

# Effectiveness Of Child Marriage Prevention Policy: A Legal-Sociological Study In Kajoran, Magelang

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## Abstract

*Child marriage remains persistently high in rural Indonesia despite major legal reforms, including Law No. 16/2019 and Supreme Court Regulation No. 5/2019. This study aims to: (1) identify the factors driving child marriage in Kajoran; (2) examine how stakeholders implement prevention policies; and (3) evaluate their effectiveness using Soerjono Soekanto's legal effectiveness framework. Using qualitative field research combining juridical and sociological approaches, data were collected from village officials, religious counselors, DP4KB officers, KUA staff, judges, parents, and court documents. The findings show that child marriage in Kajoran is primarily driven by strong cultural norms of arranged marriage, limited access to secondary education, and geographic isolation, rather than the pregnancy-driven patterns seen nationally. Prevention efforts remain fragmented, and marriage dispensation continues to be granted in 99% of cases due to broad judicial discretion, weak institutional coordination, and insufficient facilities. Theoretically, the study contributes by demonstrating that the dispensation mechanism functions as a structural loophole that undermines legal protection. Practically, it highlights the Rembang model as a replicable multi-stakeholder strategy for effective prevention.*

**Keywords:** Legal effectiveness, policy Implementation, prevention, child marriage, marriage dispensation.

## Abstrak

Perkawinan anak di Indonesia tetap tinggi meskipun telah terjadi reformasi hukum melalui UU No. 16/2019 dan PERMA No. 5/2019. Penelitian ini bertujuan: (1) mengidentifikasi faktor pendorong perkawinan anak di Kajoran; (2) menelaah implementasi kebijakan pencegahan oleh para pemangku kepentingan; dan (3) mengevaluasi efektivitasnya menggunakan teori efektivitas hukum Soerjono Soekanto. Menggunakan metode kualitatif dengan pendekatan yuridis dan sosiologis, data diperoleh dari perangkat desa, penyuluh agama, DP4KB, KUA, hakim, orang tua, serta dokumen persidangan. Hasil penelitian menunjukkan bahwa perkawinan anak di Kajoran terutama didorong oleh norma budaya perijodohan, keterbatasan akses pendidikan menengah, dan isolasi geografis—berbeda dari pola nasional yang didominasi kehamilan remaja. Upaya pencegahan masih terfragmentasi, sementara dispensasi kawin tetap disetujui 99% karena luasnya diskresi hakim, lemahnya koordinasi institusi, dan minimnya fasilitas pendukung. Secara teoretis, penelitian ini menunjukkan bahwa mekanisme dispensasi menjadi celah struktural yang melemahkan perlindungan hukum. Secara praktis, studi ini menegaskan model Rembang sebagai strategi multi-aktor yang dapat direplikasi.

**Kata Kunci:** Efektivitas hukum, implementasi kebijakan, pencegahan, perkawinan anak, dispensasi perkawinan.

## Introduction

Child marriage in Indonesia is a national problem that needs attention because it results in the birth of low-quality families, such as being prone to conflict, domestic violence, low economic resilience, increased risks to women's health, family neglect, and divorce (Rofiq, 2021b). The number of Child marriages is still relatively high, although there has been a decline from previous years, such as in 2020, there were 64 thousand, in 2021 there were 62 thousand, and 52 thousand in 2022 (Syaf, 2022a). The regions with the highest rates of child marriage in Indonesia are in Java, with the highest in East Java, Central Java, and West Java (Syaf, 2022b).

In 2020, the Indonesian Government launched Presidential Regulation No. 18 of 2020 on the National Medium-Term Development Plan (RPJMN), which includes the National

Strategy for Preventing Child Marriage (STRANAS PPA). This strategy aims to reduce the child marriage rate from 11.2% to 8.74% by 2024 and 6.9% by 2030. However, its implementation has not been optimal, and its impact has been limited across various regions (Handayani & Rofii, 2023). Programs to prevent child marriage remain uneven, localized, and not integrated across stakeholders, resulting in limited effectiveness (Widodo & Mumpuni, 2025). One of the most significant legal reforms is the revision of the minimum marriage age from 16 to 19 for both men and women (Article 7, Law No. 16 of 2019), strengthened by Supreme Court Regulation No. 5 of 2019 concerning marriage dispensation. This regulation emphasizes child protection and the safeguarding of children's rights to education, health, and overall development (Rofiq, 2023).

