

## **Analysis of Underage Marriage Impacting Broken Homes and Domestic Violence**

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### **Abstract**

The objectives of this research are 1. To determine the factors that cause underage marriage. 2. To determine the impact of underage marriage on acts of domestic violence and Broken Homes. 3. To find out the steps in dealing with underage marriage. Research method with a qualitative approach. Observational data collection techniques, the compiler directly goes into the field (2). Interviews, using direct dialogue with several elements of society such as Religious Affairs Office Officers and Religious Figures. Documentation, namely collecting data from documents such as archives and related files. Conclusion The factors that cause underage marriage in Bandung Regency are economic factors, pregnancy out of wedlock, lack of awareness about the importance of education, shame factors, environmental factors, and promiscuity factors. The impact of child marriage on Broken Homes and domestic violence. This can be seen from several phenomena that occur in Bandung Regency

**Keywords:** Underage Marriage, Broken Home, Domestic Violence

### **A. Introduction**

Marriage is an essential issue for human life because apart from marriage as a means of building a family, marriage is also a human nature to fulfill sexual needs. Marriage does not only contain elements of human-human relations, namely as a civil relationship, but on the other hand, marriage also contains elements of sacredness, namely the relationship between humans and God. It is proven that all religions regulate the implementation of marriage with their regulations.

Marriage can be said to be a relationship agreement between two human beings, a man and a woman, which contains an agreement on their relationship to jointly live a more intimate life according to the terms and moral laws sanctioned by God, the Creator of Nature. Marriage is the child's business, not the parents' business. Wise parents will not impose their will, because the parents' choices do not necessarily match the child's choices.

Underage marriages have occurred frequently from the past until now, most of the perpetrators of early marriages are village teenagers who have a low level of education. Early marriage will have an impact on the quality of children, families, family harmony, and divorce.

Because at that time, teenagers' egos were still high, seen from the educational aspect, teenagers graduated from junior high school and high school. Most of them do not continue to a higher level, due to socio-cultural factors and the average level of education of their parents is also low, so they do not support their children to continue their education to a higher level.

Marriage is the initial stage in the formation of society, from a marriage a small community called a household will be formed. In it will be born one or more children. Within this group of individuals, a social organization called the family is born and forms relationships such as husband and wife, children and parents, children and their siblings, children, and their grandparents, children and their uncles and aunts, father and mother with their brothers and sisters-in-law. -their in-laws, husband and wife with their parents and in-laws, and so on. Adolescents as children are in the transition period from childhood to adulthood. During this transition period, there is usually an acceleration of growth both physically and psychologically. Whether in terms of body shape, attitude, way of thinking, and acting, they are no longer children. They also cannot be said to be adult humans who have mature minds. Underage marriages lead to Broken Homes and Domestic Violence as experienced by Lina Melati, who married at the age of 15, who ultimately had to divorce her husband, and Atina, who married at the age of 16, also had to divorce because of her husband.

Underage marriage can give rise to legal problems. The case of underage marriage is handled differently by customary law, Islamic law, as well as national and international law. This fact gives rise to at least two legal problems. First, legal harmonization between one legal system and another legal system. Second, challenges to marriage law legislation in Indonesia related to underage marriage. From a health and psychological perspective, it is natural that many people feel worried about underage marriage which will affect the physical health and the offspring that will be produced, and of course, this marriage will be more vulnerable to conflict that ends in divorce, due to the lack of preparation and mental health of both parties. Couples who are still immature, at a young age must be burdened with great responsibilities as husband and wife so that they are not psychologically ready when compared to prospective couples who are adults.

## **B. Research methods**

This research is qualitative research that goes directly to the research field, data is obtained by collecting information and data through documentation in-depth interviews with elements of society, and observations in the field to directly observe the phenomenon of underage marriage.

### **1. Data collection technique**

The techniques used by the authors in collecting data are:

- a. Observations: The author immediately went into the field regarding incidents of underage marriages in Bandung Regency which had already entered into marriages, which had an impact on broken homes and acts of domestic violence.
- b. Interviews using direct dialogue with several elements of society in Bandung Regency. Regarding underage marriages and related parents, Religious Affairs Office Officers, and Religious Figures as comparisons for the objectivity of this research.
- c. Documentation, namely collecting data from related documents, such as archives of the local Religious Affairs Office, Marriage Certificates for underage marriages, and related files.

