

**THE *JOKAWINBOCAH* MOVEMENT AS AN EFFORT TO PREVENT
CHILD MARRIAGE IN SEMARANG CITY: A STUDY OF CHILDREN'S
RIGHTS**

THESIS

BY:

NISRIN AZKA FAJRINA

SIN 19210133



ISLAMIC FAMILY LAW DEPARTEMENT

SHARIA FACULTY

STATE ISLAMIC UNIVERSITY MAULANA MALIK IBRAHIM

MALANG

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STATEMENT OF THE AUTHENTICITY

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In the name of Allah,

With consciousness and responsibility toward the development of science, the writer declares that thesis entitled:

**THE *JOKAWINBOCAH* MOVEMENT AS AN EFFORT TO PREVENT
CHILD MARRIAGE IN SEMARANG CITY: A STUDY OF
CHILDREN'S RIGHTS**

It truly a writer's original work that can be legally justified. If this thesis is proven to result in duplication or plagiarism from another scientific work, it is a precondition of degree will be slated legally invalid.

Malang, 19th of May 2023

Writer



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APPROVAL SHEET

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CHILD MARRIAGE IN SEMARANG CITY: A STUDY OF
CHILDREN'S RIGHTS**

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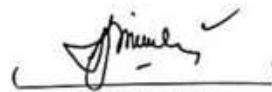
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MOTTO

وَلَقَدْ أَرْسَلْنَا مُوسَىٰ بِآيَاتِنَا أَنْ أَخْرِجْ قَوْمَكَ مِنَ الظُّلُمَاتِ إِلَى النُّورِ وَذَكِّرْهُمْ بِآيَاتِ اللَّهِ إِنَّ فِي ذَٰلِكَ
لَآيَاتٍ لِّكُلِّ صَبَّارٍ شَكُورٍ

“Dan sungguh, Kami telah mengutus Musa dengan membawa tanda-tanda (kekuasaan) Kami, (dan Kami perintahkan kepadanya), “Keluarkanlah kaummu dari kegelapan kepada cahaya terang-benderang dan ingatkanlah mereka kepada hari-hari Allah.” Sungguh, pada yang demikian itu terdapat tanda-tanda (kekuasaan Allah) bagi setiap orang penyabar dan banyak bersyukur [Q.S. Ibrahim (14):5]

*Sabar lan syukur iku ngelmu sing angel dilakoni, nanging sing isa nglakoni,
kamulyan ganjarane*

*Bersikap sabar dan syukur itu laksana ilmu kehidupan tingkat tinggi yang sulit
dijalankan. Namun bila kita mampu melakukannya, kemuliaan hidup akan
menjadi buah ganjarannya*

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Alhamdulillah rabbil'amin, have given His Rahmat and servan, so we can finish this thesis entitled "The *JoKawinBocah* Movement As An Effort To Prevent Child Marriage In Semarang City: A Study Of Children's Rights". Peace be Upon The Rasulullah Prophet Muhammad SAW., who has taught us guidance (*uswatun hashanah*) to do activities correctly. By following Him, may we belong to those who believe and get their intercession on the last day of the end. Amen.

From all the teaching, advice, guidance, and helps of service for us to finish this thesis, then with all humility, the writer will express the gratitude which is unequalled to:

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3. Hj. Erik Sabti Rahmawati, MA., M.Ag. as the Head of Islamic Family Law Department of Syari'ah Faculty of The State Islamic University Maulana Malik Ibrahim of Malang.
4. Faridatus Suhadak, M.HI. as the Secretary of Islamic Family Law Department of Syari'ah Faculty of The State Islamic University Maulana Malik Ibrahim of Malang.

5. Risma Nur Arifah, S.HI., M.H. as my thesis supervisor. The writer thanks for her spending time to guide, direct, and motivate to finish writing this thesis. The writer hopes that she and her family will be blessed by Allah.
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With the completion of this thesis report, we hope that the knowledge we have gained during our studies can provide the benefits of living in the world and the hereafter. As a human who has never escaped fault, the author is very hopeful for forgiveness, criticism, and suggestions from all parties for future improvement efforts.

Malang, 19th May 2023
Writer



Nisrin Azka Fajrina
SIN. 19210133

TRANSLITERATION GUIDENCE

A. General

Transliteration transfers Arabic script into Indonesian (*Latin*) writing, not Arabic translation into Indonesian. Included in this category are Arabic names from Arabs, while Arabic words from nations other than Arabic are written as the spelling of the national language or as written in the reference book. Writing the text's title in the footnotes and bibliography still uses the provisions of this transliteration.

There are several provisions in transliteration that can be used in writing scientific papers. Whether it is national or international standards or requirements specifically used by certain publishers. The transliteration guideliness used in the scientific work of sharia students of UIN Malang are based on the provisions of the 2022 thesis writing guidelines for the Faculty of Sharia, State Islamic University Maulana Malik Ibrahim Malang, namely transliteration based on the *Surat Keputusan Bersama* (SKB) of the Minister of Religion and the Minister of Education and Culture of the Republic of Indonesia, January 22, 1998, No. 159/1987 and 0543.b/U/1987, as stated in the *A Guide Arabic Transliteration*, INIS Fellow 1992.

B. Consonant

Arab	Name	Latin	Name
ا	Alif	Not symbolized	Not symbolized
ب	Ba	B	Be

ت	Ta	T	Te
ث	Ṡa	Ṡ	Es (point above)
ج	Jim	J	Je
ح	Ḥa	Ḥ	Ha (point above)
خ	Kha	Kh	Ka and Ha
د	Dal	D	De
ذ	Ẓ	Ẓ	Zet (point above)
ر	Ra	R	Er
ز	Zai	Z	Zet
س	Sin	S	Es
ش	Syin	Sy	Es and Ye
ص	Ṣad	Ṣ	Es (point below)
ض	Ḍad	Ḍ	De (point below)
ط	Ṭa	Ṭ	Te (point below)
ظ	Ẓa	Ẓ	Zet (point below)
ع	Ain	‘ _	Inverted apostrophe
غ	Gain	G	Ge
ف	Fa	F	Ef
ق	Qof	Q	Qi
ك	Kaf	K	Ka
ل	Lam	L	El
م	Mim	M	Em

ن	Nun	N	En
و	Wau	W	We
هـ	Ha	H	Ha
ء/أ	Hamzah	—'	Apostrophe
ي	Ya	Y	Ye

Hamzah (ء) which is often symbolized by alif, if it is located at the beginning of a word, then in its transliteration follows the vowel, it is not symbolized, but if it is located in the middle or end of a word, it is symbolized by the comma above ('), turning around with a comma (') to substitute for the "ع" symbol.

C. Vocal, Long Pronounce, and Diphthong

Every Arabic writing in the form of latin *fathah* is written with “a”, *kasrah* with “i”, *dlommah* with “u”, while the length of each is written in the following way:

Vocal *fathah* = a

Vocal *kasrah* = i

Vocal *dlommah* = u

Long-vocal (a) = Â Example: قال become Qâla

Long-vocal (i) = Î Example: قيل become Qîla

Long-vocal (u) = Û Example: دون become Dûna

Especially for reading ya' Nisbat, it cannot be replaced with “i”, but is still written with “iy” to describe ya' Nisbat in the end. Likewise, for the sound

of diphthongs, wawu and ya' after *fathah* wrote with “aw” and “ay”, as in the example below:

Diphthong (aw) = **او** Example: قول become Qawlun

Diphthong (ay) = **اي** Example: خير become Khayrun

D. Ta' Marbûthah (ة)

Ta' marbûthah translited as “t” in the middle of word, but if Ta' marbûthah in the end of word, it translited as “h” e.g. الرسالة المدرسة become *alrisalat li al-mudarrisah*, or in the standing among two word that in the form of mudhaf and mudlaf ilaih, it transliterated as t and connected to the next word, e.g. في أمان الله become *fi amanillâh*.

E. Auxiliary Verb and Lafadh al-Jalâlah

Auxiliary verb “al” (ال) written with lowercase from, expect if it located in the position and “al” in lafadh al-Jalâlah which located in the middle of two or being or become idhafah, it remove from writing.

1. Al-Imâm al-Bukhâriy said.
2. Al-Bukhâriy in muqaddimah of his book said.
3. *Masyâ Allah kâna wa mâ lam yasya 'lam yakun.*

F. Indonesian Arabic Names and Words

In principle, every word that comes from Arabic must be written using the translation system. When the name is the Arabic name of an Indonesian or an Arabic Indonesian, no need to write using the system transliteration.

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ABSTRAK

Nisrin Azka Fajrina, 19210133, 2023. Gerakan *JoKawinBocah* sebagai Upaya Pencegahan Kawin Anak di Kota Semarang: Kajian Terhadap Hak-Hak Anak. Skripsi. Program Studi Hukum Keluarga Islam. Fakultas Syariah. Universitas Islam Negeri Maulana Malik Ibrahim Malang. Pembimbing: Risma Nur Arifah, S.HI., M.H.

Kata Kunci: Gerakan *JoKawinBocah*, Pencegahan Kawin Anak, Hak Anak

Perkawinan anak masih menjadi isu nasional yang menyebabkan terjadinya pelanggaran terhadap hak asasi manusia pada anak. Anak sebagai manusia merdeka memiliki hak-hak yang harus dilindungi baik oleh pemerintah, masyarakat, dan keluarga. Berdasarkan Undang-Undang Nomor 35 Tahun 2014 Tentang Perubahan Atas Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak yang termasuk dalam kategori anak ialah seseorang yang belum berusia 18 tahun, termasuk anak yang masih dalam kandungan. Gerakan *JoKawinBocah* merupakan upaya yang diinisiasi oleh DP3AP2KB (Dinas Pemberdayaan Perempuan, Perlindungan Anak, Pengendalian Penduduk, dan Keluarga Berencana) Provinsi Jawa Tengah dalam mencegah perkawinan anak. DP3A Kota Semarang berkontribusi dan bertanggungjawab dalam mensosialisasikan gerakan *JoKawinBocah* kepada masyarakat. Penelitian ini bertujuan untuk mengidentifikasi kendala implementasi gerakan *JoKawinBocah* serta mengkaji hak-hak anak yang terimplementasi dari adanya gerakan *JoKawinBocah* dalam upayanya mencegah perkawinan anak di Kota Semarang.

Penelitian ini termasuk jenis penelitian yuridis empiris yang menggunakan pendekatan sosiologis, perundang-undangan, dan konseptual, sumber data yang digunakan adalah sumber data primer dan sekunder. Sumber data primer berupa hasil wawancara yang dilakukan oleh narasumber yang memiliki peran terhadap gerakan *JoKawinBocah*. Sumber data sekunder berupa data statistik yang terdapat di DP3A Kota Semarang mengenai perkawinan anak, serta peraturan perundang-undangan yang berkaitan dengan perkawinan anak.

Hasil penelitian yang diperoleh menunjukkan bahwa gerakan *JoKawinBocah* belum secara maksimal berkontribusi dalam menurunkan angka perkawinan anak di Kota Semarang, hal tersebut dikarenakan belum maksimalnya sosialisasi kepada seluruh lapisan masyarakat. Adapun beberapa kendala yaitu pelaksanaan program sosialisasi, tidak adanya aturan sanksi perkawinan anak, implikasi UU Nomor 16 Tahun 2019, serta rendahnya kesadaran masyarakat. Gerakan *JoKawinBocah* dalam upayanya mencegah perkawinan anak berkontribusi dalam melindungi hak-hak dasar anak diantaranya hak perlindungan dari kekerasan, eksploitasi, dan diskriminasi, hak partisipasi, hak pendidikan, dan hak bermain.

ABSTRACT

Nisrin Azka Fajrina, 19210133, 2023. The *JoKawinBocah* Movement as an Effort to Prevent Child Marriage in Semarang City: A Study of Children's Rights. Thesis. Islamic Family Law Department. Syariah Faculty. State Islamic University Maulana Malik Ibrahim Malang. Supervisor: Risma Nur Arifah, S.HI., M.H.

Keyword: *JoKawinBocah*, Child Marriage Prevention, Children's Rights

Child marriage is still a national issue that causes violations of human rights in children. Children as independent human beings have rights that must be protected by both the government, society and family. Based on Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, which is included in the category of children is someone who is not yet 18 years old, including children who are still in the womb. The *JoKawinBocah* movement is an effort initiated by DP3AP2KB (Office of Women's Empowerment, Child Protection, Population Control, and Family Planning). Central Java Province in preventing child marriage. DP3A Semarang City contributes and is responsible for socializing the *JoKawinBocah* movement to the community. This study aims to identify the obstacles to the implementation of the *JoKawinBocah* movement and examine the rights of children that are implemented by the *JoKawinBocah* movement in its efforts to prevent child marriage in Semarang City.

This research is a type of empirical juridical research that uses sociological, statutory, and conceptual approaches, the data sources used are primary and secondary data sources. Primary data sources are the results of interviews conducted by resource persons who have a role in the *JoKawinBocah* movement. Secondary data sources are statistical data contained in DP3A Semarang City regarding child marriage, as well as laws and regulations relating to child marriage.

The results show that the *JoKawinBocah* movement has not maximally contributed to reducing the number of child marriages in Semarang City, due to the lack of socialization to all levels of society. Some of the obstacles are the implementation of the socialization program, the absence of sanctions for child marriage, the implications of Law Number 16 of 2019, and low public awareness. The *JoKawinBocah* movement in its efforts to prevent child marriage contributes to protecting children's basic rights including the right to protection from violence, exploitation, and discrimination, the right to participation, the right to education, and the right to play.

ملخص البحث

نسرين أزكى فجرنا، 19210133، 2023. حركة *JoKawinBocah* كجهد لمنع زواج الأطفال في مدينة سيمارانج: دراسة عن حقوق الأطفال. بحث الرسالة. شعبة الأحوال الشخصية. كلية الشريعة. جامعة مولانا مالك إبراهيم الإسلامية الحكومية بمالانج. المشرفة: ريسما نور عريفة الماجستير.

الكلمات المفتاحية: حركة *JoKawinBocah*، منع زواج الأطفال، حقوق الأطفال

لا يزال زواج الأطفال قضية وطنية تسبب انتهاكات لحقوق الإنسان للأطفال. الأطفال كبشر أحرار لهم حقوق يجب أن تحميها الحكومة والمجتمع والأسرة. بناءً على القانون رقم 35 لعام 2014 بشأن التعديلات على القانون رقم 23 لعام 2002، بشأن حماية الطفل الذي تم تضمينه في فئة الأطفال هو شخص لم يبلغ من العمر 18 عامًا، بما في ذلك الأطفال الذين لا يزالون في الرحم. حركة *JoKawinBocah* هي جهد بدأتها DP3AP2KB (Dinas Pemberdayaan Perempuan, Perlindungan Anak, Pengendalian Penduduk, dan Keluarga Berencana) في مقاطعة جاوا الوسطى لمنع زواج الأطفال. تساهم "DP3A مدينة سيمارانج" وهي مسؤولة عن التنشئة الاجتماعية لحركة *JoKawinBocah* إلى المجتمع. يهدف هذا البحث إلى تحديد العوائق التي تحول دون تنفيذ حركة *JoKawinBocah* وفحص حقوق الأطفال التي يتم تنفيذها من وجود حركة *JoKawinBocah* في جهودها لمنع زواج الأطفال في مدينة سيمارانج.

هذا البحث هو نوع من البحث القانوني التجريبي الذي يستخدم منهجًا اجتماعيًا وتشريعيًا ومفاهيميًا، ومصادر البيانات المستخدمة هي مصادر البيانات الأساسية والثانوية. مصدر البيانات الأساسي هو نتائج المقابلات التي أجراها المخبرون الذين لهم دور في حركة *JoKawinBocah*. مصادر البيانات الثانوية هي في شكل بيانات إحصائية واردة في "DP3A مدينة سيمارانج" فيما يتعلق بزواج الأطفال، وكذلك القوانين واللوائح المتعلقة بزواج الأطفال.

ونتيجة للبحث تم الحصول عليها أن حركة *JoKawinBocah* لم تساهم على النحو الأمثل في تقليل عدد حالات زواج الأطفال في مدينة سيمارانج، ويرجع ذلك إلى الافتقار إلى التنشئة الاجتماعية على جميع مستويات المجتمع. هناك عدة عقبات، وهي تنفيذ برامج التنشئة الاجتماعية، وغياب قواعد معاقبة زواج الأطفال، والآثار المترتبة على القانون رقم 16 لعام 2019، وتدني الوعي العام. تساهم حركة *JoKawinBocah* في جهودها لمنع زواج الأطفال في حماية الحقوق الأساسية

للأطفال بما في ذلك الحق في الحماية من العنف والاستغلال والتمييز، والحق في المشاركة، والحق في التعليم، والحق في اللعب.

CHAPTER I

INTRODUCTION

A. Research Background

Child marriage is a violation of the policies made by the government, especially human rights violations of children's rights. The Marriage Law stipulates that a marriage is only permitted if the man and woman have reached the age of 19 (nineteen) years,¹ while in the practice of child marriage, the marriage is carried out by someone who is not yet 18 (eighteen) years old.² This is evidence that child marriage violates the established age limit for marriage. Violation of marriage age limit will have an impact on inhibiting children's rights, such as the right to survival, growth and development and the right to protection from violence and discrimination, which should be guaranteed by the state based on the Child Protection Law.³

National data shows that in 2018, 1 in 19 girls entered into marriage in Indonesia. Approximately 1,220,900 women aged 20-24 years were married before reaching the age of 18 in 2018 and this figure puts Indonesia in the 10th position of countries with the highest absolute number of child marriages in the world. However, global data shows that the practice of

¹ Pasal 7 ayat (1) Undang-Undang Nomor 16 Tahun 2019 Tentang Perubahan Atas Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan.

² Penentuan usia anak pada skripsi ini merujuk kepada Pasal 1 angka 1 Undang-Undang Nomor 35 Tahun 2014 Tentang Perubahan Atas Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak.

³ Pasal 13 Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak.

child marriage continues to decline in various countries around the world. In 2018, the practice of child marriage has decreased in the last 10 years by 3.5%.⁴ However, this decline has not yet achieved the expected results and is relatively slow, considering that the government is committed to setting a target of reducing child marriage from 11.2% in 2018 to 8.74% by 2024 with the aim of increasing quality and competitive human resources.⁵

The high incidence of child marriage can be seen from the marriage dispensation case. In fact, there is till an increase in applications for marriage dispensation cases from year to year in the Religious Courts. In 2018 there were 13,815 cases, in 2019 it rose to 24,864 cases, and then there was a very significant increase in 2020, namely there were 64,000 cases of marriage dispensation cases that had been decided by the Religious Courts. This increase continues to occur even though the government has made various efforts including changing the marriage age limit.⁶

Nisa et al. in their research explained that the number of child marriages on the Java Island itself was 668,900, while outside Java Island was 415,200. In Central Java there was an increase in the number of child marriages from 2,049 in 2019 to 8,338 until September 2020. 10.2% of adolescents in Central Java are married at child age.⁷ Based on data obtained

⁴ Badan Pusat Statistik, "Pencegahan Perkawinan Anak: Percepatan Yang Tidak Bisa Ditunda," 2020.

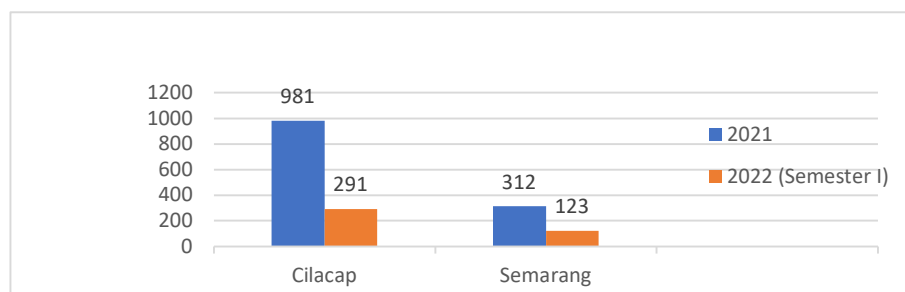
⁵ UNICEF, "Perkawinan Anak Di Indonesia," Katadata, 2018.

⁶ Mardi Candra, *Pembaruan Hukum Dispensasi Kawin Dalam Sistem Hukum Di Indonesia* (Jakarta: Kencana, 2021).