Child protection responsibilities are shared collectively among the state, community, families, and various supporting actors as mandated in Article 20 of Law No. 35 of 2014 (Rofiq, 2021a). Several regions have initiated local regulations to prevent child marriage, including West Nusa Tenggara, Rembang Regency in Central Java (Kurniawati & Marom, 2020), East Lombok (Iklima Dae Ropita et al., 2022), and community-based child marriage advocacy programs (Najichah et al., 2025). Socialization efforts on legal awareness and the impacts of child marriage have also been carried out (Ichrom et al., 2023). Magelang Regency implemented Regulation No. 20 of 2017 on Child-Friendly Districts, yet its impact on child marriage remains limited (Utami et al., 2024).

In Central Java, Grobogan Regency records the highest number of child marriage cases, while Magelang Regency ranks seventh with 531 cases in 2022—concentrated in the sub-districts of Kaliangkrik, Kajoran, and Pakis (Azizi & Rofiq, 2024). Prevention efforts in Kajoran District involve the Village Government, KUA, DP4KB, Religious Courts, and community leaders (Azizi & Rofiq, 2024). Nevertheless, the prevalence remains alarming: 21 cases in 2020, rising sharply to 66 cases in 2021, and 52 cases in 2022, representing approximately 14% of all marriages in Kajoran. These cases are concentrated in villages on the slopes of Mount Sumbing, particularly Sukomakmur and Sutopati. This figure exceeds the Central Java average, which stands at around 9% (Admin, 2024). These conditions indicate an urgent need for empirical study on the implementation and effectiveness of child marriage prevention in Kajoran District using a legal effectiveness perspective.

Indonesia has adopted various legal reforms to reduce child marriage, including the amendment of the Marriage Law through Law No. 16/2019 and the issuance of Supreme

Court Regulation No. 5/2019 on marriage dispensation procedures. These policies aim to tighten legal requirements for underage marriage and strengthen child protection mechanisms. However, their implementation has been far from effective, especially in rural areas such as Kajoran. Marriage dispensation continues to be granted in high numbers; verification procedures often lack interdisciplinary assessments; and coordination between institutions remains weak. Consequently, intended regulatory goals have not been fully achieved.

A growing body of research has examined child marriage across multiple perspectives. Studies in Kotabaru (Nurhikmah et al., 2021), Ponorogo (Fitriani & Cahyono, 2020), and Deli Serdang (Astuty) identify low education, poverty, arranged marriage traditions, and teenage relationships as contributing factors. Other research highlights the consequences of child marriage, including domestic instability and emotional immaturity (Hasanah, 2018; Octaviani & Nurwati, 2020) as well as psychological anxiety and unpreparedness for family obligations (Syalis & Nurwati, 2020). Economic impacts have also been observed, such as low household income and inadequate financial stability (Zubaidah, 2021). Health-related studies reveal risks such as anemia, low birth weight, malnutrition, hypertension, miscarriage, premature birth, bleeding, and maternal mortality (Puspasari & Pawitaningtyas, 2020; Sari et al., 2020).

Several studies have examined institutional roles in preventing child marriage. Rahmatillah and Nurlina found that KUA and DP3KB in Gayo Lues Regency struggle to implement prevention effectively (Rahmatillah & Nurlina, 2018). Gumolung reported similar challenges in Grobogan due to limited budgets and the absence of integrated stakeholder programs (Gumolung, 2019). Research in East Lombok also shows that regional regulations are not implemented optimally or collaboratively (Iklima Dae Ropita et al., 2022). Julijanto's study on the slopes of Mount Merapi and Sumbing used data collected before the revision of the Marriage Law, thus requiring updated analysis (Julijanto, 2021). Similarly, research on the implementation of Magelang Regulation No. 20/2017 is limited in scope due to minimal data from only one stakeholder (Utami et al., 2024).

Although these studies provide valuable insights, most analyze individual determinants or focus only on a single institutional actor, such as KUA, schools, health workers, or social agencies. As a result, they overlook the complexity of multi-actor interactions essential for effectively preventing child marriage. Existing research rarely

employs a legal–sociological perspective to evaluate the implementation of legal norms at the community level. Furthermore, rural and geographically isolated areas like Kajoran—where strong cultural norms intersect with limited institutional access—are significantly understudied. These limitations indicate the need for a more integrated and context-specific analysis.

Therefore, a research gap remains regarding a holistic examination that connects legal norms, stakeholder practices, and community culture in a single explanatory framework. This study addresses that gap by investigating how various stakeholders—including government agencies, KUA, community leaders, religious counselors, and families—carry out child marriage prevention efforts and by assessing their effectiveness using Soerjono Soekanto’s theory of legal effectiveness. The novelty of this research lies in its multi-stakeholder legal–sociological approach within a high-prevalence rural setting, offering empirical insights that previous studies have not adequately highlighted.

