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EVALUATION ON EARLY MARRIAGE: A POVERTY DERIVED CULTURE IN INDONESIA

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ABSTRACT

Birth, marriage and death are the standard trio of key events in most people's lives. But only one – marriage – is a matter of choice. While early marriage takes many different form and has various causes, one issue is paramount. Whether it happens to a girl or a boy, early marriage violates a panoply of interconnected rights. Early marriage causes serious physical and also psychological harms and suffering, which is commonly defined as gender-related violence. The reasons behind child marriage vary from one country to another. More often than not, child marriage takes place due to cultural aspect and poverty. Indonesia as the biggest country in the southeast Asia region and as the fourth biggest population in the world aren't so different compared to the whole picture of the world. The lack of literature which explain the interconnection among how culture and poverty (or culture of indigence) affect malformed behavior of the society, especially on early marriage issue. Motivated us to use Jurgen Habermas idea to elucidate the process behind the issue; how culture directly stir every action and decision of the society, including the un-consistency by the government, and Family decision to wed their child as the strategy to solve economic problem.

Key word: Early Marriage, Child, Culture, Poverty, Reason and Rational, Society

RESEARCH BACKGROUND

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Birth, marriage and death are the standard trio of key events in most people's lives. But only one – marriage – is a matter of choice. Yet many girls, and a smaller number of boys, enter marriage without any chance of exercising their right to choose. Some are forced into marriage at a very early age. Others are simply too young to make an informed decision about their marriage partner or about the implications of marriage itself. They may have given what passes for 'consent' in the eyes of custom or the law, but in reality, consent to their binding union has been made by others on their behalf. The assumption is that once a girl is married, she has become a woman – even if she is only 12. Equally, where a boy is made to marry, he is now a man and must put away childish things. While the age of marriage is generally on the rise, early marriage – marriage of children and adolescents below the age of 18 – is still widely practised.

While early marriage takes many different forms and has various causes, one issue is paramount. Whether it happens to a girl or a boy, early marriage violates a panoply of interconnected rights, including, the right to equality on grounds of sex and age, the right to marry and found a family, the right to life, the right to the highest attainable standard of health, the right to education and development and the right to be free from slavery that are guaranteed in the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the Convention on the Consent to Marriage, Minimum Age for Marriage and Registration of Marriages and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (Alwis, 2008). For both girls and boys, early marriage has profound physical, intellectual, psychological and emotional impacts, cutting off educational opportunity and chances of personal growth. For girls, in addition, it will almost certainly mean premature pregnancy and childbearing, and is likely to lead to a lifetime of domestic and sexual subservience over which they have no control. Yet many societies, primarily in Africa and South Asia, continue to support the idea that girls should marry at or soon after puberty (UNICEF, 2016).

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In addition to the violation of various human right, however, early marriage inevitably denies children of school age their right to the education they need for their personal development preparation for adulthood, and their effective contribution to the future wellbeing of their family and society. The essence of the rights to education and to health is that they facilitate and ensure the effective enjoyment of other human rights. For a number of poorer families, the potential rewards of educating daughters are too far off and therefore their education is not recognized as an investment. Families perceive that a girl's education will only benefit her husband's household, and not her parents. Additionally, some parents believe that girls do not need an education for their roles as wives and mothers, that education undermines cultural practices, and it teaches the girl to reject tradition (Bayisenge, 2016). The school as the most important institution outside the family involved in socializing young people into all dimensions of adult roles and responsibilities are failed to help child related to early marriage to reach positive outcomes; lower fertility, and healthier and better-educated children, economic development. Child marriage clearly has impact on resources, just like stated above, by contributing to girls' premature school drop-out and limitations on learning. Finally, child marriage may also affect agency, if it reduces girls' and women's decision-making ability in the household (Quentin Wodon, 2015).

Moreover, Women in developing states who lack elementary health care, faces more life-threatening healthiness problems comprehending maternal mortality, child marriage, human immunodeficiency virus (HIV)/AIDS, and cervical cancer that wave developing lands. According to UNICEF, about 60% to 70% girls are forced to married in early ages in several African and Asian countries (Somerset, 2000). For girls who don't have old enough bodies for safe sexual intercourse, unavoidable sexual relations with their husbands can be traumatic. Sex in such type of relationships, that involves young girls, is usually not built upon consent but unfortunately is essentially forced upon the girls. The result of that is sexual, physical and also psychological harms and suffering, which is commonly defined as gender-related violence. Studies showed that early marriage and early childbirth leads to higher rates of adolescent fertility and pregnancy related complications. In several regions, it is considered that the status of a girl is based upon the number of male offspring therefore frequent pregnancies are common.