⁷ Juhrotun Nisa et al., "Peningkatan Pengetahuan Tentang Pendewasaan Usia Perkawinan Melalui Pengenalan Gerakan Jo Kawin Bocah," *JMM (Jurnal Masyarakat Mandiri)* 6, no. 3 (2022): 1850–59.

from the Ministry of Religion of Central Java Province, there were 8,700 cases of early marriage in 2021, which were predominantly experienced by women.⁸

Based on data on the proportion of women aged 20-24 years who were married before the age of 18 in 2019, Central Java Province is ranked 22nd with 10.2% below the national average (10.82%). The graph of marriages under the age of 19 in Central Java Province sorted by district/city in 2021 shows that the number of marriages under the age of 19 in Central Java was 13,595 cases with the highest case in Cilacap Regency with 981 marriages, the average case in Semarang City with 312 marriages and the lowest in Salatiga City with 28 marriages.⁹ The data shows that the cases of marriage under the age of 19 in Semarang City are not the highest cases in Central Java, but for an urban area such as Semarang City the cases can be considered high considering that the risk of child marriage in urban areas is lower than in rural areas.



Graph 1.1: Comparison of Marriage Cases Under the Age of 19 in Cilacap Regency and Semarang City in the Year of 2021 and 2022 Semester I

⁸ Pengadilan Agama Muarataweh, “Signifikannya Perkara Dispensasi Kawin terus meningkat di Masa Pandemi Covid-19,” Badilag Mahkamah Agung, 2022, diakses 21 Agustus 2022, <https://badilag.mahkamahagung.go.id/seputar-peradilan-agama/berita-daerah/signifikannya-perkara-dispensasi-kawin-terus-meningkat-di-masa-pandemi-covid-19>.

⁹ Publikasi Kantor Wilayah Kementerian Agama Provinsi Jawa Tengah Tahun 2021.

The data in graph 1.1 shows the cases that occurred in Cilacap Regency and Semarang City in 2021 and the first semester of 2022.¹⁰ In 2021, 981 cases occurred in Cilacap Regency, while in the first semester of 2022, only 291 cases of marriage under the age of 19 occurred in Cilacap Regency. The estimated number of cases that occurred in Cilacap Regency in 2022, when referring to the data obtained in 2021, has decreased significantly. Meanwhile, in Semarang City, the number of marriages under the age of 19 in 2021 reached 312 cases and 123 cases in the first semester of 2022. Referring to the data obtained in 2021, the estimated data for marriage under the age of 19 in Semarang City in 2022 shows no decrease, and the cases tend to be stable. This graph is consistent with the smaller decline in prevalence in urban areas compared to the decline in rural areas over the past 10 years.¹¹

This research focuses on examining child marriage cases that occur in Semarang City, although the cases in the city are not the highest cases in Central Java Province. However, based on the background of Semarang City, which is the fifth largest metropolitan city in Indonesia,¹² the development of society has reached the stage of pre-modern/modern society with the characteristics that the community strongly believes in the benefits of science and technology, has a variety of professions and expertise, a relatively high and evenly distributed level of school education, and the

¹⁰ Publikasi Kantor Wilayah Kementerian Agama Provinsi Jawa Tengah Tahun 2021.

¹¹ Tren Data Persentase Perempuan Usia 20-24 Tahun Menurut Usia Perkawinan Pertama, 2008-2018, PUSPAKA, 8.

¹² Deputi Infrastruktur Badan Ekonomi Kreatif Indonesia, "Infografis Profil Kota Semarang," 2020.

laws that apply in the community are very complex written laws.¹³ The people of Semarang City should be more aware of marriage literacy because they are supported by more adequate resources and information technology. If we look at the graph of marriage cases under the age of 19 in Semarang City, it does not show the identity of a metropolitan city. Compared to the city of Bandung, which is also a metropolitan city, the number of child marriage cases in Semarang is still relatively high. This is evidenced by the number of marriage dispensation cases decided by the Religious Court. In 2020 the Bandung City Religious Court decided 195 marriage dispensation cases,¹⁴ while the Semarang City Religious Court decided 229 cases.¹⁵

Many factors can contribute to the occurrence of child marriage, both in relation to various structural factors and those originating from the community, family, and individual capacity. Socio-cultural, religious and economic factors tend to be more dominant in cases of child marriage, such as environments with promiscuity, early pregnancy, lack of understanding related to reproductive health to low economic factors to overcome the family's economic burden.¹⁶

¹³ Adon Nasrullah Jamaludin, *Sosiologi Perkotaan: Memahami Masyarakat Kota Dan Problematikanya* (Bandung: CV Pustaka Setia, 2015).

¹⁴ Neneng Resa Rosdiana and Titin Suprihatin, "Dispensasi Perkawinan Di Pengadilan Agama Bandung Pasca Undang-Undang No. 16 Tahun 2019," *Jurnal Riset Hukum Keluarga Islam* 2, no. 1 (2022): 21–26, <https://doi.org/10.29313/jrhki.vi.714>.

¹⁵ Pengadilan Tinggi Agama Provinsi Jawa Tengah, "BPS Provinsi Jawa Tengah," 2022, diakses 23 Agustus 2022, <https://jateng.bps.go.id/statictable/2021/04/14/2435/banyaknya-perkara-yang-diputus-pengadilan-agama-di-wilayah-pengadilan-tinggi-agama-pta-provinsi-jawa-tengah-menurut-jenis-perkara-2020.html>.

¹⁶ Titing Sugiarti and Kunthi Tridewiyanti, "Implikasi Dan Implementasi Pencegahan Perkawinan Anak," *Legal Reasoning* 4, no. 1 (2021): 81–95.

Mufid and Nail in their research state that the factors that encourage child marriage are economic factors caused by the inability of parents to support their families, so that to reduce the burden they immediately marry off their children and the factor of low public education which results in a lack of understanding of the Marriage Law regarding the terms and conditions of marriage. With this, it is proof that the rights of children are violated, which basically means that children have the right to education and a decent life.¹⁷

In terms of health, child marriage will have an impact on the physical and mental health of child marriage partners, especially for girls if accompanied by early pregnancy because it will result in reproductive health. Child marriage is prone to domestic violence due to unstable emotions, and also economic instability due to the low education and abilities possessed by both children partners. One of the impacts of teenage pregnancy is giving birth to a low-weight baby. A study states that teenage pregnancy is associated with the incidence of LBW (Low Birth Weight) and teenage pregnancy has a 1.8 times greater risk of giving birth to a baby with LBW (Low Birth Weight).¹⁸ Meanwhile, the psychological impact of teenage pregnancy based on research is that all teenagers experience

¹⁷ Firda Laily Mufid and Muhammad Hoiru Nail, "Upaya Pencegahan Pernikahan Usia Dini Pada Remaja Di Kelurahan Jember Lor Kabupaten Jember," *Jurnal Rechts* 10, no. 1 (2021): 109–20.

¹⁸ Rizka Firdausi Nuzula, Djaswadi Dasuki, and Herlin Fitriana Kurniawati, "Hubungan Kehamilan Pada Usia Remaja Dengan Kejadian Berat Bayi Lahir Rendah (BBLR) Di RSUD Panembahan Senopati," *Jurnal Kesehatan Samodra Ilmu* 11, no. 2 (2020): 121–30, <https://doi.org/10.55426/jksi.v11i2.115>.

psychological disorders such as stress, depression, stop continuing their education and abuse the baby.¹⁹

Based on the explanation above regarding the factors and impacts resulting from child marriage, it shows that the fact is clearly more dominant for women whose rights are violated and are very risky and can have fatal consequences on maternal mortality. Whereas in reality, women have the same protection rights as men in accordance with the 1945 Constitution of the Republic of Indonesia Article 28D “The right to recognition, guarantees, protection and certainty of a just law and equal treatment before the law.” and Article 28I paragraph (2) “The right to be free from discriminatory treatment on any basis and to be entitled to protection against such discriminatory treatment.” Referring to the principles of the CEDAW Convention (Convention on the Elimination of All Forms of Discrimination against Women) which is a reference in responding to issues regarding women’s human rights, especially the elimination of all forms of discrimination against women, child marriage has violated this principle as stated in Article 2 letter (c) “Enforcing legal protection of women’s rights on an equal basis with men.” Therefore, the government through the provincial government has made various efforts to minimize the occurrence of child marriage.

¹⁹ Rina Tri Agustini, “Determinan Sosial Dan Dampak Kesehatan Pernikahan Dini Di Lombok Timur,” *Berita Kedokteran Masyarakat*, 2018, <https://doi.org/10.1007/s13398-014-0173-7.2>.

Mufid stated that the efforts made by the government in protecting the rights of children and women to prevent child marriage include: 1) increasing socialization, coordinating with schools through school activities and providing motivation to continue education to a higher level, 2) establishing a policy not to attend child marriage *walimah* events.²⁰

According to the findings of Hidayanti et al., it was found that the efforts made by the government were reviewed based on 4 (four) dimensions, namely policies from the government by issuing Maros Regency Regional Regulation Number 8 of 2017 concerning Child Friendly Districts, physical and non-physical activities in the form of conducting declarations and socialization and collaborating with several agencies or communities, and launching programs, the program was implemented by the Maros Regency Child Empowerment Office and the program provided optimal results in preventing early marriage which decreased in 2018.²¹ The same effort was also made by the Trenggalek District Government in collaboration with UNICEF to launch the Zero Child Marriage Village and *Safe and Friendly Environment for Children (SAFE4C) Village* as an effort to reduce the number of child marriages in Trenggalek District. This program is aimed at realizing a Child Friendly District and Child Friendly

²⁰ Mufid and Nail, "Upaya Pencegahan Pernikahan Usia Dini Pada Remaja Di Kelurahan Jember Lor Kabupaten Jember."

²¹ Nur Hidayanti, Andi Rosdianti Razak, and Anwar Parawangi, "Upaya Pemerintah Daerah Dalam Penanggulangan Pernikahan Usia Dini Di Desa Majannang Kecamatan Maros Baru Kabupaten Maros," *Kajian Ilmiah Mahasiswa Administrasi Publik* 2, no. 1 (2021): 218–33.

District in Trenggalek District.²² The efforts that have been described actually aim to contribute to reducing the number of child marriages that occur in Indonesia.

With the data presented previously, it is known that Semarang City is ranked 15th as the city with the highest rate of child marriage at the Central Java level.²³ The government needs to pay extra attention to the high number of child marriage cases that occur, because the government is responsible for protecting children's rights as stated in Article 20 of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection that "The State, Government, Regional Government, Community, Family and Parents or Guardians are obliged and responsible for the implementation of Child Protection". One of the things that the government must do is to mature the age of marriage. Maturation of marriage age (PUP) according to BKKBN is an effort to increase the age at first marriage, so as to reach the minimum age at marriage, namely 21

²² Admin, "Gandeng UNICEF, Pemkab Trenggalek Luncurkan Desa Nol Perkawinan Anak - Dinas Kominfo Trenggalek," Kominfo Trenggalek, 2022, diakses pada 22 Agustus 2022 <https://kominfo.trenggalekkab.go.id/post/gandeng-unicef-pemkab-trenggalek-luncurkan-desa-nol-perkawinan-anak>.

²³ Berdasarkan data statistik perkara yang diputus oleh Wilayah Pengadilan Tinggi Agama Provinsi Jawa Tengah Kota Semarang, terdapat 96 perkara dispensasi kawin pada tahun 2019, 229 perkara pada 2020, dan 234 perkara pada 2021. Menurut Suwito Eko Pramono, dkk., dalam jurnalnya "Fenomena Pernikahan Dini di Kota Semarang: Antara Seks Bebas Hingga Faktor Pengetahuan" faktor penyebab terbesar terjadinya perkawinan anak di Kota Semarang disebabkan karena perilaku seks bebas dan hamil di luar nikah. Sumurung P., dkk., dalam jurnalnya "Implementasi Perubahan Kebijakan Batas Usia Perkawinan" menyampaikan bahwa peningkatan penduduk yang sangat pesat di Kota Semarang menjadikan Kota Semarang sebagai kota terpadat penduduk di Jawa Tengah sejak tahun 2019.

years for women and 25 years for men. PUP itself is part of the BKKBN program.²⁴

In line with the needs of the community, the Central Java Provincial Government launched an effort in the form of the *JoKawinBocah* movement, which is a massive movement and invitation at the initiative of the Central Java Provincial Office of Women's Empowerment, Child Protection for the community (including children) to prevent child marriage. This movement was officially launched on November 20th, 2020 as a joint effort with the Central Java Provincial Government in reducing the number of child marriages. In its implementation, *JoKawinBocah* has the main objective of increasing public awareness (including children) and increasing the joint commitment of stakeholders regarding efforts to prevent child marriage in order to fulfill children's rights.

The JoKawinBocah movement is an effort to make it easier for children who contain values about the importance of marrying in harmony, continuing education and not rushing into marriage. The *JoKawinBocah* movement and jingle were formed by the Central Java Province Office of Women's Empowerment, Child Protection. Given that in the current era many teenagers are happy with dance movements, so this effort is considered quite interesting to make it easier for teenagers to remember the message conveyed. The content of the *jingle* is: "*bocah jawa tengah, ojo*

²⁴ Elsa Rulistyana, "Pengetahuan Remaja Tentang Program Pendewasaan Usia Perkawinan (PUP)," *Jurnal Ners Dan Kebidanan (Journal of Ners and Midwifery)* 4, no. 1 (2017): 79–84, <https://doi.org/10.26699/jnk.v4i1.art.p079-084>.

kawin bocah, yo podo sekolah, agar masa depan cerah; bocah jawa tengah, ojo kawin bocah, gapailah cita-citamu, esok kamukan bahagia; usia mudamu, berkarya dahulu, jangan buru-buru, gapailah citamu; sehat terencana, mandiri kuncinya; ojo pada kawin bocah".

The government has stipulated Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection as a policy reference in the implementation of child protection. Referring to the above provisions, the author decided to analyze the efforts of the *JoKawinBocah* movement in preventing child marriage based on the policies contained in the Child Protection Law. Nisa et al. found that the implementation of the program was proven to increase knowledge about maturing the age of marriage through the introduction of the *JoKawinBocah* movement.²⁵ However, the implementation of the program, which is still relatively new, has not been comprehensive among the people of Semarang City as a form of effort to prevent child marriage. Because of this background, this research was conducted with the aim of identifying obstacles to the implementation of the *JoKawinBocah movement* and examining children's rights as an effort to prevent child marriage through the *JoKawinBocah* movement in Semarang City.

²⁵ Nisa et al., "Peningkatan Pengetahuan Tentang Pendewasaan Usia Perkawinan Melalui Pengenalan Gerakan Jo Kawin Bocah."

B. Statement of Problem

1. What are the obstacles to the implementation of the *JoKawinBocah* movement as an effort to prevent child marriage in Semarang City?
2. How is the implementation of the children's rights in the *JoKawinBocah* movement in preventing child marriage in Semarang City assessed by children's rights?

C. Objective of Research

1. Identifying obstacles to the implementation of the *JoKawinBocah* movement as an effort to prevent child marriage in Semarang City.
2. Analyzing the implementation of children's rights in the *JoKawinBocah* movement in preventing child marriage in Semarang City studied with children's rights.

D. Benefit of Research

1. Theoretical benefits
 - a. In theory, this research is expected to provide an understanding of the rights of children listed in Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection.
 - b. Contribute to developing the treasury of knowledge on issues related to preventing child marriage.
2. Practical benefits
 - a. Provide data for further research as a guide to explore efforts that can be made to prevent child marriage.

- b. Providing information about the literacy of marriage law to the public, especially regarding the age limit of marriage and efforts to prevent the increase in child marriage.

E. Operational Definition

JoKawinBocah is a Javanese word that literally means *Jo: Ojo* or *Jangan; Kawin: Menikah; Bocah: Anak*. *JoKawinBocah* is a movement and invitation for the community (including children), especially in Central Java to prevent child marriage. This movement is a program of the Central Java Provincial Government initiated by the Central Java Provincial Office of Women's Empowerment, Child Protection as a massive joint movement to prevent child marriage in Central Java.

F. Structure of Discussion

For the preparation of this thesis to be directed, systematic, and interrelated from one chapter to another. So, the author divides the writing systematic into five chapters, and each chapter has its parts and details. The arrangement is as follows:

Chapter I (first). The introduction contains a description of the background of the problem, which is the reason for conducting the research. Furthermore, the identification of problems contained in the background is carried out, then the research objectives, research benefits, and operational definitions that explain some meanings and end with an explanation of the overall research order.

Chapter II (second). A reference review of children's rights in the *JoKawinBocah* movement as an effort to prevent child marriage in Semarang City. This aims to obtain support and reference data in conducting research. This chapter discusses previous research and a general explanation of the theoretical framework of several definitions contained in the title, namely regarding children's rights in the review of Legislation and Islamic Law.

Chapter III (third). An explanation of the research methods used. This chapter explains in detail what methods are used which are detailed as follows types of research, research approaches, research data sources, research implementation locations, data collection methods and data processing methods.

Chapter IV (fourth). This chapter explains the results of exposure and discussion, namely by describing how the results of research on the "*JoKawinBocah* Movement as an Effort to Prevent Child Marriage in Semarang City: A Study of Children's Rights".

Chapter V (fifth). This chapter is a closing that contains conclusions and suggestions. In the conclusion section contains a brief and concise description of the results of the research that has been carried out and answers to the problems that have been formulated previously, while the suggestions contain solutions to problems found during the research.

CHAPTER II

LITERATURE REVIEW

A. Previous Research

Previous research is research that has been completed by researchers before the author, the purpose of the existence of previous research is as a reference in research by looking at the differences and similarities between research written by the author and research that has previously been conducted based on studies in the discussion of research. As a comparison, the author takes several studies from theses and journals that have similarities in the type of problem or discussion study with the aim of proving whether this research has been done or not by previous researchers. Then the author describes several research results related to the discussion to be studied, namely:

The first research is Lila Maritza (2022) with the title, "*Implementasi Surat Edaran Gubernur Jawa Timur Nomor 474.14/810/109.5/2021 dalam Menanggulangi Meningkatnya Dispensasi Kawin (Studi di Pengadilan Agama Tuban)*".²⁶ Thesis of Islamic Family Law Study Program, Faculty of Sharia, Maulana Malik Ibrahim State Islamic University Malang. This thesis discusses the implementation of the East Java Governor's Circular Letter Number 474.14/810/109.5/2021 in overcoming the increase in marriage dispensation cases during the pandemic and the implications of the issuance

²⁶ Lila Maritza, "Implementasi Surat Edaran Gubernur Jawa Timur Nomor 474.14/810/109.5/2021 Dalam Menanggulangi Meningkatnya Dispensasi Kawin," *Undergraduate Thesis* (Universitas Islam Negeri Maulana Malik Ibrahim Malang, 2022).

of the Circular Letter on the judge's decision on the application for marriage dispensation at the Tuban Religious Court. The type of research used in this study is field research with a qualitative approach. The result of this study is that the implementation of the circular letter is still not optimal because the related agencies lack synergy. In addition, the community also still adheres to existing customs, so cases of marriage dispensation are still increasing. In implementing the circular letter, the Village Government conducted socialization related to the change in age to 19 years and appealed to the community to take compulsory education for 12 years. In addition, the village also collaborates with the Village Midwife through the BKR program. As for the implications of the issuance of the circular letter on the judge's decision, the judge looked at the *mafsadat* and *maslahah* of the case with consideration of *maqashid sharia*. In his decision, the judge was guided by existing laws and regulations.

The second study written by Firda Laily Mufid and Muhammad Hoiru Nail, (2021) with the title, "*Upaya Pencegahan Pernikahan Usia Dini pada Remaja di Kelurahan Jember Lor Kabupaten Jember*".²⁷ *Rechtens Journal*, Volume 10, No. 1, June 2021, Faculty of Law, Jember Islamic University. This journal contains the factors that cause early marriage and efforts to prevent it in adolescents in Jember Lor Village, Jember Regency. The type of research used in this research is empirical-normative research

²⁷ Mufid and Nail, "Upaya Pencegahan Pernikahan Usia Dini Pada Remaja Di Kelurahan Jember Lor Kabupaten Jember."

with a qualitative approach that aims to explore the depth of information obtained. The results of this study found that the causes of many early marriages in Jember Lor Village are due to: economic factors, educational factors, parental factors and customs factors. The economic factor is due to the lack of sufficient economy so that parents marry off their children at an early age in order to reduce the burden on parents. Low education factors, causing a lack of understanding of the Marriage Law regarding the terms and conditions of marriage. The parental factor, due to arranged marriage. Meanwhile, the prevention efforts carried out in Jember Lor Village are by 1) increasing village socialization to reduce early marriage, 2) coordinating with the Principal in Patrang Subdistrict to help suppress the occurrence of early marriage in school activities by providing motivation to continue education to a higher level, 3) The Patrang Sub-district Lurah Association agreed to make a policy that if invited to a *walimah* event where one of the bride and groom is underage, the Patrang Sub-district Lurah will not attend the invitation.