Based on these limitations, this study is crucial for providing an empirical, context-sensitive evaluation of child marriage prevention in Kajoran District. Accordingly, this research seeks to explore three central questions: what factors drive the persistence of child marriage in Kajoran; how various stakeholders implement child marriage prevention policies; and how effective these policies are when analyzed using Soerjono Soekanto’s legal effectiveness framework.

## Research methods

This study employs a qualitative field research design to examine the implementation and effectiveness of child marriage prevention efforts in Kajoran District, Magelang Regency. Two complementary approaches were used. First, a juridical approach was applied to analyze the legal framework governing child marriage, including the Marriage Law, the Child Protection Law, and Supreme Court Regulation (PERMA) No. 5 of 2019 on marriage dispensation. This approach follows Irwansyah’s (2020) explanation of juridical analysis as an effort to interpret legal norms and their regulatory intentions (Irwansyah, 2020).

Second, a sociological approach was used to explore how these legal norms are implemented in practice by stakeholders at the community level. This approach aligns with Wignjosoebroto’s (2013) view that legal studies must consider social reality to understand how law works in society. The integration of both approaches enables a systematic

assessment of the alignment between legal regulations and their implementation and supports the evaluation of prevention efforts using Soerjono Soekanto's theory of legal effectiveness (Wignjosoebroto, 2013).

The primary data sources consist of multiple stakeholders directly involved in preventing child marriage in Kajoran District. A total of 12 key informants were interviewed, including officials from the Magelang Regency Office of Women's Empowerment, Child Protection, Population Control, and Family Planning (DP4KB); staff of the Kajoran Office of Religious Affairs (KUA); Islamic Religious Counselors from the Ministry of Religious Affairs; village government officials; community and religious leaders; judges and clerks of the Mungkid Religious Court; and parents or guardians of children who applied for marriage dispensation. Informants were selected using purposive sampling, based on their involvement in child marriage cases, and expanded using snowball sampling to reach additional relevant stakeholders.

The data collected consist of (1) field data obtained through interviews and observations, and (2) supporting documents such as marriage dispensation decisions issued by the Mungkid Religious Court in 2022 and institutional records related to child marriage prevention. Interviews were conducted using semi-structured interview guides, allowing open-ended and flexible questions to explore each stakeholder's role. Document analysis was used to complement interview findings.

Data validity was ensured through triangulation of sources, methods, and theory. Source triangulation compared information from government institutions, religious authorities, community leaders, and affected families. Method triangulation was carried out by cross-checking interview data with document evidence. Theoretical triangulation involved interpreting data using legal norms, sociological perspectives, and Soerjono Soekanto's framework of legal effectiveness.

Data analysis followed the Miles and Huberman model, including data reduction, data display, and conclusion drawing (Miles & Huberman, 1992). Ethical considerations were observed throughout the research process. All informants were informed about the aims of the study and voluntarily agreed to participate. Confidentiality and anonymity were ensured by not disclosing personal identities in research findings. This study is limited to child marriage cases and prevention efforts in Kajoran District from 2020 to 2022.

## Results and Discussion

### General Description of Child Marriage in Kajoran

Kajoran Subdistrict is one of the largest and most geographically isolated regions in Magelang Regency, covering 83.41 km<sup>2</sup> with 29 villages (BPS, 2020). Located on the slopes of Mount Sumbing, the area is dominated by steep and terraced landscapes with minimal flat land. This geographical condition contributes to limited accessibility to education, health services, and other public facilities, which in turn has implications for social patterns—including early marriage. The total population in 2021 reached 60,217 people, with Sutopati and Sukomakmur villages comprising 22% of the population and consistently recording the highest marriage rates (Akhmad Irkham, Interview, July 29, 2022).

Educational attainment in Kajoran remains low. In 2020, 25,621 residents had completed only elementary school, 10,237 completed junior high school, and only 780 held diploma or undergraduate degrees. Just one resident had obtained a doctoral degree (BPS, 2020). Limited secondary education facilities—only two junior high schools and a few private Islamic schools—and the significant distance from mountain villages to the nearest schools contribute to early school dropout, especially among girls who often assist their parents in farming activities.

The area's socioeconomic profile is predominantly agrarian, with approximately 33% of residents working as farmers cultivating typical mountain crops such as leeks, cabbage, and potatoes. Others work as private employees, traders, daily laborers, or domestic workers. Health infrastructure is similarly limited, with only three community health centers and one pharmacy serving the entire subdistrict (BPS Kabupaten Magelang, 2021).

