

THE ROLE OF LOCAL GOVERNMENT IN PREVENTING EARLY CHILDHOOD MARRIAGE

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Abstract

The phenomenon of early marriage that continues to occur is a polemic for the government in the midst of fulfilling the sustainable development goals. The consequences of early childhood marriage have good implications for dropout rates, health, domestic violence, mortality and the ratio of achievement of the human development index. This study purposes to determine the role of local governments in preventing marriage of school-age children. The method used in this research is legal research using the statute approach, conceptual approach and legal principles. The results of the study indicate that the role of local governments is an essential part in organizing the protection and fulfillment of children's rights in order to prevent early childhood marriages. The Child-friendly City/Regency Program coordinated by the Kementerian Pemberdayaan Perempuan dan Perlindungan Anak can help the implementation of child protection to be realized because the program has a program implementation mechanism starting from the planning stage to program evaluation which also involves various stakeholders at the central to regional levels with supervision and involvement. by the community, community organizations, educational institutions and business actors.

Keywords: *child rights, early marriage, government, protection*

INTRODUCTION

The trend of child marriage or early marriage in Indonesia again shows a fluctuating number. It has not disappeared from the minds of the people who were shocked by the issue of marriage between Syeh Puji and a daughter who is tens of years adrift who is still a student and is 12 years old. The number of underage marriages continues to be worrying amid the government's incessant efforts to achieve the Sustainable Development Goals (SDGs). Indonesia itself occupies a group of 10 (ten) countries with the absolute highest rate of early marriage in the world¹. In 2019 Indonesia was ranked 7th in the world and 2nd in Association of Southeast Asian Nations (ASEAN) in the number of child marriages². In line with this phenomenon, it is indirectly the cause of the high divorce rate in Indonesia. Based on data from the Religious Courts throughout Indonesia, it is stated that the filing of lawsuits and applications for divorce since 2011 has become the highest number, namely 314, 615 cases which are divided into 215,368 or 58, 95% divorce claims and 99,599 divorce applications (27,40%)³.

The highest prevalence of child marriage in Indonesia is found in the provinces of Central Sulawesi, West Sulawesi and Southeast Sulawesi. The region has an average number that is higher than the national prevalence rate of child marriage cases. The results of BPS research also show that early childhood marriage is more prone to occur in girls and the distribution of the occurrence is not

¹ Central Bureau of Statistics, 2020, Prevention of Child Marriage (Undelayed Acceleration), Pusaka, Jakarta, p. x

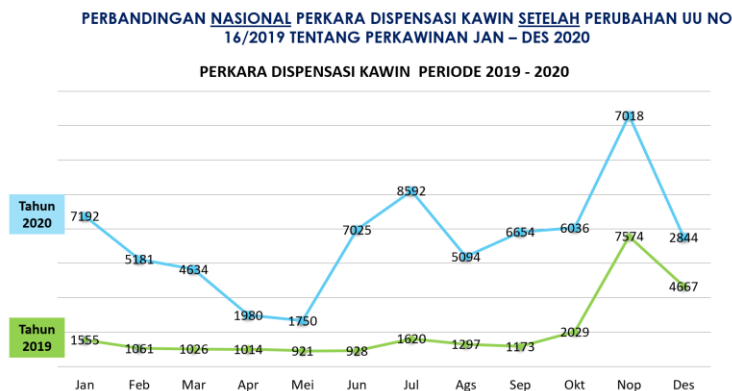
² End Child Marriage, Realize Indonesia's Golden Generation 2045, publication 16 October 2019, see <https://www.kemenpppa.go.id/index.php/page/read/29/2372/akhiri-perkawinan-anak-wujudkan-generasi-emas-indonesia-2045>, accessed on 15 May 2020 at 3.45 pm

³ Ani Yumarni & Endah Suhartini, Perkawinan di Bawah Umur dan Potensi Perceraian, Jurnal Ius Quia Iustum, Universitas Islam Indonesia, Vol. 26, 1 Januari 2019, p. 193

only in areas with the highest number of poor people but also vice versa⁴. Cases of early child marriage with a significant number also occur in South Sulawesi Province, although it is not included in the category of regions with the highest number. The marriage rate of school-age children in the last 3 (three) years, since 2017 with a total of 333 cases, then in 2018 jumped to 720 cases. In 2019 there are often early childhood marriages, as in Takalar Regency, a pair of school-aged children have been married who are still in grade 1 of Senior High School (Sekolah Menengah Atas/SMA)⁵. Parents reasoned to marry off their children so as not to linger in courtship and prevent unwanted things from happening when their children are known to have close relationships with the opposite sex. In the results of research presented by Heri Sunaryanto, he explains several factors that cause child marriage in Seluma Regency, including: social environment, poverty, parental insight, cultural wisdom, and ease of internet access (social media)⁶.