Based on the research done by UNICEF in 2013 shows that the rate of death of the married girls aged between 15-19 years is twice as compare to the girls who ¹³try after the age of 20 years. As their bodies are immature that's why their health is affected by giving birth to a child. The most important component of mortality for girls aged 15-19 are maternal deaths related to pregnancy and childbirth which accounts to 70,000 deaths per year worldwide. The chance ¹²ing of the infant of girl married before 18 years is 60 % then that of the infant of the mother older than 19 years. If the child even survives, there are more chances of the thing that it will have low birth weight ⁹ or is weaker than the normal children in physiological and psychological manners (Ahmed, Khan, Alia, & Noushad, 2013). In addition, early married women are more likely to seek and access health services as compared to women in adulthood. This type of physical emotional and social torture leads to greater psychological traumas such as immobility, loss of self-confidence and even among girls that were receiving education early marriage impede their education resulting in severe depression and having complex from other girls having good educational background and career opportunities which they lost.

¹⁸ The reasons behind child marriage vary from one country to another. ⁷ More often than not, child marriage takes place due to poverty. It can be argued that poverty is related to culture to a certain degree. This is due to the fact that some people do not work hard and have cultivated the spirit of dependence. Where there is acute poverty, a young girl may be seen as an economic burden, when purchased will relieve the family financially and socially. Hence, marriage is considered a transaction, a significant economic activity. In most African communities, bride wealth is linked with marriage. In the context of Poverty, therefore, this practice encourages child marriage. In addition, some communities do not regard the education of the girl highly as that of the boy. The girls are married off early and are seen as a source of wealth (Birech, 2013).

¹⁰ The economic reasons behind child marriage could be divided into two; either parents choose to marry their child young as they feel this is the primary way of securing their daughter's future, or parents see their girl child as a financial burden that they can relieve themselves of, and profit by marrying her young. In many cases child marriage is believed to be used as a coping strategy for families living in poverty or financial insecurity and can become a means of survival. Child marriage becomes a coping strategy because families are relieved of the financial pressure of caring for a girl when she is married, parents will save money in the case of a dowry or make more money in the case of the bride price if they marry their daughter young and families may be able to create important economic ties through marriage. Marrying a daughter to an economically secure man is also seen as a means of ensuring her financial security and protection into the future (Hodgkinson, 2016).

In many studies shows that there are increasing opportunities for (educated) girls to become part of the work force. Where this happens, girls are able to create an income and support their families. In many countries, therefore, higher rates of female workforce participation have been found to be related with lower rates of child marriage, due to a change in economic incentives. However, child marriage sometimes continues to persist despite workforce participation (Hodgkinson, 2016). A number of reasons ¹⁰ derived from the literature for this persistence. Firstly, the gendered norms identified above prescribe that a women's role is in the home. Secondly, for many families, especially those in rural areas, opportunities just aren't available. Third, in many cases, parents cannot afford to send all of their children to school in order to prepare them for the workforce. When parents cannot afford to send all of their children to school, the gender norms described above and the traditional divisions of labor mean that boys tend to be favored to be the child that receives an education.

¹⁰ This favoring of boys is heightened by the fact that in many communities a bride will move in with her husband's family. According to academic research into marriage in Africa, it is therefore perceived that a girl's own family will not be able to reap the benefits of investing in their daughter's education, as the income she earns will go to her husband's family. This circular rules then which responsible for the inclination of girls as the victims of early marriage in many regions of the world (International, 2016). Despite being prohibited by international law, and there were so many initiatives done by international or even local organization to end the early marriage phenomenon, this issue are prone to decline undelightly. South Asia and West and Central Africa still at its peak with 46% and 41% of girls become child brides respectively, Latin America and the Caribbean, contributes 29%, in East Asia and the Pacific 18%, Arab States 15%, and 11% in Eastern Europe and Central Asia.

