

# LEGAL HANDLING OF CHILD MARRIAGE AS A VIOLATION OF HUMAN RIGHTS (CRITICAL STUDY OF WOMEN'S RIGHTS IN GENDER EQUALITY FROM THE PERSPECTIVE OF CRIMINAL ISSUES AND CRIME ERADICATION)

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## **Abstract**

*Within the framework of human rights and the effects on gender equality, this study seeks to mainly clarify the philosophical elements of child marriage. The study takes a normative legal research stance in its examination of this matter, with an emphasis on the examination of legal principles, doctrines, and norms as solutions to legal problems. Normative juridical research, sometimes called legal product research, is the methodology used in this study. According to the results of the study, there are several philosophical problems with the concept of child marriage. The practice of underage marriage is harmful on many levels and greatly hinders children's development. Child marriage must also stop if we are to reach gender equality in society, according to the report. The ideal of gender parity will remain a distant dream so long as societies practise child marriage. The reason for this is that child marriage serves to reinforce preexisting gender stereotypes and impedes societal attempts to achieve gender equality. Thus, one must take great pains to eradicate child marriage if true gender equality is to be achieved.*

*Keywords : Child Marriage; Gender Equality; Philosophy; Human Rights*

## **1. Introduction**

With the ultimate aim of promoting human rights on both the international and national levels, human rights law encompasses a wide and complex area of law <sup>1</sup>. Within this framework, UN agencies have repeatedly pushed nations to ensure the

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<sup>1</sup> Askar Askari, 2023, *Balancing Civil and Political Rights: Constitutional Court Powers in Indonesia and Austria*, Journal of Indonesia Legal Studies, Vol. 8, No.2 (2023): 1311–60.

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full fulfilment of all human rights. Regrettably, there are no clearly articulated and generally accepted priorities in the current human rights legislation draft <sup>2</sup>. There will be a concerted effort to advance all human rights simultaneously, but the international community has yet to provide consistent standards or explicit guidelines for doing so <sup>3</sup>. Furthermore, this approach has practical problems <sup>4</sup>.

The need to lay down guidelines for the defence of human rights inspired this work. Specifically, it works better with the original ranking of projects. The substantive interests of human rights are considered equally, but the shared priorities mentioned during implementation are not only feasible, but they can also help advance human rights.

Child marriage is a breach of both human and children's rights, which is why the UN and other international bodies have denounced it. The United Nations Declaration of Human Rights states that in order to be legally married, a person must be at least 18 years old and mentally competent. It became illegal to marry a minor after the 1979 Convention for the Elimination of all Forms of Discrimination Against Women was approved. Signed in 1989, the Convention on the Rights of the Child set the legal age of majority at 18. The implementation of marriage registration laws and laws reducing the legal marriage age to 18 is lacking in many jurisdictions, despite the fact that these measures have been authorised by a number of countries <sup>5</sup>.

A marriage entered into by a minor is considered "early" by the Indonesian government. In accordance with Article 7 paragraph 1 of Law Number 1 of 1974 of the Republic of Indonesia pertaining to Marriage, it is stated that a marriage can be legally consummated if both the groom and the bride are at least nineteen years old. Law No. 16 of 2019 of the Republic of Indonesia contains the statutory revisions. The optimum age restriction for marriage is specified in Article 7, which specifies that both the male and female parties must be at least nineteen years old Yopani Selia Almahisa & Anggi Agustian, 2021).

Looking at the rules mentioned before, the age range for marriage has been clearly defined as 16–19 years. The issue is that studies conducted in Southeast Asia reveal that child marriage rates in Indonesia are second highest in the area, second only to Cambodia. Child marriage has deep historical roots; for instance, patriarchal cultures that emerge in many nations perpetuate gender inequity and see women as

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<sup>2</sup> Iza Rumesten RS dkk., 2023, *Protection of Human Rights Against the Environment in the Indonesian Legal System*, Journal of Law and Sustainable Development, Vol. 11, No. 10, e570–e570.

<sup>3</sup> mohamad Hidayat Muhtar et Al, 2023, *Human Rights Constitution On Health Protection Of Indonesian Citizens*, Russian Law Journal, Vol. 11, No. 2, <https://doi.org/10.52783/rlj.v11i2.520>.

<sup>4</sup> Alberto Quintavalla dan Klaus Heine, 2019, *Priorities and Human Rights*, The International Journal of Human Rights, Vol. 23, No. 4: 679–97, <https://doi.org/10.1080/13642987.2018.1562917>.