In another perspective, early childhood marriages inevitably occur during the COVID-19 pandemic, the Religious Courts noted an increase in the number of applications for dispensation of marriageable age addressed to religious courts. Sourced from data released by the Katadata.co.id social media, that in the period January-June 2020 the number of applications for marriage dispensation obtained by the Directorate General of the Religious Courts Agency reached 34,000. From this figure, 97% of the applications were granted and 60% of the applications were submitted by children under 18 years old⁷.

Figure 1. Application for Marriage Dispensation



Various factors cause early marriage to occur, such as the convoluted family economic problems, especially because during the pandemic the income sources for non-formal workers cannot survive in certain sectors. There are also parents who consider their children an economic burden so that being married will reduce the burden. Another reason is the lack of education related to early marriage and its impact, parents want to prevent their children from becoming pregnant outside of marriage, the degradation of moral values, cultural values, and social values in the surrounding environment. The value degradation occurs due to the influence of habits, daily life and social environment of school-age children. Currently, the ease of access to technology and information in addition to bringing various advantages, but on the other hand also causes disadvantages if it is used without being accompanied by parents. The limited space for movement and the absence of face-to-face school activities, community activities or religious activities also have a role in narrowing the activity space for school-age children so that a lot of time is not used efficiently and effectively⁸.

The fact that there have been marriages carried out by and for early childhood is certainly a record that there has been a violation of the realization of children's rights or human rights. Early marriage almost occurs throughout Indonesia, although there are different figures for each province, the vulnerable numbers are not much different. The existence of local customs factors, the fulfillment of social, cultural and economic demands for marriage is considered sufficient, even though from the

⁴ Central Bureau of Statistics, 2020, *Op.Cit.*, p. xi

⁵ Makassar Indeks, Pernikahan Anak Meningkat di SulSel, Pemprov Sosialisasi di SMP, <https://kumparan.com/makassar-indeks/pernikahan-anak-meningkat-di-sulsel-pemprov-sosialisasi-ke-smp-1sHA0sis6Hm/full>, accessed on 10 April 2021

⁶ Heri Sunaryanto, Analisis Sosial-Ekonomi Faktor Penyebab Perkawinan Anak di Bengkulu: Dalam Perspektif Pemerintah dan Masyarakat, *Jurnal Sosiologi Nusantara*, Vol. 5 No. 1, 2019, p. 122

⁷ Yosepha Pusparisa, 2020, Early Marriage Surges During Pandemic, see <https://katadata.co.id/ariayudhistira/infografik/5f6175a8a15b5/Perkawinan-dini-melonjak-selama-pandemi>, accessed on 12 January 2021 at 3.00 pm

⁸ *Ibid.*

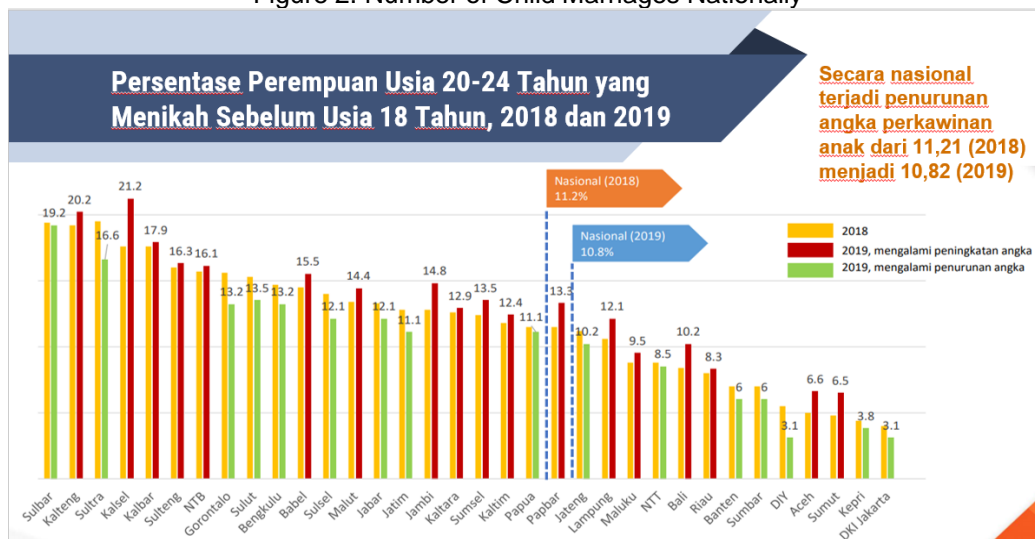
point of view of the applicable regulations, Law No. 1 Year 1974 concerning Marriage and Law No. 16 Year 2019 regarding the changes, has not met the minimum age for marriage⁹. Data presented by Central Bureau of Statistics (Badan Pusat Statistik/BPS) and National Development Planning Agency (Badan Perencanaan Pembangunan Nasional/Bappenas) in their book reveals that the issue of early marriage is not only in the national spotlight but also in the world's spotlight. The practice of early marriage is very relevant to the fact that such marriage is a form of violation of children's human rights, their lack of options and opportunities, and makes them easy to become victims of violence, exploitation and abuse. Marriage will end adolescence which should be a period of growth and development both physically and non-physically, such as managing emotions, creativity, exploring their interests and talents as opportunities for their future.