The third research written by Mansari and Rizkal, (2021) with the title "*Peranan Hakim dalam Upaya Pencegahan Perkawinan Anak: Antara Kemaslahatan dan Kemudharatan*".²⁸ Journal of Family Law, El-Usrah, Volume 4, No. 2, July-December 2021, Iskandar Muda University Banda Aceh. This journal contains the role and challenges of judges in preventing

²⁸ Mansari and Rizkal, "Peranan Hakim Dalam Upaya Pencegahan Perkawinan Anak: Antara Kemaslahatan dan Kemudharatan," *El-Usrah: Jurnal Hukum Keluarga* 4, no. 2 (2021).

child marriage in the Syar'iyah Court and the considerations made by judges in accepting or rejecting marriage dispensations submitted by applicants at the Syar'iyah Court. The type of research used in this study is empirical juridical research with a qualitative approach. The result of this study is that it is known that judges have a strategic role in efforts to prevent the practice of child marriage, this is because every child marriage must obtain permission from the Syar'iyah Court. The form of the judge's role is concretized by encouraging parents not to continue the application for dispensation of marriage by providing advice and the impact that arises after marriage both psychologically, mentally and educationally for children. The challenge faced by judges in adjudicating marriage dispensation cases is that public understanding of the dangers of child marriage has not been well socialized and adequate witnesses must be presented so that the background of the desire to marry can be explored comprehensively. The judge's consideration granted the application for dispensation of marriage by considering the aspect of the best interest of the *child* and the existence of evidence showing that marriage is an urgent matter based on the facts at trial.

The fourth research written by Titing Sugiarti and Kunthi Tridewiyanti, (2021) with the title "*Implikasi dan Implementasi Pencegahan Perkawinan Anak*".²⁹ Journal of Legal Reasoning, Volume 4, No. 1, December 2021, Faculty of Law, Pancasila University. This journal

²⁹ Sugiarti and Tridewiyanti, "Implikasi Dan Implementasi Pencegahan Perkawinan Anak."

contains the implications and implementation of the enactment of Law Number 16 of 2019 regarding the prevention of child marriage. The type of research used in this research is normative juridical research with a quantitative approach. The results of this study show that the implications of policy mapping and harmonization efforts continue to be carried out by the Government to prevent child marriage. Harmonization is needed so that various central and regional level regulations can be harmonized, mutually supportive and effective in their implementation in the field. Law Number 16 of 2019 concerning Marriage still needs to be synchronized with Supreme Court Regulation Number 5 of 2019 concerning Guidelines for Adjudicating Marriage Dispensation Applications. This effort is made for the consistency and firmness of judges in deciding marriage dispensation cases in accordance with the spirit of preventing or rejecting child marriage. Although the Government is trying to prevent child marriage by issuing Law Number 16 of 2019 and followed by the issuance of Supreme Court Regulation Number 5 of 2019 concerning Guidelines for Adjudicating Marriage Dispensation Requests, in its implementation there are still several cases of child marriage, especially during the Covid-19 pandemic the data obtained has increased with several contributing factors, namely social, religious, economic, cultural factors, the implementation of ineffective online teaching and learning activities, and access to negative content on social media and the internet has increased risky online behavior, such as cyber violence, predators, and so on.

The fifth research written by Achmad Najib, Sudirman, and Nurhidayati, (2022) with the title "*Rekonsepsi Pencegahan Kawin Anak dan Dispensasi Kawin Perspektif Undang-Undang Nomor 16 Tahun 2019*".³⁰ Syakhsiyah, Journal of Islamic Family Law, Volume 2 No. 1, 2022, Metro State Islamic Institute. This journal discusses efforts to prevent child marriage and marriage dispensation from the perspective of Law Number 16 of 2019 at the Gunung Sugih Class 1B Religious Court. The type of research used in this study is descriptive qualitative research. The results of this study indicate the impact of changes in the minimum age limit for marriage in Article 7 paragraph (1) of Law Number 16 of 2019 where the age limit for marriage for women is equalized with men, namely 19 years. The increase in the age of marriage has an impact on the Gunung Sugih Class 1B Religious Court, namely the increase in the number of marriage dispensation cases. The reasons for the prospective bride and groom to apply for dispensation of marriage are: the bride-to-be is pregnant outside of marriage, children who have had relations with husband and wife, fear of violating religious and social norms. Efforts to prevent child marriage and dispensation of marriage after Law Number 16 of 2019 at the Gunung Sugih Class 1B Religious Court are to collaborate or MoU agreements with the KUA, Dukcapil, KPPA and so on. The Sugih Religious Court also provides guidance, supervision, and socialization about the dangers of underage

³⁰ Achmad Najib, Sudirman, and Nurhidayati, "Rekonsepsi Pencegahan Kawin Anak Dan Dispensasi Kawin Perspektif Undang-Undang Nomor 16 Tahun 2019," *Syakhsiyah Jurnal Hukum Keluarga Islam* 2, no. 1 (2022): 37–49.

marriage and provides early household education materials in the world of education.

The research mentioned above has similar topics with the research to be studied, namely regarding efforts to prevent child marriage cases. The difference lies in the prevention efforts, the efforts to prevent child marriage studied by Lila Maritza are through the implementation of the governor's circular letter, the research of Firda Laily Mufid et al. through local government efforts, the research of Mansari et al. through the efforts of judges, the research of Titing Sugiarti et al., and Achmad Najib through the perspective of the latest Marriage Law, while in this study the researcher examines the efforts of the *JoKawinBocah* movement initiated by the DP3AP2KB of the Central Java Provincial Government in Semarang City. To more easily show the originality of this paper, the author will categorize it in the following table:

Table 2.1: Research Similarities and Differences

No.	Researcher Name	Research Title	Equation	The difference
1	Lila Maritza (Thesis, Universitas Islam Negeri Maulana Malik Ibrahim Malang, 2022)	<i>"Implementasi Surat Edaran Gubernur Jawa Timur Nomor 474.14/810/109.5/2021 dalam Menanggulangi Meningkatnya Dispensasi Kawin (Studi di Pengadilan Agama Tuban)"</i>	<ol style="list-style-type: none"> Using field research and a qualitative approach. The core of the discussion is both about preventing child marriage 	Using government regulations to prevent child marriage, while the author uses the Provincial Government's community movement to prevent child marriage.

2	Firda Laily Mufid, Muhammad Hoiru Nail (Journal, Jember Islamic University, 2021)	<i>"Upaya Pencegahan Pernikahan Usia Dini pada Remaja di Kelurahan Jember Lor Kabupaten Jember"</i>	The core of the discussion is both about preventing child marriage	Using the efforts of local <i>Kelurahan</i> officials in preventing child marriage, while researchers use the Provincial Government's community movement in preventing child marriage.
3	Mansari, Rizkal (Journal, Iskandar Muda University Banda Aceh, 2021)	<i>"Peranan Hakim dalam Upaya Pencegahan Perkawinan Anak: Antara Kemaslahatan dan Kemudharatan"</i>	The core of the discussion is both about preventing child marriage	Using the role of judges in efforts to prevent child marriage, while the author uses the Provincial Government's community movement in preventing child marriage.
4	Titing Sugiarti, Kunthi Tridewiyanti (Journal, Universitas Pancasila, 2021)	<i>"Implikasi dan Implementasi Pencegahan Perkawinan Anak"</i>	The core of the discussion is both about preventing child marriage	Using the effectiveness of the Law in preventing child marriage, while the researcher uses the Provincial Government's community movement in preventing child marriage.
5	Achmad Najib, Sudirman, Nurhidayati (Journal, Institut Agama Islam Negeri Metro, 2022)	<i>"Rekonsepsi Pencegahan Kawin Anak dan Dispensasi Kawin Perspektif Undang-Undang"</i>	The core of the discussion is both about preventing child marriage	Using the perspective of Law Number 16 of 2019 in preventing child marriage, while the author uses the Provincial Government

		<i>Nomor 16 Tahun 2019"</i>		community movement preventing marriage. in child
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B. Theoretical Framework

1. Children's Rights in Legislation

a. Constitution of the Republic of Indonesia Year 1945

The 1945 Constitution of the Republic of Indonesia is a written legal basis that is the basis and source of other regulations or other legislation that applies in the Republic of Indonesia. The 1945 Constitution of the Republic of Indonesia has legal force that binds the government, state/government institutions, community institutions and citizens/residents of Indonesia. The material contained in the 1945 Constitution includes the rights and obligations of citizens.

Children are the buds, potential, and young generation of successors to the ideals of the nation's struggle who have a strategic role and have special characteristics and characteristics that ensure the continued existence of the nation and state.³¹ The government and state are obliged to protect children's rights, as stated in Article 28B paragraph (2) of the 1945 Constitution of the Republic of Indonesia "Every child has the right to survival, growth and

³¹ Meilan Lestari, "Hak Anak Untuk Mendapatkan Perlindungan Berdasarkan Peraturan Perundang-Undangan," *UIR Law Review* 1, no. 02 (2017): 183–90.

development and the right to protection from violence and discrimination."

b. CEDAW (Convention on the Elimination of All Forms of Discrimination against Women)

Indonesia ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) with Law No. 7 of 1984 on the Ratification of the Convention on the Elimination of All Forms of Discrimination against Women on July 24, 1984 which means making the convention part of national law.³² The convention was adopted by the United Nations General Assembly on December 18, 1979. It consists of 30 articles that aim to eliminate all forms of discrimination against women and the realization of gender justice and equality.

There are several principles of the CEDAW convention that are related to this research, including:

- 1) to uphold the legal protection of women's rights on an equal basis with men and to ensure through competent national courts and other government bodies, the effective protection of women against any act of discrimination;

³² Achie Sudiarti Luhulima, *Cedaw: Menegakkan Hak Asasi Perempuan* (Jakarta: Yayasan Pustaka Obor Indonesia, 2014).

- 2) not to commit any act or practice of discrimination against women, and to ensure that government officials and state institutions will act in accordance with such obligations;
- 3) To ensure that family education through a proper understanding of pregnancy as a social function and the recognition of the joint responsibility of men and women in the upbringing of their children, it is necessary that the interests of the children are the primary consideration in all matters;
- 4) the right to protection of occupational health and safety, including efforts to protect the function of continuing offspring;
- 5) States parties are obliged to grant women equal rights with men before the law;
- 6) equal rights to enter into marriage;
- 7) equal right to freely choose a husband and to enter into marriage only with free and full consent;
- 8) equal rights and responsibilities during the marriage and at the termination of the marriage.

The principles of the CEDAW convention are related to this research because the impact arising when child marriage occurs is very detrimental to women's rights.

c. Law No. 35 of 2014 on the Amendment to Law No. 23 of 2002 on Child Protection

Law No. 35/2014 on the Amendment to Law No. 23/2002 on Child Protection is the juridical basis for the implementation of child protection in Indonesia. Children's rights are listed in Chapter III starting from Article 4 to Article 18 on children's rights. Based on this law, every child:³³

- 1) have the right to live, grow, develop, and participate reasonably in accordance with the dignity of humanity, and receive protection from violence and discrimination;
- 2) are entitled to a name as their identity and citizenship status;
- 3) have the right to worship according to their religion, to think, and to express themselves in accordance with their level of intelligence and age, under the guidance of parents or guardians;
- 4) have the right to know their parents, to be raised and nurtured by their own parents;
- 5) is entitled to be cared for or appointed as a foster child or adopted child by another person in accordance with the provisions of the applicable laws and regulations, if for some

³³ Pasal 4 sampai dengan Pasal 18 Undang-Undang Nomor 35 Tahun 2014 Tentang Perubahan Atas Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak.

reason the parents cannot ensure the growth and development of the child, or the child is neglected, then the child;

- 6) are entitled to obtain health services and social security in accordance with their physical, mental, spiritual and social needs;
- 7) have the right to receive education and teaching in order to develop their personality and level of intelligence in accordance with their interests and talents;
- 8) are entitled to protection in education units from sexual crimes and violence committed by educators, education personnel, fellow students, and/or other parties;
- 9) Children with disabilities are entitled to special education, in addition to education and teaching for children in general, and children with excellence are also entitled to special education;
- 10) have the right to express and be heard, receive, seek and provide information in accordance with their level of intelligence and age for their own development, in accordance with the values of decency and propriety;
- 11) have the right to rest and utilize leisure time, associate with children of the same age, play, recreation, and creativity in accordance with their interests, talents, and level of intelligence for self-development;

- 12) People with disabilities are entitled to rehabilitation, social assistance, and maintenance of social welfare levels;
- 13) while in the care of parents, guardians or any other party responsible for their care, are entitled to protection from treatment:
 - a) discrimination;
 - b) exploitation, both economic and sexual;
 - c) neglect;
 - d) cruelty, violence, and abuse;
 - e) injustice; and
 - f) other mistreatment;
- 14) are entitled to be cared for by their own parents, unless there are valid legal reasons and/or rules that show that separation is in the best interests of the child and is the last consideration;
- 15) In the event of separation of both parents, the child has the right to meet directly and have permanent personal contact with both parents; receive care, maintenance, education, and protection for the growth and development process from both parents in accordance with their abilities, talents, and interests; receive living expenses from both parents; and obtain other children's rights;
- 16) entitled to protection from:
 - a) abuse in political activities;

- b) involvement in armed disputes;
 - c) involvement in social unrest;
 - d) involvement in violent events;
 - e) involvement in war; and
 - f) sex crimes;
- 17) are entitled to protection from being subjected to persecution, torture or inhumane punishment;
- 18) The right to freedom in accordance with the law; arrest, detention or imprisonment of a child shall only be carried out in accordance with applicable law and shall only be used as a last resort;
- 19) every child deprived of liberty has the right to:
- a) are treated humanely and placed separately from adults;
 - b) obtain legal aid or other assistance effectively at every stage of the applicable legal remedies;
 - c) defend themselves and obtain justice before an objective and impartial juvenile court in a hearing closed to the public;
- 20) every child who is a victim or perpetrator of sexual violence or who is in conflict with the law has the right to confidentiality;
- 21) Every child who is a victim or perpetrator of a criminal offense is entitled to legal and other assistance.

The existence of the Child Protection Law is very necessary because the law not only contains the rights of children, but also regulates efforts to organize child protection in order to maintain and protect the fulfillment of children's rights and also protect children from things that can hinder the growth and development of children physically, mentally, spiritually, and socially. The details of children's rights listed in the Child Protection Law are very detailed and cover various aspects of children's lives, including physical, spiritual, mental, spiritual and social, as well as protection from all forms of violence, abuse and discrimination.³⁴

The Child Protection Law sees children in a general social perspective so that later children are individuals who live in public areas as part of Indonesian citizens, as the next generation of the nation who have in common with adults for the protection and fulfillment of their rights. However, because a child must be in the care of adults, he has obligations that must be fulfilled by his parents and family. Article 26 paragraph (1) contains the obligations and responsibilities of parents over children, namely:

- 1) nurture, maintain, educate, and protect the child;
- 2) develop children according to their abilities, talents and interests;

³⁴ Hani Sholihah, "Perbandingan Hak-Hak Anak Menurut Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak Dan Hukum Islam," *Al-Afkar, Journal for Islamic Studies* 1, no. 2 (2018): 88–112, <https://doi.org/10.5281/zenodo.3554863>.

- 3) preventing child marriage; and
- 4) providing character education and instilling ethical values in children.

2. Children's Rights in Islamic Law

The Qur'an and Hadith are the sources of Islamic law that form the basis for the implementation of giving great attention to the maintenance and protection of children's rights. The rights of children according to Islamic law include:

a. Right to life and development

Islam strongly upholds the right to life of every human being even a fetus still in the womb, this is evident from the prohibition of killing women and children in war. There are several general rules and principles derived from the Qur'an as evidence that proves that Islam teaches to protect the survival and growth of a child, among others:

1) QS. Al-Isra (17):31

وَلَا تَقْتُلُوا أَوْلَادَكُمْ حَشِيَّةَ إِمْلَاقٍ ۖ نَحْنُ نَرْزُقُهُمْ وَإِيَّاكُمْ ۚ إِنَّ قَتْلَهُمْ كَانَ خِطْئًا كَبِيرًا

"And do not kill your children for fear of poverty. We will provide for them and for you. Verily, killing them is a great sin."³⁵

³⁵ Departemen Agama RI, *Mushaf Al-Qur'an Dan Terjemah* (Jakarta: CV. Pustaka Al-Kautsar, 2018), 285.

2) QS. Al-An'am (6):151

... وَ لَا تَقْتُلُوا أَوْلَادَكُمْ مِّنْ إِمْلَاقٍ نَّحْنُ نَرْزُقُهُمْ وَإِيَّاهُمْ...

"...do not kill your children for poverty. It is we who provide for you and for them..."³⁶

As an implication of the existence of a person's right to life, including the fetus that is still in the womb, Islam teaches all forms of care, protection, and maintenance of the fetus/child, which in its implementation is charged to both parents.³⁷

b. Right to nasab recognition

The most important right that has the greatest benefit for the life of a child is the right to nasab recognition. The attribution of lineage to the father will create definite recognition from the community, and show that the child is truly his offspring. As Allah says in QS. Al-Ahzab (33):5

ادْعُوهُمْ لِآبَائِهِمْ هُوَ أَفْسَطُ عِنْدَ اللَّهِ ۖ فَإِنْ لَمْ تَعْلَمُوا آبَاءَهُمْ
فِي الْخِوَانِكُمْ فِي الدِّينِ وَمَوَالِيكُمْ ۖ وَلَيْسَ عَلَيْكُمْ جُنَاحٌ فِيمَا أَخْطَأْتُمْ
بِهِ وَلَكِنْ مَّا تَعَمَّدَتْ قُلُوبُكُمْ ۖ وَكَانَ اللَّهُ غَفُورًا رَّحِيمًا

"Call them by their fathers' names; that is more just in the sight of Allah, and if you do not know their fathers, then call them your brothers in religion and your forefathers. And there is no sin on you for that of which you are ignorant, but (the sin is) that of which your hearts are intentional. And Allah is Forgiving, Merciful."³⁸

³⁶ RI, *Mushaf Al-Qur'an Dan Terjemah*.

³⁷ Sholihah, "Perbandingan Hak-Hak Anak Menurut Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak Dan Hukum Islam."

³⁸ RI, *Mushaf Al-Qur'an Dan Terjemah*.

This verse indicates that a child has the right to be called by the name of his father, not the name of another person, even if that other person is the one who took care of him since childhood. This is intended to make the child's lineage clear.

c. Right to care and treatment

It is obligatory for parents to nurture and care for their children, just as it is obligatory for parents to provide good livelihoods for their children for their own benefit and survival. Parents are responsible for their children and will be held accountable on the Day of Judgment. As Allah's word in QS. At-Tahrim (66):6

يَا أَيُّهَا الَّذِينَ آمَنُوا قُوا أَنْفُسَكُمْ وَأَهْلِيكُمْ نَارًا وَقُودُهَا النَّاسُ وَالْحِجَارَةُ

"O you who believe, protect yourselves and your families from the fire of hell, whose fuel is man and stone."³⁹

The verse contains an obligation on parents to look after and take good care of their children and family, because a child has the right to be guarded and maintained by their parents properly.

d. Right to maintenance (living expenses) and welfare

Nafkah is spending, and the basic needs required by everyone who needs it. Some fiqh experts are of the opinion that

³⁹ RI.

what is meant by basic needs is food, clothing and shelter.⁴⁰ A child is entitled to be provided for and to have all the basic needs of life paid for by the father until the child has the ability to provide for himself. QS. Al-Baqarah (2):233 is the legal basis for the obligation of parents to provide for their children.

وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُنَمِّمَ الرِّضَاعَةَ وَعَلَى

الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ

"And mothers should breastfeed their children for two full years, for those who wish to breastfeed fully. And it is the duty of the father to provide for them and clothe them in an appropriate manner."⁴¹

e. Right to education and teaching

In a narration from Ibn Abbas, Imam Baihaqi relates that the Companions said: "O Rasulallah, we have learned what the parents are entitled to. So, what are the rights of children?" The Messenger of Allah replied: "Honoring his name and honoring his education. If the child has grown up, then marry him off. If he comes of age, but is not married off, then he commits a sin, then his father bears the sin." This hadith is the basis for parents to provide education for their children starting early, from the time they are born, even from the time they are still in the womb.

⁴⁰ HM. Budiyanto, "Hak-Hak Anak Dalam Perspektif Islam," *Raheema Jurnal Studi Gender Dan Anak* 1, no. 1 (2014), <https://doi.org/10.24260/raheema.v1i1.149>.

⁴¹ RI, *Mushaf Al-Qur'an Dan Terjemah*.