<sup>5</sup> Nawal M Nour, 2009, *Child Marriage: a Silent Health and Human Rights Issue.*, Reviews in obstetrics & gynecology Vol. 2, No. 1, 51–56.

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a burden. Poor health, education, and a patriarchal society that rejects the idea of gender justice are all outcomes of gender inequality. Marriage is also seen as a means for parents to alleviate some of the stress in this situation. A woman's virginity may be preserved, according to some, if her husband marries her while she is still a minor.

Commonly known as "child marriage,"<sup>6</sup> when a couple marries before the woman has turned 18, is a clear indicator of gender imbalance and a violation of human rights<sup>7</sup>. The losses caused by marriage disproportionately affect girls, who are more likely to get married than males<sup>8</sup>. Domestic sexual violence is more common and women's sexual and reproductive health suffers when they marry at a younger age in South Asian and African countries than when they marry at a later age<sup>9</sup>. Given the critical importance of this matter to public health and development, the United Nations has designated the eradication of child marriage as one of the Sustainable Development Goals for 2030<sup>10</sup>.

Exploitation happens when a person is married off before they attain legal adulthood, often known as child marriage<sup>11</sup>. Most of these weddings take place while the bride and groom are still in the early stages of their physical and mental development, and the practice is often known as "early and forced marriages" (which, when taken at face value, implies early marriage or forced marriage)<sup>12</sup>.

From what we can see, females bear the brunt of the disadvantages associated with underage marriage. In practice, females in the field are more severely impacted by the practice of forced marriage, which occurs at a younger age for girls than for boys. In light of this, the author believes that research on child marriage should centre on girls' rights discussions.

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<sup>6</sup> Dolot Alhasni Bakung dkk., 2023, *Tanggung Jawab Keperdataan Orang Tua Terhadap Anak-Anak Pasca Perceraian Di Wilayah Gorontalo (Penyuluhan Di Desa Kaarayaan Kecamatan Mananggu Kabupaten Boalemo)*, Jurnal Pelayanan Hubungan Masyarakat Vol. 1, No. 2, 51-68, <https://doi.org/10.59581/jphm-widyakarya.v1i2.617>.

<sup>7</sup> Edilberto Loaiza dan Sylvia Wong, 2012, *Marrying Too Young: End Child Marriage*, United Nations Population Fund, New York.

<sup>8</sup> Colleen Murray Gastón, Christina Misunas, dan Claudia Cappa, 2019, *Child Marriage Among Boys: a Global Overview of Available Data*, Vulnerable Children and Youth Studies, Vol. 14, No. 3, 219-28, <https://doi.org/10.1080/17450128.2019.1566584>.

<sup>9</sup> Rachel Kidman, 2016, *Child Marriage and Intimate Partner Violence: a Comparative Study of 34 Countries*, International Journal of Epidemiology, dyw225, <https://doi.org/10.1093/ije/dyw225>.

<sup>10</sup> UNICEF, *Child marriage*, diakses 21 September 2022, <https://www.unicef.org/protection/child-marriage>.

<sup>11</sup> Dolot Alhasni Bakung dkk., 2022, *Tanggung Jawab Anak Terhadap Orang Tua Lanjut Usia (Lansia) Di Desa Kaaruyan Kecamatan Mananggu Kabupaten Boalemo*, NUSANTARA Jurnal Pengabdian Kepada Masyarakat Vol. 2, No. 3: 142-55, <https://doi.org/10.55606/nusantara.v2i3.1442>.

<sup>12</sup> Hilal Özcebe dan Burcu Küçük Biçer, 2013, *Önemli bir kız çocuk ve kadın sorunu: Çocuk evlilikler*, Türk Pediatri Arşivi, Vol. 48, No. 02: 86-93, <https://doi.org/10.4274/tpa.1907>.