### **2. Data Analysis**

The data that has been obtained will be analyzed qualitatively using inductive methods. It is called a qualitative technique because the material or data is not numbers or quantitative. The inductive method is a reasoning method that starts from specific premises and then generalizes

them to produce general conclusions

### **3. Results and Discussion**

#### **3.1. Factors that cause underage marriage in Bandung Regency**

- a. This economic factor is an excuse that is often used by many people to look for shortcuts to solve it, although this often brings new problems in the next life. The high rate of young marriages is triggered by the low economic capacity of the community or economic difficulties, so it does not continue to be an economic burden because parents are no longer able to pay for their children's education. Parents encourage their children to get married so they can quickly become independent. Indonesia, which is known to be rich in natural resources, is still classified as poor in some areas, whether in cities or remote areas. In certain areas, it is not uncommon for people who are still poor to look for shortcuts to meet their needs.
- b. Pregnancy out of wedlock, in the sense of having had sexual relations between husband and wife, is the biggest factor in carrying out underage marriages. In the author's observation, couples who have had husband and wife relations are forced to marry each other by their partner's family. In some cases, people are arrested for committing lewd acts or violating the Shari'ah, and according to existing customs, couples like this must be married immediately. Generally, couples who apply for marriage dispensation in Bandung Regency are because they have had sexual relations outside of marriage, or have become pregnant outside of marriage. Nearly 60 percent are pregnant out of wedlock or have had sexual relations with husband and wife as reasons for applying for marriage dispensation.
- c. Low Awareness of Education. Parents marry off their young children not only because of poor economic conditions but parents' low awareness of the importance of children's education is also one of the triggers for a marriage to take place. With the education of parents who only graduated from elementary school, some even did not go to school at all (illiterate), it is easy to immediately marry their children. Because parents who don't understand or comprehend an ideal marriage, parents who have only graduated from elementary school or no school at all or are illiterate, only see their grown children so they think it's time for them to get married.
- d. Friends and social environment Due to the easy access to electronic information such as television shows, video players, and unfiltered internet access, this can hurt the development and relationships of teenagers which can lead them to promiscuity. Accessing information technology from various sources that are not managed and also supported by other sophisticated cell phones, teenagers easily fall into negative things. Promiscuity is a form of deviant behavior that crosses the boundaries of obligations, rules, conditions, and feelings of shame.
- e. Embarrassment Factor Each region has its own culture, which is sometimes unique or characteristic of each region. These diverse cultures can make it different from other regions. Apart from its uniqueness, sometimes several customs or habits become cultural which are actually at odds with existing rules, both legal rules and religious rules. As is the case with marriage, in several regions in Indonesia marriage is legal even though they are still very young. It is not uncommon for marriages in indigenous communities to conflict with existing regulations in Indonesia. This culture leads some people to marry off their children who are still underage because they don't want their children to do things that could become the talk of the town in the surrounding community.

#### **3.2. The impact of underage marriage on domestic violence and broken homes in Bandung Regency**

Based on the results of research through document searches at the Padang Ulak Tanding

District Religious Affairs Office, data and information were obtained regarding the divorce rate caused by domestic violence (KDRT) and broken homes in cases of underage marriage. In these 85 cases, it shows that the divorce rate among underage married couples has also increased from year to year along with the increase in divorce cases starting with domestic violence, resulting in broken homes. In 2017 there were 6 cases of divorce between underage couples, then in 2018 it rose to 5 cases of divorce caused by underage domestic violence, and in 2019 from January to March, there were 6 cases of divorce between underage married couples.

If this is a percentage, then the number of underage marriages that experienced divorce due to domestic violence during the three years, between 2017, 2018, and 2019 with a total of 30 couples marrying underage couples, and divorce cases involving underage couples as many as 15 cases. , then we will get a figure of 50% of the divorce rate with domestic violence of underage couples. This number exceeds half of the total divorce cases of underage married couples. This data shows that underage marriage is vulnerable to domestic violence and broken homes

Domestic violence (KDRT) is often the subject of complaints by wives to the Religious Courts. This is a problem in itself that colors the household journey of underage couples with various forms of violence that have physical and psychological impacts. Many factors cause domestic violence and broken homes, such as economic problems, marrying without a strong will, marrying without being based on love, marrying only because an incident occurs that requires marriage, and other things that can be the cause of this violence. Apart from that, domestic violence can occur due to excessive jealousy towards one's partner, causing disputes that lead to fights or physical abuse and ultimately become a reason for divorce.

### **3.3. Steps in dealing with underage marriage in Bandung Regency**

- a. KUA Steps: Theoretically, efforts to prevent underage marriage can be carried out by the Padang Ulak Tanding District Religious Affairs office through its following roles; 1) Services in the administrative sector include registration of marriages, divorces, and reconciliations as well as other records related to the duties and roles of the KUA. In this case, the sub-district KUA can make technical operational policies regarding marriage registration and administration procedures that do not conflict with the rules for dealing with underage marriages. 2) Counseling and socializing marriage laws. In this case, the KUA socialized Law Number 16 of 2019 concerning marriage to the public through various media, especially Article 7 paragraph (1) regarding the age limit for someone to marry, namely 19 years for men and 19 years for women. 3) Services in the field of marriage and family harmony. In terms of dealing with underage marriages, the KUA can optimize the role of BP4 and other KUA tools in providing marriage advice and the importance of building a *sakinah, mawddah wa rahmah* family. 4) Services in the field of affairs. In this case, the KUA can optimize the village heads and also the village leaders in socializing the importance of getting married according to the specified age limits, either through marriage sermons or when invited to religious activities.
- b. Bandung Regency Government's steps. It is mandatory to play a role in dealing with the increasing phenomenon of underage marriage. The most influential thing is the role of the government itself, to regulate the lives of its people so that they are well directed, namely in various stages: 1) Personal Approach Stage. The first stage that can be carried out by the government to deal with the rise of early marriage is with a personal approach by giving advice. . 2) Data Collection Stage At this stage, data collection is carried out by the village head government. The government found many early marriages. However, the government is not responsible for the wedding incident. 3) Socialization Stage Regarding early marriage, namely using socialization in the community, namely through community activities, for example commemorating the Prophet's birthday, cooperation, *posyandu*, and so on, so that it is free from violations of the law. 4) Marriage Certificates are guaranteed. Marriage certificates are complicated or require a very complicated