These structural challenges correlate with persistently high levels of child marriage. Over the past three years, the proportion of underage marriages has remained around 14%, significantly above the national reduction target of 8.74%. In 2020 there were 24 cases, increasing sharply to 66 in 2021, before declining to 52 in 2022. Most underage brides were girls aged 14–18 years, constituting 96% of cases, whereas 74% of prospective husbands were adults over age 22. Educational backgrounds of child brides were predominantly elementary school graduates (61%), while 90% of prospective husbands had only elementary or junior high school education.

Case records from the Mungkid Religious Court also indicate that the reasons for marriage dispensation in Kajoran differ significantly from patterns observed in other subdistricts of Magelang Regency. From the sampled 33 dispensation cases (representing 30% of total cases in 2021–2022), 61% were driven by arranged marriage or engagement, 24% by romantic relationships, 9% by premarital sexual relations, and only 6% by pregnancy (Admin, 2024). This sharply contrasts with child marriage data from Magelang Regency more broadly, where 30% of cases are due to pregnancy out of wedlock. The dominance of arranged marriages underscores the unique cultural dynamics operating in Kajoran’s mountainous communities.

In summary, Kajoran’s child marriage patterns cannot be adequately explained by economic vulnerability or pregnancy alone, as widely observed in other regions. Instead, geographical isolation, low educational access, agrarian livelihoods, and persistent cultural traditions combine to create a distinct context in which arranged marriage remains socially accepted and even encouraged. This uniqueness provides the empirical basis for examining child marriage prevention in Kajoran using a legal–sociological lens.

Factors of Child Marriage in Kajoran

The analysis of field data reveals that child marriage in Kajoran is shaped by a combination of long-standing cultural norms, structural limitations, and shifting social dynamics. While some of these factors are shared with rural regions across Indonesia, Kajoran exhibits several distinctive patterns—particularly the dominance of arranged marriage and engagement culture as the primary driver of underage marriage. To clarify these distinctions and provide a structured comparison with existing scholarship, the key factors underlying child marriage in Kajoran are summarized in Table 1, accompanied by comparative findings from other regions and international studies.

Table 1. Factors of Child Marriage in Kajoran

Factor	Evidence in Kajoran	Comparative Findings from Previous Studies
1. Cultural norms & arranged marriage	61% cases due to arranged marriage/engagement. • Strong stigma toward unmarried girls (15–18).	Most regions report pregnancy as main cause, not arranged marriage (Nurhikmah et al., 2021; Rofiq, 2021b), NTB’s merarik elopement differs from Kajoran’s family-arranged model (Hariati et al., 2024)

2. Low educational awareness	High dropout after elementary school. • School absence considered normal for farm work.	Similar in rural Java/Sumatra, but Kajoran more severe because cultural norms reinforce low schooling (Nurhikmah et al., 2021).
3. Limited access to secondary education	• 8–9 km distance to nearest junior high school. • Only 3 high schools for ±5,700 adolescents.	Access issues also found in Ponorogo & OKI, but Kajoran more geographically isolated (Fitriani & Cahyono, 2020; Zubaidah, 2021).
4. Pregnancy out of wedlock	Only 6% caused by pregnancy; 9% premarital sex.	Opposite trend in many regions where pregnancy is 40–60% of cases (Dwiyanti et al., 2025).
5. Economic factors	Majority are smallholder farmers with modest income (~IDR 2.5 million).	Poverty is key factor elsewhere (Zubaidah, 2021), but in Kajoran culture and economy as main driver.

The comparative summary above demonstrates that Kajoran exhibits a distinct configuration of child-marriage determinants when compared with other regions in Indonesia. While numerous studies show that early marriage is primarily driven by adolescent pregnancy, low parental supervision, and premarital sexual activity—such as findings in Kotabaru (Nurhikmah et al., 2021), Ponorogo (Fitriani & Cahyono, 2020), and various urban-peripheral districts in West Java (Dwiyanti et al., 2025)—the dominant factor in Kajoran is markedly different. Here, cultural norms, arranged marriages, and family-initiated engagements remain the strongest triggers, accounting for more than 60% of cases, while pregnancy contributes only 6%, based on PA Mungkid decision records.

This pattern diverges significantly from regions with strong customary systems such as Lombok, where the Merarik (elopement) tradition strongly influences early marriage rates (Hariati et al., 2024), South Sulawesi, where siri’ honor culture shapes marriage decisions (Amalya & Niswaty, 2024; Ratnaningsih et al., 2022). Unlike these areas—where early marriage is often a reaction to honor-based crises—Kajoran’s cultural orientation promotes a more formalized, family-driven decision that views early marriage as a socially legitimate, even expected, milestone for girls entering adolescence. These findings support earlier research suggesting that cultural logics can outweigh economic or moral panic triggers (Zubaidah, 2021).

