhance mother and child health, as well as public health in general.
d. the family members, on average, graduate from and have high school diploma or above.
e. constantly increase in giving *zakat, infaq, shadaqah*, and *waqf*.
f. increase sacrifice expenses.
g. perform Hajj properly and in compliance with Islamic teachings as well as applicable rules and regulations.

5. Sakinah Plus Family

The Sakinah plus family includes those who have properly met all of the criteria of faith, devotion, and *akhlakul karimah*, as well as the fulfillment of social psychological needs and growth, and who may be a role model for the environment. The additional indicators include:

[24] Husna Nashihin, M Daud Yahya, and Noor Aziz, "Morality and Expression of Religious Moderation in " Pecinan "," no. Dalimunthe 2016 (2020): 24158–68.

a. the family has performed Hajj and meets the requirements for *mabrur* Hajj.

b. become a well-liked religious figure, community leader, and organizational figure in the neighborhood and family.

c. give *zakat, infaq, shadaqah, jariyah*, and *waqf*, which increase both qualitatively and quantitatively.

d. improve the ability of families and communities to fulfill religious beliefs.

e. the family is able to develop religious teachings.

f. the family members, on average, graduate from and have bachelor's degrees diploma.

g. the values of faith, piety, and *akhlakul karimah* are embedded in personal and family life.

h. love and affection thrive in harmony and balance among family members and in their surroundings.

i. able to be a role model for the surrounding community.

f. The Enforcement Practices of Law Number 16 of 2019 on Marriage through early marriage prevention ambassadors in Temanggung regency.

No. 1 of 1974 on marriage had finally been renewed after 45 years. Article 7 paragraph (1), which previously specified that the minimum age for women to marry was 16 years old, was subsequently amended to 19 years old, the same as males. This amendment accompanies the judgment of the Constitutional Court No. 22/PPUU-XV/2017 on the application for judicial review of Article 7 paragraph (1), which is deemed unconstitutional and discriminatory. The amendments to Law No. 1 of 1974 on Marriage were legally entrenched in Law No. 16 of 2019, which was issued on October 15, 2019.

The updated UUP (Marriage law) states in Articles (2) and (3) that the parents or guardians of the prospective groom and/or bride can request to the court for a dispensation of marriage for urgent circumstances, provided by adequate supporting evidence. After hearing the perspectives of the two prospective bride and groom, the court grants a marriage dispensation based on the spirit of avoiding child marriage by considering moral, religion, customs, and culture, psychological factors, health concerns, and the consequences (Law No. 16 of 2019). As shown by Marriage Law No. 1 of 1974 (hereinafter referred to as *Undang Undang Perkawinan*, or *UUP*), the prospective groom is only permitted to marry if he has achieved the age of 19 (nineteen) years old and the prospective bride has reached the age of 16 (sixteen) years old.

Early child marriage prevention ambassadors involve students from each school of *SMP/MTs* and *MA/SMA/SMK* (Junior and High Schools) in Tembarak District, Temanggung Regency, in conducting the "Stop early marriage" campaign. Institutionally, the ambassadors of early child marriage prevention do not yet have a formal coordinating agency, such as the *TPQ*. Because they come from different schools, they become representatives of their schools. The early marriage prevention ambassadors initiative was held for the first time in Tembarak, a collaboration between INISNU Temanggung community service team and *Forum Komunikasi Penyuluh Agama Islam Non PNS Kecamatan Tembarak* (Non-Civil Servant Islamic Extension Communication Forum).

Tembarak District is geographically located on the slopes of Mount Sumbing, and the majority of the population makes their living as farmers. Culturally, the majority of population there regarded education as only "*luwes-luwes amrih lumrah kancane*" (Javanese) which means "to be like as friends do" This is what leads to a high number of teenage marriages, even while the bride and groom are still in school. Another concern is that early marriage among teenagers is a natural occurrence for the majority of parents there. This is the reason for the initiative of early marriage prevention ambassadors.

The greatest influence on teenage lives comes from friends. Through this effort, they become activists who may later give socialization on the risks of early marriage. Socialization is definitely carried out in different ways. Having been equipped with the materials and resources provided in early marriage prevention ambassador training, they may share knowledge through communication and interaction with colleagues.

The communication and interaction are critical to the ambassador's effectiveness in preventing early marriage in Tembarak District. In school-age children, friends are very influential in child development. Typically, teens confide in one another. The manner in which ambassadors communicate becomes a critical element when a friend shares his or her problems. It can also help reduce a child's chances of engaging in negative behaviors. Teenagers generally have a unique way of interacting with their peers.

Interaction among friends is also an important key for an ambassador to prevent early marriage. Each school's circle of affiliation must be different. Based on the material from the coaching of ambassadors, even if someone has a very large circle, the estuary is eventually in the family. As proven by situations when a person is sick, parents are the first to care. Parents patiently wait for their ill children to recover. Given this, will the children listen to and obey their parents' advice? It is absolutely not that easy. And if the children have recovered and are healthy enough to begin their activities, they are more

likely to share and listen to advice from their peers. Interaction through this relationship will also have an impact on children's development.