CHAPTER III

RESEARCH OF RESEARCH

The research method is an effort to investigate and explore a problem by using scientific work methods carefully and thoroughly to collect, process, analyze data and draw conclusions systematically and objectively to solve a problem or test a hypothesis to obtain knowledge that is useful for human life.⁴²

A. Type of Research

This research is a type of empirical juridical research. In this study, the author examines the obstacles to the implementation of the *JoKawinBocah* movement in preventing child marriage in Semarang City and examines the implementation of children's rights in the *JoKawinBocah* movement in terms of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection.

B. Research Approach

The research approaches used in this research are sociological approach, statutory approach and conceptual approach. The sociological approach is used to find out the efforts of the *JoKawinBocah* movement and its contribution in reducing the high rate of child marriage in Semarang. The statutory approach is carried out by examining the rights of children contained in the 1945 Constitution of the Republic of Indonesia, Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002

⁴² Rifa'i Abubakar, *Pengantar Metodologi Penelitian* (Yogyakarta: SUKA-Press UIN Sunan Kalijaga, 2021).

concerning Child Protection. The conceptual approach is used to find out the views of legal experts related to children's rights.

C. Research Location

The location of this research focuses on agencies in Semarang City that are involved in the *JoKawinBocah* movement, including DP3AP2KB of Central Java Province, DP3A of Semarang City, Anantaka Foundation and Social Services.

D. Data Sources

The data sources used in this research are divided into two sources, namely:

1. Primary data source

Primary data sources are data obtained from the main source.⁴³ Primary data in this study was obtained from interviews with informants and sources who have a role in the *JoKawinBocah* movement, including the Child Rights Fulfillment Division of DP3A Semarang City, the Women's and Special Protection Section of DP3A Semarang City, the Sub-Coordinator for Child Protection of DP3AP2KB Central Java Province, Anantaka Foundation, the Social Affairs Office, and the Head of Tanjung Mas Village. The head of Tanjung Mas Village was used as one of the resource persons in this research because Tanjung Mas Village is one of the vulnerable villages in Semarang City.

⁴³ Muhaimin, *Metode Penelitian Hukum* (Mataram: Mataram University Press, 2020).

Table 3.1: Sources and Informants

No.	Name	Description
1	Isti Ilma Patriani, S.Psi, M.Psi.	Sub Coordinator of Child Protection DP3AP2KB Central Java Province
2	Titik Hartini, S.Pd., M.M.	Child Rights Fulfillment Division of DP3A Semarang City
3	Drs. Bambang TM, M.M.	Women and Child Protection Section of DP3A Semarang City
4	Rustiyanah Rachman, S.Sos., M.M.	Care and Environment Subcoordinator and Functional Position Group
5	Sony Yudha P.P., S.Stp., M.Si.	Head of Tanjung Mas Village
6	Tsaniatus Solihah, S.E.	Director of Anantaka Foundation
7	Sri Utami, SH	Child and Elderly Social Rehabilitation Sub-Coordinator

2. Secondary data sources

Secondary data sources are data/information obtained not directly from sources but from third parties. Secondary data is obtained from various literatures and previous research results.⁴⁴ In this research, the author uses secondary data in the form of statistical data contained in DP3A Semarang City regarding child marriage, the 1945 Constitution of the Republic of Indonesia, Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage, Law

⁴⁴ Eko Sugiarto, *Menyusun Proposal Penelitian Kualitatif Skripsi Dan Tesis* (Yogyakarta: Suaka Media, 2015), 87.

Number 35 of 2014 concerning Child Protection and other reference books related to the theme of this research.

E. Technique of Data Sources Collection

Data collection methods are used to collect the data needed in accordance with the research objectives. In this research, the data collection methods used by the author are interviews and documents.

1. Interview

Interview is one of the primary data collection methods sourced directly from research sources in the field (location).⁴⁵ Interviews aim to obtain answers and information directly from sources and informants by conducting questions and answers. The interview technique used in qualitative research is *in-depth* interview, which is the process of obtaining information or information with research objectives carried out by meeting face-to-face directly between the interviewer and the interviewee with or without using guidelines.⁴⁶ Interviews in this study were conducted directly in Semarang City with sources and informants who have a role in the *JoKawinBocah* movement.

2. Documentation Study

Documentation study is one of the qualitative data collection methods by examining or analyzing documents made by the subject

⁴⁵ Muhaimin, *Metode Penelitian Hukum*.

⁴⁶ Mardawani, *Praktis Penelitian Kualitatif Teori Dasar Dan Analisis Data Dalam Perspektif Kualitatif* (Yogyakarta: Deepublish, 2020), 50.

himself or others about the research subject.⁴⁷ Documents in this study are in the form of written data analysis accompanied by several photos during the implementation of interviews and data collection in accordance with the research objectives.

F. Data Analysis

The data processing method aims to obtain data and legal materials in a coherent, systematic manner, so that later it will make it easier for the author to analyze.⁴⁸ The stages of data processing used in this research include:

1. Editing

At this stage, the author edits the data in accordance with the formulation of the problem which focuses on the data that has been collected. The data is in the form of the results of interviews with informants and informants, as well as other supporting data that has to do with children's rights and the *JoKawinBocah* movement in its efforts to prevent child marriage. Editing data aims to reduce errors in the writing of words and sentences contained in this research so that later it can improve the quality and credibility of this research.

2. Classifying

At this stage, the author categorizes or classifies the data that has been collected, both data sourced from primary and secondary data

⁴⁷ Mardawani, *Praktis Penelitian Kualitatif Teori Dasar Dan Analisis Data Dalam Perspektif Kualitatif*.

⁴⁸ Muhaimin, *Metode Penelitian Hukum*.

sources. Sources of data included in primary data sources are the results of interviews with sources involved and informants targeted by the *JoKawinBocah* movement. Meanwhile, secondary legal sources include laws and regulations, theses, journals, book references, and other findings that have relevance to children's rights. So that later the composition of this research can be organized neatly, systematically, and well.

3. Verifying

At this stage, the author reviews the suitability of data from informants and sources that have been edited and classified into certain sections to avoid errors in writing and to improve the accuracy of the data obtained.

4. Analyzing

In the next stage, namely the analysis stage, the author analyzes the research as a whole using the data sources and materials as above, with the aim of knowing whether the efforts made by the *JoKawinBocah* movement are in accordance with the policies regarding children's rights contained in the legislation. This analysis stage is carried out by sorting and simplifying the data so that the overall content of this research can be more easily understood and presented so that it will produce a clear picture of the results of this research.

5. Conclusion

In the final stage of this research, namely the conclusion stage, the author draws a final conclusion regarding the results of the analysis related to the constraints and implementation of children's rights in the *JoKawinBocah* movement in an effort to prevent child marriage in Semarang City which is the answer to the questions contained in the problem formulation.

CHAPTER IV

DISCUSSION OF RESEARCH FINDINGS

A. Overview of the *JoKawinBocah* Movement

JoKawinBocah is a Javanese word that can literally be interpreted as *Jo: Ojo* or *Jangan*; *Kawin: Menikah*; *Bocah: Anak*. The *JoKawinBocah* movement is a movement and invitation for the community (including children), especially in Central Java to prevent child marriage. The *JoKawinBocah* movement is a program of the Central Java Provincial Government that was initiated by the Central Java Provincial Women's and Children's Empowerment Office based on concerns about the phenomenon of child marriage in Central Java Province which is quite high. The *JoKawinBocah* movement was officially launched on November 20, 2020. There are two legal bases that form the basis for the emergence of the *JoKawinBocah* movement, namely Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage and Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection.

The JoKawinBocah movement aims to increase public awareness (including children) and increase the joint commitment of stakeholders regarding efforts to prevent child marriage, as an effort to mature the age of marriage (PUP) and fulfill children's rights, and contribute to reducing maternal mortality rates (MMR) and infant and toddler mortality rates (IMR and IMR) and prevent stunting. The *JoKawinBocah* movement not only

prevents child marriage, but also invites the people of Central Java to really ensure their readiness before marriage.

The main targets of the *JoKawinBocah* movement are parents, families, and children, especially those in vulnerable groups, including poor families, low education, rural communities, youth groups, single/alternative care, and other vulnerable groups. The structure of the *JoKawinBocah* movement is under the auspices of the Office of Women's Empowerment, Child Protection and involves elements of "PENTAHELIX", namely government, community, academia, mass media and the business world. In their contributions, they have roles according to their respective positions and responsibilities.

The assessment of the effectiveness of the *JoKawinBocah* movement as an effort to prevent child marriage in Semarang City refers to the data on child marriage data contained in the Women and Child Protection (PPA) Division of DP3A Semarang City, which collaborates with the Office of Religious Affairs (KUA) per sub-district and the Religious Court.

B. Data Exposure

1. Implementation Constraints of the *JoKawinBocah* Movement as an Effort to Prevent Child Marriage in Semarang City

Child marriage is a national issue, and is one of the 5 presidential directives to the Minister of Women's Empowerment and Child Protection (KEMENPPPA), including:

- a. increased empowerment of women in entrepreneurship;
- b. increasing the role of mothers in children's education;
- c. decrease in violence against women and children;
- d. decrease in child labor;
- e. prevention of child marriage.⁴⁹

The JoKawinBocah movement is a form of effort from the Central Java Provincial Government, initiated by Office of Women's Empowerment, Child Protection and Population Control and Family Planning (DP3AP2KB) of Central Java Province in realizing the prevention of child marriage that occurs in Central Java. The Semarang City Office of Women's Empowerment, Child Protection (DP3A) is the implementer of the *JoKawinBocah* movement within the scope of Semarang City and is responsible for child marriage cases that occur in Semarang City.

The efforts made by the *JoKawinBocah* movement in preventing and reducing the number of child marriages that occur in Semarang City are as follows:

- a. Education and Socialization

DP3A continues to educate and socialize the *JoKawinBocah* movement to the community in an effort to prevent child marriage

⁴⁹ Kementerian Pemberdayaan Perempuan dan Perlindungan Anak, "5 Arah Presiden kepada Menteri Pemberdayaan Perempuan dan Perlindungan Anak," Kementerian Pemberdayaan Perempuan dan Perlindungan Anak Republik Indonesia, 2020, diakses 6 Mei 2023 <https://www.kemenpppa.go.id/index.php/page/view/4>.

in Semarang City. Mrs. Titik Hartini, S.Pd., M.M. as the Head of Child Rights Fulfillment Division of DP3A Semarang City said:

“Kegiatan sosialisasi JoKawinBocah dilaksanakan pada Program Unggulan/Inovasi Forum Anak Kota Semarang melalui kegiatan BOBS. BOBS itu Bincang Online/Offline Bocah Semarang) yang di tahun 2021 dilaksanakan 1 kali kegiatan, di tahun 2022 dilaksanakan 5 kali. Ya disitu kami mensosialisasikan gerakan JoKawinBocah.”⁵⁰

"The JoKawinBocah socialization activity is carried out in the Semarang City Children's Forum Featured/Innovation Program through BOBS activities. BOBS is Bincang Online/Offline Bocah Semarang) which in 2021 will be held once, in 2022 it will be held 5 times. That's where we socialize the JoKawinBocah movement."

In reducing the number of child marriages, the *JoKawinBocah* movement under the auspices of DP3A Semarang City has conducted education and socialization about child marriage to the community, especially to parents and children. BOBS activities are carried out by socializing directly to the community through schools, urban villages, sub-districts, and RT and RW. Mr. Drs. Bambang TM, M.M. as the Women and Child Protection Section of DP3A Semarang City said:

“dalam sosialisasinya itu melalui kegiatan BOBS Forum Anak dengan menghadirkan narasumber dari lembaga pemerhati anak.”⁵¹

"The socialization is through the Children's Forum BOBS activity by presenting resource persons from children's organizations."

⁵⁰ Titik Hartini, Wawancara, (Semarang, 9 Desember 2022).

⁵¹ Bambang, Wawancara, (Semarang, 9 Desember 2022).

The education and socialization explained about reproductive health and the impact of child marriage, including the vulnerability of sexually transmitted diseases, the fetus that is conceived is more vulnerable to malnutrition, and family resilience.

In accordance with the statement of Mr. Sony Yudha P.P., S.Stp., M.Si. as the Head of Tanjung Mas Sub-district, the form of socialization of the *JoKawinBocah* movement at the village level is carried out in a way:

“yang pertama itu kita pastikan setiap anak yang ada di Kelurahan Tanjung Mas sudah teredukasi dengan program wajib belajar dan jam keluarga. Kemudian memetakan berapa sih angka pastinya anak yang membutuhkan perlindungan, karena hal ini gandeng deret dengan ketika anak-anak itu sudah menikah muda mengakibatkan anak-anak yang lahir dari mereka itu menderita kekurangan gizi maupun stunting. Jadi kita berkolaborasi, misalnya ada anggaran/program kegiatan dari DP3A kita melakukan sosialisasi langsung dengan Pak RW dan Pak RT terkait dengan pemenuhan hak anak dan perlindungan anak, utamanya ya itu perkawinan anak itu. Nantinya dari kolaborasi itu menciptakan suatu kegiatan yang menjadi kegiatan berkesinambungan.”⁵²

“First, we make sure that every child in Tanjung Mas Village has been educated with the compulsory education program and family hours. Then map the exact number of children who need protection, because this goes hand in hand with when these children are married young, resulting in children born to them suffering from malnutrition or stunting. So we collaborate, for example there is a budget / activity program from DP3A, we conduct direct socialization with Pak RW and Pak RT related to the fulfillment of children's rights and child protection, especially child marriage. Later, the collaboration creates an activity that becomes a sustainable activity.”

⁵² Sony Yudha, Wawancara, (Semarang, 9 Desember 2022).

The compulsory education program is an effort by the government to require children to pursue their education for 12 years, also known as the 12-year compulsory education program. This program aims to expand education equity, improve the quality and competitiveness of the nation, and reduce the gap in secondary education attainment between community groups. Meanwhile, what is meant by family time is the time spent by a child in a family environment, this is an important foundation considering that the growth and development of a child's character depends on family upbringing.

The program promoted by the *JoKawinBocah* movement in reducing the number of child marriages in Semarang is based on Bu Titik's explanation:

*“programnya ya kegiatan-kegiatan anak itu, seperti melakukan penyuluhan dan sosialisasi terus menerus.”*⁵³

“The program is the activities of the child, such as conducting continuous counseling and socialization.”

In line with this, Mr. Sony Yudha said:

*“kalo yang di kelurahan itu, kelurahan kita. Kelurahan Tanjung Mas kebetulan dijadikan sebagai pilot project oleh Ibu Menteri sendiri, jadi dari beberapa desa, awalnya hanya 2 kelurahan yang ada di Kota Semarang, salah satunya Kelurahan Tanjung Mas dijadikan sebagai salah dua pilot project Kelurahan Ramah Perempuan dan Peduli Anak.”*⁵⁴

⁵³ Titik Hartini, Wawancara, (Semarang, 9 Desember 2022).

⁵⁴ Sony Yudha, Wawancara, (Semarang, 9 Desember 2022).

"The one in the village, our village. Tanjung Mas Village happened to be used as a pilot project by the Minister himself, so from several villages, initially only 2 villages in Semarang City, one of them Tanjung Mas Village was used as one of the two pilot projects for Women Friendly and Child Care Villages."

Kelurahan Ramah Perempuan dan Peduli Anak is a derivative activity of the *JoKawinBocah* movement which functions as an accommodator, fulfiller, and coordinator related to the needs in the community, especially for women and children who are unable / less capable both materially and educationally. The program will aim to make the surrounding community more concerned about issues related to women and children, one of which is child marriage.

b. Cooperation with other institutions

In the implementation and socialization to the community, DP3A Semarang City does not do everything by itself, there are several institutions that are involved and assist in the process, including:

1) Government

The government in this case is primarily the DP3AP2KB of Central Java Province as the originating institution of the *JoKawinBocah* movement. DP3AP2KB plays an important role in monitoring child marriage that occurs within the scope of Central Java Province. In its role, DP3AP2KB formulates implementing policies in the prevention and handling of child

marriage, provides services for victims of child marriage such as guidance / assistance for children who apply for marriage dispensation or children who have already married. Another government institution that is involved is the Social Service to improve the welfare of vulnerable children by capturing through integrated social welfare data.

2) Communities and Community Organizations

Communities and community institutions also play a role in the process of socializing the *JoKawinBocah* movement to the community, one of which is the Anantaka Foundation as an institution that focuses on assisting street children and vulnerable women based in Semarang City. Its contribution to the *JoKawinBocah* movement is that the Anantaka Foundation provides guidance and direction to beneficiary children regarding the dangers of promiscuity and child marriage, educates parents about the importance of improving childcare, and provides advocacy and counseling services to beneficiary children who are victims of child marriage.

According to Ms. Titik, the efforts made by the *JoKawinBocah* movement in preventing child marriage are quite satisfactory, she conveyed the conditions related to child marriage cases that occur in Semarang City:

“Kalo masa pandemi itu ya anak-anak malah rodo banyak. Sekarang ini sudah mereda, menurun. Karena kan sekarang ini sudah banyak kegiatan, sekolah pun sudah tatap muka.”⁵⁵

"During the pandemic, there were many children. Now it has subsided, decreased. Because now there are many activities, schools are already face-to-face."

Ms. Isti Ilma Patriani, S.Psi., M.Psi. as Sub-Coordinator of Child Protection of DP3AP2KB Central Java Province said that the existence of the *JoKawinBocah* movement was very instrumental in educating children and the community regarding the impact of child marriage. Mr. Sony Yudha P.P., S.Stp., M.Si. as Head of Tanjung Mas Sub-District said:

“terkait dengan JoKawinBocah itu sendiri, kalo di Kota Semarang khususnya Kelurahan Tanjung Mas sudah berjalan, dan malah ini menjadi salah satu pilot project di tingkat nasional. Setelah adanya kegiatan tersebut, kami hanya satu kali menerima laporan terkait dengan adanya kejadian maupun tahun sebelumnya mungkin agak banyak. Jadi kalo ditanya menurun. Insya Allah menurun.”⁵⁶

"Regarding JoKawinBocah itself, in Semarang City, especially Tanjung Mas Village, it has been running, and in fact it has become one of the pilot projects at the national level. After the activity, we only received one report related to the incident, while in the previous year there were many. So if you ask about the decrease. God willing, it has decreased."

Behind this, the *JoKawinBocah* movement in its role in reducing and preventing child marriage also has several obstacles in its implementation and socialization to the community. According to Mrs.

⁵⁵ Titik Hartini, Wawancara, (Semarang, 9 Desember 2022).

⁵⁶ Sony Yudha, Wawancara, (Semarang, 9 Desember 2022).

Titik, the obstacles to the socialization of the *JoKawinBocah* movement to the community are:

“karena sangat terbatas waktu tidak semuanya tersentuh untuk mendengarkan atau mendapatkan sosialisasi secara langsung atau melalui medsos hal ini disebabkan oleh kurang pekanya masyarakat terhadap media yang mengupload terhadap cegah perkawinan anak.”⁵⁷

“Because time is very limited, not all of them are touched to listen to or get socialization directly or through social media, this is due to the lack of public awareness of the media that uploads on preventing child marriage.”

The limited implementation of the program is an obstacle to socializing the *JoKawinBocah* movement to the community. This is because each activity has its own quota of participants, so it cannot expose all existing communities. Meanwhile, people who usually actively participate in socialization activities are people who already understand and are aware of the importance of preventing child marriage, while those who are vulnerable have never participated in these activities and are not exposed to information.

Mrs. Tsaniatus Solihah, S.E. as Director of the Anantaka Foundation gave her views regarding the obstacles to the difficulty of educating children, namely:

“sebenarnya gerakan yang dibutuhkan sekarang itu tuh gerakan yang membudayakan, yang dimaksud dengan gerakan membudayakan itu tu gerakan yang membuat budaya baru, karena kan yang nantinya bisa menjadikan itu suatu budaya kan masyarakat. Misalnya, bagaimana ini menginfluence remaja untuk menaikkan value mereka. Ibaratnya hari ini tuh yang keren tu yang enggak melakukan seks deh, hari ini yang keren itu yang enggak merokok deh. Hal ini sebenarnya tidak

⁵⁷ Titik Hartini, Wawancara, (Semarang, 9 Desember 2022).

memerlukan banyak hal, padahal justru mereka kan yang dari hulunya. Munculnya pernikahan usia anak kan ketika anak-anak ini kemudian mereka tidak mempunyai kesadaran. Nah, hal-hal ini memang belum ada gerakan yang itu budaya baru untuk bagaimana sih menggerakkan remaja untuk menjadi lebih baik.”⁵⁸

"Actually, the movement that is needed now is a civilizing movement, what is meant by a civilizing movement is a movement that creates a new culture, because it is the community that can later make it a culture. For example, how to influence teenagers to increase their value. For example, how can this influence teenagers to increase their value, like today, the cool person is the one who doesn't have sex, today the cool person is the one who doesn't smoke. This doesn't actually require much, even though they are the ones from the upstream. The emergence of child marriage is when these children then have no awareness. Well, these things, there is no movement that is a new culture for how to move teenagers to be better."