Indonesia as the biggest country in the southeast Asia region and as the fourth biggest population in the world aren't so different compared to the whole picture of the world. The amount of child bride were so high even compared to its neighborhood. According to the Research Center for the Study of Gender and Sexuality, University of Indonesia in 2015, Indonesia early marriage cases are ranked at the second place in Southeast Asia. There are about 30% of Indonesian women which aged 15 years are married and dropped out of school (Gizitinggi.Org, 2016).

However, the case in Indonesia are similar with any other cases around the globe. The lack of awareness by its people added by the ignorance of the government to pursue the ending of the issue. According to Indonesian law on marriage stated that the marriage can be done if the bride has reached the age in accordance with article 7 of Law No. 1 of 1974, that is 19 (nineteen)

years old for the boy and 16 years old for the girls. The Marriage Law not only fails to meet the age 18 threshold for marriage recommended by International Human Rights Treaty Bodies, it contradicts Indonesia's own 2002 Law on Child Protection, which prohibits marriage under age 18 under any circumstances (UNICEF, 2016).

This little example had been shown us that early marriage issue was a multi-dimensional issue. It addressing not only the society as the vanguard who responsible of the issue alone, but the government either who have the power to shape and guide its society. Both of them then could be the motor or even an obstacle in combating the early marriage issue.

Just as stated above, poverty indeed is seen as motivation behind the early marriage issue. But when we see the big picture of the issue, we also found that un-consistent government in contemplating and implementing the law against the issue are another determinant which couldn't be edged. Un-consistent government who can't compel its people to restrain the malformed behavior, inadvertently, seemingly contribute positively to the continuity of the problem; or in another word they disregarding the presences of improper culture inside their territorial. The reason behind this phenomenon could be divided in twofold of causes. First, the un-consistency is a product of the unskilled and government. The second, there was a culture which strongly motivated the government and its society to perpetuate the malformed behavior. Or in another essence there was no cultural aspect as the motivation to stop the issue.

Alluding on early marriage issue, there are thick literature confirm that there is a strong correlation among poverty, culture, and sometime culture of indigence to the rate of early marriage phenomenon. However, there is lack of literature which explain the interconnection among how culture and poverty (or culture of indigence) affect malformed behavior of the society, especially on early marriage issue. Using Jurgen Habermas idea this article attempted to elucidate the process behind. How the culture directly stir every action and decision of the society, including the un-consistency by the government, and Family decision to wed their child as the strategy to solve economic problem. In the following chapter we will explain Jurgen Habermas theory on culture and behavior of the society, followed by the analysis of the given facts, in this case the data will be taken from Indonesia. And at the end phase we will give a conclusion along with recommendation to overcome the issue based on the analysis had been done.

JURGEN HABERMAS : THE THEORY OF COMMUNICATIVE ACTION; REASON AND RATIONALIZATION OF SOCIETY

Human action or behavior is always an interesting field to be learned exhaustively. In the social-science there were so many theories which taking account to describe every layer of the human action specifically. Alluding the development of the social science, the origin said that there were twofold current perspectives which try to define and describe the human action in details. The first is perspective laid on positivistic view. They describe that every human action is a rigid pattern that always follow the same rules. Where the diversity of characteristic of distinct place and people are fully ignored. The explanation of human behavior is taken for granted from the inference of the general rules that derived from a little part of the population of human itself. Of course, the critics to this paradigm is obviously dazzling. The hole left behind by the positivistic helps the born of the second current of the perspective, named post positivistic paradigm. Citing one crucial thinker in this perspective, Jurgen Habermas, said that the positivistic seems to be ignorant to the fact that there was diversity among human. He emphasizes that the most important aspect of human life had been fully dispatched by them. Such time and place where they live, belief-system of the group, and distinct knowledge among individual group etc. Shortly speaking the human behavior are various and can't be generalized by one simple rules definition and explanation taken from some pieces of puzzles (Habermas, 1984).

