

IMPLEMENTATION OF LAW NUMBER 16 OF 2019 CONCERNING MARRIAGE (STUDY ON THE PREVENTION OF EARLY MARRIAGE IN WONGSOREJO VILLAGE, WONGSOREJO DISTRICT, BANYUWANGI REGENCY)

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Abstract

Marriage is a physical and mental bond between a man and a woman as husband and wife with the aim of forming a happy and lasting family (household) until death separates. Meanwhile, early marriage is a marriage event carried out by children under the age of 16 for women and under 19 years for men. Law Number 16 of 2019 concerning marriage explains that the minimum age limit for men is 19 years old while for women is 16 years old. As happened in Wongsorejo Village, the rate of early marriage always increases due to several background factors, including: economic factors and matchmaking culture. The research method used in this study is qualitative research and is a type of descriptive research. Implementation is focused on the ideas of George C. Edward III in Agustino (2016:136-141) 1) Communication, 2) Resources, 3) Disposition, and 4) Bureaucratic Structure. Research results: First, Communication, socialization of early marriage prevention in Wongsorejo Village. Second, Resources, the limited number of employees. So that there is collaboration between the government and the community. Third, Disposition, the village staff have shown good performance in carrying out their duties and have high dedication. Fourth, Bureaucratic Structure, each Level and section in the organizational structure has clear duties and responsibilities with work SOPs.

Keywords: Implementation, Law Number 16 of 2019 concerning marriage.

INTRODUCTION

Early marriage is a marriage carried out by a couple or one of the couples is still categorized as children or adolescents who are under the age of 19 years old. (According to WHO). Early marriage occurs in society because of two factors that are behind it, namely internal and external factors. Internal includes emotional maturity and personal perception, while external factors including economic and cultural conditions in society also affect the existence of early marriage. Early marriage results in the emergence of social problems due to population growth that increases every Year. (Nina 2015) Early marriage is a form of violence that occurs to children. Children under the age of 21 are generally not ready physically, cognitively, socially and emotionally in a marriage. This can lead to a variety of problems in a relationship, including difficulties in resolving conflicts and health problems (Rummiyat, 2024). Weak growth in adolescents who experience early marriage also results in health problems and results in the unpreparedness of young couples to undergo marriage. The high rate of early marriage in Wongsorejo District, one of which is located in Wongsorejo Village from 12 Villages in Wongsorejo District in nine months, starting from January-September 2024.

Health problems occur reproductive health that results in health risks for young mothers. Girls who get married at the age of 18 are at risk of complications in pregnancy and childbirth because

their bodies are not ready to conceive and give birth, so they are prone to health complications such as anemia, preeclampsia, premature birth, and maternal mortality risk. Not only the risk to the mother, early marriage is also a risk to the child who is born because the fetus in the womb does not get enough intake so that at the time of delivery it will be premature and at risk of stunting in the child. (Nina 2015)

Mentally being not ready to get married at a young age results in domestic violence triggered by an uncontrollable ego (labil). Emotional immaturity can also result in the emergence of domestic violence problems, this occurs mainly in couples who carry out marriage at a young age. In some areas, early marriage has become a tradition and culture that is especially attached to the Madurese people. From this, there are many problems experienced by couples who carry out early marriage which have an impact on health, mentality, and divorce. So that Divorce increases due to early marriage or marriage at a young age. Many young couples marry young only because of pregnancy factors first and economic factors that affect matchmaking and marriage (Putri, 2023).

Economic factors also resulting in many cases of early marriage that lead to divorce and domestic violence. Finances that are still immature in early marriage and are dependent on parents so that they result in conflicts in the household (domestic violence that leads to divorce in the household). Children who marry early tend to be trapped in poverty and find it difficult to find a job because they have no experience. Early marriage results in poverty problems due to the financial immaturity of young couples (Azizah, 2021).

Factors that cause The high number of cases of early marriage in Wongsorejo Village is that there is a cultural factor of matchmaking. The existence of an arranged marriage culture in Wongsorejo Village is caused by the culture of the local people who believe that matchmaking and early marriage are a way to avoid adulterous behavior in their children, and they think that married children will improve the economy in their lives Because marriage will open the door to wide sustenance. Economic problems are also a factor in early marriage in Wongsorejo Village.