The character crisis has hit the children's environment, it is characterized by many actions that deviate from the social norms of society such as the rampant action of pornography. One of the causes of the failure of the socialization process is due to the shift in the role of socialization agents from the family environment to the friendship environment which is very influential for the formation of children's behavior patterns.⁵⁹ Nowadays, children spend less time with their parents than with their peers, and peer relationships are prioritized. Peer interaction is very important in shaping children's behavior, so change is easier to initiate if it is based on the awareness of the child.

Another obstacle was conveyed by Mrs. Isti Ilma:

“Kendala yang kita alami ketika mensosialisasikan JoKawinBocah itu ya terkait persepsi masyarakat yang masih minim tentang hak anak, budaya patriarki yang masih kental seperti menganggap anak

⁵⁸ Tsaniatus Solihah, Wawancara, (Semarang, 3 Januari 2023).

⁵⁹ Yusuf Kurniawan, “Peran Teman Sebaya Dalam Pembentukan Karakter Siswa Madrasah Tsanawiyah,” *Jurnal Ilmu Sosial* 15, no. 2 (2018): 150.

perempuan sebagai miniatur orang dewasa dan perempuan sebagai kanca wingking sehingga tidak diberi kesempatan untuk berpendidikan tinggi dan dinikahkan di usia anak.”⁶⁰

"The obstacles we experience when socializing JoKawinBocah are related to people's lack of perception about children's rights, a strong patriarchal culture such as considering girls as miniature adults and women as kanca wingking so that they are not given the opportunity to be highly educated and married off at a young age."

The patriarchal culture inherent in society undermines the principle of the CEDAW convention, namely *"equal rights and responsibilities during marriage and at the termination of marriage."*

Based on this principle, the CEDAW convention states that both men and women basically have the freedom to enter into and end a marriage.

2. Implementation of Children's Rights in the *JoKawinBocah* Movement

Child marriage is a violation of the fulfillment of children's rights and protection as stipulated in Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection. Children's rights are part of human rights, therefore the government and parents are responsible for ensuring these rights. In the Law, what is meant by child protection is all activities to ensure and protect children and their rights so that they can live, grow, develop, and participate optimally in accordance with the dignity of humanity, and receive protection from violence and discrimination.

⁶⁰ Isti Ilma Patriani, Wawancara, (Semarang, 7 Desember 2022).

The efforts to prevent child marriage initiated by the *JoKawinBocah* movement uphold children's rights, and are in line with what is stated in the Child Protection Law. Ms. Titik said:

*“Gerakan JoKawinBocah mengandung hak dasar anak, yaitu hak pendidikan, hak hidup, hak tumbuh kembang, hak perlindungan, dan hak partisipasi.”*⁶¹

“The JoKawinBocah movement contains the basic rights of children, namely the right to education, the right to life, the right to growth and development, the right to protection, and the right to participation.”

Mrs. Sri Utami as Sub-Coordinator of Social Rehabilitation for Children and the Elderly explained her opinion:

*“menurut saya ya hak-hak anak yang terimplementasikan di gerakan JoKawinBocah itu hak mendapatkan perhatian, hak mendapatkan perlindungan, hak mendapatkan pelajaran hidup.”*⁶²

“In my opinion, the rights of children that are implemented in the JoKawinBocah movement are the right to attention, the right to protection, the right to life lessons.”

Article 4 Chapter III of Law Number 23 of 2002 concerning Child Protection contains the rights and obligations of children, as it reads *“every child has the right to be able to live, grow, develop, and participate reasonably in accordance with the dignity of humanity, and*

⁶¹ Titik Hartini, Wawancara, (Semarang, 9 Desember 2022).

⁶² Sri Utami, Wawancara, (Semarang, 3 Januari 2023).

receive protection from violence and discrimination." Based on the contents of this article, children have the right to protection from violence, one form of violence against children that is considered commonplace by society is child marriage. Child marriage is included in violence because it can trigger sexual violence.

Prevention of child marriage aims to protect and preserve children's rights. The non-fulfillment of various children's rights can have an adverse impact on the development of children who are not optimal. Mr. Sony Yudha argued:

*"anak itu memiliki hak untuk wajib belajar selama 12 tahun, hak bersama keluarga, dan hak bermain. Karena masa anak-anak itu kan emang masanya bermain. Ini juga yang diperjuangkan JoKawinBocah agar anak itu menikmati masanya. Jangan malah anak mengurus anak."*⁶³

"The child has the right to compulsory education for 12 years, the right to be with family, and the right to play. Because childhood is really a time to play. This is also what JoKawinBocah is fighting for so that children enjoy their time. Don't let children take care of children."

The right to play for children should be ensured by adults in the surrounding environment, as Article 31 of the Convention on the Rights of the Child states that every child has the right to play and the government should be able to promote this right. Play for children is closely related to the achievement of child development. However, in exercising this right, there is an obligation of parents to continue to

⁶³ Sony Yudha, Wawancara, (Semarang, 9 Desember 2022).

supervise children in accordance with the morals and ethics that exist in society.

Mrs. Isti Ilma said:

*“JoKawinBocah itu tujuannya mencegah agar anak itu tidak merasakan dampak yang akan muncul dari perkawinan usia anak, perkawinan anak itu kan merugikan anak karena hak-haknya tercerabut.”*⁶⁴

“JoKawinBocah aims to prevent children from feeling the impact that will arise from child marriage, child marriage is detrimental to children because their rights are deprived.”

In the substance of the Convention on the Rights of the Child, there are five clusters, namely civil rights and freedoms; family environment and alternative care; basic health and welfare; education, utilization of leisure time, and cultural activities; and special protection. Prevention of child marriage is included in the family environment and alternative care cluster.⁶⁵ This is in line with the obligations and responsibilities of parents for children contained in Article 26 paragraph (1) of the Child Protection Law letter c *“preventing marriage at the age of a child”*. Child marriage, especially for girls, is a violation of human rights because it can lead to a break in education, closed opportunities

⁶⁴ Isti Ilma Patriani, Wawancara, (Semarang, 7 Desember 2022).

⁶⁵ Kementerian Pemberdayaan Perempuan dan Perlindungan Anak, “Indonesia setelah 30 Tahun Meratifikasi Konvensi Hak Anak,” Kementerian Pemberdayaan Perempuan dan Perlindungan Anak Republik Indonesia, 2020, diakses 6 Mei 2023 <https://kemenpppa.go.id/index.php/page/read/29/2970/indonesia-setelah-30-tahun-meratifikasi-konvensi-hak-anak>.

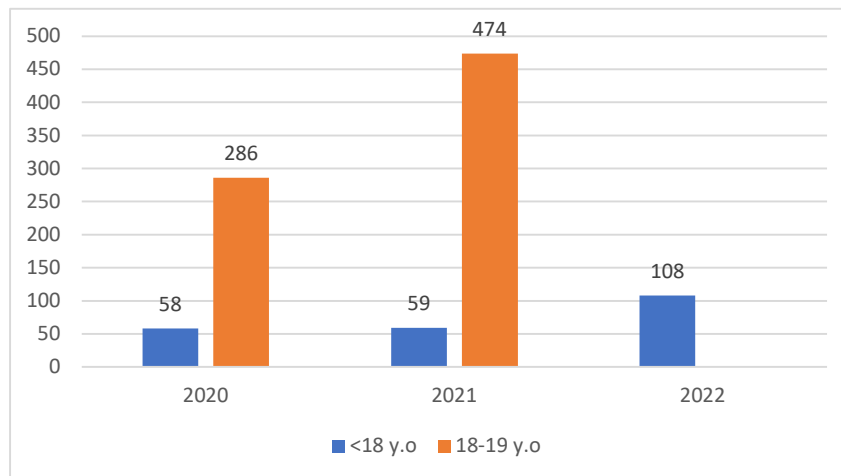
for the physical development of children, sexual exploitation through early pregnancy and childbirth, and increase the risk of other sexual violence.⁶⁶

C. Data Analysis

1. Implementation Constraints of the *JoKawinBocah* Movement as an Effort to Prevent Child Marriage in Semarang City

The JoKawinBocah movement is a Central Java Provincial government program initiated by DP3AP2KB Central Java Province in order to minimize the number of child marriages. Semarang City as the capital of Central Java Province is one of the metropolitan cities in Indonesia. The *JoKawinBocah* movement under the auspices of DP3A Semarang City handles child marriage cases that occur in Semarang City, including education and socialization related to preventing child marriage, fulfilling children's rights, and reproductive health. The *JoKawinBocah* movement is a form of attention from the Central Java Provincial government due to the cases of child marriage that occur, this is evidenced by data on child marriage according to DP3A Semarang City:

⁶⁶ Dina Tsalist Wildana and Irham Bashori Hasba, "Perkawinan Anak Dalam Perspektif Hak Asasi Manusia," *Hak Asasi Manusia Dan Keadilan Eko-Sosial*, 2017, 5.



Graph 4.1: Data on Child Marriage According to DP3A Semarang City

The graph above shows that child marriage in Semarang City is still considered normal. DP3A Semarang City noted that child marriage under the age of 18 in 2020 reached 58 child marriages, in 2021 it increased to 59 cases of child marriage. Moreover, in 2022, child marriage cases, as far as recorded data goes, increased dramatically to 108. This data is an accumulation of data on child marriage that occurred in Gunungpati Subdistrict with 8 cases, Pedurungan Subdistrict with 10 cases, Central Semarang Subdistrict with 41 cases, South Semarang Subdistrict with 8 cases, North Semarang Subdistrict with 26 cases, and Tembalang Subdistrict with 15 cases. According to Ms. Rustiyannah Rachman, S.Sos., M.M.⁶⁷ as one of the administrators of DP3A Semarang City, this increase is due to the low awareness of

⁶⁷ Rustiyannah Rachman, Wawancara, (9 Desember 2022).

parents and the community and also the factor of pregnancy outside of marriage so that they have to marry to cover the disgrace.

Semarang City as a metropolitan city which is the capital of Central Java Province with all adequate facilities and infrastructure, the community should be aware and understand the impact caused by child marriage. This is in accordance with what is explained by Gusti Muzainah and Miftah Faridh in their writing⁶⁸ which states that the metropolitan city community is a society where most of its citizens have a cultural value orientation that is directed towards life in today's civilization, educated, familiar with technology, and easy to obtain information.

The phenomenon of child marriage is one of the social phenomena that is real and even prevalent in a society that is assumed to be in the advanced category. Likewise, Semarang City as a metropolitan city is assumed to be relatively more advanced and cultured, but there is a tendency for child marriage to be rampant. Child marriage is a symptom of the discrepancy between *das sollen* and *das sein*. The legal guidelines should refer to the age limit requirements of marriage as stipulated in the Marriage Law, while in reality in the field there are still many children who enter into marriage so that this results in violations of children's rights.

⁶⁸ Gusti Muzainah and Miftah Faridh, *Fenomena Itsbat Nikah Pada Masyarakat Metropolitan (Studi Di Kota Banjarmasin)* (Banjarmasin: Pusaka Pranala, 2021).

The effectiveness of a law according to Lawrence M. Friedman's legal system theory has 3 components,⁶⁹ among them:

a. Legal Structure

The legal structure in Lawrence M. Friedman's theory is referred to as a structural system that determines whether or not the law can be implemented properly. Legal structure is one of the elements of legal effectiveness which includes various institutions created by the legal system with various functions in supporting the operation of a system, such as courts with their judges, prosecutors with their prosecutors and so on.⁷⁰ Friedman asserts that law has the first element of the legal system is the legal structure, institutional order, and institutional performance.⁷¹ In this case what is meant is the DP3AP2KB of Central Java Province and its staff in forming the *JoKawinBocah* movement which has the aim of reducing the number of child marriages, preventing child marriages, equalizing rights between men and women and eliminating discrimination against women.

According to Anderson (1972:31), structure is an arrangement in the form of a framework that gives shape and form,

⁶⁹ Teddy Lesmana, "Pokok-Pokok Pikiran Lawrence Meir Friedman; Sistem Hukum Dalam Perspektif Ilmu Sosial," Nusa Putra University, n.d.

⁷⁰ Femilya Herviani, Erfaniah Zuhriah, and Raden Cecep Lukman Yasin, "Pertimbangan Hakim Dalam Pemberian Dispensasi Nikah Perspektif Teori Sistem Hukum Lawrence M. Friedman Di Pengadilan Agama Malang," *Jurnal Intelektualita: Keislaman, Sosial Dan Sains* 11, no. 1 (2022): 117–27, <https://doi.org/10.19109/intelektualita.v11i1.10684>.

⁷¹ Ade Maman Suherman, *Pengantar Perbandingan Sistem Hukum* (Jakarta: PT. RajaGrafindo Persada, 2014).

thus the work procedure will be seen. Meanwhile, according to Van Meter and Van Horn in Winarno (1997:27) that organizational structure can be interpreted as a relationship of characteristics, norms and patterns of relationships that occur within executive agencies that have a potential or real relationship with what they have in carrying out policies.⁷² Structure has an important role because it greatly affects the quality of service,⁷³ in this case the *JoKawinBocah* movement plays a role in providing education and responding to child marriage⁷⁴ that occurs in Central Java Province through the *JoKawinBocah Care Center*.

The *JoKawinBocah* movement is a program that has a top-down structure, namely a program launched by the government as a policy maker to the community as the recipient/performer of the policy. The *JoKawinBocah* movement is the authority of DP3A, which in its implementation involves pentahelix elements.⁷⁵ The pentahelix elements have a role to participate in assisting and supporting DP3A in implementing child marriage prevention policies. This is based on the results of the interview delivered by Mrs. Ilma⁷⁶ that the *JoKawinBocah* movement was formed as a

⁷² Nurlia, “Pengaruh Struktur Organisasi Terhadap Pengukuran Kualitas Pelayanan (Perbandingan Antara Ekspektasi/Harapan Dengan Hasil Kerja),” *Meraja Journal* 2, no. 2 (2019): 53–58.

⁷³ Nurlia.

⁷⁴ Bidang IKP, “Tekan Kasus Perkawinan Anak, Jateng Luncurkan ‘Care Center JoKawinBocah,’” Portal Resmi Provinsi Jawa Tengah, 2021, diakses 6 Mei 2023 <https://jatengprov.go.id/publik/tekan-kasus-perkawinan-anak-jateng-luncurkan-care-center-jo-kawin-bocah/>.

⁷⁵ Unsur pentahelix melibatkan peran pemerintah, komunitas, dan lembaga masyarakat, media massa, akademisi/peguruan tinggi, dunia usaha, serta remaja dan masyarakat luas.

⁷⁶ Isti Ilma Patriani, Wawancara, (Semarang, 7 Desember 2022).

joint movement that aims to suppress and reduce the number of child marriages which is a national issue and problem by involving pentahelix elements so that to realize it requires awareness and participation from every element.

The constraints of the *JoKawinBocah* movement at the structural level are *First*, the constraints in terms of program implementation, according to Mr. Sony Yudha:

*“dalam proses pensosialisasian itu kita berkolaborasi, bergerak bersama. Jadi misalnya ada anggaran atau program kegiatan dari DP3A, ya mereka turun, kadang-kadang.”*⁷⁷

"In the socialization process, we collaborate, move together. So for example there is a budget or activity program from DP3A, yes they come down, sometimes."

The above statement supports that DP3A Semarang City has been less than optimal in conducting direct supervision and evaluation in educating the public about the *JoKawinBocah* movement. The socialization of the *JoKawinBocah* movement is only carried out through the Children's Forum BOBS (Bincang Online/Offline Bocah Semarang) activity, which in 2021 will be held once, and in 2022 will be held 5 times.⁷⁸ The program to prevent child marriage through the *JoKawinBocah* movement

⁷⁷ Sony Yudha, Wawancara, (Semarang, 9 Desember 2022).

⁷⁸ Sony Yudha, Wawancara, (Semarang, 9 Desember 2022).

initiated by the DP3A of Central Java Province has so far only been in the form of socialization, which has so far not made a major contribution to reducing the number of child marriages that occur in Semarang City. This data is evidenced by the increase in the number of child marriages that occurred in 2022.⁷⁹

At the socialization at the kelurahan/kecamatan level, DP3A gave the authority to the kelurahan/kecamatan administrators to initiate socialization with the *JoKawinBocah* theme. However, the *JoKawinBocah* movement itself is less familiar in the midst of the community because the kelurahan/kecamatan do not really socialize the jargon about *JoKawinBocah*, but the aims and objectives conveyed are in accordance with the *JoKawinBocah* movement, namely preventing child marriage. As the results of the interview delivered by Mr. Sony:⁸⁰

“tapi, familiarnya bukan dengan nama JoKawinBocah, tapi lebih ke arah “jangan nikah muda”. Jadi, kalo jargonnya itu sebenarnya kurang kita fokuskan, karena kita fokusnya ke gerakan-gerakan sahabat perempuan dan anak. Kita tidak terlalu mensosialisasikan jargonnya JoKawinBocah, tapi maksud dan tujuannya tersampaikan”

"But, the familiarity is not with the name JoKawinBocah, but more towards "don't marry young". So, we don't really focus on the jargon, because we focus on the movements of women and children's friends. We don't really socialize the JoKawinBocah jargon, but the intent and purpose are conveyed."

Socialization is needed to support the function of law as a *social control* and also as a tool of awareness for the community so

⁷⁹ Berdasarkan grafik 4.1

⁸⁰ Sony Yudha, Wawancara, (Semarang, 9 Desember 2022).

that later the law can control human behavior patterns.⁸¹ As stated by Sakdiyah and Ningsih in their research, the lack of socialization or counseling on a policy can affect public response and awareness.⁸² However, so far the socialization that has been carried out is still lacking, considering that child marriage is increasing, so that awareness is needed from parents of their obligations in fulfilling children's rights, one of which can be by making a cultural movement. In the end, the community, especially those who are still children (under 18 years old), understand and are aware of the risks and impacts that will befall them from the continuation of child marriage. The author suggests that at least the Office of Women's and Children's Empowerment as the launcher of the movement is more massive in socializing and publicizing the authority and responsibilities of the *pentahelix* elements and their relationship in accordance with their respective roles for the creation of marriages in accordance with applicable regulations.

b. Legal Substance

Legal substance is a substantial system that is the output of people in the legal system in the form of regulations, norms, principles, decisions that are used both by those who regulate and

⁸¹ Risma Nur Arifah, "Kendala-Kendala Pencegahan Perdagangan Pakaian Bekas Impor Di Kota Malang," *De Jure: Jurnal Syariah Dan Hukum* 7, no. 1 (2015): 96, <https://doi.org/10.18860/j-fsh.v7i1.3513>.

⁸² Halimatus Sakdiyah and Kustiawati Ningsih, "Mencegah Pernikahan Dini Untuk Membentuk Generasi Berkualitas," *Masyarakat, Kebudayaan Dan Politik* 26, no. 1 (2013): 38.

those who are regulated.⁸³ The substance is also related to the pattern of human behavior in the system. According to Lawrence M. Friedman in Ade Maman Suherman's book, the notion of substance is not only limited to the issue of written law (law books) but also includes what is considered as living law or law that applies and lives in society.⁸⁴

Substantially, regulations related to the prevention of child marriage made by the government from the central level to the regional level are very adequate. Among these regulations are:

- 1) The 1945 Constitution of the Republic of Indonesia, Article 28B paragraph (2) which states *"Every child has the right to survival, growth and development and the right to protection from violence and discrimination."*⁸⁵
- 2) Law Number 16 of 2019 Concerning the Amendment to Law Number 1 of 1974 Concerning Marriage, Article 7 which reads *"Marriage is only permitted if the man and woman have reached the age of 19 (nineteen) years."*⁸⁶
- 3) Law Number 4 of 1979 Concerning Child Welfare;
- 4) Law Number 39 of 1999 on Human Rights;

⁸³ Herviani, Zuhriah, and Yasin, "Pertimbangan Hakim Dalam Pemberian Dispensasi Nikah Perspektif Teori Sistem Hukum Lawrence M. Friedman Di Pengadilan Agama Malang."

⁸⁴ Suherman, *Pengantar Perbandingan Sistem Hukum*.

⁸⁵ Pasal 28B ayat (2) Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.

⁸⁶ Pasal 7 Undang-Undang Nomor 16 Tahun 2019 Tentang Perubahan Atas Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan.

