

The Impact of Marriage on Early Childhood Behavior Based on a Positive Legal Perspective

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Abstract

This study aims to increase knowledge about the impact of marriage on early childhood from a positive legal perspective for students of SMA PGRI 22 Serpong. This community service activity targets the students of SMA PGRI 22 Serpong, which is located at Jl. Pahlawan Seribu, Cilenggang, Kec. Serpong, South Tangerang City, Banten. Students from the Faculty of Law at Pamulang University, who conducted PKM, provided the independent funds for this activity. Students from SMA PGRI 22 Serpong, located at Jl. Pahlawan Seribu, Cilenggang, Kec. Serpong, South Tangerang City, Banten, attended this activity on May 16, 2024. The success of this community service activity was largely due to the support from various parties, particularly the enthusiastic and active participation of the participants. Therefore, we should expand the scope of this socialization activity in the future, and expand the scope of the presented material to enhance the participants' knowledge and comprehension.

Keywords: *phenomenon of early marriage, impact of marriage, early childhood.*

INTRODUCTION

Various legal protection efforts for children always contribute to the annual increase in early marriage rates in many countries. In 2015, there were around 142 million girls who married prematurely (CFR 2015). This figure continues to increase, especially in several countries such as Africa, Southwest Asia, Ethiopia, India, etc. In Indonesia, the annual figure of 1.5 million early marriages among girls equates to one marriage every two seconds. Even though the Marriage Law mandates 18 years as the minimum age for marriage, child marriage is becoming more common in practice. Universally, 720 million women live and marry at the age of 18, which is around 15 years.

In the Compilation of Islamic Law, Article 1 explains that marriage is sacred in human life. The law states that marriage is a physical and spiritual bond between a man and a woman as husband and wife, with the aim of forming a happy and eternal family (household) based on the belief in the Almighty God. Each religion and belief's laws declare a marriage valid, and applicable laws register each marriage.

Marriage is a ceremony to legally unite the marriage bond between a woman and a man in the eyes of religion and law. Wedding ceremonies in Indonesia have different characteristics, depending on the religion, culture, and traditions of each tribe. Marriage is important in Indonesia and deserves attention when done.

We recommend against underage marriage due to its negative impacts. Law Number 23 of 2002, concerning Child Protection Article 4, states that "every child has the right to live, grow, develop, and participate appropriately in accordance with human dignity and to receive protection from violence and discrimination." Furthermore, Article 11 of Law Number 23 of 2002 concerning Child Protection states that "Every child has the right to rest and utilize free time, socialize with children of the same age, play, and have recreation according to their interests, talents, and level of intelligence for the sake of self-development."

The lack of mental and emotional readiness of couples forced to marry due to pregnancies outside of marriage often results in early marriages ending in divorce cases. Initially, the couple refrained from disclosing that an out-of-wedlock pregnancy motivated their marriage, but over time, they eventually revealed these facts. Couples forced to marry due to this pressure are physically and mentally unprepared.

The government has issued special legal regulations, specifically Law No. 1 of 1974, to regulate marriage in Indonesia. These regulations cover various aspects of marriage, including the basis of marriage, conditions of marriage, marriage contract (Agreement), rights and obligations of husband and wife, position of children, and guardianship, among others.

In Indonesia, the marriage age applies to men and women who have reached the age of nineteen for men and sixteen for women. Article 7, Paragraph 1 of the 1974 Marriage Law states this. However, marriage before that age is not an unfamiliar marriage to the ears of Indonesian society. This has been around for a long time and has become a tradition in several areas.

According to Article 1 of the Marriage Law Number 1 of 1974, the purpose of marriage is to create a happy and eternal family based on a belief in the Almighty God. To achieve this goal, one of the principles contained in Law Number 1 of 1974 concerning marriage states that a prospective husband and wife must be mature in body and soul to be able to enter into a marriage. This is to ensure they can achieve the goal of marriage well without divorce and have good offspring.

Undoubtedly, there are factors contributing to the rise in underage marriages. Among these factors are the low level of knowledge among parents, children, and society, which can impact their understanding of the true purpose of marriage. Additionally, economic and environmental factors also contribute to the prevalence of underage marriages. Incidents of pregnancy out of wedlock, which are the effects of promiscuity among teenagers, and a lack of parental supervision can be a trigger for early marriage, especially since the marriage dispensation issued by the government violates Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection.

An early marriage is one that occurs before the child reaches the age of 18 years. Article 29 of the Civil Code (KUHPerdata) states that men under eighteen years of age and women under fifteen years of age may not enter into marriage. Also, as B. W. stated, a person is considered a minor if he is under 21 years of age, unless he is married.

One of the impacts of early marriage on reproductive health is that women aged 15–19 years are twice as likely to die during childbirth as those aged 20–25 years, while those aged under 15 years are five times more likely to die. Based on research, young

women who are pregnant will experience several things, such as bleeding, miscarriage, and long or difficult labor.

Early marriage also has an impact on the husband and wife, as they may struggle to fulfill their rights and obligations due to their high levels of selfishness. This can lead to arguments and conflicts between them, ultimately resulting in divorce. Additionally, a successful marriage can bring happiness to each family.

However, if the marriage fails, they will feel sad and disappointed, and this failure results in the breakdown of friendly relations between families. Child marriage has intergenerational ramifications. Babies born to girls at an early age have a higher risk of death, and they are twice as likely to die before the age of 1 year as children born to mothers in their twenties. Babies born to child brides also have a higher chance of being born prematurely, having a low birth weight, and being malnourished.

