

## INCREASING NUMBER OF CHILD MARRIAGES DURING COVID-19 PANDEMIC

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### Abstract

*The Ministry of Women Empowerment and Child Protection (MoWECP) reported increasing number of child marriage during Covid-19 pandemic. Child marriage is adding to the risks a child must deal with during the pandemic. This paper will analyze the causes of child marriage in the time of pandemic along with the policies to deal with the phenomena. Several factors which drive child marriage are the restriction to children activities and the feebleness of parents supervision in supervising their children that led to promiscuity and teens pregnancy. Pregnancy became the prominent factor that child marriages dispensation being granted in Religious Courts as not to bring more shame to their families. Tangible intervention of education policies from the Ministry of Education and Culture and to collaborate with other agencies are indispensable. Commission VIII of the House of Representatives needs to keep monitoring the implementation of the Marriage Law and the Child Protection Law, along with urging the MoWECP to issue Government Regulation on marriage dispensation. Commission X of the House of Representatives needs to urge the Ministry of Education and Culture to insert health reproduction into the curriculum and to intensify the roles of the Guidance and Counseling teachers (BK teachers) in promoting child marriage prevention.*

### Introduction

Aisha Weddings promotion of marriage services for nikah sirri (secret wedding) and polygamy, as well as the support for the marriage of girls who as young as 12 had met strong criticism from public and MoWECP (Kumparan, February 10<sup>th</sup>, 2021). Indonesian Child Protection Commission (KPAI) had

reported Aisha Weddings website owner to Indonesian National Police Headquarters (Mabes Polri) (idntimes.com, February 10<sup>th</sup>, 2021). The wedding organizer is suspected to encourage marriage practices that forbid by law. In Indonesia, children are they who are under the age of 18 and are not permitted to marry.



The uproar of case above became the reminder that child marriage still an unfinished homework. Eventhough Unicef Indonesia data (2020b) had shown a slow declining in child marriage from year to year, but the number still makes Indonesia as the second country with the highest child marriage number in Southeast Asia, next to Kamboja. While there is declining as much as 0.6 percent throughout 2019 to 2020, it is still far from the declining target of 8,74 percent in 2024 (MoWECP, 2021). Child marriage can cause serious and long lasting negative effects. When a teen girl get pregnant, it may significantly impacts her education, health (from birth complication), and work opportunity which will influence her future's life and income. The baby she gave birth to will also dealing with baby's death risk, stunting, and low birth weight (Buentjen & Walton, 2019: Rosalin, February 16<sup>th</sup>, 2021). Another problem that young couples is it is susceptible to the practice of domestic violence (KDRT) due to them unable to manage their emotions yet. Child marriage can emerge new problems to the extended families, because of the parents being forced to help taking care of their grandchildren. In the case of child marriages with the couples financially unprepared, they will depend their financial burden to their extended families.

In time of the Covid-19 pandemic, the number of child marriage is keep rocketing. According to the Ministry of National Development Planning (Kemen PPN/ Bappenas), 400-500 girls in the range of age 10-17 are in the risk to child marriage due to Covid-19. The causes of child marriage increasing number in the time of the pandemic are not that far different from the causes of

child marriage in normal times. Child marriages are still taking place within the poor and uneducated groups. The welfare condition that keep falling, drive parents to let their children to marry. School closing in the time when economic condition get worse, where many families must deal with economic difficulty, also make children being considered as family burdens. As the prove, there are 34,000 marriage dispensation petitions being submitted to Religious Courts from January to June 2020, which 97 percent of them were being granted (katadata. co.id, September 16<sup>th</sup>, 2020). That number was increased from the year 2019, i.e. at the rate 23.126 cases of marriage dispensation. MoWECP is registering that until June 2020, child marriage number is increasing to 24 thousand in the time of pandemic (suara.com, 2020). Child marriage is adding to the risk that children must face during the pandemic, besides the increasing of violence and mental problems in children. This paper will analyzes the causes of child marriage in the time of Covid-19 pandemic along with the policies to deal with the phenomena.

### **Pandemic, School Closing, and Child Marriage**

Covid-19 pandemic that has been surged in Indonesia since 2020, necessarily changes people's ways of life. To slacking up the virus spreading, the government had issues several policies which impact in reduction of people activities. That condition is not only influence the adults but also children, particularly because of the schools closing, which is their main activity. Covid-19 pandemic has forced a change in learning system into distance learning (PJJ) system with emergency curriculum, in which still meet with difficulty in the implementation.