## 2. Method

Legal scholars engaged in this field practise normative legal research, which is defined as "a process to find a rule of law, legal principles, and legal doctrines in order to answer the legal issues faced." <sup>13</sup> This study employs what is known as the "statute approach," which is based on studies conducted on legal goods. <sup>14</sup>

## 3. Result and Discussion

### 3.1. Philosophical Aspect of Child Marriage in Human Rights

The institution of child marriage is a relatively new phenomenon, and it is one of many ongoing social issues <sup>15</sup>. There have been campaigns and publications from human rights organisations condemning child marriage, and everyone agrees on the definition that is now in use (Archambault, 2011). Forced marriages almost invariably occur with child marriages. This is because, in actuality, society as a whole views teenage marriages as being prompted by reasons other than children. There is currently no official definition of forced marriage in Indonesian law; nevertheless, we may discover similar definitions when we look at cases from other nations. In the author's view, the embedded definition from the UK Home Office is one that fits: "A forced marriage is one where one or both parties are coerced into a marriage against their will and under duress. Duress includes either physical and/or emotional pressure..." <sup>16</sup>

Accordingly, a marriage is considered forced if the individuals are coerced into being married against their will. Here, both mental and physical coercion are considered forms of coercion. The marriage of minors has a lasting effect because of this.

The foundation of social existence, according to Sukanto, is the tiny family, and marriage is the beginning of it. Every society begins with the most basic element of human existence: the family unit, which consists of a man, a woman, and their children <sup>17</sup>. A broader kind of existence, known as communal life, emerges from this path. It is believed that the marital relationship, as the foundation of existence, would bring about a calm and harmonious society. He goes on to say that marriage is a kind of worship because it brings together two types of relationships: horizontal and vertical. A harmonious global community is what a horizontal connection is all about. In and of itself, the fast increase in human population that would ensue from

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<sup>13</sup> Joko Subagyo, 2015, *Metode Penelitian dalam Teori dan Praktik*, Rineka Cipta, Jakarta

<sup>14</sup> Peter Mahmud Marzuki, 2017, *Penelitian Hukum: Edisi Revisi*, Prenada Media, Jakarta.

<sup>15</sup> Mohamad Hidayat Muhtar dkk., 2024, *Critical Study of Sharia Regional Regulations on Women's Emancipation*, International Journal of Religion, Vol. 5 No. 2: 23–26, <https://doi.org/10.61707/a7s8vg65>.

<sup>16</sup> Foreign and Commonwealth Office and Home Office, 2005, *Forced marriage: A Wrong not a Right*.

<sup>17</sup> Tuti Khairani Harahap dkk., 2023, *Pengantar Ilmu Hukum*, Penerbit Tahta Media, <https://tahtamedia.co.id/index.php/issj/article/view/255>.

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such a connection would be an essential human need. In contrast, a hierarchical relationship views marriage as more than just a human necessity (like a need for food and shelter) but as a sacred institution with worship values <sup>18</sup>.

The terms "coaching" and "regulation" have specific meanings in the context of domestic relationships. One of the fundamental building blocks of every civilization is the family. In the end, family life will mirror society. When a family is happy and healthy, both physically and spiritually, it's a sign of a nation's community <sup>19</sup>.

Legal marriage unites men and women in a sacred union that reflects our inherent dignity as a species, making it an essential institution in human history. When a husband and wife live in harmony with one another, they strengthen the bonds that bind them to married life. Meanwhile, children born into lawful marriages are a blessing from on high, and they help keep humanity pure and upright.

Everyone needs to be familiar with the ins and outs of marriage and family life because the state has imposed regulations on them <sup>20</sup>. From an ontological standpoint, the interaction between men and women, as well as the ideals of marriage and family, constitute the core of family life and marriage. Human ontology in Indonesian thought has roots in the establishment of nuclear families and matrimony. Pancasila, as stated in the Preamble to the Republic of Indonesia's Constitution from 1945, holds that the fulfilment of family and marriage requirements depends on the individual's, society's, and God's perspective <sup>21</sup>.

In reality, the evolution of marriage did not include any standards on minimum age requirements for marriage. A person's capacity to tie the knot was once tied to their level of maturity, regardless of gender. This, of course, leads to misunderstandings as the symptoms of puberty range from person to person due to the fact that each individual's hormones grow at a different rate. Therefore, many countries have different minimum marriage ages. The society undoubtedly has an issue with the positive rule outlined in Article 7 of rule Number 16 Number 2019 concerning Marriage, which states that marriage may only take place if both the male and female parties achieve the age of 19. If it's less than a specific age, it's probably rather unstable and won't know how to sensibly handle home issues. They aren't emotionally or physically prepared to deal with the challenges of marriage, thus it's

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<sup>18</sup> Sukanto Sukanto, 2018, *Analisis Sosio Yuridis Terhadap Pernikahan Usia Dini Dan Perceraian di Jawa Timur*, Al-Daulah: Jurnal Hukum dan Perundangan Islam, Vol. 7, No. 2: 393-418, <https://doi.org/10.15642/ad.2017.7.2.393-418>.