RESEARCH METHODS

This research uses qualitative research methods and is a type of descriptive research. According to Sugiyono (2005:21), the descriptive method is a method used to describe or analyze a research result but is not used to make broader conclusions. The focus of this research is to analyze how Law Number 16 In 2019 it was implemented in the Village

Wongsorejo, Wongsorejo District, Banyuwangi Regency in the context of preventing early marriage and knowing the factors that cause early marriage. This implementation is focused on several aspects, in accordance with the ideas of George C.(1980) Edward III in Winarno (2012; 177) 1) Communication, 2) Resources, 3) Disposition, and 4)

Bureaucratic Structure. The data collection techniques used are observation, interview, and documentation. The researcher chose to use the technique purposive sampling in the determination of informants.

RESULTS AND DISCUSSION

Based on the research conducted, the implementation of Law Number 16 of 2019 concerning Marriage (Study on the Prevention of Early Marriage in Wongsorejo Village, Wongsorejo District, Banyuwangi Regency) is reviewed from Edward III 's theory which consists of 4 (aspects), namely: communication, resources, disposition, and The bureaucratic structure has the following results (Rosdalina, 2022):

First, Communication, effective communication is an important element in delivering policy objectives and content to implementers at various levels of government or related institutions.

Communication is related to how policies are communicated to the public so that the public understands the content and purpose of a policy made. Communication is very important in the implementation and formation of a policy in a region because the policy made must represent the problems of the people in a region and be able to solve these problems. Errors in communication can lead to misinterpretations or even misunderstandings, which ultimately hinder the effective implementation of policies. In addition, a two-way communication flow between policymakers and implementers is necessary so that implementers can convey the obstacles faced (Rika, 2023).

Effective communication is using a two-way communication flow between policymakers and policy implementers. In a communication, there is often a misunderstanding or miscommunication, it happens because it is not clear in the delivery of the message (Lena, 2022).

In overcoming the problem of early marriage that occurs in Wongsorejo Village, the Wongsorejo Village government provides a briefing to couples who will carry out marriage dispensation or to couples who will carry out marriages. The Wongsorejo Village Government has carried out various measures to reduce the rate of early marriage that occurs in Wongsorejo Village, one of which is the Village Government in collaboration with the KUA of Wongsorejo District in overcoming the problem of early marriage by carrying out socialization involving PKK cadres, the health center and NU fatayat. So that the public knows the terms or conditions of marriage and the dangers of early marriage for young couples (Rika, 2023).

The information conveyed to the public about the requirements of marriage and the dangers of early marriage is very easy to understand. This can be seen from the material presented that is very easy to understand and uses language that is easy to understand and does not use convoluted language. This socialization is carried out once a month at the village hall, routine recitation of NU fataya, youth posyandu, and KUA Wongsorejo District. The main purpose of this socialization is to provide the public with understanding of marriage regulations and the dangers of early marriage in young couples (Azizah, 2021).

Second, Resources, in the implementation theory put forward by Edward III, resources are one of the four important variables that affect the success of policy implementation. According to Edward III, resources include human resources, such as the number and quality of labor, as well as non-human resources, such as

budget, facilities, time, and information. Resources are critical because without adequate availability, even a well-designed policy can be difficult to implement effectively. Inadequate resources can cause obstacles in implementation.

The resources in question, namely an adequate number of staff with the right skills, information, authority, and facilities used can ensure that the policy can be implemented properly. Without adequate resources, it will be difficult to achieve the goals to be achieved. Referring to human resources or staff, it is necessary to have competent, committed and trained staff in working to ensure that policies can be implemented in accordance with the objectives. The availability of adequate staff and quality determines the effectiveness of policy implementation because they are the ones who will carry out concrete actions in the field.

The Wongsorejo Village Government has provided education related to marriage as stated in Law Number 16 2019 About Marriage, and understanding the minimum age limit for marriage. Law Number 16 The year 2019 explains the age limit At least in marriage for men with the age of 19 years and women 19 years old which is attached to Article 7 paragraph (1). Marriage dispensation: in article 7 paragraph (2) it is stipulated that in the event of deviation from the minimum age limit 19 years old, parents of one of the or Both brides and grooms can ask the court for a dispensation. The court may grant such a dispensation if There are urgent reasons accompanied by evidence.

In overcoming the problem of early marriage that occurs in Wongsorejo Village, the Village Government and the KUA of Wongsorejo District have made great efforts by providing education to every community so that the rate of early marriage in Wongsorejo Village can decrease. However, in reality, the community is still strong with growing trust and trust. The community believes that if they have a girl aged 16-18 years, they are obliged to marry immediately because they are afraid of adulterous behavior that will happen to their children. The people of Wongsorejo Village think that if a girl aged 16-18 years is not married, then the law is mandatory to be matched and married, and the people of Wongsorejo Village think that it is better for their children to be widowed than not to marry (Azizah, 2021).