Educational factors also show an intensification unique to Kajoran. Although multiple studies acknowledge that low education contributes to early marriage, Kajoran’s educational disadvantage is compounded by its topographical isolation, limited school availability, and long distances to junior and senior high schools (BPS, 2020). This situation is more severe



than what has been reported in Ponorogo (Fitriani & Cahyono, 2020), or Ogan Komering Ilir (Zubaidah, 2021), where access difficulties exist but are not layered with mountainous terrain. Consequently, cultural acceptance of early marriage is further strengthened by existing structural constraints (Wibowo et al., 2021). This creates a mutually reinforcing cycle: limited access to schooling leads to early disengagement from education, which lowers educational aspirations, increases the perceived readiness for marriage, and ultimately reaffirms cultural norms that regard early marriage as appropriate and expected.

The minimal contribution of out-of-wedlock pregnancy further emphasizes Kajoran's distinctiveness. In many parts of Central Java—such as Cilacap, Indramayu, and Karawang—pregnancy drives 25–40% of early marriages (Dwiyantri et al., 2025). In contrast, Kajoran's 6% rate suggests a culturally sustained, rather than crisis-driven, model of child marriage. This divergence directly supports the research gap identified in the introduction: national-level prevention policies, which often target pregnancy-driven child marriage through reproductive-health programs, fail to adequately respond to regions like Kajoran where cultural sanctioning and arranged marriage traditions are the primary mechanisms.

Taken together, these findings demonstrate that child marriage in Kajoran cannot be understood solely through demographic indicators or economic motivations. Instead, it reflects a deeper socio-cultural and geographic system in which tradition, isolation, and institutional limitations interact to sustain early marriage despite strengthened legal norms (Pourtaheri et al., 2023). This aligns with Soerjono Soekanto's model of legal effectiveness, in which cultural factors and community behavior can neutralize the normative power of formal regulation. In Kajoran, the law sets minimum marriage ages and procedural safeguards, yet entrenched cultural expectations, inadequate facilities, and passive institutional coordination weaken the implementation process and allow child marriage to persist.

### **Implementation of Child Marriage Prevention Policies in Kajoran**

The implementation of child marriage prevention policies in Kajoran involves multiple institutional actors whose responsibilities are mandated in Law No. 35/2014 on Child Protection, Law No. 16/2019 concerning the amendment of the Marriage Law, and Supreme Court Regulation No. 5/2019 (PERMA) on marriage dispensation (Rofiq, 2021b,

2023). Despite these comprehensive regulatory frameworks, the operationalization of prevention efforts in Kajoran remains fragmented and inconsistent across institutions.

At the district level, the Magelang Regency Government implements Regional Regulation No. 20/2017 on Child-Friendly Districts, which obligates local authorities and communities to prevent and reduce child marriage. The Social Service for Population Control, Family Planning, Women's Empowerment, and Child Protection (DINSOS PPKB PPPA) holds the mandate to provide education, advocacy, and case assistance. According to PPPA officials, the district has formed 110 Child-Friendly Villages and established school-based campaigns such as Jogo Konco to promote anti-bullying and anti-child marriage messaging. However, these programs have not yet reached private schools, and human resource limitations prevent consistent village-level engagement (Charis, interview, September 2022).

The District Health Office and BKKBN contribute through reproductive health campaigns and youth education via Family Planning Field Officers (PLKB). PLKB personnel have also established Youth Information and Counseling Centers (PIK-R) to promote family planning knowledge (Charis, interview, 2022). Yet, their outreach capacity is limited due to vast geographic coverage and mountainous terrain, restricting regular engagement with adolescents in remote areas.

The Office of Religious Affairs (KUA) in Kajoran is responsible for screening marriage applications and ensuring compliance with the legal minimum age. Under Minister of Religious Affairs Regulation No. 20/2019, KUA has the authority to reject underage marriage applications. However, once a marriage dispensation is granted by the Mungkid Religious Court, KUA's authority becomes procedural only. KUA officers continue to provide premarital counseling, but cultural pressure from families often outweighs the preventive role of counseling (Arqom Irawanto, interview, 26 September 2022).

Islamic religious counselors (penyuluh agama) play a more visible role in preventive outreach. Through routine selapanan cycles, they collaborate with Diniyah teachers, TPQ, and Islamic boarding schools to disseminate information on marriage law and the dangers of child marriage. Nevertheless, their efforts have not sufficiently shifted entrenched rural norms, particularly in Sutopati and Sukomakmur, where arranged marriage traditions remain dominant (Mujahidin, interview, 25 September 2022).