<sup>19</sup> Tri Lisiani Prihatinah, 2013, *Tinjauan Filosofis Undang-Undang Nomor 1 Tahun 1974*, Jurnal Dinamika Hukum, Vol. 8, No. 2, <https://doi.org/10.20884/1.jdh.2008.8.2.61>.

<sup>20</sup> Ibnu Sam Widodo dkk., 2023, *Hukum Tata Negara*, Sada Kurnia Pustaka

<sup>21</sup> Widodo dkk.

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likely that they will end up divorcing. Obviously, this will have an impact on how long the marriage lasts <sup>22</sup>.

Several causes of child marriage were pointed up by Norboboevna. One reason is that some parents see it as a way to finish off their parenting roles, pass the torch to the child's spouse, and provide a stable environment for their children, especially boys. Second, in order to climb out of poverty and lessen their financial burden, many low-income families sell off their children into marriage. Finally, the third reason why girls from well-off households are commonly married off at a young age is because their parents believe it will bring them honour, happiness, and social standing. Furthermore, the decision to wed a kid at a young age might be made by parents who lack spiritual maturity, good manners, and intellectual capacity. Fifthly, people may get married at a young age due to social pressure or a fear of being left behind. Sixthly, as a means of escaping an undesirable environment, children whose parents abuse substances may want to get married at a young age. Finally, parents who had children later in life can want to have their children wed young so that they might be there to witness the wedding <sup>23</sup>.

Marriages involving minors frequently result in legal proceedings and ultimately lead to divorce. Indonesia experiences a notably high divorce rate, with unions involving minors consistently being a significant factor in divorce statistics. The institution of marriage necessitates mental and physical capability as well as maturity. In contrast, the marriage of underage individuals lacks these qualities, consequently leading to incidents of domestic violence. Early marriage poses a substantial risk of sexual violence, and women who marry early face an increased likelihood of reproductive violence. Child marriages contribute to elevated rates of maternal and infant mortality. Moreover, early marriage is deemed a violation of human rights, particularly against women <sup>24</sup>.

When it comes to family stability, Norboboevna outlined the reasons why early marriage is bad. She began by saying that many young men nowadays are uneducated, financially unstable, socially immature, and sexually ignorant. Because of these shortcomings, they are unable to be good family leaders or to sustain themselves financially. If this responsibility is not defined from the start, a guy may find it difficult to concentrate on his duties as a husband down the road. Norboboevna also noted that trying to have a family while you're young, particularly

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<sup>22</sup> Rahmat Hakim, 2000, *Hukum Perkawinan Islam*, Pustaka Setia, Bandung..

<sup>23</sup> Shoista Muratova Norboboevna, 2021, *Marriage Age and Negative Consequences of Early Marriage*, European Scholar Journal, Vol. 2, No. 3, 27-30.

<sup>24</sup> Habib Shulton Asnawi, 2017, *Tinjauan Kritis Terhadap Hak-Hak Perempuan Dalam UU. No. 1 Tahun 1974 Tentang Perkawinan: Upaya Menegakkan Keadilan Dan Perlindungan HAM Perspektif Filsafat Hukum Islam*, Jurnal Mahkamah : Kajian Ilmu Hukum Dan Hukum Islam, Vol. 1, No. 1: 29-62.

in your early twenties, makes it harder to go to college, get a job, and become financially independent.

She continued by saying that young families often struggle to resolve conflicts and solve problems. When in-laws step in, this becomes a major flaw, and the immaturity to handle disagreements maturely could make things worse. Norboboevna went on to say that a woman's health is more likely to suffer if she marries at a young age, especially if she becomes pregnant before her body has completely matured. In addition, she brought up the point that young women who tie the knot may not be emotionally or psychologically ready to handle the demanding tasks of mother and wife. In conclusion, Norboboevna stressed that the psychological environment of the family affects marital peace, tenderness, and the quality of the husband-wife connection.

### **3.2. Implications of Human Rights on Child Marriage on Gender Equality**

According to egalitarian gender principles, men and women should be treated equally. Gender equality and justice advocate for the principle that men and women are equally capable of reaching their full potential in all areas of life. There is no gender gap when it comes to performing at one's best <sup>25</sup>.