- 5) Law Number 35 of 2014 Concerning the Amendment to Law Number 23 of 2002 Concerning Child Protection, Article 16 paragraph (1) letter c reads *"Parents are obliged and responsible for: c. preventing marriage at the age of a child."*⁸⁷
- 6) Presidential Decree Number 36 of 1990 on the Ratification of the Convention on the Rights of the Child;
- 7) Regional Regulation of Central Java Province Number 7 of 2013 concerning the Implementation of Child Protection;
- 8) Regional Regulation of Central Java Province Number 2 of 2021 on the Implementation of Women's Protection;
- 9) Regional Regulation of Central Java Province Number 4 of 2022 concerning the Implementation of Child Protection, Article 11 paragraph (1) letter b contains *"The Regional Government is obliged to formulate and develop policies in the Region in the Implementation of Child Protection, including: b. prevention and handling of risks of violence, exploitation, neglect and mistreatment and child marriage."*⁸⁸

The above rules are very firm and have strong binding force. However, the absence of affirmation of sanctions from the government against perpetrators / supporters of the implementation of child marriage makes people ignore the importance of

⁸⁷ Pasal 16 ayat (1) huruf c Undang-Undang Nomor 35 Tahun 2014 Tentang Perubahan Atas Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak.

⁸⁸ Pasal 11 ayat (1) Peraturan Daerah Provinsi Jawa Tengah Nomor 4 Tahun 2022 Tentang Penyelenggaraan Perlindungan Anak.

preventing child marriage so that law enforcers cannot strictly prohibit child marriage.⁸⁹ This is one of the obstacles to the substance of the *JoKawinBocah* movement. The research conducted by Titania Elisa Ginting, et al.,⁹⁰ states that the absence of regulations related to sanctions for perpetrators of underage marriage has led to a legal vacuum that does not provide protection for children's rights. As well as indications of violations of several laws and regulations in Indonesia, so it is necessary to make regulations that clearly and explicitly regulate sanctions for child marriage so that children in Indonesia get definite legal protection.

Article 7 paragraph 2 of Law Number 16 of 2019 concerning Marriage does not contain sanctions that can provide a deterrent effect for perpetrators of child marriage, instead the article provides a shortcut for perpetrators of child marriage by applying for marriage dispensation to the Court. Therefore, it is necessary for the government to provide clear rules regarding the provision of sanctions such as monetary fines and customary law that can have a deterrent effect on the perpetrators and parents for allowing and not preventing child marriage.

⁸⁹ Resti Wulansari and Oksiana Jatningsih, "Strategi Kampanye Stop Pernikahan Usia Anak Desa Sidomulyo Kecamatan Ngadirojo Kabupaten Pacitan," *Kajian Moral Dan Kewarganegaraan* 11, no. 1 (2023): 100.

⁹⁰ Titania Elisa Ginting and I Ketut Westra, "Perkawinan Anak Di Bawah Umur Di Lihat Dari Perspektif Hukum Pidana," *Kertha Wicara: Journal Ilmu Hukum* 07, no. 03 (2018): 6, <https://ojs.unud.ac.id/index.php/kerthawicara/article/view/40569>.

The implementation of the *JoKawinBocah* movement within the scope of Semarang City is an effort to tackle and prevent child marriage that refers to relevant government regulations. However, due to government policies related to the amendment of Law Number 1 of 1974 concerning Marriage to Law Number 16 of 2019 which stipulates that the minimum age limit for a man and woman to marry is 19 years old. This has become a new controversy considering that Indonesia consists of various ethnicities and cultures as well as various beliefs or sects so that several different understandings arise.⁹¹ Due to the change in policy, previously if a girl who was 16 years old was not recorded in the marriage dispensation number, with this regulation, her marriage must be recorded in the marriage dispensation data. This change has resulted in an increase in child marriage occurring in several cities, especially Semarang City.

The Sampit Religious Court noted that in 2019 before the enactment of Law No. 16/2019, the number of marriage dispensation cases only reached 12 cases from January to September 2019. Meanwhile, after the enactment of the regulation, namely from November 2019 to May 2020, the number of marriage dispensation cases decided by the Sampit Religious Court jumped

⁹¹ Achmad Asrori, "Batas Usia Perkawinan Menurut Fukaha Dan Penerapannya Dalam Undang-Undang Perkawinan Di Dunia Islam," *Al- 'Adalah* XII, no. 4 (2015): 823.

to 41 cases.⁹² Similar cases also occurred at the Sigli Syar'iyah Court which experienced a drastic increase, with a comparison in 2019 of 35 cases, and in 2020 it was 136 cases.⁹³

Muhammad Nur Falah, et al., mentioned in his research that Law Number 16 of 2019 also had implications for the increase in the number of marriage dispensation cases at the Pemalang Religious Court with data in 2019 totaling 168 dispensation applicants, and in 2020 soaring to 699 applicants.⁹⁴ Likewise, with marriage dispensation in Semarang City, DP3A Semarang City said that there is an increase in the number of child marriages every year. Data from the Semarang City Religious Court recorded 57 incidents in 2017, in 2018 it rose to 64, and in 2019 it rose again to 105 incidents. At the peak, from the beginning of the year to June 2020, there were 217 cases.⁹⁵

The enactment of Law No. 16/2019 on the Amendment to Law No. 1/1974 has led to an increase in marriage dispensation

⁹² Gusti Nadya Nurhalisa, "Pengaruh Kenaikan Batas Usia Pernikahan Bagi Perempuan Terhadap Peningkatan Dispensasi Nikah Di Pengadilan Agama Sampit," *Universitas Maulana Malik Ibrahim Malang* (Universitas Islam Negeri Maulana Malik Ibrahim, 2020), 50.

⁹³ Poezan, "Efektivitas Revisi UU Nomor 1 Tahun 1974 Ke UU Nomor 16 Tahun 2019 Tentang Perkawinan," Mahkamah Syar'iyah Sigli, 2021, <https://ms-sigli.go.id/efektifitas-revisi-uu-nomor-1-tahun-1974-ke-uu-nomor-16-tahun-2019-tentang-perkawinan/>.

⁹⁴ Muhammad Nur Falah, Aufi Imaduddin, and Kholisatul Ilmiyah, "Kenaikan Batas Usia Perkawinan Menurut Undang-Undang Nomor 16 Tahun 2019 Dan Implikasinya Terhadap Kenaikan Angka Perkara Dispensasi Nikah Di Pengadilan Agama Pemalang," *The Indonesian Journal of Islamic Law and Civil Law* 1, no. 2 (2020): 175, <https://doi.org/10.51675/jaksya.v1i2.173>.

⁹⁵ Vidyadhari Prastita Larasati, "Langkah Strategis Menekan Angka Pernikahan Dini Di Kota Semarang," Studocu, 2022, <https://www.studocu.com/id/document/universitas-negeri-manado/kebijakan-publik/langkah-strategis-menekan-angka-pernikahan-dini-di-kota-semarang/47283637>.

requests in various Religious Courts, which has made child marriage a national issue that spreads in each region. Basically, the desire of parents or guardians to be able to marry off their children at that age is due to local cultural factors and beliefs as well as public awareness of child marriage that has not been worked on significantly, including the social patterns of the generation at that age range which are very vulnerable to being inspired by promiscuity and the negative influence of globalization of technology and information.⁹⁶

However, according to the author's analysis, Law Number 16 of 2019 concerning Marriage, precisely in Article 7 paragraph (1), has been wise in addressing the minimum age limit for marriage and has an influence on marriage law, including, namely:

- a) Philosophically, the change in the marriage age limit for women from 16 years to 19 years so that it is equal to the marriage age limit for men is a form of government commitment in realizing the life of the nation and state which is far from discriminatory treatment of girls as citizens.
- b) Sociologically, the enactment of Law No. 16/2019 is an effort by the government to prevent child marriage, which unfortunately is not accompanied by sanctions for child

⁹⁶ Nurul Amirah and Iman K Nawireja, "Dampak Ponsel Pintar Terhadap Perkawinan Anak Perempuan Di Pedesaan (Kasus: Desa Lubuk Pabrik, Kecamatan Lubuk Besar, Kabupaten Bangka Tengah, Kepulauan Bangka Belitung)," *Jurnal Sains Komunikasi Dan Pengembangan Masyarakat* 06, no. 06 (2022): 612–26.

marriage and also rules regarding marriage dispensation so that the change in age limit is a factor in the increasing number of marriage dispensation applications in the Religious Courts.

- c) Juridically, the change in the marriage age limit is a revision of the previous regulation which is considered irrelevant to the current conditions of society in terms of biological health, psychology, economy, education and culture.⁹⁷

In addition, there are also differences between the law and the Qur'an and Sunnah, which do not explicitly mention the limits of adolescence. This difference in regulation creates a gap regarding the age of maturity (baligh). This is in accordance with the hadith narrated by Imam Bukhari which only mentions the word youth, as in the hadith below:

عَنْ عَبْدِ الرَّحْمَنِ بْنِ يَزِيدَ، عَنْ عَبْدِ اللَّهِ، قَالَ: 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

"Abdurrahman ibn Yazid reported from Abdullah (ibn Mas'ud) that the Messenger of Allah said to us: O young men, whoever among you can afford to marry, marry. For indeed marriage is more subduing to the gaze, and more guarding of the private parts. And whoever is not able to marry should fast, for indeed fasting is a shield for him." (H.R. Bukhori)⁹⁸

⁹⁷ Nur Falah, Imaduddin, and Ilmiyah, "Kenaikan Batas Usia Perkawinan Menurut Undang-Undang Nomor 16 Tahun 2019 Dan Implikasinya Terhadap Kenaikan Angka Perkara Dispensasi Nikah Di Pengadilan Agama Pematang," 176.

⁹⁸ Abi Abdullah Muhammad bin Ismail bin Ibrahim Al-Bukhari, *Shahihu-l-Bukhari* (Riyad: al-Maktab al-Ma'arif, 1998).

From the hadith above, it can be concluded that there are no provisions related to the age of marriage. However, if it is related to Islamic law, the Prophet mentions that a person who has been burdened with the obligation to carry out shari'a after he reaches the age of *puberty* which is marked by *ihtilam*, namely dreaming of *intercourse and* accompanied by the release of semen in men and menstruation in women.⁹⁹ In line with the thoughts of Sheikh Salim Samir al-Hadhromi in his book *Safinatun Najah* states that there are 3 things that mark a child has reached puberty.

عَلَامَةُ الْبُلُوغِ ثَلَاثٌ: ١- تَمَامُ خَمْسَ عَشْرَةَ سَنَةً فِي الذَّكْرِ وَالْأُنْثَى وَ ٢- الْإِحْتِلَامُ فِي الذَّكْرِ وَالْأُنْثَى لِتِسْعِ سِنِينَ وَ ٣- الْحَيْضُ فِي الْأُنْثَى لِتِسْعِ سِنِينَ.

*"The signs of puberty are three: [1] the age of fifteen years of age for both men and women, [2] ihtilam (wet dream) for both men and women who are (usually) nine years old, and [3] menstruation for women who are (usually) nine years old."*¹⁰⁰

As reported on the website of the Padang Religious Court, MUI emphasized that religious law, including Islam, does not determine the age limit for marriage. Islam only regulates the age of adulthood (*baligh*) with several signs. First, girls are 9 years old or older and have experienced menstruation. Second, a boy is a 9

⁹⁹ Asrori, "Batas Usia Perkawinan Menurut Fukaha Dan Penerapannya Dalam Undang-Undang Perkawinan Di Dunia Islam."

¹⁰⁰ Salim Samir al-Hadhromi Asy-Syafi'i, *Safinatun Najah: Matan Dan Terjemah*, trans. Nor Kadir (Pustaka Syabab, 2017).

years old or older and has had a wet dream. Third, men or women who have reached 15 years of age without the condition of menstruation and wet dreams. According to representatives of MUI members, maturity in Islam is in the age range of 9 years to 15 years, so the establishment of a marriage age limit of 16 years for women is in accordance with the needs of society and Islamic values.

c. Legal Culture

Legal culture is a person's behavior or attitude towards law, values, beliefs, thoughts and expectations that affect the operation of law, or by Friedman referred to as legal culture.¹⁰¹ Legal culture is a part that is closely related to public legal awareness, because the higher the public awareness of the law, the easier it will be to create a good legal culture and can improve the image of the law. Legal culture serves as a bridge that connects the rule of law with the legal behavior of all citizens.

In the aspect of the level of legal culture, the community has a very important role and plays a role in the course of a law. In general, the practice of child marriage can occur because of the culture and traditions that support it in the community, and also because the people in that environment consider child marriage to

¹⁰¹ Suherman, *Pengantar Perbandingan Sistem Hukum*.

be commonplace and ordinary.¹⁰² One aspect that includes elements of culture is knowledge, this is in accordance with the views of E.B. Tylor expressed in his book *Primitive Culture* (1871), according to him culture is the whole of human activity, including knowledge, beliefs, art, morals, laws, customs, and other habits.¹⁰³

The practice of child marriage is closely related to the traditions, culture and religious understanding of a society.¹⁰⁴ Cultural influences that are not in accordance with Indonesian ideology and a low understanding of religious values and norms as a negative effect of technological advances make children think deviantly in terms of association so that this has a major impact on cases of child marriage which causes the emergence of cultural obstacles in preventing child marriage.

Cultural constraints are obstacles that occur in society due to violations of values and norms and mismatches in living standards that cause physical and non-physical harm to society. In this case, the socio-cultural obstacles faced by the *JoKawinBocah* movement come from the community itself, Mr. Bambang said:

“Kendalanya terkait masyarakat dan lingkungannya, pengetahuannya, dan pendidikannya juga. Kadang masyarakat juga ketika dikasih tau bandel, mereka malah alah wes yang

¹⁰² Dwi Ratnasari, Norma Yuni Kartika, and Ellyn Normelani, “Indikator Yang Mempengaruhi Pernikahan Dini Di Provinsi Kalimantan Selatan,” *Geografika: Geografi Lingkungan Lahan Basah* 2, no. 1 (2021): 35–42.

¹⁰³ Nyoman Kutha Ratna, *Sastra Dan Cultural Studies: Representasi Fiksi Dan Fakta* (Yogyakarta: Pustaka Pelajar, 2005).

¹⁰⁴ Tatik Hidayati, Ah Mutam Muchtar, and Nuzulul Khair, “Kawin Anak Dan Child Abuse Dalam Pandangan Pendidikan Islam,” *JPIK* 4, no. 2 (2021).

ngelakoni kan aku. Pembinaan pada diri masing-masing itu kurang."¹⁰⁵

"The obstacles are related to the community and its environment, their knowledge, and education as well. Sometimes when the community is told they are recalcitrant, they just say it's me who does it. There is a lack of self-improvement."

Ms. Titik explained:

*"Karena pendidikannya, karena sudah gak sekolah lagi, karena orang tuanya secara ekonomi sudah tidak mampu lagi, terus malah disuruh kawin juga. Karena bebannya anak itu kan banyak ya, wes ndang nikah, padahal anaknya enggak suka."*¹⁰⁶

"Because of their education, because they are no longer in school, because their parents are no longer economically able, and then they are even told to marry too. Because the burden on the child is a lot, yes, they want to get married, even though the child doesn't like it."

Based on the above narrative, Mrs. Titik and Mr. Bambang agree that the obstacle arose due to factors from the community itself. Referring to the interview results above, I conclude that DP3A considers one of the socio-cultural obstacles experienced by the *JoKawinBocah* movement to be the low level of education of the surrounding community. However, based on the author's findings,¹⁰⁷ the population of Semarang City has good quality resources, with educational data that has graduated from high school 30.85% has graduated Diploma I/II 0.28% has graduated Diploma III 2.93% has graduated Diploma IV 10.19% and Strata

¹⁰⁵ Bambang, Wawancara, (Semarang, 9 Desember 2022).

¹⁰⁶ Titik Hartini, Wawancara, (Semarang, 9 Desember 2022).

¹⁰⁷ Dinas Kependudukan dan Pencatatan Sipil Kota Semarang, "Penyusunan Profil Kependudukan Kota Semarang Tahun 2022" (Semarang, 2022), 25, <https://data.semarangkota.go.id/upload/publikasi/34-profil-kependudukan-kota-semarang-2021.pdf>.

II/III as much as 1.28% with the number of people who have good quality around 45.53%. This percentage is greater than the resources that are still low with a percentage of 6.10% having graduated only SD / MI, not graduated 14.62% then have graduated only SLTP 13.30% and have never been to school 20.44% so the total percentage of low quality human resources is 34.46%.¹⁰⁸

The education level of the community is not an obstacle that causes child marriage in Semarang City. However, child marriage is the decision of parents/children who still have low educational resources. According to Harsoyo in his research, all perpetrators of child marriage in Semarang City come from economically disadvantaged families, the majority of whom live in sub-districts located far from the city center. Also, the highest education of the perpetrators of child marriage in Semarang City is high school or vocational school graduates, and the lowest is elementary school graduates.¹⁰⁹

The second obstacle is related to community knowledge. The level of knowledge affects a person's behavior, women with a good level of knowledge of reproductive health will better consider the choice of age for marriage and consider what impacts will occur if

¹⁰⁸ Penduduk 7 Tahun Ke Atas Berdasarkan Pendidikan yang Ditamatkan di Kota Semarang pada Tahun 2021.

¹⁰⁹ Harsoyo, "Faktor Pertimbangan Pernikahan Dini Dan Strategi Pencegahan," *Soshumdik* 1, no. 3 (2022): 97, <https://rri.co.id/semarang/1050-info-publik/1016298/angka->.

married at a child's age.¹¹⁰ There are still many people, especially families, who do not participate in programs from the *JoKawinBocah* movement or receive them passively, which is one of the factors for their lack of knowledge regarding the prevention of child marriage. The lack of direct participation and enthusiasm causes uneven distribution and socialization of the *JoKawinBocah* movement to the community, so that vulnerable people do not know that there is a *JoKawinBocah* movement which is an effort to prevent child marriage.

These problems are in line with research conducted by Fitri Raya et al., that the education and knowledge of parents, children, and the community have the potential to cause child marriage. The higher the education, the more knowledge will be obtained.¹¹¹ In addition, the efforts made by the *JoKawinBocah* movement in minimizing child marriage are still somewhat ineffective. This is in accordance with what has been conveyed in the interview with Mrs. Tsaniatus, who thinks that the programs and efforts carried out by the *JoKawinBocah* movement in preventing and reducing the number of child marriages in Semarang City are only in the form of socialization, counseling and education to the community regarding the dangers and impacts of child marriage. According to

¹¹⁰ Harsoyo, 89.

¹¹¹ Fitri Raya et al., "Urgensi Pendidikan Tekan Pernikahan Dini," *Jurnal Pengabdian Masyarakat* 15, no. 1 (2022): 59.

Mrs. Tsaniatus, these efforts are not enough to mobilize and sensitize the community, especially children.

Therefore, children's self-awareness is needed for optimal prevention of child marriage so that later child marriage becomes a culture that should not be practiced. In particular, awareness of the laws that regulate the importance of preventing child marriage.

Furthermore, related to the culture itself, Atik Mawarni, et al.,¹¹² explained in the results of his research that there were 77.8% of child marriage perpetrators who had a bad culture, while 63.8% who did not do child marriage had a good culture. This unfavorable culture is indicated by the existence of habits carried out by the community, such as the habit of parents marrying off their children after graduating from elementary school (SD) and junior high school (SMP), matching children, before marriage teenagers often leave the house at night, before marriage teenagers often stay at friends' houses. Meanwhile, a good culture is shown by the habit of parents who do not marry off their children after puberty. This study is in line with research conducted by Erry Wijati which provides results that there is a significant relationship between culture and child marriage.

¹¹² Atik Mawarni et al., "Hubungan Pengetahuan, Budaya, Lingkungan Tempat Tinggal Dan Sosial Ekonomi Dengan Pernikahan Dini Pada Wanita," *Kes Mas: Jurnal Fakultas Kesehatan Masyarakat* 13, no. 1 (2019): 14.

In summary, based on the results of interviews with the interviewees, the author divides the obstacles to the implementation of the *JoKawinBocah* movement in its efforts to prevent child marriage in Semarang City into 5 (five) main points, namely:

a) Program implementation

The child marriage prevention program through the *JoKawinBocah* movement initiated by the DP3A of Central Java Province has so far only been in the form of socialization, and has not contributed much to the reduction of child marriage in Semarang City because the program does not directly address the community.

b) The absence of sanctions for child marriage

The absence of affirmation of sanctions from the government against perpetrators/supporters of the implementation of child marriage makes people ignorant of the importance of preventing child marriage so that law enforcers cannot strictly prohibit child marriage.

c) Implications of Law Number 16 of 2019

The enactment of Law No. 16/2019 on the Amendment to Law No. 1/1974 has led to an increase in marriage dispensation cases in various Religious Courts, making child marriage a national issue that has spread to every region.

d) Community culture

The community has an important role in the success of government programs, one of which is the *JoKawinBocah* movement. Prevention of child marriage will not run optimally without community support and contribution. The obstacles that arise as a result of minimal public perception affect the *JoKawinBocah* movement in its efforts to prevent child marriage, including: *First, the* lack of public awareness of child marriage. *Second, the* patriarchal culture is still strong. *Third, the* environment, culture and knowledge of the community are less supportive of preventing child marriage.