A teenager must be able to control his or her emotions, communicate effectively, and make decisions. Managing these emotions is crucial for everyone, not just teens. Towards this teenage phase, children tend to already have a sense of attraction to the opposite sex. Sometimes the sensation of attraction is able to drive teens into a position where they have to battle for girls or boys who are adored, to fight, beat one another, and even show evidence that may lead to a tragic consequence. This is the importance of managing emotions.

As explained earlier, communication is an important key to the development of adolescents nowadays. Healthy communication can take place at home, at school, and in the community. A healthy and intelligent teenager usually has a positive brand image through healthy communication, both with parents, siblings, teachers, friends at school, friends at home, and other neighbors. Following these two ideas, one's decision-making becomes the final way in which one takes a position on the difficulties they confront. With the appropriate emotion control and healthy communication, they will be able to make right decision. These three critical factors are also critical to teenagers' success in regulating themselves so that they can subsequently have a positive impact and influence on other peers.

g. Analysis of the enforcement results of Law No. 16 of 2019 on marriage through early marriage prevention ambassadors in Temanggung

Prior to the changes in the Marriage Law, the provisions of the maturity of children can be seen in Law No. 23 of 2002 on Child Protection, where the formulation of a person who is categorized as a child is someone who is not yet 18 (eighteen) years old, including children who are still in the womb, so that adult provisions are 18 years old. Therefore, maturity can be defined as a person's ability to carry out lawful activities.[25] Then it is mentioned that one of the responsibilities and obligations of parents to their children is to prevent marriage from occurring when the children are of legal marriageable age.

A person can still engage in an underage marriage if specific conditions are met, as determined by the Religious Court and known as the dispensation of marriage. Underage marriage is defined as marriage with a potential bride and groom who have not achieved the marriage age requirement. This type of marriage will be authorized and legally valid if it is

[25] Siti Qomariatul Waqiah, "Diskursus Perlindungan Anak Perempuan di Bawah Umur Pasca Perubahan Undang-Undang Perkawinan", *An-Nawazil: Jurnal Hukum dan Syariah Kontemporer*, Vol. 1, No. 2, 2019, hlm. 66.

done through the institution of a religious court, which has absolute jurisdiction over processing instances of marriage dispensation.[26]

With the amendment of Law No. 16 of 2019 concerning Amendments to Revised Law No. 1 of 1974 on Marriage, it provides for an increase in the number of applications for dispensation of the age of marriage at the Religious Courts. This is due to the fact that the marriage age for women who were previously 16 has been raised to 19 years.

The coaching of early marriage prevention ambassadors in Tembarak District has a beneficial impact. This influence can be defined as a difference in beliefs, mindset, or behavior prior to and following the treatment. The training program is considered effective if there is a positive change.

The influences that occur in the building of the ambassadors' character to avoid early marriage are how they handle emotions, create good communication, and make decisions. This is the expected outcome or impact of a mentorship program. The impacts are shown in two ways: changes in mindset and changes in behavior. Mindset change is a shift in mindset in the form of Better Life Principles, such as the desire to believe that a student should complete his or her education first in order to seek success and not hurry into marriage. It contributes to the participants' stability to continue achieving their goals by completing their education with the ambassador's advice to prevent early marriage.

The mentorship is provided by encouraging and motivating them to fight against early marriage, particularly in their own schools and the larger society.

4. Conclusion

Students from *SMP/MTs* and *SMA/MA/MA* (Junior and High Schools) in Tembarak District, Temanggung Regency, are the target of early marriage prevention ambassadors. Coaching is provided through guidance and reproductive health materials presentations from the Public Health Office, as well as self-management skills from the Temanggung Regency Ministry of Religious Affairs, and the creation of a tutorial video for the "Stop Child Marriage" campaign, which is completed by the "*Jo kawin bocah*" (Javanese) which means "no child marriage"). The ABCD (asset-based community development) technique is employed, in which community empowerment and development are based on the mapping of local assets held by the community through phases 1) Discovery, 2) Dream, 3) Design, 4) Define, and 5) Destiny.

Through reproductive health expertise, early marriage prevention ambassadors are progressively sharing ideas and understanding

[26] Rio Satria, "Dispensasi Kawin Di Pengadilan Agama Pasca Revisi Undang-Undang Perkawinan", *www.badilag.mahkamahagung.go.id*, accessed 20 November 2020.

about the influence of early marriage on reproductive health. Through self management skills, the ambassadors are progressively giving up ideas on how to control emotions, communicate effectively, and make good decisions through self-management skills.

On the other hand, mentoring is conducted by offering encouragement and motivation so that they may speak out against early marriage and continue to pursue their goals through the "*Jo kawin bocah*" video from each school. Furthermore, organizing *majlisan* (an assembly) at the assisted schools is an important aspect of the intense mentoring carried out to shape the mindset and enhance the faith of the assisted participants.

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