

THE IMPACT OF EARLY MARRIAGE FROM THE PERSPECTIVE OF CHILD PROTECTION LAW ON STUNTING PREVENTION (CASE STUDY IN RANAH BATAHAN DISTRICT, WEST PASAMAN REGENCY)



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Abstract

Nowadays, early marriage often occurs in every sub-district with various causal factors, even though the age of marriage is regulated in Law Number 16 of 2019 in Article 7 which states that marriage is only permitted for men and women who have reached the age of 19 years. One of the sub-districts that practices early marriage is Ranah Batahan sub-district, West Pasaman district. The problem of the dangers of early marriage practices in Ranah Batahan sub-district, West Pasaman regency, has an impact on increasing cases of stunting in children. Early marriage is not only detrimental to children physically and mentally but is also contrary to the Child Protection Law Number 35 of 2014. This research is qualitative research using empirical juridical research methods which use two data sources, namely primary and secondary, with a different approach method. Used are field research and library research. The research results about the impact of early marriage on stunting prevention show the need for stricter law enforcement against the practice of early marriage in accordance with Article 66 of the Child Protection Law which stipulates that underage marriage is invalid. Public education is also important to increase awareness of children's rights and encourage better social change. Protection of children suffering from stunting requires joint involvement from the state, community, family, and parents, by providing holistic legal, economic, social, and cultural protection. Thus, collaboration between stakeholders is key in ensuring optimal fulfillment of children's basic rights

Keywords: Impact, Early Marriage, Prevention Stunting

INTRODUCTION

Marriage is a physical and spiritual bond between a man and a woman as husband and wife, to form a happy and eternal family (household) based on the One and Only God. In a family, there are a husband, wife, and children who are interconnected and have rights and obligations that must be fulfilled. Nowadays, early marriage is a choice that has become one of the life goals in society; essentially, both females and males have the age at which they desire to marry. (Zaman, 2015)

The recommendation to marry is found in Q.S Ar-Nur/24: 32 as follows:

وَأَنْكِحُوا الْأَيَامَىٰ مِنْكُمْ وَالصَّالِحِينَ مِنْ عِبَادِكُمْ وَإِمَائِكُمْ إِن يَكُونُوا فُقَرَاءَ يُغْنِهِمُ اللَّهُ مِنْ فَضْلِهِ وَاللَّهُ وَاسِعٌ عَلِيمٌ

"And marry those among you who are single, and also those who are fit (for marriage) among your male and female slaves. If they are poor, Allah will enrich them from His bounty. And Allah is All-Encompassing, All-Knowing."

In line with this, as mentioned in the following hadith:

عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ رَضِيَ اللَّهُ عَنْهُ قَالَ لَنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ (يَا مَعْشَرَ الشَّبَابِ ! مَنْ اسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ , فَإِنَّهُ أَغْضُ لِلْبَصَرِ , وَأَحْصَنُ لِلْفَرْجِ , وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ ; فَإِنَّهُ لَهُ وَجَاءٌ) مُتَّفَقٌ عَلَيْهِ

“Abdullah Ibn Mas'ud (may Allah be pleased with him) said: The Messenger of Allah (peace and blessings be upon him) said to us: "O young people, whoever among you can afford to get married should do so because it can help him lower his gaze and guard his modesty. But whoever is not able to marry should fast, as it will be a shield for him" (Hadith No. 993, agreed upon by Al-Bukhari and Muslim).”

Indirectly, this verse and hadith indicate that marriage can be conducted at a young age. Marriage under the legal age is valid as long as the conditions and pillars of marriage are met but is prohibited if it causes harm. The maturity of age is one indicator for achieving the goals of marriage, namely the welfare of family life and society, as well as ensuring the safety of pregnancy (Akabar Ibrahim, 2013). To realize this welfare, the marriage regulations refer to the age standards stipulated in Law No. 16 of 2019 Article 7 Paragraph 1 as the guideline. Before the change in the marriage age as regulated in Law No. 16 of 2019, Article 7 Paragraph 1, the marriage age was regulated in the previous Law No. 1 of 1974, where the minimum age for marriage was 16 years for females and 19 years for males. Therefore, early

marriage according to that law refers to females marrying under 16 years and males under 19 years (Ibrahim, 2013).