Therefore, the results of this study show that the efforts implemented by DP3A to prevent child marriage through the *JoKawinBocah* movement are still less than optimal in creating sensitivity and awareness of the people of Semarang City towards preventing child marriage. This refers to the data on child marriage in Semarang City, which since the launch of the *JoKawinBocah* movement, namely from 2020 to 2022, the number of child marriages has actually shown an increase rather than a decrease.

2. Implementation of Children's Rights in the *JoKawinBocah* Movement in accordance with Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection

Children are born free, not to be destroyed or eliminated, but the independence and rights of children must be protected and fought for. Children have the same rights and dignity as citizens as adults. Children's rights are part of human rights that must be guaranteed, protected and fulfilled by the five important pillars, namely parents, family, community, government, local government and the state. The five pillars have a relationship with each other as organizers of child protection.¹¹³

The state as the highest and strongest organization has a big share in protecting children's rights which is realized by issuing regulations on providing protection to children so that there is legal guarantee for child protection activities which will have an impact on the continuity of child protection activities and prevent fraud in the implementation of child protection. Law No. 35/2014 on the Amendment to Law No. 23/2002 on Child Protection is a form of concern and legal certainty for children's rights.

¹¹³ Rini Fitriani, "Peranan Penyelenggara Perlindungan Anak Dalam Melindungi Dan Memenuhi Hak-Hak Anak," *Jurnal Hukum Samudra Keadilan* 3 (2016): 251.

Child protection basically seeks to fulfill two things, namely children's rights and children's welfare. Any actions taken by parents or parties involved with children must take into account these two objectives. Primarily, the best interests of the child must come first. The best interests of the child are one of the important elements in organizing child protection.¹¹⁴ The principle of the best interests of the child means that in all actions concerning children carried out by the government, society, legislative bodies, and judicial bodies, the best interests of the child must be the main consideration.

The JoKawinBocah movement strongly upholds and fights for children's rights. Every activity of the *JoKawinBocah movement* aims at the best interests of children and the fulfillment of children's rights. DP3A Semarang City through the *JoKawinBocah* movement contributes to providing protection for children so that they can continue to undergo their growth and development phase and their rights as a child by preventing child marriage. Therefore, one of the legal bases for the *JoKawinBocah movement* is Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection. The rights of children contained in the Child Protection Law that are implemented in the *JoKawinBocah* movement include:

- a. Protection Rights from Abuse, Exploitation, and Discrimination

¹¹⁴ Salman Abdul Muthalib et al., "Analisis Kepentingan Terbaik Bagi Anak Dalam Hukum Jinayat Aceh," *Al-Mashlahah: Jurnal Hukum Islam Dan Pranata Sosial Islam* 9, no. 02 (2021): 415–30, <https://doi.org/10.30868/am.v9i02.1621>.

Every child has the same rights and opportunities, no distinction and no exception. All efforts must be strengthened to ensure the protection of children from all forms of deviant treatment, as outlined in Article 13 paragraph (1) *"Every child while in the care of parents, guardians, or any other party responsible for care, is entitled to protection from treatment: 1) discrimination; 2) exploitation, both economic and sexual; 3) neglect; 4) cruelty, violence, and abuse; 5) injustice; and 6) other mistreatment."*

The article states that every child has the right to protection from violence, exploitation, and discrimination of a physical or mental nature. This protection must be provided by the family, community, government and child-caring institutions. As a country that upholds human rights,¹¹⁵ Indonesia is committed to protecting children's rights by providing appropriate protection. This is in accordance with what is stated in:

- 1) The 1945 Constitution of the Republic of Indonesia Article 3 paragraphs (2) and (3) states *"Everyone is entitled to recognition, guarantees, protection, and fair legal treatment as well as legal certainty and equal treatment before the law."*

¹¹⁵ Andi Akhirah Khairunnisa, "Penerapan Prinsip-Prinsip Hak Asasi Manusia Dalam Pembentukan Produk Hukum Oleh Pemerintah Daerah," *Jurnal Manajemen Pemerintahan* 5, no. 1 (2018): 65–78.

"Everyone is entitled to the protection of human rights and basic human freedoms, without discrimination."

- 2) Article 2 of Law Number 39 of 1999 concerning Human Rights which reads *"The State of the Republic of Indonesia recognizes and upholds human rights and basic human freedoms as rights that are inherently inherent in and inseparable from humans, which must be protected, respected, and upheld for the sake of increasing human dignity, welfare, happiness, and intelligence and justice."*
- 3) Article 52 paragraphs (1) and (2) *"Every child has the right to protection by parents, family, community and the state."*
"Children's rights are human rights and for their benefit they are recognized and protected by law even from the womb."

These articles contain a very important meaning, namely that children must be protected and protected from all forms of violence and exploitation. Child marriage is a form of violence against children,¹¹⁶ because they are forced to marry and are not given the choice and freedom to make their own choices. Protection of children must be tightened to ensure that they are not involved in the practice of child marriage which will harm the future of Indonesia's generation. The contribution of the *JoKawinBocah*

¹¹⁶ Hidayati, Muchtar, and Khair, "Kawin Anak Dan Child Abuse Dalam Pandangan Pendidikan Islam."

movement in providing protection to children is to ensure the protection and care of children necessary for their welfare.

In order to optimally implement protection for children, Mr. Sony said that there is also an *elsapa* movement (men friends of women and children) which moves within the scope of the village which is tasked with accommodating and fulfilling related needs in the community, especially for women and children.¹¹⁷

Other efforts are also made with the establishment of Women Friendly and Child Care Villages which include empowering women in entrepreneurship, increasing the role of mothers and families in education or childcare, preventing violence against women and children, reducing child labor, and preventing child marriage. The implementation of all efforts to protect children is carried out by the *JoKawinBocah* movement by contributing with the sub-district, village, *RT*, *RW*, schools, child watch organizations, and also the surrounding community.

To optimize the fulfillment and protection of children, the *JoKawinBocah* movement provides the *JoKawinBocah Care Center* service which not only focuses on preventing child marriage, but also provides consultation on handling child marriage. This service program was established to facilitate the receipt of complaints, follow-up of complaints, and referrals by

¹¹⁷ Sony Yudha, Wawancara (Semarang, 9 Desember 2022).

involving the *pentahelix* that provides protection for children's rights.¹¹⁸

Children need to get legal protection from the practice of child marriage. Legal protection relates to "state action to do something with (apply state law exclusively) with the aim of providing certainty of the rights of a person or group of people. Child marriage, especially those carried out due to coercion, is a form of psychological and sexual violence against children. Therefore, children must be protected from various forms of threats of violence. Child protection is a manifestation of justice in a society, thus child protection is sought in various fields of state and community life.¹¹⁹

b. Participation rights

Children's participation must be prioritized in every decision-making process that involves them, because children have the right to be heard and participate reasonably in accordance with human dignity. Child participation is the involvement of children in the decision-making process about everything that relates to them and is carried out with awareness, understanding and mutual willingness so that children can enjoy the results or benefit from

¹¹⁸ Galuh Widya Wardani, "Pemprov Jateng Resmikan Layanan Care Center 'Jo Kawin Bocah' Demi Cegah Perkawinan Usia Dini," *Tribunnews.com*, 2021, diakses 6 Mei 2023 <https://m.tribunnews.com/amp/regional/2021/05/29/pemprov-jateng-resmikan-layanan-care-center-jo-kawin-bocah-demi-cegah-perkawinan-usia-dini?page=3>.

¹¹⁹ Ni Luh Gede Yogi Arthani, "Perlindungan Anak Dalam Praktik Perkawinan Usia Dini," *Vyavahara Duta* 13, no. 2 (2018): 96, <https://doi.org/10.25078/vd.v13i2.691>.

these decisions.¹²⁰ This right to participation is in accordance with Article 4 *"Every child has the right to be able to live, grow, develop, and participate reasonably in accordance with the dignity of humanity, and to receive protection from violence and discrimination."* and Article 10 *"Every child has the right to express and be heard, receive, seek and provide information in accordance with the level of intelligence and age for his or her development in accordance with the values of decency and propriety."* Other rules that discuss children's participation rights is found in:

- 1) Convention on the Rights of the Child Article 12 *"States Parties shall ensure the right of the child who is capable of expressing freely his or her own views on all matters concerning the child, giving due weight to the views of the child which have value in accordance with the age and maturity of the child concerned."*

When a child is born, he or she already has the right to life. In addition, children also have the right to choose their own life choices, including the right to marry. However, marriage often occurs not based on the will and desire of the child concerned, but rather the demands of his or her parents. This happens because

¹²⁰ Pasal 1 Peraturan Menteri Negara Pemberdayaan Perempuan dan Perlindungan Anak Nomor 4 Tahun 2011 Tentang Petunjuk Pelaksanaan Kebijakan Partisipasi Anak Dalam Pembangunan.

parents consider their children to be completely under their authority.¹²¹ Such actions violate the child's right to participation, which is part of human rights.¹²²

The existence of child marriage cases that still occur in Central Java Province is the basis for the Office of Women and Children Empowerment to form the *JoKawinBocah* movement as an effort to prevent child marriage. The *JoKawinBocah* movement is maximized as a means to provide education and awareness to children that marriage should not be carried out at a child's age because at that age a child has the right to obtain the fulfillment of children's rights. In efforts to prevent child marriage, children have a role as reporters and pioneers for their peers.

The role of children as reporters is that if they know that there are children who have the desire to marry, they are given advice to cancel these plans in order to continue their education and focus on the future, while the role of children as pioneers is that children are agents of change who set a positive example for their friends not to marry children.¹²³ Children are also given a forum to convey aspirations, innovations and obstacles or problems that are

¹²¹ Kadek Devi Regina Melati and A.A Gede Oka Parwata, "Perlindungan Hukum Atas Perkawinan Anak Di Bawah Umur Dalam Perspektif Undang-Undang Hak Asasi Manusia," *Jurnal Kertha Semaya* 10, no. 9 (2022): 1995, <https://doi.org/10.24843/ks.2022.v10.i09.p03>.

¹²² Ismail Marzuki and A Malthuf Siroj, "Pemaksaan Perkawinan Dalam Konteks Kajian Hak Asasi Manusia Dan Undang-Undang Tindak Pidana Kekerasan Seksual," *REUSAM: Jurnal Ilmu Hukum* 10, no. 2 (2022): 217.

¹²³ Titik Hartini, Wawancara, (Semarang, 9 Desember 2022).

happening around them in carrying out their role as reporters and pioneers.

The children's forum is one of the forums for children to carry out their role as pioneers and reporters. The willingness and ability of children to participate in preventing child marriage is the key to success in child protection. As reported on the East Kalimantan Province DP3A website,¹²⁴ children as pioneer change agents and reporters can play a role as communicators to socialize the Ministry of PPPA program in a language that is easy to understand to other children. Children are very instrumental in achieving the eradication of child marriage to the grassroots level, because it is the children themselves who contribute to child marriage.

c. Education rights

The right to education is one of the human rights that has become a basic right for every citizen, without any exceptions. Education is an important factor in the formation of a person's personality and maturity in order to form quality human resources, therefore education is one of the dominant sectors in determining the back and forth of a nation. For children, education is a vital need that can develop their intelligence and creativity.¹²⁵

¹²⁴ Biro Hukum dan Hukum KPPPA, "Peran Forum Anak Nasional Dalam Menyuarakan Pencegahan Perkawinan Anak," Dinas Kependudukan, Pemberdayaan Perempuan dan Perlindungan Anak Provinsi Kalimantan Timur, 2021, <https://dkp3a.kaltimprov.go.id/2021/06/18/peran-forum-anak-nasional-dalam-menyuarakan-pencegahan-perkawinan-anak/>.

¹²⁵ Faiqatul Husna, "Hak Mendapatkan Pendidikan Bagi Anak Berkebutuhan Khusus Dalam Dimensi Politik Hukum Pendidikan," *Jurnal Sosial Dan Budaya* 2 (2019): 208.

Therefore, the education process for children must be carried out using a wise way to lead them to maturity in accordance with the morals that live in society. Education for a child is an obligation that should be provided by parents with the cooperation of educational institutions and the government.

The right to education for children has been implemented by the government with the 12-year compulsory education program. Quoted from Kompas,¹²⁶ that "Commission X of the House of Representatives encourages the Ministry of Education and Culture and Research and Technology to commit to the implementation of national priority programs and their financing to complete 12 years of compulsory education as Article 13 of the 1945 Constitution of the Republic of Indonesia and Law Number 20 of 2003 concerning National Education System". The right to education for children is stated in Article 9 paragraph (1) *"Every child has the right to receive education and teaching in order to develop his/her personality and intelligence level according to his/her interests and talents."* Government efforts regarding the right to education are found in the following regulations:

- 1) The 1945 Constitution of the Republic of Indonesia Article 31 paragraphs (1) and (2) *"Every citizen has the right to receive*

¹²⁶ Dian Ihsan, "Kemendikbud Diminta Tuntaskan Program Wajib Belajar 12 Tahun," Kompas, 2023.

instruction." "The government shall seek and organize one national teaching system which shall be regulated by law."

- 2) Convention on the Rights of the Child Article 28 *"States parties recognize the right of the child to education..."*
- 3) Universal Declaration of Human Rights (UDHR) Article 26 (1) *"Everyone has the right to education. Education shall be free of charge, at least at the lower school and primary levels. Lower education should be compulsory. Technical and vocational education in general shall be open to all, and higher education shall be accessible in the same way to all, on the basis of merit."*

Although the government has implemented various kinds of efforts by providing opportunities and ensuring the continuity of education through the provision of assistance, the reality is that the dropout rate remains high and worrying, one of the causes is the occurrence of child marriage and also the number of people who have a less advanced mindset so that they are more concerned with how to get a decent livelihood than providing education for their children.¹²⁷

A person with a higher educational background is less likely to enter into child marriage. This is because with a high level of

¹²⁷ Emmanuel Sujatmoko, "Hak Warga Negara Dalam Memperoleh Pendidikan," *Jurnal Konstitusi* 7, no. 1 (2016): 196, <https://doi.org/10.31078/jk718>.

education, it is easier to receive information about the health and social impacts of child marriage. Child marriage can be a factor in a child not being able to continue their education, due to other responsibilities they have to face. Child marriage has a huge impact on children's future, especially on girls who are mostly required to be housewives after marriage, which results in some of them not being able to pursue further education if they marry at an early age.¹²⁸ Child marriage violates the government program regarding 12 years of compulsory education. The *JoKawinBocah* movement as an effort to prevent child marriage contributes to maintaining the quality of children's education so that children can continue their education in accordance with government programs.

d. Right to play

Childhood is a time to play, learn and explore the world around them. Play is one of the most natural ways for children to learn and develop their skills and abilities. By playing, children can gain many benefits, including developing motor, cognitive, social and emotional skills. Although play is very important for children's development, parents still need to provide supervision and care so that later children do not fall into juvenile delinquency.

The right to play for children is stated in Article 11 *"Every child has the right to rest and utilize leisure time, mingle with*

¹²⁸ Harsoyo, "Faktor Pertimbangan Pernikahan Dini Dan Strategi Pencegahan," 96.

children of the same age, play, recreate, and be creative in accordance with their interests, talents, and level of intelligence for self-development." Article 31 of the Convention on the Rights of the Child states that *"States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child concerned and to participate freely in cultural life and the arts."*

Child marriage causes a child not to be able to enjoy their time as a child.¹²⁹ Especially their time to play with their peers. Therefore, the *JoKawinBocah* movement supports and strives to prevent child marriage, so that children's right to play is not lost and children can feel their rights to play.

There are many children's rights listed in the laws and regulations that have been made by the government. However, in this study, researchers used 4 (four) basic rights that are fulfilled by the *JoKawinBocah* movement as a prevention of child marriage, including those mentioned above, namely the right to protection from violence, exploitation, and discrimination, the right to participation, the right to education, and the right to play. Prevention of child marriage ensures that children's rights are fulfilled from mistreatment and acts of arbitrariness of parents or guardians to marry off their children. The

¹²⁹ Sindi Aryani, "Studi Pernikahan Anak Di Bawah Umur Di Era Pandemi Covid-19 Di Desa Kembang Kerang Daya Kecamatan Aikmel Kabupaten Lombok Timur," *Universitas Muhammadiyah Mataram* (Universitas Muhammadiyah Mataram, 2021), 26, [https://repository.ummat.ac.id/2733/1/SINDI SKRIPSI BAB I-III.pdf](https://repository.ummat.ac.id/2733/1/SINDI%20SKRIPSI%20BAB%20I-III.pdf).

government has accommodated in creating rules related to the protection of children's rights, which in its implementation requires contributions from various elements, but if these rules are not accompanied by public awareness, contribution and understanding, it will be difficult to achieve the fulfillment of child protection implementation.

CHAPTER V

CLOSING

A. Conclusion

Based on the results of the research and the results of the analysis of the questions that became the problem formulation in this study, the researcher can conclude that:

1. The efforts to prevent child marriage carried out by the *JoKawinBocah* movement in Semarang City have not produced maximum results in reducing the number of child marriages due to the lack of socialization carried out by DP3A Semarang City regarding the *JoKawinBocah* movement to all levels of society. The obstacles that hinder the *JoKawinBocah* movement include: a) The implementation of the program which is only in the form of socialization, so that it does not contribute much to the reduction of child marriage in Semarang City; b) The absence of sanctions for child marriage; c) The amendment to Law Number 16 of 2019 which has implications for the increase in marriage dispensation cases; d) Minimal public perception, this is due to the lack of public awareness of child marriage, a strong patriarchal culture and a less supportive environment, culture and knowledge of the community towards preventing child marriage.
2. *The JoKawinBocah* movement in its efforts to prevent child marriage prioritizes the interests of children as stated in Law Number 35 of 2014

concerning Amendments to Law Number 23 of 2002 concerning Child Protection. The rights of children that are implemented in the *JoKawinBocah* movement as an effort to prevent child marriage are as follows: a) Protection Rights from violence, exploitation and discrimination, the prevention of child marriage protects children from the impacts arising from child marriage; b) Participation Rights, children are given the opportunity to participate in preventing child marriage, both as reporters and pioneers; c) Education Rights, children can take maximum education in accordance with government directions, namely the 12-year learning program; d) Play Rights, children can enjoy their play period according to the natural instincts of a child.

B. Suggestion

Based on the results of the discussion regarding the *JoKawinBocah* movement in an effort to prevent child marriage in Semarang City, the suggestions that researchers can give to related parties are as follows:

1. For the Semarang City Women's Empowerment and Child Protection Agency (DP3A), participate directly in optimizing socialization and education related to child marriage prevention. It is expected that the efforts made are more evenly distributed to every group of society, especially vulnerable communities so that the efforts and programs that have been planned can effectively and optimally reduce child marriage in each sub-district.

2. For the Central Java Provincial Government, especially Semarang City, to be more active in socializing Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection so that the functions and objectives of the law are realized. Also, it is necessary to create a cultured movement in the community so that efforts to prevent child marriage will be an effort that arises from the community's own awareness, not just direction from the government.
3. For all elements of the pentahelix involved in efforts to prevent child marriage, they should further strengthen their knowledge, understanding, and increase human resources related to preventing child marriage

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APPENDIXES



KEMENTERIAN AGAMA REPUBLIK INDONESIA
UNIVERSITAS ISLAM NEGERI MAULANA MALIK IBRAHIM MALANG
FAKULTAS SYARIAH
Jl. Gajayana 50 Malang 65144 Telepon (0341) 559399 Faksimile (0341)559399
Website: <http://syariah.uin-malang.ac.id> E-mail: syariah@uin-malang.ac.id

Nomor : B- 5324 /F.Sy.1/TL.01/11/2022
Hal : **Permohonan Izin Penelitian**

Malang, 15 Desember 2022

Kepada Yth.
Kepala Dinas Pemberdayaan Perempuan, Perlindungan Anak, Pengendalian Penduduk,
dan Keluarga Berencana Provinsi Jawa Tengah
Jl. Pamularsih No. 28, Semarang

Assalamualaikum wa Rahmatullah wa Barakatuh

Dalam rangka menyelesaikan tugas akhir/skripsi mahasiswa kami:

Nama : Nisrin Azka Fajrina
NIM : 19210133
Program Studi : Hukum Keluarga Islam

mohon diperkenankan untuk mengadakan penelitian dengan judul :
**Gerakan JoKawinBocah sebagai Upaya Pencegahan Kawin Anak di Kota
Semarang: Kajian Terhadap Hak-Hak Anak**, pada instansi yang Bapak/Ibu Pimpin.