When we discuss human rights, we are always discussing the many facets of the human experience. Individuals' inherent worth as human beings is the foundation upon which human rights are built, not on any societal or political obligation to provide them <sup>26</sup>. Human rights are rights that humans have solely because they are human. The very fact that a person is human is enough to provide them some rights. It is not something that society or positive law bestowed to humanity; rather, it is something that humanity has purely because of its inherent dignity. In this way, these rights are universal, regardless of a person's gender, race, country, language, or culture at birth. This is how these rights apply to everyone. In addition to being applicable everywhere, these rights cannot be taken away <sup>27</sup>.

Human rights violations and harmful practices like CFM, which hinders women and girls from living free from violence of all kinds, disproportionately impact women and girls across the world. In addition to putting girls and women at danger globally, CFM makes it harder for them to get an education, increases their vulnerability to violence, discrimination, and harassment, and prevents them from

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<sup>25</sup> Jane Lewis dan Susanna Giullari, 2005, *The Adult Worker Model Family, Gender Equality and Care: The Search for New Policy Principles and The Possibilities and Problems of a Capabilities Approach*, Economy and Society, Vol. 34, No. 1: 76-104, <https://doi.org/10.1080/0308514042000329342>.

<sup>26</sup> Franz Magnis-Suseno, 2016, *Etika Politik: Prinsip-Prinsip Moral Dasar Kenegaraan Modern*, Gramedia Pustaka Utama, Jakarta.

<sup>27</sup> Rhona K.M. Smith dkk., 2008, *Hukum Hak Asasi Manusia*, ed. oleh Knut D. Asplund, Suparman Marzuki, dan Eko Riyadi Pusat Studi Hak Asasi Manusia Universitas Islam Indonesia, Yogyakarta.

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fully engaging in society, politics, and the economy. Because of the large number of pregnancies and births among married minors, child marriage is a known contributor to maternal mortality rates. Many girls and women attempt to flee their communities or even end their own lives as a result of child marriage.

Child marriage and pregnancy are major barriers to the realisation of girls' human rights in a number of nations, including Bangladesh, Brunei, Chile, Ethiopia, Pakistan, Saudi Arabia, India, Jordan, and Indonesia, among many others. This is due to the cultural norm that prohibits women from pursuing higher education and instead confines them to domestic duties after marriage. Contrary to popular belief, almost 85 percent of Indonesian females drop out of school to get married<sup>28</sup>.

Based on statistics obtained by the United Nations Children's Fund (UNICEF), over 650 million women living today were married before reaching the legal age of 18. Approximately 12 million girls are wed before they reach the legal age of majority each year throughout the globe. About 28 females are produced per minute. Approximately 25% of females have joined into a civil union or tied the knot before reaching the age of 18. In LDCs, 40% of females get married before they reach the age of 18, and 12% do so before the age of fifteen. Countries undergoing war or in humanitarian situations are the most typical places for this to happen<sup>29</sup>.

Ending child marriage is a particular goal of the United Nations Sustainable Development Goals (SDGs) and is essential to achieving the other SDGs (UN)<sup>30</sup>. For example, early marriage contributes to poverty cycles that further solidify inequality in low and medium income countries, especially for rural and disadvantaged women.

When men and women have equal rights and opportunities, we say that gender equality has been achieved. Eliminating prejudice and sexism is a prerequisite for achieving genuine gender equality<sup>31</sup>. A pursuit of justice and equality is fundamental to all of humanity's aspirations, goals, and economic endeavours. The full and equal participation of men and women in all aspects of society, including but not limited to; equal participation in decision-making processes; and equitable access to and participation in cultural, educational, social, and economic possibilities. There should be no discrimination against anybody on the basis of their biological gender in any area of society. We have achieved gender equality when we have

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<sup>28</sup> Badan Pusat Statistik, 2016, *Kemajuan yang Tertunda: Analisis Data Perkawinan Usia Anak di Indonesia*, Jakarta.

<sup>29</sup> UNICEF, *Child marriage*, diakses 21 September 2022, <https://data.unicef.org/topic/child-protection/child-marriage/>.

<sup>30</sup> Gordon B. Dahl, 2010, *Early Teen Marriage and Future Poverty, Demography*, Vol. 47, No. 3: 689-718, <https://doi.org/10.1353/dem.0.0120>.