As observed in society, many parents have given their children the freedom to date even while they are still in junior high school (SMP), which has influenced the societal mindset to consider early marriage as one of their life goals. This is evident in Ranah Batahan District, West Pasaman Regency, where the average marriage age is 17 years (Susilawati & Nur, 2021).

Similarly, the legal provisions for early marriage are echoed in the 2009 Fatwa of the Indonesian Ulema Council, stating that early marriage is valid as long as the conditions and pillars of marriage are met, but it is prohibited if it causes harm. The hope for everyone who marries is to create a peaceful, loving, and compassionate family. However, issues within the community or family are inevitable (Prastini, 2022a).

Early marriage has several impacts, particularly on child-rearing practices. This correlates with the high stunting rates in Indonesia, partly caused by parents' lack of understanding of stunting prevention and proper child-rearing practices. Nevertheless, this has not diminished the interest in early marriage (Inayati, 2015).

The danger of early marriage from the perspective of the Child Protection Law concerning stunting prevention is a critical issue that requires serious attention in Indonesia. Early marriage, which occurs during adolescence when individuals are not yet physically and mentally mature, can negatively affect the health and development of children. The Child Protection Law, especially Article 3, which emphasizes every child's right to optimal growth and development and protection from all forms of violence, highlights the importance of protecting children from early marriage practices (Inayati, 2015).

Stunting, resulting from chronic malnutrition and inadequate healthcare, poses a severe threat to Indonesia's young generation. Children born to teenage mothers who are unprepared for pregnancy and childbirth have a higher risk of stunting. Although the Child Protection Law provides a robust legal framework, its implementation and public awareness of children's rights remain challenging (Rahyu & Ahmad Muzhaffar, 2022).

This issue needs further investigation to understand the factors behind the prevalence of early marriage and its impact on stunting in Indonesia. Therefore, this has drawn the

author's attention to delve deeper into how the community in Ranah Batahan District, West Pasaman Regency views the dangers of early marriage from the perspective of the Child Protection Law concerning stunting prevention (Inna Noor Inayati, 2015).

REVIEW OF LITERATURE

To create a literature study on the impact of early marriage from the perspective of the Child Protection Act and its relation to stunting prevention, with a case study in Ranah Batahan District, Pasaman Barat Regency, you should begin by detailing the significance of early marriage, child protection, and stunting. Introduce the context by explaining why early marriage is a critical issue and its link to stunting, a condition affecting children's growth and development. Clearly state the objectives of your study, focusing on how child protection regulations can mitigate stunting risks associated with early marriage in the selected district (Eleanora & Sari, 2020).

In the literature review, define and discuss early marriage, its causes, and its detrimental effects on children's health. Similarly, define stunting, examine its causes, and its long-term consequences. Discuss the Child Protection Act (Law No. 35 of 2014), particularly its provisions related to preventing early marriage and safeguarding children. Highlight the connection between early marriage and stunting by reviewing existing literature that explores this relationship (Prastini, 2022b).

Finally, analyze the impact of early marriage on stunting and evaluate the effectiveness of the Child Protection Act in addressing this issue. Focus on the specific conditions in Ranah Batahan District, detailing how social and economic factors contribute to early marriage and stunting. Assess how the Act is implemented locally and its impact on reducing these issues. Integrate findings from related studies to provide a comprehensive understanding of the situation in the district (Suwandi, 2021).