From a legal perspective, considering age limits in marriage, it's important to consider the vulnerability of individuals who marry underage, as they may not be physically and mentally prepared to build a household.

Marriages conducted at a relatively young age, when the couple's psychological and social development is still in its early stages, typically result in negative psychological and social outcomes. If an argument occurs between the two of them, they are unable to control their emotions. Underage marriage contributes to the lack of harmony in the household; in addition, couples who marry at a young age may not be prepared in terms of age and socio-economic status. In general, they do not have permanent jobs, so economic difficulties can trigger problems in the household.

RESEARCH METHODS

The targets for this activity are students of SMA PGRI 22 Serpong, located at Jl. Pahlawan Seribu, Cilenggang, Kec. Serpong, South Tangerang City, Banten. The activity method used for participants is a pedagogical education method because most of the participants find it difficult to have knowledge about the topic being discussed, namely the stage of activity that will be carried out.

RESULTS AND DISCUSSION

According to the 1974 Republic of Indonesia Law, a man and a woman cannot separate the meaning of marriage from the goal of starting a family. Indonesia, as a legal country, has regulated marriage in Law Number 1 of 1974 concerning marriage and Government Regulation Number 9 of 1975 concerning the implementation of Law Number 1 of 1974 concerning marriage. Although Article 29 of the Civil Code (KUHPer) does not explicitly address the issue of early marriage, it stipulates that the minimum age for men is 18 years and for women it is 15 years, with the Civil Code book defining the maturity limit at 21 years. Article 330 stipulates that a person must be 21 years old and unmarried.

Early marriage is a marriage that takes place at an age below the productive age, namely less than 20 (twenty) years for women and less than 25 (twenty-five) years for men. 1 Article 7 paragraph (1) of Law No. 1/1974, a positive law in Indonesia, stipulates that a man must reach the age of 19 (nineteen) years and a woman must reach the age of 16 (sixteen) years to be eligible for marriage. Therefore, one of the marriage partners must be under 19 (nineteen) years of age to qualify as an early marriage.

Early marriage is underage marriage; in this case, the preparation of a child or teenager has not been fully optimal, both in mental, psychological, and even material preparation. Teenagers who marry at an early age often lack sufficient knowledge about marriage and family, and may struggle to effectively manage conflict. This can lead to arguments within the family and compromise the harmony of the marriage.

In rural and urban areas, the phenomenon of early marriage is still part of society's culture. Parents want to speed up marriage for a variety of economic and social reasons, considering the child's education unimportant and having negative views on the status of spinsterhood.

There are various factors that influence early marriage, such as economic factors, low education, culture and customs, self-will, and promiscuity.

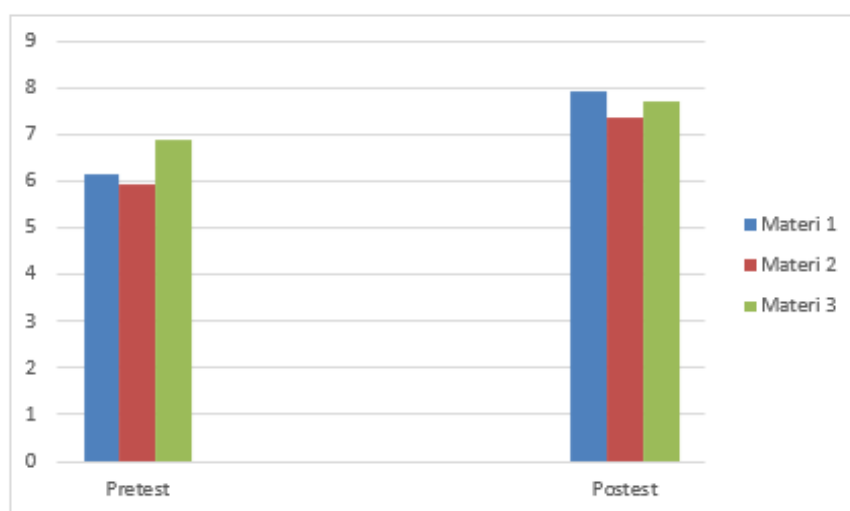


Figure 1. Average Pretest and Posttest Scores of Participants

The pretest demonstrates the students of SMA PGRI 22 Serpong's comprehension of the material on Creating a Wise Generation in Using Social Media, with an average score of 6.16 out of a maximum score of 10, and a total of 30 participants.

Meanwhile, the material highlights the prevalence of bullying among students at SMA PGRI 22 Serpong, garnering an average score of 5.93 from 30 participants. Similarly, the material on the impact of marriage on early childhood, grounded in a positive legal perspective, garnered an average score of 6.9 from the same participants. After conducting socialization on the impact of marriage on early childhood based on a positive legal perspective, there was an increase in understanding, with an average score of 7.7 from 30 participants. For the material that emphasized the occurrence of bullying at school and on social media, there was an increase in understanding, with an average score of 7.36 from the 30 participants who took part in the event. Additionally, the material created a wise generation in using social media, which resulted in an average score of 7.93 from the total of 30 participants.

CONCLUSION

The conclusions drawn from this activity's results are as follows: The pretest results indicate that SMA PGRI 22 Serpong students still lack knowledge regarding the impact of marriage on early childhood from a positive legal perspective. Students at SMA PGRI 22 Serpong have gained knowledge and preparedness after introducing the concept of marriage to young children.

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