Various efforts have been made by the government, nationally through changes to the material requirements for the marriage age limit with changes to Law No. 1 Year 1974 concerning Marriage in Law No. 16 Year 2019. However, this step has not been able to reduce and prevent cases of marriage of school-age children. If this continues, it can hamper the realization of the increase in Indonesia's Human Development Index (HDI) and have an impact on the utilization of the demographic potential of the productive age. The government's move to change the minimum requirements for marriageable age for prospective brides and grooms needs to be appreciated, but on the other hand there are still efforts to apply for a dispensation permit, of course, it creates a dilemma.

Based on these problems, this study aims to determine the role of local governments in preventing and overcoming early child marriage.

Based on data from the BPS released by the Kementerian Pemberdayaan Perempuan dan Perlindungan Anak, in 2020 the general prevalence rate of cases of early childhood marriage at the national level reached 10.82% and the province of South Sulawesi was included in the percentage category province above the national rate, which was 12,1%. Although the national percentage figure for the last 3 (three) years has decreased. still places Indonesia as a country in the high category of ASEAN in cases of child marriage. Changes in the minimum age/age of the prospective bride and groom with the enactment of Law No. 16 Year 2019 is also not able to prevent the occurrence of early child marriage¹⁰.

Figure 2. Number of Child Marriages Nationally



Source: National Development Planning Agency, 2000

Based on the explanation above, the purpose of this study is to determine the role of local governments in preventing and overcoming early child marriage.

⁹ Surmiati Ali, Perkawinan Usia Muda di Indonesia dalam Perspektif Negara dan Agama, serta Permasalahannya (The Teen Marriage In Indonesia On The Country Perspective And Religion As Well As The Problem), *Jurnal Legislasi Indonesia*, 2018, Vol. I, No.1, p. 7-8.

¹⁰ Exposure Data of the Kementerian Pemberdayaan Perempuan dan Perlindungan Anak in a Seminar on Strengthening and Urgency of the RPP Dispensation for Marriage, Kementerian Desa, Pembangunan Daerah Tertinggal dan Transmigrasi, 16 June 2021.

METHOD

The method used in this research is normative legal research¹¹ by using a statutory approach and a conceptual approach based on legal principles and legal doctrine¹². The data collection technique was carried out by collecting primary, secondary and tertiary legal materials through library research. Then the materials collected are then analyzed qualitatively based on the object of the problem and the purpose of further research will be presented prescriptively.

DISCUSSION

Indonesia's human development begins early, even laws and regulations also regulate the legal rights or interests of children in the womb. Economic growth and prosperity as well as community welfare are also reflected in human development programs in the work program designs of the central to regional governments. As contained in the pledge of the Indonesian state in the fourth paragraph of the Preamble to the 1945 Constitution of the Republic of Indonesia, which among other things states that the Government of the Republic of Indonesia protects the entire Indonesian nation, promotes public welfare, and educates the nation's life. For this reason, the protection of guarantees for the implementation of human rights lies in law enforcement. Children are an inseparable part of human survival and the sustainability of a nation and state.¹³

Regulation of Children's Rights in the Constitution and Legislation.