<sup>31</sup> Deborah L. Rhode, 1991, *Justice and Gender: Sex Discrimination and the Law* Harvard University Press, Chambridge.



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eliminated harmful practices such as sexism, homophobia, and violence against women and men. There are no barriers to men's and women's engagement in society and everyone benefits equally from that participation in a society where gender equality and justice have been realized <sup>32</sup>.

An ideology that promotes marriage between minors in Indonesia. Because of the cultural acceptability and pervasive belief in myth, child marriage continues to exist in Indonesia. The stigma of spinsters is perpetuated in Indonesia, making women feel undesired and frightened of defamation if they refuse to heed parental pressure to marry. This is particularly true for women living in remote communities. So that girls can't possibly defy their parents' authority. Because they are insecure about their mature look, afraid of their classmates' judgement, and having entered puberty, many young women consent to arranged marriages or marriages at an early age <sup>33</sup>.

Even during pregnancy, families typically anticipate the arrival of a boy because of the societal disregard for women's roles. As a result, it's clear that women are not welcome in this community. As a matter of fact, women also make significant contributions to the home and neighbourhood. It's only that, according to the paradigm that has persisted since prehistoric times, women are still expected to serve as men's helpers. At home, in the classroom, on the job, and while making important life choices <sup>34</sup>.

Women are often deprived of the education they need. For various reasons, including economic constraints and a lack of educational facilities and institutions, many developing nations, including Indonesia, continue to send their female citizens to elementary school and then stop sending them to secondary or even tertiary education altogether. There are still many individuals who recognise women's traditional roles as submissive children and spouses who are obligated to follow their parents and guardians. This includes circumstances when the bride has not even completed elementary school. People don't send their girls to college because they believe that basic knowledge is enough to secure a marriage.

Patriarchal ideals persist to this day in Indonesian culture. Respect for males is higher than that for women in patriarchal cultures. There is a distinct gender gap in the roles that men and women play in this culture's social institutions, especially the family. In a patriarchal culture, males rule over women via a system of collective patriarchy. The feminist movement has come to the consensus that patriarchal

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<sup>32</sup> Rhode.

<sup>33</sup> Munawara, Ellen Meianzi Yasak, dan Sulih Indra Dewi, 2015, *Budaya Pernikahan Dini Terhadap Kesetaraan Gender Masyarakat Madura*, JISIP: Jurnal Ilmu Sosial dan Ilmu Politik, Vol. 4, No. 3, <https://doi.org/10.33366/jisip.v4i3.123>.

<sup>34</sup> Uche C. Isiugo-Abanihe, 1985, *Child Fosterage in West Africa*, Population and Development Review, Vol. 11, No. 1: 53, <https://doi.org/10.2307/1973378>.

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culture—a social structure that benefits males at the expense of women—must be dismantled Tuttle, 1986).

Women are oppressed by patriarchal society. Because patriarchal society is fundamentally to blame for women's oppression. This is what will bind women even more when patriarchy gains a foothold in religious institutions. Religion, on the other hand, was revealed to set people free from the bonds of slavery and tyranny. In other words, no religion can condone the oppression of its members, particularly women. It is evident from their teachings, which are very adaptive to human values, that the majority of faiths stress the need of respecting people<sup>35</sup>. Thus, it is clear that marrying a minor goes against the idea of gender equality in our culture. Generally speaking, the idea of gender equality is at odds with the practice of child marriage.

#### **4. Conclusion**

There are philosophical issues with the concept of child marriage. Child marriage is a devastating practice that affects children in many negative ways. Marriage imposes a heavy responsibility on youngsters who lack the mental and physical maturity to properly care for themselves, therefore limiting their independence. Child marriage must cease if we are to reach a society where men and women are treated equally. Gender equality will remain elusive so long as communities continue to use child marriage. This is due to the fact that, among other things, marrying off minors reinforces preexisting societal norms, which is vital in the fight for gender equality.

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<sup>35</sup> Habib Shulton Asnawi, 2012, *Membongkar Patriarkhisme Islam sebagai Kearifan Budaya Lokal: Sebuah Kritik Terhadap UU. No. 1 Tahun 1974 Tentang Perkawinan*, ESENSIA: Jurnal Ilmu-Ilmu Ushuluddin, Vol. 13, No. 2: 223-40, <https://doi.org/10.14421/esensia.v13i2.739>.

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