manufacturing process, but people still don't care about this. In this way, people who intend to marry early will have a deterrent effect. Because, if this phenomenon continues, it will not only require small amounts. 5) Tighten the Marriage Law. People will feel afraid if they want to get married under age, because the regional government, village government, sub-district government, and the Office of Religious Affairs (KUA) have started to tighten the rules regarding marriage. This is done to minimize the phenomenon of early marriage

- c. Steps for Parents 1) Education and Love Parents are the main and first educators for their children because it is from them that children first receive education. Thus the first form of education is found in family life. Parents must always pay attention, help, guide, and develop their teenage children in preparing themselves for adulthood. Parents must understand that many problems are being faced by their children who are currently teenagers. Actually, according to the author, there is one key that must be optimized to prevent early marriage. Social change in the form of early marriage seems to have to be prevented by family socialization agents. Because in Law No. 16 of 2019 also states that marriages between couples who are underage must obtain permission from their parents.

### **3.4. Inhibiting Factors in Overcoming Child Marriage in Bandung Regency**

Based on data regarding perpetrators of underage marriages, society's views on underage marriages, the factors and impacts of underage marriages, and the steps taken by the authorities, the following are the factors inhibiting efforts to prevent underage marriages;

- a. Differences in the meaning of underage marriage from a religious and state perspective. Marriages carried out beyond the minimum limits of the marriage law are invalid according to state law, if there is no permission from the religious court, whereas from a religious perspective, underage marriages are marriages carried out by people who have not reached puberty. This causes the views of ulama to be more inclined towards Islamic rules and becomes an obstacle to efforts to overcome underage marriage.
- b. Apart from the inhibiting factors above, community assessors in the PUT sub-district who are quite positive about underage marriage also greatly hinder the effectiveness of dealing with the implementation of underage marriage.
- c. There have been no programmed efforts to prevent underage marriage, which is carried out periodically by the sub-district KUA PUT.

### **Conclusion**

- a. The factors that cause underage marriage in Bandung Regency are economic factors, pregnancy out of wedlock, lack of awareness about the importance of education, shame factors and environmental factors, and promiscuity. Based on the concept of family sociology with a social behavior paradigm, the occurrence of underage marriages in Bandung Regency is influenced by the lack of control and supervision of parents over their children so that they fall into promiscuity and result in underage marriages. Based on research results from 2017-2019 in Bandung Regency, the number of married underage children recorded at the KUA was 5 pairs, while data in the field was 20 pairs.
- b. The impact of underage marriage turns out to be very influential on Broken Homes and domestic violence. This can be seen from several phenomena that occur in Bandung Regency after they marry underage, the impact they feel is disharmony in the household, frequent quarrels, violence by husbands against their wives, and divorce cases as well as a lack of independence which makes it burdensome. parent. Of course, this affects the quality of the resulting family due to physical and psychological unpreparedness in dealing with social or economic problems in the household building a marriage, and being a responsible parent. Child marriage has an impact on divorce rates and broken homes,

this is based on data from 2017-2019, 5 couples divorced in early marriage and 12 couples in broken homes.

- c. The steps in dealing with underage marriage in Bandung Regency include; a). KUA's steps include; holding outreach on marriage laws, tightening marriage administration, optimizing BP4, and maximizing the services of penghulu or P3N in socializing the importance of getting married according to the age regulated by law. b). Steps include; the personal approach stage, data collection stage, socialization stage, suspension of marriage licenses, and tightening of marriage legislation. c). Step parents; Education and affection and control of promiscuity.

### Suggestion

The suggestions that the author can give to underage married couples and also to parents regarding the impact of underage marriage on household welfare are:

- a. District authorities (1). so that parties aggressively socialize the impacts and consequences of underage marriage; (a) sub-district or district governments should make regulations and their consequences regarding marriage age limits which are set out in the form of regional regulations.
- b. Community leaders, religious leaders, and traditional leaders can make regulations prohibiting underage marriages and those who violate them can be subject to customary fines.
- c. Parents are role models for children in a family. Parents must educate their children, and prepare them to be aware of religious and world affairs so that the family becomes a place of learning and a means of controlling children's development. So what the author hopes is that parents will provide maximum supervision and control to their children.
- d. A marriage can only be achieved if the marriage is carefully planned and carried out at a certain level of maturity, for both men and women. So, today's teenagers should first take into account the impacts they face after they marry underage due to a lack of adequate knowledge about the household which will later affect the quality of the family they form.

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