The definition of a child in the Child Protection Law is a child who is not yet 18 (eighteen) years old, including a child who is still in the womb. Regarding child marriage, Law 35/2014 Article 26 paragraph (1) letter c contains the obligations of parents in preventing child marriage. Understanding children, can be defined through 2 (two) points of view, namely¹⁴:

1. The juridical definition, where this definition always uses a measure of age and marital status. Each country has significant differences in determining the age of adulthood, for example in the United States, where 27 states agree that the age limit for children is 8 to 18 years, in 6 other states agree 7 to 17 years and there are also other states. agree on 8 to 16 years; in the UK the age limit for children is 12 to 16 years; in Australia 8 to 16 years; in the Netherlands 12 to 15 years. For countries in Asia, such as Sri Lanka determine children based on age 8 to 16 years, Iran 6 to 18 years, Japan and Korea 14 to 20 years, Cambodia 15 to 15 years; ASEAN countries, namely the Philippines determine 7 to 16 years, Malaysia 7 to 18 years, Singapore 7 to 16 years. The provisions of the Task Force on Juvenile Delinquency Prevention urges that the minimum limit for determining the status of children is 10 years and the maximum is between 16 to 18 years. The Beijing Rules set a limit for children from 7 to 18 years. while UN Resolution 45/113 only determines the upper limit of a child's age, which is 18 years.
2. Psychologically, based on the maturity of the individual soul. If we examine from the point of view of customary law, the measure of maturity is not from age but from biological maturity. Maturity in customary law is when a person, both a man and a woman, as a married person, leaves the house of their respective parents to have another household as a husband who is the head of the family or a wife as a housewife who will become their own family. independent). Customary law also confirms that the so-called minors are those who have not yet determined concrete physical signs that they have matured.

The diversity of children definitions, both the provisions of national laws and regulations and the meaning of maturity in the customary law system and culture adopted by the community also provide different interpretations so as to allow bias in allowing and permitting early childhood marriages. Customary marriage law is a regulation concerning the conditions, implementation, forms of marriage, methods of application, marriage ceremonies and the termination of marriages in Indonesia. This customary law is heterogeneous because it differs from one another due to social background, customs, religion and beliefs held by each indigenous community. Changes or shifts in values in customary law also occur in line with the development of society, for example, the occurrence of inter-ethnic marriages, customs and religions as well as different beliefs and community assimilation in their

¹¹ Kadarudin, *Penelitian di Bidang Ilmu Hukum (Sebuah Pemahaman Awal)*, Semarang: Formaci Press, 2021, p. 223

¹² Peter Mahmud Marzuki, 2010, *Penelitian Hukum*, Jakarta: Kencana Prenada Media Group, p. 96

¹³ The explanatory section of Law No. 35 Year 2014 concerning Amendments to Law No. 23 Year 2002 concerning Child Protection.

¹⁴ Muliadi Nur, *Perlindungan Hak Asasi (Anak) di Era Globalisasi (Antara Ide dan Realita)*, *Jurnal Ilmiah Al Syir'ah*, Vol. 9 No. 1, 2011, p. 3

residence. A concrete example is the absence of a marriage ban on people who are not old enough in the Kerinci and Toraja tribes, marriage (still a child) but in a certain area such as Bali, underage marriage is an act that can be punished¹⁵.

The constitution contains guarantees for the protection of children's human rights in Article 28 B paragraph (2) that every child has the right to survive, grow, and develop and is entitled to protection from violence and discrimination. In addition, Article 52 paragraph (2) of Law No. 39 Year 1999 concerning Human Rights also states that children's rights are human rights. For its interests, the rights of the child are recognized and protected by law even from the time in the womb. At the global level, Indonesia has also demonstrated a commitment to protecting children by ratifying the Convention on the Rights of the Child (CRC) through Presidential Decree No. 36 Year 1999 on Ratification of the Convention on the Rights of the Child. The law as the implementation of the constitution of children's rights was then reaffirmed through the issuance of Law No. 23 Year 2002 concerning Child Protection which has been amended into Law No. 35 Year 2014 concerning Child Protection. Children's rights are part of human rights that must be guaranteed, protected, and fulfilled by parents, families, communities, state, government, and local governments. furthermore, it is stipulated that every child has the right to live, grow, develop, and participate fairly in accordance with human dignity and protection from violence and discrimination¹⁶.

The phenomenon of child marriage can cause children to lose access to their rights regulated in the Convention on the Rights of the Child, including: the right to be heard, the right to be free from discrimination, the right to obtain action based on the "best for the child" principle (best uninterest of the child), the right to protection from all forms of violence or habits that are detrimental to health, the right to rest, have fun, play, and be creative, as well as the right to protection from exploitation that interferes with education, or endangers health, physical, mental, spiritual, moral, or social¹⁷.

The Convention on the Rights of the Child was ratified by the General Assembly of the United Nations (UN) on November 20, 1989 and entered into force on September 2, 1990. This Convention on the Rights of the Child is an instrument that formulates universal principles and legal norms regarding the position of children. Therefore, this Convention on the Rights of the Child is an international treaty on human rights that includes civil rights, political rights, economic rights and cultural rights.¹⁸ This convention has been ratified by all countries in the world, except Somalia and the United States. Indonesia has ratified this Convention on the Rights of the Child by Presidential Decree Number 36 of 1996. Then the Government ratified Law No. 23 Year 2003 concerning Child Protection and made changes through Law of the Republic of Indonesia No. 35 Year 2014 concerning Amendments to Law No. 23 Year 2002 concerning Child Protection.