RESEARCH METHOD

This research is a qualitative study using an empirical juridical research method that employs two sources of data: primary and secondary (Irianto, 2017). The data collection techniques used in this research include field research to investigate the practice of stunting in children occurring in the Ranah Batahan District of Pasaman Barat Regency, and library

research, which involves using books or specific regulations as literature sources (Maula, 2019). The data analysis method used in this study is qualitative analysis, which involves collecting materials and then analyzing them to answer the research questions related to stunting cases in children born from early marriages, and presenting the findings in a descriptive form (Yopani Selia Almahisa & Anggi Agustian, 2022).

RESULTS AND DISCUSSION

The study examined the correlation between early marriage and the prevalence of stunting in Ranah Batahan District, West Pasaman Regency, in the context of the Child Protection Law. The findings indicate that early marriage is prevalent in the district, with the average age of marriage being 17 years. This is significantly influenced by societal norms, where marriage at a young age is perceived as a life goal, and by the freedom given to young individuals to date early in life, which often leads to early marriages.

A critical finding is that early marriage contributes to a high incidence of stunting in the district. This is due to the physical and psychological immaturity of teenage mothers, which adversely affects their ability to provide proper prenatal and postnatal care. Consequently, their children are at a greater risk of chronic malnutrition, leading to stunting.

The study also revealed a gap between the legal framework provided by the Child Protection Law and its implementation in the community. Despite the law emphasizing the protection of children's rights, including the right to proper growth and development, the enforcement of these provisions is weak. Many families are either unaware of the risks associated with early marriage or choose to ignore them due to entrenched cultural practices.

The findings underscore the significant impact of early marriage on child health, particularly in relation to stunting. The physical immaturity of teenage mothers, coupled with their limited knowledge of proper child-rearing practices, results in poor health outcomes for their children. This situation is exacerbated by a lack of awareness and understanding of the legal protections available under the Child Protection Law.

The legal age for marriage, as stipulated in Law No. 16 of 2019, sets a minimum age to safeguard against the adverse effects of early marriage. However, the study shows that in practice, these legal standards are often disregarded in favor of cultural norms. This

highlights a critical need for more robust implementation and enforcement of the law at the community level.

Furthermore, the high stunting rates among children born to teenage mothers in Ranah Batahan District point to the urgent need for targeted interventions. These should include education programs aimed at raising awareness about the dangers of early marriage and the importance of proper nutrition and healthcare for children.

While the Child Protection Law provides a comprehensive framework for safeguarding children's rights, including protection from the risks associated with early marriage, its effectiveness is contingent upon proper implementation and cultural change. Addressing the issue of early marriage and its impact on stunting requires a multifaceted approach, involving legal enforcement, community education, and healthcare interventions to ensure the well-being of children in Ranah Batahan District.

CONCLUSION

In the practice observed in Ranah Batahan District, Pasaman Barat Regency, cases of stunting among children are experienced by those born from early marriages. Therefore, several practices of early marriages in Ranah Batahan District, Pasaman Barat Regency, have resulted in harmful effects on children, parents, and families. Based on the research conducted, it was found that the practices occurring in Ranah Batahan District, Pasaman Barat Regency, do not comply with the provisions of the Child Protection Law.

Strict law enforcement against child marriages following Article 26 of the Child Protection Law, which states that marriages involving children below the legally considered mature age are invalid, is necessary. Extensive education to the public is also crucial to increase awareness of children's rights and to promote better social change in protecting future generations. Protecting children suffering from stunting is a shared responsibility among the state, society, families, and parents, which includes legal, economic, social, and cultural protection. Therefore, fulfilling children's basic rights requires a holistic approach with cooperation from various stakeholders.