Human are social creature whose always interact with others element around. They interact with other human, group of people, and even they were interacting with symbol of their own. therefore, it's of course an obvious idea if we try to understand and explain human behavior only from the generalization of some part of them. Furthermore, Habermas stated that every action taken individual can't be separated by believe and knowledge adhered by the person itself. For a simple parable in this context, let's say that I said "A is beauty and lovely", otherwise there were somebody else who said that "A is unbelievably ugly". This simple action could be explained by the knowledge and believe from each person. For me, it's an assurance that I have the believe that A is a truly beauty based on the standard that I have been developed derived from my every knowledge I had before. And respectively speaking, the other person who said contrarily with my utterance will not have and can't be possessed by the same belief and knowledge with me. Conversely, I can't say so, as long as I have the contradicting believe with the first I mentioned before i.e., I believe that A is not beauty (ugly). It seems that this kind of explanation of the human action are very individualistic, but at the other hand if we turn side the view the explanation of belief and knowledge above is a universal aspect. And it was the idea that proposed by post positivistic current to explain human action and behavior to its finest. From this point, it's clear that there is something universally motivated people to do their action, that spur people to decide what action to be taken latter. On this conception, a little further citing on Habermas work, the embodiment of human belief to knowledge are translated to what Habermas call "the life world". It's the second world of the people and could only be seen by action of the people.

To define clearly what Life World is, Habermas firstly divide the world into two categories, first is the material world. The world that we could see and touch every day, just like your books, wall, color, bag, tables etc. In this type of world, the meaning of the knowledge about the things are came from the things it self. There is no human interception and perception to define the characteristic of the thing. And the second world is the life world, the world that came as the result of human interaction with the material world, which was then communicated and understood (reliable) collectively. A knowledge that wasn't only acknowledged by one person or one group alone. Such as knowledge which bind human as part of a group, i.e., of Muslims, the

Christians, Chinese ethnic, Javanese, and other kind of similar groups. This kind of binding knowledge indeed collectively understood by all of its member. However, if we try to explain human behavior only from the knowledge that bind them, we would fall into the same hole as positivistic did. Let say that we justify that every people on a group (Chinese for example) do the same thing (speak Chinese) everywhere. Could it be true that every Chinese people in this world speak Chinese. We don't think so, because there is a clear evidence that Chinese people will not only speak Chinese, they could also speak English, Indonesian, Javanese or even Arabic. This kind of explanation are just the interesting part of the explanation. Due to the rise the new question to be answered "why do the action among member of a group is different from one to another, whereas there was one identity which bind them all together?"

Relativistic answer may be crossed in our mind, that is to say, an answer that focused only on the relativity of the subject questioned. Indonesian Chinese do not speak Chinese due to the location differentiation, and did the other. However, this kind of answer precisely indicate that this kind of knowledge, which bind them as one group, don't have any universal value. And therefore, we couldn't classify them as life world. What Habermas intended to say with life world is most bigger than that. A world that could motivate every action taken by people; motivate people to do the different thing even in the uniformity of knowledge and vice versa, uniformity of action in the diversity of knowledge.

Sociology teach us that human tend to congregate with other who have the same characteristic. At the early stage, they will only create a small group consist of people with the similar character. The latter, a number of group will become a community, some community would become a society, and a group of society will create the biggest social group on the pyramid, that is a culture. From these process culture is the biggest and the widest social group. It created by the combination of every layer of social group before. Consequently, every single knowledge embodied by the smallest group before eventually merge into a new knowledge that understood by all of its member. And this is what Habermas intended to be called Life World.

Interaction play an important role in the creation of knowledge, belief and at the end the creation of Life World. We will never belief in a certain knowledge while we do not interact or touch the knowledge. Furthermore, we wouldn't belief either while the knowledge offered to us are rejected. This indicates that beliefs to a certain knowledge (Life World) are directly related to our acceptance of the knowledge offered. Therefore, the interaction here is not an arbitrary act which does not have any rules. In this kind of communication people is not only utter, or just giving an information, but it also has a reason and a purpose why do they interact and communicate with other.