The Government's Role in Prevention of Early Child Marriage

The potential of Indonesia's demographic bonus with Indonesia's demographic structure which is dominated by the productive age population, namely the age of 15 to 64 years, amounting to 64% of the total population of Indonesia in 2019 (as released by BPS data, National Development Planning Agency 2018). In 2045, these children will be at the age of 28-45 years which is a golden period of productive age where they as the nation's next generation will determine the existence of the nation in the future. For this reason, special attention is needed so that during this golden period, Indonesian children can grow and develop into quality adults so that they can increase productivity, innovation, creativity, and the nation's competitiveness. The large number of children is a potential and national asset that must be supported by all stakeholders.¹⁹ In line with that, the national government sets strategic steps as a commitment to achieve the Sustainable Development Goals (SDGs) which are development that maintains the continuous improvement of the economic welfare of the community, development that maintains the sustainability of the social life of the community, development that maintains the quality of the environment. and development that guarantees justice and the implementation of governance that is able to maintain the improvement of the quality of life from one generation to the next. Indonesia's commitment to achieving the SDGs is not only about fulfilling global

¹⁵ Serlin Dorondos, Perkawinan Anak di Bawah Umur dan Akibat Hukumnya, *Jurnal Lex Et Societatis*, Vol. 2, No. 4, 2014, p. 51.

¹⁶ Article 1 Number 12 of Law No. 35 Year 2014 and article 4 of Law No. 23 Year 2002 concerning Child Protection.

¹⁷ Sitti Syahrani, Said Karim, Ratnawati, Praktik Perkawinan Anak dalam Hukum Pidana, *Jurnal Pascasarjana Universitas Hasanuddin*, 2017, p. 2-3

¹⁸ Children's rights movement, see <http://www.childrensrighswales.org.uk/history-ofchildren-rights.aspx>, in Raissa Lestari, Implementasi Konvensi Internasional Tentang Hak Anak (Convention on The Rights of The Child) di Indonesia (Studi Kasus: Pelanggaran Terhadap Hak Anak di Provinsi Kepulauan Riau 2010-2015), *JOM FISIP*, Vol. 4 No. 2, 2017, p. 2

¹⁹ Attachment Part I Presidential Regulation No. 25 Year 2021 concerning Child Friendly Regency/City Policies.

agreements but also about achieving Indonesia's ideals in improving the welfare of its people. The SDGs are a common goal that cannot be achieved by the government alone. In addition, because the goals and targets in the SDGs cover environmental, social, economic, governance, and partnership issues, there will be no single formula to achieve them. Especially in Indonesia, which consists of 1,340 ethnic groups with diverse cultures, languages, beliefs, a multi-disciplinary approach is needed that also involves various stakeholders from the government, academics, NGOs, the private sector, and all levels of society to achieve the SDGs²⁰. This goal can only be achieved when the basic rights of children are fulfilled, such as the right to health, the right to a decent life, the right to obtain education and teaching in order to develop their talents, interests and abilities.

For this reason, changes to various provisions of the legislation are expected to provide protection and law enforcement for children's rights. In order to prevent the continuing marriage of school-age children, namely through changes to the Child Protection Law, affirmation of the government's commitment to provide fulfillment of children's rights:²¹

1. Children have the right to receive education and teaching in the context of personal development and their level of intelligence in accordance with their interests and talents.
2. Children are entitled to protection in the education unit from sexual crimes and violence committed by educators, education staff, fellow students, and/or other parties.
3. Children with Disabilities have the right to special education and children who have advantages are entitled to special education. In addition to getting children's rights in numbers 1 and 2.
4. Every child has the right to express and have his opinion heard, receive, seek, and provide information according to his level of intelligence and age for his own development in accordance with the values of decency and propriety.

With regard to the right to education, the government has also mandated the right to education for every child through the obligation to learn Basic Education as the implementation of Article 31 paragraph (1) of the Constitution so that every citizen receives instruction. This obligation is also placed on the Government and Regional Governments to provide basic education of at least 9 (nine) years for all children.²² The right of every child to get an education has also been contained in Law No. 20 Year 2003 concerning the National Education System Article 5 paragraph (1), which regulates the right of every citizen to have the same right to obtain education and Article 5 paragraph (5) stipulates that every citizen has the right to have the opportunity to improve lifelong education.