Demikian, atas perhatian dan perkenan Bapak/Ibu disampaikan terima kasih.

Wassalamualaikum wa Rahmatullah wa Barakatuh

Scan Untuk Verifikasi



Tembusan :

1. Dekan
2. Ketua Prodi Hukum Keluarga Islam
3. Kabag. Tata Usaha

Surat Permohonan Izin Penelitian
DP3AP2KB Provinsi Jawa Tengah



KEMENTERIAN AGAMA REPUBLIK INDONESIA
UNIVERSITAS ISLAM NEGERI MAULANA MALIK IBRAHIM MALANG
FAKULTAS SYARIAH

Jl. Gajayana 50 Malang 65144 Telepon (0341) 559399 Faksimile (0341)559399
Website: <http://syariah.uin-malang.ac.id> E-mail: syariah@uin-malang.ac.id

Nomor : B- 5304 /F.Sy.1/TL.01/11/2022
Hal : **Permohonan Izin Penelitian**

Malang, 13 Desember 2022

Kepada Yth.
Kepala Dinas Pemberdayaan Perempuan dan Perlindungan Anak Kota Semarang
Jl. Prof. Sudarto No. 116, Sumurboto, Kec. Banyumanik, Kota Semarang, Jawa Tengah

Assalamualaikum wa Rahmatullah wa Barakatuh

Dalam rangka menyelesaikan tugas akhir/skripsi mahasiswa kami:

Nama : Nisrin Azka Fajrina
NIM : 19210133
Program Studi : Hukum Keluarga Islam

mohon diperkenankan untuk mengadakan penelitian dengan judul :
Gerakan JoKawinBocah sebagai Upaya Pencegahan Kawin Anak di Kota Semarang: Kajian Terhadap Hak-Hak Anak, pada instansi yang Bapak/Ibu Pimpin.

Demikian, atas perhatian dan perkenan Bapak/Ibu disampaikan terima kasih.

Wassalamualaikum wa Rahmatullah wa Barakatuh

Scan Untuk Verifikasi



.....n. Dekan
.....ki Dekan Bidang Akademik,

Nuzul Mahmudi

Tembusan :

- 1.Dekan
- 2.Ketua Prodi Hukum Keluarga Islam
- 3.Kabag. Tata Usaha

Surat Permohonan Izin Penelitian
DP3A Kota Semarang



KEMENTERIAN AGAMA REPUBLIK INDONESIA
UNIVERSITAS ISLAM NEGERI MAULANA MALIK IBRAHIM MALANG
FAKULTAS SYARIAH

Jl. Gajayana 50 Malang 65144 Telepon (0341) 559399 Faksimile (0341)559399
Website: <http://syariah.uin-malang.ac.id> E-mail: syariah@uin-malang.ac.id

Nomor : B- 5306 /F.Sy.1/TL.01/11/2022
Hal : **Permohonan Izin Penelitian**

Malang, 13 Desember 2022

Kepada Yth.
Kepala Kantor Kelurahan Tanjung Mas
Jl. Ronggowarsito No. 42, Tanjung Mas, Kecamatan Semarang Utara, Kota Semarang,
Jawa Tengah

Assalamualaikum wa Rahmatullah wa Barakatuh

Dalam rangka menyelesaikan tugas akhir/skripsi mahasiswa kami:

Nama : Nisrin Azka Fajrina
NIM : 19210133
Program Studi : Hukum Keluarga Islam

mohon diperkenankan untuk mengadakan penelitian dengan judul :
**Gerakan JoKawinBocah sebagai Upaya Pencegahan Kawin Anak di Kota
Semarang: Kajian Terhadap Hak-Hak Anak**, pada instansi yang Bapak/Ibu Pimpin.

Demikian, atas perhatian dan perkenan Bapak/Ibu disampaikan terima kasih.

Wassalamualaikum wa Rahmatullah wa Barakatuh

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Tembusan :

1. Dekan
2. Ketua Prodi Hukum Keluarga Islam
3. Kabag. Tata Usaha

Surat Permohonan Izin Penelitian
Kelurahan Tanjung Mas



KEMENTERIAN AGAMA REPUBLIK INDONESIA
UNIVERSITAS ISLAM NEGERI MAULANA MALIK IBRAHIM MALANG
FAKULTAS SYARIAH

Jl. Gajayana 50 Malang 65144 Telepon (0341) 559399 Faksimile (0341)559399
Website: <http://syariah.uin-malang.ac.id> E-mail: syariah@uin-malang.ac.id

Nomor : B- 5330 /F.Sy.1/TL.01/11/2022
Hal : **Permohonan Izin Penelitian**

Malang, 16 Desember 2022

Kepada Yth.
Direktur Yayasan Anantaka
Jl. Cemara Raya No. 11, Banyumanik, Semarang

Assalamualaikum wa Rahmatullah wa Barakatuh

Dalam rangka menyelesaikan tugas akhir/skripsi mahasiswa kami:

Nama : Nisrin Azka Fajrina
NIM : 19210133
Program Studi : Hukum Keluarga Islam

mohon diperkenankan untuk mengadakan penelitian dengan judul :
**Gerakan JoKawinBocah sebagai Upaya Pencegahan Kawin Anak di Kota
Semarang: Kajian Terhadap Hak-Hak Anak**, pada instansi yang Bapak/Ibu Pimpin.

Demikian, atas perhatian dan perkenan Bapak/Ibu disampaikan terima kasih.

Wassalamualaikum wa Rahmatullah wa Barakatuh

Scan Untuk Verifikasi



Tembusan :

- 1.Dekan
- 2.Ketua Prodi Hukum Keluarga Islam
- 3.Kabag. Tata Usaha

Surat Permohonan Izin Penelitian
Yayasan Anantaka



KEMENTERIAN AGAMA REPUBLIK INDONESIA
UNIVERSITAS ISLAM NEGERI MAULANA MALIK IBRAHIM MALANG
FAKULTAS SYARIAH

Jl. Gajayana 50 Malang 65144 Telepon (0341) 559399 Faksimile (0341)559399
Website: <http://syariah.uin-malang.ac.id> E-mail: syariah@uin-malang.ac.id

Nomor : B- 5336 /F.Sy.1/TL.01/11/2022
Hal : **Permohonan Izin Penelitian**

Malang, 21 Desember 2022

Kepada Yth.
Kepala Dinas Sosial Kota Semarang
Jl. Pemuda No. 148, Semarang

Assalamualaikum wa Rahmatullah wa Barakatuh

Dalam rangka menyelesaikan tugas akhir/skripsi mahasiswa kami:

Nama : Nisrin Azka Fajrina
NIM : 19210133
Program Studi : Hukum Keluarga Islam

mohon diperkenankan untuk mengadakan penelitian dengan judul :
Gerakan JoKawinBocah sebagai Upaya Pencegahan Kawin Anak di Kota Semarang: Kajian Terhadap Hak-Hak Anak, pada instansi yang Bapak/Ibu Pimpin.

Demikian, atas perhatian dan perkenan Bapak/Ibu disampaikan terima kasih.

Wassalamualaikum wa Rahmatullah wa Barakatuh

Scan Untuk Verifikasi



Tembusan :

- 1.Dekan
- 2.Ketua Prodi Hukum Keluarga Islam
- 3.Kabag. Tata Usaha

Surat Permohonan Izin Penelitian
Dinas Sosial Kota Semarang

INTERVIEW EVIDENCE



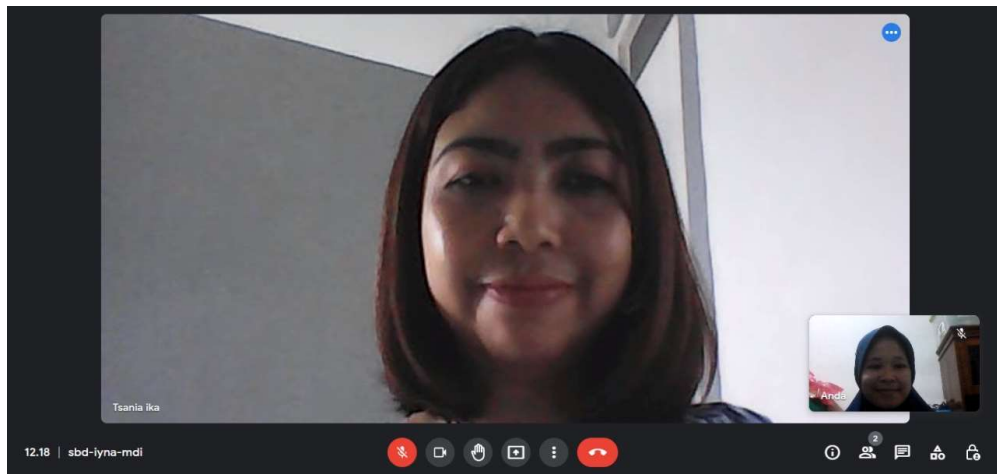
(DP3AP2KB Provinsi Jawa Tengah)



(DP3A Kota Semarang)



(Kelurahan Tanjung Mas)



(Yayasan Anantaka)


CHILD MARRIAGE DATA OF SEMARANG

DATA PERNIKAHAN ANAK KOTA SEMARANG TAHUN 2020

Data Pernikahan Anak Kecamatan

No	Kecamatan	<18 th	18-19	Jumlah
1	Banyumanik	4	5	9
2	Candisari			
3	Gayamsari	4	7	11
4	Gajah Mungkur			
5	Genuk	9	56	65
6	Gunungpati			
7	Mijen			11
8	Ngaliyan	5	26	31
9	Pedurungan	11	62	73
10	Semarang Tengah	3	0	3
11	Semarang Barat			
12	Semarang Timur			
13	Semarang Selatan	3	12	15
14	Semarang Utara	9	56	65
15	Tembalang	6	62	68
16	Tugu	4	0	4
Jumlah :		58	286	355

Kabida PTA

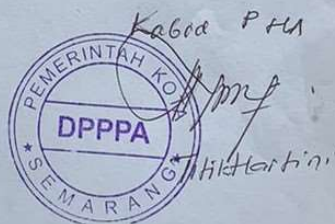


Widy. -
Tilik Hastini

(Data Perkawinan Anak 2020)

DATA PERNIKAHAN ANAK KOTA SEMARANG TAHUN 2021

Data Pernikahan Anak Kecamatan				
No	Kecamatan	<18 th	18-19	Jumlah
1	Banyumanik	1	6	18
2	Candisari	-	26	26
3	Gayamsari	4	11	15
4	Gajah Mungkur	4	3	7
5	Genuk	6	49	55
6	Gunungpati	1	36	37
7	Mijen			11
8	Ngaliyan	6	79	85
9	Pedurungan	2	45	47
10	Semarang Tengah	2	1	3
11	Semarang Barat	8	56	64
12	Semarang Timur	0	24	25
13	Semarang Selatan	4	22	26
14	Semarang Utara	9	57	66
15	Tembalang	8	59	67
16	Tugu	4	0	4
Jumlah :		59	474	556



(Data Perkawinan Anak 2021)

(Data Perkawinan Anak 2022)

DATA PERNIKAHAN ANAK USIA KURANG 18 TAHUN
KUA GUNUNGPATI
KOTA SEMARANG
TAHUN 2022

NO	KELURAHAN	JENIS KELAMIN		KETERANGAN
		PEREMPUAN	LAKI-LAKI	
1	PAKINTELAN	0	0	
2	MANGUNSARI	0	0	
3	PLALANGAN	0	0	
4	GUNUNGPATI	1	0	
5	NONGKOSAWIT	1	0	
6	PONGANGAN	1	0	
7	NGIJO	0	0	
8	PATEMON	1	0	
9	SEKARAN	0	0	
10	SUKOREJO	3	0	
11	SADENG	1	0	
12	CEPOKO	0	0	
13	JATIREJO	0	0	
14	SUMURREJO	0	0	
15	KALISEGORO	0	0	
16	KANDRI	0	0	
	JUMLAH	8	0	

SEMARANG, 7 MARET 2023



KEPALA
H. MOCHA HASAN BASRI, SHI, MH

**DATA PERNIKAHAN ANAK USIA KURANG 18 TAHUN
KUA SEMARANG SELATAN
KOTA SEMARANG
TAHUN 2022**

NO	KELURAHAN	JENIS KELAMIN		KETERANGAN
		PEREMPUAN	LAKI-LAKI	
1	BULUSTALAN			
2	BARUSARI	1	1	
3	RANDUSARI			
4	MUGASSARI			
5	PLEBURAN			
6	WONODRI	1		
7	PETERONGAN	3		
8	LAMPER LOR			
9	LAMPER KIDUL			
10	LAMPER TENGAH	1	1	
	JUMLAH	6	2	


 SEMARANG, 7 MARET 2023
 KEPALA
 SUKMA ROCHAYAT

**DATA PERNIKAHAN ANAK USIA ≤ 18 TAHUN
KUA KECAMATAN TEMBALANG, KOTA SEMARANG
TAHUN 2022**

NO	KELURAHAN	JENIS KELAMIN		KETERANGAN
		PEREMPUAN	LAKI-LAKI	
1	BULUSAN	0	0	
2	KRAMAS	0	0	
3	TEMBALANG	0	0	
4	JANGLI	0	0	
5	TANDANG	4	1	
6	SENDANGGUWO	1	0	
7	KEDUNG MUNDU	0	0	
8	SAMBIROTO	0	0	
9	MANGUNHARJO	1	0	
10	SENDANGMULYO	1	0	
11	METESEH	2	0	
12	ROWOSARI	4	1	
	JUMLAH	13	2	

Semarang, 28 Februari 2023

KUA Kec. TEMBALANG



M. NTHOLIF, S.Ag.
NIP.197304031998031004

**DATA PERNIKAHAN ANAK USIA ≤ 18 TAHUN
KUA KECAMATAN SEMARANG UTARA
KOTA SEMARANG
TAHUN 2022**

NO	KELURAHAN	JENIS KELAMIN		KETERANGAN
		LAKI-LAKI	PEREMPUAN	
1.	BULU LOR	2	2	
2.	PLOMBOKAN	0	0	
3.	PURWOSARI	0	0	
4.	KUNINGAN	0	0	
5.	PANGGUNG LOR	0	0	
6.	PANGGUNG KIDUL	2	2	
7.	BANDARHARJO	3	3	
8.	TANJUNG MAS	6	6	
9.	DADAPSARI	0	0	
	JUMLAH	13	13	

SEMARANG, 08 MARET 2023

 SUPARWITO, M.Pd.i
 NIP. 197404102009011008

**DATA PERNIKAHAN ANAK USIA KURANG 18 TAHUN
KUA PEDURUNGAN
KOTA SEMARANG
TAHUN 2022**

NO	KELURAHAN	JENIS KELAMIN		KETERANGAN
		PEREMPUAN	LAKI-LAKI	
1	PENGGARON KIDUL	0	0	
2	TLOGOMULYO	0	1	
3	TLOGOSARI WETAN	0	1	
4	TLOGOSARI KULON	0	1	
5	MUKTIHARJO KIDUL	2	1	
6	PLAMONGANSARI	1	0	
7	GEMAH	1	0	
8	PEDURUNGAN KIDUL	1	0	
9	PEDURUNGAN LOR	0	0	
10	PEDURUNGAN TENGAH	0	0	
11	PALEBON	1	0	
12	KALICARI	0	0	
	JUMLAH	6	4	

SEMARANG, 07 MARET 2023

KEPALA



DIS. H. SYAMSURI, M.H.

**DATA PERNIKAHAN ANAK USIA KURANG 18 TAHUN
KUA SEMARANG TENGAH
KOTA SEMARANG
TAHUN 2022**

NO	KELURAHAN	JENIS KELAMIN		KETERANGAN
		PEREMPUAN	LAKI-LAKI	
1	MIROTO	21	7	
2	BRUMBUNGAN	0	0	
3	JAGALAN	1	0	
4	KRANGGAN	0	1	
5	GABAHAN	0	0	
6	KEMBANGSARI	2	0	
7	SEKAYU	0	0	
8	PANDANSARI	1	0	
9	BANGUNHARJO	1	0	
10	KAUMAN	1	0	
11	PURWODINATAN	1	1	
12	KARANGKIDUL	2	2	
13	PEKUNDEN	0	0	
14	PINDRIKAN KIDUL	0	0	
15	PINDRIKAN LOR	0	0	
	JUMLAH	30	11	

SEMARANG, 10 MARET 2023



RUDY KUSWANTORO, S.Ag. MH

QUESTION LIST

A. Pertanyaan DP3AP2KB Provinsi Jawa Tengah dan DP3A Kota Semarang

1. Apa yang melatarbelakangi lahirnya gerakan *JoKawinBocah*?
2. Siapakah sasaran utama gerakan *JoKawinBocah* dalam memberikan program/upaya pencegahan perkawinan anak? Alasannya apa?
3. Apa tujuan utama/fokus tujuan dari adanya gerakan *JoKawinBocah*?
4. Apa saja program/upaya yang dilakukan oleh gerakan *JoKawinBocah* dalam menekan angka perkawinan anak di Semarang?
5. Dari program-program tersebut, apakah program yang dijalankan sudah efektif dalam mengurangi angka perkawinan anak di Semarang?
6. Apa saja kendala yang dialami oleh gerakan *JoKawinBocah* dalam mencegah terjadinya perkawinan anak?
7. Pihak mana saja yang terlibat bersama dengan gerakan *JoKawinBocah* dalam mencegah terjadinya perkawinan anak di Semarang? Kontribusinya apa?
8. Hak-hak apa saja yang terlindungi dengan adanya gerakan *JoKawinBocah* melalui upaya pencegahan perkawinan anak?
9. Bagaimana cara bapak/ibu dalam mensosialisasikan gerakan *JoKawinBocah* kepada masyarakat?
10. Bagaimana data kasus perkawinan anak di Kota Semarang setelah adanya gerakan *JoKawinBocah*?

B. Pertanyaan Pemerintah Desa

1. Apa yang bapak/ibu ketahui dari gerakan *JoKawinBocah*?
2. Bagaimana pandangan bapak/ibu terkait kasus perkawinan anak setelah adanya gerakan *JoKawinBocah*?
3. Apakah bapak/ibu ikut serta dalam pensosialisasian gerakan *JoKawinBocah* kepada masyarakat?
4. Bagaimana fenomena perkawinan anak serta upayanya di daerah setempat?
5. Bagaimana kasus perkawinan anak di daerah setempat?



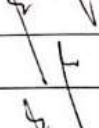



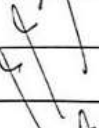
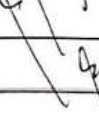
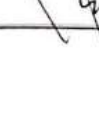
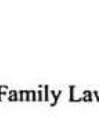
C. Pertanyaan Dinas/Instansi yang turut bekerjasama

1. Apa yang bapak/ibu ketahui dari gerakan *JoKawinBocah*?
2. Bagaimana keterkaitan gerakan *JoKawinBocah* dengan Instansi/Dinas terkait?
3. Apakah instansi tersebut ikut secara langsung dalam pensosialisasian gerakan *JoKawinBocah* kepada masyarakat?
4. Menurut pandangan bapak/ibu, apakah program/upaya gerakan *JoKawinBocah* sudah selaras dengan hak-hak anak yang terdapat di Undang-Undang Perlindungan Anak?
5. Menurut bapak/ibu, dengan adanya gerakan *JoKawinBocah* hak-hak anak apa saja yang terimplementasikan/terlindungi?
6. Menurut pandangan bapak/ibu, apa saja yang menjadi kendala dalam pencegahan perkawinan anak di Kota Semarang?

CONSULTATION PROOF

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Student Number : 19210133
Department : Islamic Family Law
Supervisor : Risma Nur Arifah, S.H.I., M.H.
Thesis Title : The *JoKawinBocah* Movement as an Effort to Prevent Child Marriage in Semarang City: A Study of Children's Right's

No	Day/Date	Subject of Consultation	Signature
1	Monday, 24 September 2022	ACC Proposal	
2	Monday, 24 October 2022	ACC Chapter I	
3	Tuesday, 8 November 2022	Consultation Chapter II	
4	Monday, 21 November 2022	Chapter II Approval	
5	Wednesday, 14 December 2022	Consultation Chapter III	
6	Tuesday, 14 February 2023	ACC Chapter III	
7	Tuesday, 7 March 2023	Consultation Chapter IV	
8	Monday, 27 March 2023	ACC Chapter IV	
9	Monday, 8 May 2023	Consultation Chapter V and Abstract	
10	Friday, 19 May 2023	Thesis Approval	

Malang, 19th May 2023

Acknowledged by:
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