Schools, students, and families aren't ready yet to adapt themselves into the drastically change and to form new habits. Those are caused by schools, all this time, had been positioned as the central executors of education assignments. People assume that with sending their children to school, thus, all the responsibilities to form their characters and their change of behavior are imposed to the schools. As the consequence, when the schools are closed, many parents are in a dither to organize their children education process at home. The families, whom all this time playing a minimum role in carrying out the learning and teaching process, are confused, stress, even dejected, and accuse the schools of being disengage from their responsibilities. To find out public complaints, KPAI conducted a survey which pointed out that in the process of PJJ, the interaction between teachers and students is still minimal that students cannot fully understand the materials (Listyarti, 2021). Thus, it becomes parents responsibility to explain the materials to their children. Some of them even end up in divesting their vexation to their children. That condition is surely turning home into unpleasant environment for children.

School becomes a safety net for many people, particularly for young girls (BBC co.uk, September 8<sup>th</sup>, 2020). Children, who aren't going to school, are considered as burdens when they are combined with the declining of family income. Therefore, parents are marrying off their children immediately with the aim to remove the burden to other people.

However, child marriages are not only happened due to parents' wish, but also from the children's initiative. In the month of August last year, in NTB Province, a fourteen years old

junior high school student begged for a marriage with his four year older boyfriend (MSN.com, Agustus 26<sup>th</sup>, 2020). That young girl threatened if she wasn't permitted to marry his boyfriend, she will embarrassed her family because of her relation with his boyfriend had gone too far, that they already engaged in sexual relationship. But then, less than two weeks of marriage, she asked to return to her parents' home because her husband hit and scratched her.

It turns out that studying from home activity is resulting in teenagers having the freedom to socialize with their surrounding environments (Kasih, 2020), including to engage in sexual play. Families are afraid if their children relationship are over the line, so they choose to marry them off immediately. In the families with weak parents' supervision to their children, it could result in promiscuity and out of wedlock pregnancies.

Out of wedlock pregnancy force parents to submit marriage dispensation to Religious Court. In D.I. Yogyakarta Province, throughout the year of 2020, from 700 marriage dispensation that were being granted by Religious Court, 80 percent of them were caused by out of wedlock pregnancies (Kumparan, Januari 13<sup>th</sup>, 2021). The judges chose to grant them, because if not, that will cause a new problem, such as hostility between families. As many as 89 percent judges conveyed that the granting of the petition are to perceive parents anxiousness of fear and shame if their already pregnant daughters are not to be married. Therefore, many views that the marriage tends to "take lightly" of marriage process by emphasize more to inner sustenance

fulfilment without considering the family harmonism life in the future (Candra, 2018:13). As the results is the lost of the marriage essence. The government should resolve the dilemma by making technical provisions about marriage dispensation.

### **Multi sector Policies to Prevent Child Marriage**

The struggle to reduce the number of child marriages reach its point of light when the Law No. 1 Year 2014 about Marriage (Marriage Law) is being revised in 2019. In the revision of the Law, the state raised the minimum age, for both the bride and the groom to be, into 19 years old. Previously, marriage could be permitted if the man is 19 years old and the woman is reaching the age of 16 years old. The age stipulation enables young girls to marry, which is correlated with the high level of discrimination to young girls. As the consequence, in Indonesia in the year of 2018, 1 from 9 young girls married before they reach the age of 18 (UNICEF Indonesia et al., 2020a: iii). By the Marriage Law revision, there is a conformity with Child Protection Law in the effort to prevent marriage in children's age.

Nonetheless, only the Nusa Tenggara Barat Province that already has its regulations of implementation, i.e. Regional Regulations (Perda) Children Marriage Prevention Nusa Tenggara Barat Province, which issued last January 29<sup>th</sup>, 2021. It is the first province regional regulations in Indonesia that regulate child marriage. The regulations strengthened the Perda Provinsi NTB No. 8 Year 2015 about Implementation of Women and Children Protection, which subjecting

the development of marriage age maturity program as one the efforts to protect women and children.

Another strategies, which is not straightaway into reducing number of child marriages, focusing in communication, information, and education are being done by various institutions, such as MoWECP, Ministry of Village, Development of Disadvantaged Regions and Transmigration (Kemendes PDTT) cooperate with National Law Development Agency (BPHN) and The National Population and Family Planning Board (BKKBN), either with law advocacy, reproduction health promotion, as well as socialization of child marriage prevention to public.

### **Closing**

Schools closing due to Covid-19 pandemic makes family burdens are even harder. Considering the unusual conditions in the time of pandemic, government should make a tangible and particular interventions. It is interesting that child marriage still not in the attention of the Ministry of Education and Culture, whereas the schools closing gives the opportunity to the growth of children marriage numbers. Commission X of the House of Representatives needs to urge the Ministry of Education and Culture to contribute with inserting health reproduction education into the curriculum and to intensify the roles of the Guidance and Counseling teachers (BK teachers) in learning and teaching process during PJJ to raise awareness on the danger of child marriage. In the long term, the Ministry of Education and Culture should issue a legal protection for the 12 years compulsory education and to ensure that every children have the access to education.

Also, the Commission X of the House of Representatives needs to urge MoWECP to immediately issue Government Regulation on marriage dispensation and to consolidate the monitoring of Marriage Law implementation.

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