Obligations and responsibilities for the implementation of child protection are carried out by the State, Government, Regional Government, Community, Family, and Parents or Guardians according to their roles and positions. Specifically, for the State, the Government and local governments are further elaborated on their responsibilities, including:²³

1. The state, government and local governments are obliged and responsible for respecting the fulfillment of children's rights without distinction of ethnicity, religion, race, class, gender, ethnicity, culture and language, legal status, birth order, and physical and/or mental condition.
2. To ensure the fulfillment of the rights of the child, the state is obliged to fulfill, protect and respect the rights of the child.
3. To ensure the fulfillment of children's rights, the government is obliged and responsible for formulating and implementing policies in the field of implementing child protection.
4. To ensure the fulfillment of children's rights and implement policies, the local government is obliged and responsible to implement and support national policies in the implementation of child protection in the regions. This policy can be realized through regional efforts to build child-friendly regencies/cities. Further provisions regarding child-friendly regencies/city policies are regulated in a Presidential Regulation.
5. The State, Government and local governments are obliged and responsible for providing support for facilities, infrastructure, and the availability of human resources in the implementation of child protection.
6. The state, government and local governments guarantee the protection, maintenance and welfare of children by taking into account the rights and obligations of parents, guardians, or other people

²⁰ SDGS Indonesia Roadmap, Overview, 2020, p. xii. and Presidential Regulation No. 59 Year 2017 concerning the Implementation of the Achievement of the Sustainable Development Goals.

²¹ Articles 9, 10, 11 of Law No. 35 Year 2014 and article 4 of Law No. 23 Year 2002 concerning Child Protection.

²² Article 48 of Law No. 35 Year 2014 concerning Amendments to Law No. 23 Year 2002 concerning Child Protection. and Article 49 The State, Government, Regional Government, Families, and Parents are obliged to provide the widest possible opportunity for Children to obtain education.

²³ Article 21, 22, 23 and Article 24 of Law No. 35 Year 2014 concerning Amendments to Law No. 23 Year 2002 concerning Child Protection.

who are legally responsible for children.

7. The state, government and local governments supervise the implementation of Child Protection.
8. The state, government and local government guarantee children to exercise their right to express opinions according to the child's age and intelligence level.

The involvement of the community, academics and non-governmental organizations to participate in the implementation of child protection is also contained in the Child Protection Law, namely Article 25 that the obligations and responsibilities of the community towards child protection are carried out through community role activities in the implementation of child protection. The obligations and responsibilities of the community can be carried out by involving community organizations, academics, and children's observers.

The Child Protection Act also provides equal protection for children with disabilities or special needs, protection for underprivileged children to get education and life necessities, special protection for children, protection for children in emergency situations, special protection for children in conflict with the law and also special protection for children from minority groups. If you look at the norms and rules regulated in the Act, they have thoroughly accommodated the rights of children in all conditions and situations. In the context of implementing the protection and fulfillment of children's rights, funding is determined to be financed by the State Revenue and Expenditure Budget (Anggaran Pendapatan dan Belanja Negara/APBN) and the Regional Revenue Expenditure Budget (Anggaran Pendapatan dan Belanja Daerah/APBD). The involvement of various stakeholders is also regulated in this Law, the involvement of the community individually or in groups, community organizations and educational institutions as well as the participation of the business world such as business entities or companies are expected to be involved in assisting the implementation and supervision²⁴. The institution specifically ordered for cross-sectoral coordination and related institutions to monitor, evaluate and report on the implementation of child protection is the ministry that carries out government affairs in the field of Child Protection. The Indonesian Child Protection Commission was also formed at the central (national) level as well as at the local government level to supervise the implementation.

The involvement of educational institutions is carried out by implementing the Character Development Program as contained in the Regulation of the Minister of Education and Culture of the Republic of Indonesia No. 23 of 2015 concerning the Development of Character, among others: fostering moral and spiritual values, national values and diversity, developing positive interactions between students and teachers and parents, positive interactions between students, taking care of themselves and the school environment (Management of Menstrual hygiene), develop the full potential of students through reproductive health literacy, as well as the involvement of parents and the community in schools. Literacy and health education programs are programs that must be implemented at each school level by applying also to intracurricular, extracurricular and co-curricular activities as well as the existence of special health service units in schools. The Ministry also provides guidance on a healthy school environment, conducts various activities to promote a healthy school environment in collaboration with puskesmas, the National Narcotics Agency and other relevant agencies to support the program²⁵.