Third, Disposition, According to George C Edward III (1980), disposition is the attitude and behavior of individuals or groups involved in the policy implementation process. Disposition is an important factor that determines the success of policy implementation. A positive attitude from the implementers will facilitate the implementation process, as they will be more proactive and motivated to achieve the goals. The most important character possessed by an implementer is honesty and commitment. The Head of Wongsorejo Village has a high commitment to the prevention of early marriage and the reduction of the rate of early marriage in Wongsorejo Village. This commitment is aimed at collaboration between the government and the community.

The Wongsorejo Village Government and the Wongsorejo District KUA have provided education and understanding to the community about marriage in accordance with Law Number 16 Year 2019 About Marriage to prevent early marriage in Wongsorejo Village. This shows that the Wongsorejo Village Government has the desire to reduce the number of early marriages that occur in Wongsorejo Village. The village staff have shown good performance in carrying out their duties, such as providing an understanding of marriage regulations in accordance with Law Number 16 of 2019, providing education on the dangers of early marriage and marriage education.

Fourth, Bureaucratic Structure, bureaucratic structure is the structure of the organizational order, chart, division of labor and hierarchy contained in an institution or organization to carry out tasks to be more orderly. Bureaucratic structures that can affect the flexibility and effectiveness of policy implementation. Bureaucratic structures that are too rigid and tiered can slow down decision-making in the implementation of policies, while flexible bureaucratic structures can make it easier to make policies.

The organizational structure in the Wongsorejo Village Government has clear duties and responsibilities, so that there is no overlap of work. The organizational structure allows for effective communication between leaders and implementers, so that information and direction can be conveyed well and can be well received. However, in handling early marriage, there is no clear structure between the government and the community involved.

CONCLUSION

Based on the results of discussions related to the research on the Implementation of Law Number 16 of 2019 concerning Marriage (a study on the Prevention of Early Marriage in Wongsorejo Village, Wongsorejo District, Banyuwangi Regency), there are several conclusions by the researcher as follows:

Communication, the Wongsorejo Village Government has carried out good communication with the government and the community in overcoming the problem of early marriage that occurs in Wongsorejo Village. Collaboration between the village government and the KUA of Wongsorejo District, as well as the community has been carried out in an effort to prevent early marriage in Wongsorejo Village. In preventing early marriage, the government carries out socialization and

understanding of marriage requirements, including the age limit in accordance with Law Number 16 2019.

The resources and human resources in the Wongsorejo Village government are very limited, so in an effort to prevent early marriage, the village government collaborates with the KUA and the community. Limited human resources make handling early marriage cases slow. However, the village government has a new innovation by involving the community and KUA to collaborate together in efforts to prevent early marriage.

Disposition, the Wongsorejo Village Government has conducted socialization and understanding related to the minimum age limit for couples in accordance with Law Number 16 of 2019. The village head has a commitment in Efforts to prevent early marriage by collaborating between the government and the community. The government is making every effort to provide solutions in overcoming early marriage in Wongsorejo Village.

Bureaucratic structure, each level has clear duties and responsibilities, so that there is no overlap in carrying out work. However, in the form of collaboration between the government and the community in efforts to prevent early marriage, there is still no clear structure and clear division of duties between the government and the community.

Based on the research that has been conducted, there are suggestions by researchers, namely: in efforts to prevent early marriage in Wongsorejo Village, there are things that must be prioritized, namely the understanding of the community related to Law Number 16 of 2019, the dangers of early marriage for the health of couples and organ health Reproduction. The village government is obliged to provide counseling that emphasizes the importance of education and the negative impact of early marriage on adolescents and the elderly. In addition, the village government provides access to reproductive health services and psychological counseling in order to provide a better understanding of physical and mental readiness in undergoing marriage. Finally, law enforcement related to the age limit for marriage must be strengthened.

THANKS

I would like to express my deepest gratitude to various parties who have provided support and contributions in the preparation of this journal, including:

1. Supervisors, who have provided input and scientific discussions that enrich the analysis in this study.
2. Resource Persons and Respondents, who have taken the time to share their experiences and views related to the application of this law in the community.
3. The Wongsorejo Village government has provided information in this study.
4. Family and Friends, who always provide motivation and prayer in every step of this research.

Hopefully this journal can provide benefits for the development of science. We recognize that this research still has limitations, therefore, we look forward to constructive suggestions and criticisms for future research improvements.

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