REFERENCES

- Akabar Ibrahim. (2013). Bahaya Pernikahan Dini Dalam Perspektif Hukum Islam (Studi Kasus Kelurahan/Desa Bontolangkasa Kecamatan Minasatene Kabupaten Pangkep). *Uin Alaudin Makassar*, 53(9).
- Eleanora, F. N., & Sari, A. (2020). Pernikahan Anak Usia Dini Ditinjau Dari Perspektif Perlindungan Anak. *Progresif: Jurnal Hukum*, 14(1). <https://doi.org/10.33019/Progresif.V14i1.1485>
- Ibrahim, A. (2013). Bahaya Pernikahan Dini Dalam Perspektif Hukum Islam (Studi Kasus Kelurahan/Desa Bontolangkasa Kecamatan Minasatene Kabupaten Pangkep). *Uin Alaudin Makassar*, 53(9).
- Inayati, I. N. (2015). Perkawinan Anak Di Bawah Umur Dalam Perspektif Hukum, Ham Dan Kesehatan. *Jurnal Bidan "Midwife Journal"*, 1(1).
- Inna Noor Inayati. (2015). Perkawinan Anak Di Bawah Umur Dalam Perspektif Hukum, Ham Dan Kesehatan. *Jurnal Bidan "Midwife Journal," Vol 1*(No 1).
- Irianto, S. (2017). Metode Penelitian Kualitatif Dalam Metodologi Penelitian Ilmu Hukum. *Jurnal Hukum & Pembangunan*, 32(2). <https://doi.org/10.21143/Jhp.Vol32.No2.1339>
- Isbahi, M. B., Toha, M., & Zuana, M. M. M. (2024). The Multi Social Relation of the Cattle Industry in the Plaosan Subdistrict Animal Market of Magetan Regency. *Malacca: Journal of Management and Business Development*, 1(1), 32–47. Retrieved from <https://e-journal.bustanul-ulum.id/index.php/malacca/article/view/51>
- Maula, B. S. (2019). Perlindungan Perempuan Dalam Hukum Perkawinan Di Indonesia: Wacana Pembaharuan Undang-Undang Perkawinan Dalam Masalah Batas Usia Perkawinan. *Jurnal Studi Islam, Gender Dan Anak*, 14(1).
- Muslihun, Mohamad Toha, & Umi Nur Afifah. (2023). Optimalisasi Pola Asuh Orang Tua Melalui Pendidikan Seks Pada Anak. *Khodimul Ummah*, 1(1), 69-91. <https://e-journal.uac.ac.id/index.php/khodimulummah/article/view/2254/1115>
- Prastini, E. (2022a). Aufklarung: Jurnal Pendidikan, Sosial Dan Humaniora Pernikahan Usia Dini Dalam Tinjauan Hukum Dan Psikologi Anak. *Aufklarung: Jurnal Pendidikan, Sosial Dan Humaniora*, 2(2).
- Prastini, E. (2022b). Pernikahan Usia Dini Dalam Tinjauan Hukum Dan Psikologi Anak. *Aufklarung: Jurnal Pendidikan, Sosial Dan Humaniora*, 2(2).
- Rahyu, P., & Ahmad Muzhaffar. (2022). Perempuan Dan Pernikahan Anak Dalam Perspektif Hukum Islam. *Musāwa Jurnal Studi Gender Dan Islam*, 21(1). <https://doi.org/10.14421/Musawa.2022.211.41-51>
- Susilawati, S., & Nur, H. (2021). Bencana Alam Dan Perkawinan Anak Di Sigi Biromaru. *Transformasi*, 3(1 Se-Articles).

- Suwandi, Y. (2021). Pernikahan Di Bawah Umur Perspektif Adat Dan Maqashid Syariah. In *Studi Kasus Desa Batulawang Kecamatan Cipanas Kabupaten Cianjur* (Vol. 1).
- Yopani Selia Almahisa, & Anggi Agustian. (2022). Pernikahan Dini Dalam Perspektif Undang-Undang Perkawinan Dan Kompilasi Hukum Islam. *Jurnal Rechten : Riset Hukum Dan Hak Asasi Manusia*, 2(3). <https://doi.org/10.52005/Rechten.V2i3.68>
- Zaman, M. B. (2015). Upaya Pemerintah Dalam Meminimalisir Angka Nikah Dini Perspektif Hukum Islam (Studi Di Desa Kkrambilsawit Kecamatan Saptosari Kabupaten Gunungkidul Tahun 2013-2014). *Skripsi*, 151.