Implementing the mandate of the Child Protection Law, policies are issued regarding the implementation of Child-friendly Regencies/Cities in Presidential Regulation No. 25 Year 2021 concerning Child Friendly Regency/City Policies. The regency/city policy (Kota Layak Anak/KLA Policy) aims to realize: regencies/cities throughout Indonesia become KLA and fulfill children's rights and special protection for children. The KLA policy consists of the National KLA policy document; and a national action plan for the implementation of KLA. The document becomes a guideline or reference for each district/city to organize KLA. The National Action Plan for the Implementation of KLA consists of institutions and 5 (five) child rights clusters, consisting of: civil rights and freedoms; family environment and alternative care; basic health and well-being; education, leisure time, and cultural activities; and special protection. This implementation is planned for the period 2020-2024 with coordination carried out by the minister who carries out government affairs in the field of Child Protection. KLA is a district/city with a development system that guarantees the fulfillment of children's rights and special protection of children which is carried out in a planned, comprehensive, and sustainable manner. The KLA concept was formed to adapt the Indonesian government implementation system, namely through regional autonomy, with the ultimate goal of Child Friendly Indonesia (Indonesia Layak Anak/IDOLA)

²⁴ Articles 72 and 73 of Law No. 35 Year 2014 concerning Amendments to Law No. 23 Year 2002 concerning Child Protection.

²⁵ Data Presentation of the Directorate of High Schools, Directorate General of Early Childhood Education, Primary Education and Secondary Education, Kementerian Pendidikan dan Kebudayaan, *Kebijakan Pendidikan Pencegahan Perkawinan Dini*, by Dr. Juandanilayah (Student Affairs Coordinator), 2021

which is expected to be achieved by 2030. This is also a form of Indonesia's contribution to the global community which is in line with Indonesia's commitment to support the world fit for the Children.²⁶

The realization of the KLA Policy is carried out based on 3 (three) main strategies, namely:

1. Increasing human resources and strengthening the institutional role of the central government and local governments in prevention and service provision.
2. Increasing the role of: individuals; child protection Institution; social welfare institutions; community organizations; educational institutions; mass media; business world; and Children, through advocacy, facilitation, socialization, and education.
3. Improvement of facilities and infrastructure that supports the fulfillment of children's rights and special protection of children.

In order to streamline efforts to realize KLA, the implementation of KLA is carried out through the following stages: Planning KLA; Pre-KLA; Implementation of KLA; KLA evaluation; and (5) Determination of KLA Ratings. The results of the evaluation (KLA) in 2019, there are as many as 247 districts/cities that have obtained Primary to Primary ratings. This achievement should be appreciated because it shows the increasing concern of all stakeholders in the region in protecting Indonesian children.²⁷ KLA is a system that was built to ensure that all children's rights are fulfilled and protected. RAN KLA includes detailed steps needed to implement KLA, which is measured through 24 (twenty four) indicators, namely: (1) local regulations on KLA; (2) strengthening of KLA institutions; (3) the role of community institutions, mass media, and the business world in the fulfillment of children's rights and special protection of children; (4) Children who have a birth certificate quote; (5) availability of Child-friendly Information (LA) facilities; (6) institutionalization of children's participation; (7) prevention of child marriage; (8) strengthening the capacity of consulting institutions providing child care services for parents/families; (9) Holistic and Integrative Early Childhood Development (Pengembangan Anak Usia Dini Holistik dan Integratif/PAUD-HI); (10) standardization of alternative care institutions; (11) availability of child-friendly infrastructure in public spaces; (12) delivery in health facilities; (13) nutritional status of toddlers; (14) Feeding for Infants and Children (Pemberian Makan pada Bayi dan Anak/PMBA) under 2 years of age; (15) health facilities with child friendly services ; (16) healthy environment; (17) availability of non-smoking area (Kawasan Tanpa Rokok/KTR) and prohibition of advertising, promotion and sponsorship of cigarettes; (18) 12 (twelve) year compulsory education; (19) Child Friendly School (Sekolah Ramah Anak/SRA) (20) the availability of facilities for child-friendly cultural, creative and recreational activities; (21.a) services for children victims of violence and exploitation; (21.b) children who are freed from child labor and the worst forms of child labour. (Bentuk-Bentuk Pekerjaan Terburuk untuk Anak/BPTA); (22.a) services for child victims of pornography, narcotics A and infected with HIV-AIDS; (22.b) services for children who are victims of disasters and conflicts; (23.a1) services for children with disabilities, minority and isolated groups; (23.b) services for children with deviant social behavior; (24.a) settlement of cases of children in conflict with the law (Anak yang Berhadapan dengan Hukum/ABH) through diversion (for perpetrators); and (24.b) Services for Children Victims of Terrorism Networks and Stigmatization As a result of Labeling related to the Condition of their Parents.