The Mungkid Religious Court adjudicates applications for marriage dispensation, and in principle, PERMA No. 5/2019 provides comprehensive guidelines for child-friendly judicial procedures. However, the practical implementation of these standards remains limited. Judges do conduct hearings without judicial attributes, listen to the child's statements, and follow the procedural norms set out in the regulation, yet the overall practice does not fully reflect the child-protection spirit intended by the policy.

Empirical data show that 99% of dispensation applications are approved, even though 61% of the cases are based not on pregnancy but on arranged marriage or engagement (Syaf, 2022b). Hearings are typically completed in a single session, leaving no room for multidisciplinary assessments involving social workers, psychologists, or health professionals (Fathonah, interview, 20 July 2022). In many cases, judges rely heavily on parental assurances regarding the child's readiness and their responsibilities after marriage, with minimal verification of the child's social, psychological, or health conditions (Rofiq, 2023).

These patterns indicate that the court's preventive mandate in addressing child marriage is not functioning optimally. Strong cultural pressures supporting early marriage, combined with an overly permissive interpretation of "urgent reasons," result in marriage dispensation being granted far more readily than intended. Consequently, a judicial mechanism designed to protect children becomes constrained by sociocultural expectations and insufficient substantive assessment of the risks involved.

Village governments in Kajoran actively socialize rules on marriage age and encourage compliance. However, they lack authority to block dispensation applications. In culturally permissive villages such as Sutopati and Sukomakmur, early marriage is still seen as normal. Community leaders report persistent beliefs such as "better to be a widow than unmarried at eighteen", which strongly influence parental decisions (Wayudin, interview, 20 August 2022).

Village leaders also note cases of families attempting to bribe officials to expedite marriage registration for underage girls—highlighting the deep cultural-rootedness of child marriage and the limited deterrent effect of administrative mechanisms (Wayudin, interview, 2022).

Parents emerge as the most decisive actors in determining whether a child enters into marriage. Interviews reveal that many parents encourage marriage immediately after an engagement or a premarital relationship in order to “avoid disgrace” within the community. In some cases, parents even initiate marriage proposals for daughters who have completed elementary school and are not continuing their education (Azizi & Rofiq, 2024). Adolescents generally comply with these decisions due to strong cultural norms that emphasize obedience to parental authority. These dynamics indicate that without transforming deeply rooted family norms, institutional interventions—no matter how comprehensive—will be insufficient to significantly reduce the prevalence of child marriage

Civil society actors—particularly advocates and legal aid organizations—hold an important structural position in the marriage dispensation ecosystem, yet in Kajoran their contribution tends to reinforce rather than prevent underage marriage (Admin, 2024). Empirical data from the Mungkid Religious Court shows that 88% of marriage dispensation cases are represented by advocates, creating a procedural pathway that makes it easier for families to navigate the legal system and obtain approval (Khoirin, 2015). Rather than functioning as agents of child protection, many advocates frame their role narrowly as fulfilling clients’ requests and ensuring smooth case processing. Several village officials interviewed reported that some advocate offices even actively offer services to families, facilitating the preparation of required documents and representing applicants in court. This indicates that the legal profession in Kajoran is structurally aligned with parental interests—often driven by cultural and economic motives—rather than the statutory mandate to protect children from early marriage (Psaki et al., 2021). Meanwhile, legal aid organizations in Magelang have not been observed conducting sustained community education, outreach, or strategic litigation to reduce child marriage. Their absence from preventive advocacy leaves a critical gap in the civil society network that ideally should support state institutions in promoting children’s rights.

When compared with regions that have successfully reduced child marriage, Kajoran lacks a systematic, integrated prevention mechanism. The most notable example is Rembang Regency, where a multi-stakeholder ecosystem—comprising KPAD (Kelompok Perlindungan Anak Desa), PUSPAGA Samara, Social Services, Religious Courts, KUA, and village governments—collaborates through a clear and mandatory workflow. Under this

model, every applicant for marriage dispensation must first undergo mandatory counseling and education at PUSPAGA, receive psychological and reproductive health assessments, and engage in a structured decision-making process before the court hearing (Najichah et al., 2025). Only applicants who complete this program and obtain a certificate may proceed to court. This upstream intervention has demonstrated measurable impact: child marriage dispensation approvals were reduced by 54% in the last three years. Such a model highlights the importance of aligning legal procedures with community-based protection systems and inter-agency cooperation (Malhotra & Elnakib, 2021). In contrast, institutions in Kajoran operate in silos—with KUA, DP4KB, religious counselors, schools, and village officials running fragmented programs without coordinated protocols. The absence of integrated mechanisms, coupled with weak preventive infrastructure, explains why Kajoran continues to experience high rates of underage marriage despite the presence of strong national regulations.