South Sulawesi Province is also one of the 8 (eight) driving provinces in child-friendly districts/cities. The main and most important thing from the KLA Development process is strengthening coordination between relevant Regional Apparatus Organizations (Organisasi Perangkat Daerah/OPD) and Non-Governmental Institutions such as NGOs, the Business World, Mass Media, Children's Forums, state-owned enterprises (Badan Usaha Milik Negara/BUMN), Community/Religious Leaders and other observer organizations. Previous efforts have also established policies related to the protection of children's rights through the Governor of South Sulawesi Province Regulation No. 19 Year 2018 concerning the Organization and Work Procedure of the Technical Implementation Unit of the Integrated Service Center for the Protection of Women and Children at the Office of Women's Empowerment and Child Protection in South Sulawesi Province.

The government's commitment continues to be emphasized by various policies, one of which is the issuance of Government Regulation No. 59 Year 2019 concerning the Implementation of Child Protection Coordination, this government regulation aims to concrete the government's responsibility in this case the relevant ministries in coordinating, in the form of monitoring, evaluating and reporting related to the implementation of child protection. Monitoring the implementation of Child Protection is

²⁶ Attachment to Presidential Regulation No. 25 Year 2021 concerning Child Friendly Regency/City Policies.

²⁷ In 2021, Kementerian Pemberdayaan Perempuan dan Perlindungan Anak will again evaluate Child Friendly Regencies/Cities, see

<https://www.kemennpppa.go.id/index.php/page/read/29/3089/tahun-2021-kemen-pppa-kembali-lakukan-evaluasi-kab-kota-layak-anak-klk>, accessed on 20 June 2021.

carried out by observing, identifying, and recording the implementation of the fulfillment of Children's Rights and Child Special Protection carried out by the Child Protection Coordination team through Coordination forum activities. The Coordination Forum is held periodically at least 2 (two) times in 1 (one) year. This Coordination Forum is a meeting that involves the relevant ministries and institutions that have activities in the implementation of Child Protection. Monitoring the implementation of the fulfillment of children's rights is carried out on: fulfillment of civil rights and freedoms, including ownership of birth certificates, availability of child-friendly information facilities (Informasi Layak Anak/ILA), and institutionalization of children's participation; family environment and alternative care, including prevention of child marriage, strengthening the capacity of consulting institutions providing child care services for parents/families, Holistic and Integrative Early Childhood Development (PAUDHI), standardization of alternative care institutions, and the availability of child-friendly infrastructure in public spaces; fulfillment of basic health and welfare rights including delivery in health facilities, nutritional status of toddlers, Feeding for Infants and Children (PMBA) under 2 years of age, health facilities with child-friendly services, households with access to drinking water and proper sanitation; and the availability of a smoke-free area and a ban on advertising, promotion and sponsorship of cigarettes; and fulfillment of the rights to education, leisure, culture, and recreation including 12 years of compulsory education, Child Friendly Schools (SRA), and the availability of facilities for child-friendly cultural, creative and recreational activities.²⁸ Further regulations governing the fulfillment of the protection of children's rights are fulfilled through the implementation of Article 83 of the Regulation of the Minister of Villages No. 21 Year 2020 concerning Guidelines for Village Development and Community Empowerment, namely the assistance of the Village government and the Village Consultative Body in the implementation of village planning and data collection, supervision of village development; village assistance to take an active role in realizing the Village SDGs and improving the quality of village government and the quality of village community participation and article 85 which regulates the strengthening of dynamic village institutions.

CONCLUSION

Early childhood marriage is part of the inability of the government as the person in charge of implementing and implementing child protection. The occurrence of early childhood marriage violates the fulfillment of children's human rights in obtaining a decent life, equal opportunity to obtain education to be able to develop themselves, their abilities and talents as superior human resources. The role of the central government and local governments as a milestone in the implementation of the protection and fulfillment of children's rights. Existing regulations and policies are sufficient to provide protection for the implementation of children's rights, especially to gain access to a decent and healthy family life. By realizing the Child Friendly Regency/City Policy program and ensuring the obligation of every child to take basic education will reduce and prevent the occurrence of early child marriage. In addition, it is also necessary to straighten the interpretation of law enforcement officers, especially judicial institutions to reconstruct the prerequisites for a marriage dispensation permit so that it is not easy to give approval to the application when the applicant has not met the minimum age for marriage and the involvement of local governments, village governments, community organizations and academics, institutions education to jointly provide socialization of the minimum age limit for marriage and the negative impact of early marriage to the community.

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²⁸ Appendix II Presidential Regulation No. 25 Year 2021 concerning Child Friendly District/City Policies.

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