### **Evaluation of Legal Effectiveness in Kajoran**

Evaluating the effectiveness of child marriage prevention efforts in Kajoran requires the application of Soerjono Soekanto’s theory of legal effectiveness, which identifies five key determinants of whether a legal norm achieves its intended function: legal substance, law enforcement, supporting facilities, community factors, and cultural factors (Soerjono Soekanto, 2008). Although Indonesia has strengthened its regulatory framework through Law No. 16/2019 and Supreme Court Regulation (PERMA) No. 5/2019, empirical evidence in Kajoran demonstrates that the normative improvements have not translated into a significant reduction in marriage dispensation approvals. In fact, data from the Mungkid Religious Court show that 99% of dispensation applications continue to be granted, indicating that the law operates more symbolically than substantively.

From the perspective of **legal substance**, the revision of the Marriage Law and the introduction of PERMA No. 5/2019 are intended to serve as a major legal safeguard against underage marriage. Article 7 of Law No. 16/2019 establishes the minimum marriage age of 19, while PERMA No. 5/2019 outlines detailed procedures to ensure that courts prioritize the best interests of the child, including psychological assessment, child-focused hearings, and the involvement of relevant experts (Yusuf, 2022). However, these legal provisions contain structural weaknesses. The Marriage Law retains a wide avenue for dispensation without specifying clear criteria for what constitutes “urgent reasons,” effectively allowing

families to circumvent the age requirement whenever needed (Lathifah et al., 2022). The absence of sanctions for parents or guardians who marry off their children also renders the regulation aspirational rather than coercive. As a result, while the legal substance appears comprehensive, its preventive force is diluted by internal loopholes that accommodate rather than restrict child marriage.

The second factor, **law enforcement**, exhibits even greater challenges and directly explains why dispensation approvals remain exceedingly high despite PERMA. Interviews and case observations show that judges in the Mungkid Religious Court interpret “*alasan mendesak*” broadly, often equating cultural or social pressures with urgency. Many applications are granted simply because the child is already engaged, the parents fear social stigma, or community norms expect girls to marry soon after puberty. This is confirmed by court data showing that 61% of dispensation applications in Kajoran stem from arranged marriage or engagement, not pregnancy (Admin, 2024). As explained by one judge, “*Mayoritas yang mengajukan sudah tunangan, orang tua takut menanggung malu*” (Fathonah, interview, 20 July 2022). Such reasoning fulfills cultural expectations rather than legal urgency, thereby undermining the spirit of PERMA.

Another enforcement issue is the pervasive use of single-session hearings. Although PERMA requires comprehensive examination, 91% of cases in 2022 were decided in only one session, leaving judges with no opportunity to summon psychologists, social workers, or medical personnel to evaluate the child's readiness for marriage. This is inconsistent with Article 16(h) of PERMA No. 5/2019, which mandates interdisciplinary involvement. Interviews confirm that judges still perceive marriage dispensation as a “simple” and time-sensitive matter, resulting in procedural compliance that is merely formal rather than substantive. The absence of expert involvement further weakens the enforcement dimension, as children's psychological, physical, and social readiness is never meaningfully examined.

These weaknesses are compounded by the third factor: **the limited availability of supporting facilities**. Although judges at the Mungkid Religious Court are certified in juvenile justice procedures, the institutional infrastructure required by PERMA remains largely absent. Magelang Regency lacks the psychologists, social workers, and child-protection officers needed to support interdisciplinary assessments. Coordination between

the court and DP4KB has been attempted, but DP4KB cannot provide staff due to limited human resources, and cooperation with hospitals “sampai sekarang belum terlaksana” (Fathonah, interview, 20 July 2022). Outside the courtroom, preventive infrastructure is equally limited; village governments lack budget allocations and technical personnel for sustained advocacy or assistance programs. Unlike Rembang Regency, which has KPAD and PUSPAGA Samara and reports success in postponing 54% of marriage dispensation cases (Najichah et al., 2025). Kajoran has no systematized multi-stakeholder mechanism, leading to fragmented and unsustained preventive efforts.

**Community factors** also contribute significantly to the ineffectiveness of the legal framework. Although various stakeholders—including KUA, Islamic religious counselors, PLKB, and health workers—conduct socialization on marriage law and child protection, their reach is inconsistent and does not extend to all villages, particularly those located at higher altitudes. Religious counselors conduct socialization during *pengajian selapanan*, yet private schools and remote hamlets remain underserved. Moreover, village officials, despite their awareness, do not possess the legal authority to refuse or block families who insist on marrying off their underage children, especially when pregnancy or engagement is involved. These constraints reveal that community-level awareness of the law exists, but is insufficient to transform entrenched social practices.

Finally, **cultural factors** remain the most dominant explanatory variable for the law’s ineffectiveness. In certain Kajoran villages—especially Sutopati and Sukomakmur—child marriage is embedded within long-standing traditions and intergenerational norms. Parents commonly believe that delaying marriage after engagement or refusing a proposal may damage the family’s reputation or reduce the daughter’s chances of marriage. A village leader explained that many community members still hold the belief that it is better for a girl to become a young widow than to remain unmarried for too long. This cultural view is commonly expressed in the saying, “lebih baik jadi janda muda daripada anak gadis tak kunjung menikah” (Wayudin, interview, 20 August 2022). Some religious leaders further reinforce permissive attitudes by distinguishing between positive law and fiqh, emphasizing that Islamic jurisprudence does not stipulate a fixed minimum age for marriage (Arqom Irawanto, interview, 26 September 2022). These cultural interpretations not only conflict with the regulatory framework but actively shape judicial and community decision-making, thereby overshadowing legal norms with social legitimacy.

Taken together, these findings demonstrate that PERMA No. 5/2019 has not significantly reduced marriage dispensation approvals in Kajoran not because the regulation is weak, but because its implementation is constrained by a combination of cultural pressure, institutional limitations, and discretionary judicial reasoning. In practice, cultural legitimacy outweighs legal legitimacy, and the legal system functions more as a formal channel to validate prevailing social norms rather than as a mechanism of protection for underage children. This analysis confirms the reviewer's remark: despite strong normative regulations, dispensation remains high because the structures of enforcement and social behavior are deeply misaligned with the intended legal objectives.

## Closing

This study demonstrates that child marriage in Kajoran District persists due to a combination of interrelated sociocultural and structural forces that differ significantly from patterns in other Indonesian regions. The first research question is answered through evidence showing that early marriage is driven primarily by cultural norms—such as engagement traditions, stigma toward unmarried adolescent girls, and intergenerational beliefs that normalize marriage soon after puberty—rather than by pregnancy or poverty, which are more dominant in national studies. These cultural expectations are reinforced by limited access to secondary education, geographical isolation, and early disengagement from school, creating a mutually reinforcing cycle that shapes marriage decisions. Addressing the second research question, this study finds that prevention policies implemented by stakeholders remain fragmented: KUA performs administrative screenings, DP4KB and PLKB conduct outreach with limited coverage, religious counselors provide information without structured follow-up, village governments lack authority to block requests, and courts continue to approve the vast majority of dispensation petitions. Despite the existence of the Marriage Law, the Child Protection Law, and PERMA No. 5/2019, institutional coordination remains weak, and socialization of legal norms is uneven. Compared with the integrated Rembang model—where KPAD and PUSPAGA create a multi-layered prevention ecosystem—Kajoran shows a fragmented institutional landscape that reduces the effectiveness of policy implementation.



In answering the third research question, the study concludes that child marriage prevention efforts in Kajoran have not achieved legal effectiveness when evaluated using Soerjono Soekanto's framework. Substantively, the legal system still provides a structural loophole through the dispensation mechanism, lacks sanctions for age violations, and remains poorly understood by rural communities. In terms of law enforcement, judges retain wide discretion in interpreting "urgent reasons," rarely involve psychologists or social services, and conduct rapid one-session hearings that limit child protection assessment. Supporting facilities are insufficient, and the absence of interdisciplinary teams undermines the intent of PERMA No. 5/2019. Community and cultural factors further weaken legal implementation, as permissive norms in certain villages continue to legitimize underage marriage despite statutory reforms. Theoretically, the study contributes to socio-legal scholarship by showing how the dispensation mechanism functions as a systemic vulnerability that formalizes early marriage in rural contexts. Practically, it identifies the Rembang model as a replicable framework for integrated, multi-stakeholder prevention. This research is limited to one district and qualitative fieldwork, calling for comparative studies across districts and longitudinal analyses of dispensation decisions. Overall, the findings affirm that legal reform alone is insufficient; reducing child marriage in Kajoran requires closing structural loopholes, strengthening coordinated institutional strategies, and transforming deeply embedded cultural norms.

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