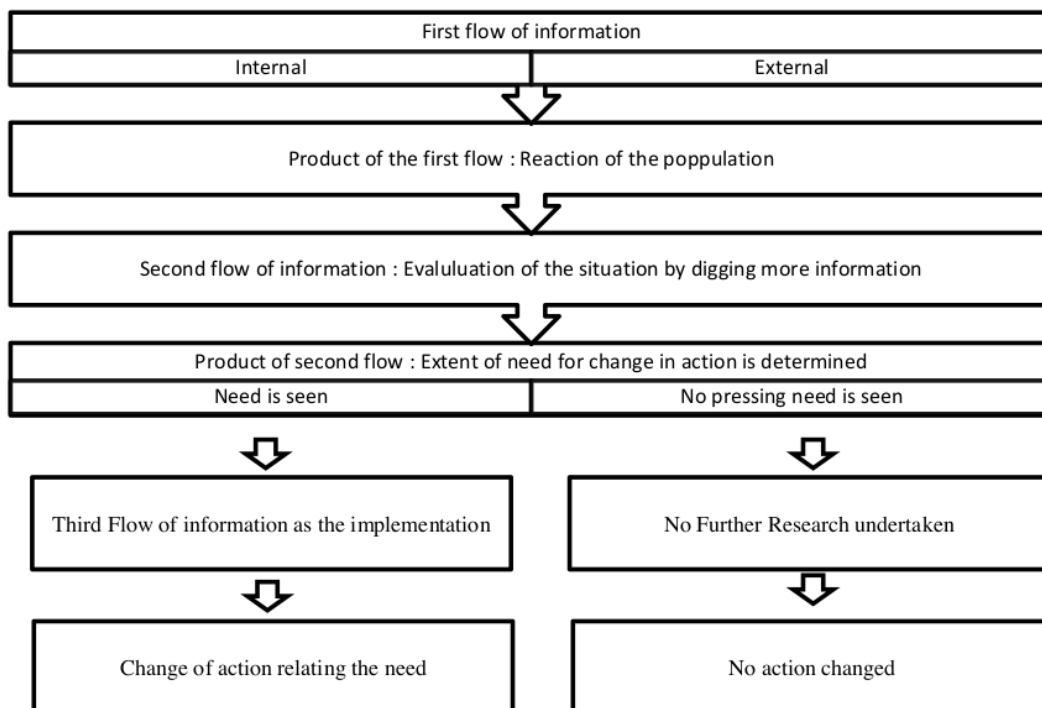
Let pick an example of a communication that occurs between two people with the topic of the solar system. The discussion among them will only suffice if and only if there is a reason or purpose for them to discuss the issue. If not the discussion is just a nonsense utterance. And, indeed the question why they should discuss the topic will probably appear. It would be different when there is a controversial claim that violates the general knowledge about the solar system uttered, e.g., there is someone who says "the sun orbit the earth." with the utterance of such sentence, a person who have the sense of appetite may try to give explanation about the controversial utterance above. The discussion may begin up till the new consensus of a new consensus about the theme achieved by both. The second person may counter the first utterance through the logical explanation, scientific elaboration and empirical evidence to persuade and gain the consensus from the first person who utter the controversial claim. In the example above the communication taken has clearly had a reason, rules and objectives to be achieved. The objective is to counter the controversial claim stated before, and hopefully there will be a new consensus among the participant of the discussion. To get a consensus among them, the theme of the speech must be specified. There will be no any participant of the speech allowed to talk about something else. Otherwise the consensus targeted to be reach won't be achieved. And consequently, the speech done among them are just a normal argumentation.

At this point we could draw an important thing to be remember, that is consensus which need to be achieved. Yet this condition isn't allowing any other method, unless the participant of the speech is value free from any kind of forces. Habermas believe that since the truth of knowledge uttered are no longer became the motivation to do the discussion (to counter the controversial claim) will only leave us with the power relation among the participant. Due to that reason the consensus achieved among the participant couldn't be seen as rational motivation to take the action. It just the depiction of the willingness of the participant to obey the wishes of whose expressed such knowledge.

However, the consensus of a discussion, the concrete of the Life World does not always have to be obtained through two flow of communications. An interaction can still be referred to as a discussion, and latter will create Life world, as long as the speech could reach consensus without any pressure and forces. For a brief example let's see a presentation done by student in a class.

A seminar or any kind of presentation will always begin with an explanation of the material by the presenter to the audience. And then followed by discussion (debates) between the audience and the presenter to reach a consensus of any controversial or any kind of unclear material explained by the presenter before. The discussion on the second phase of presentation are clearly an argumentative speech -Habermas terminology on any kind of communication which exert to create a consensus or a Life World. As long as the participant of the discussion motivated by the spirit to seek the truth of the knowledge and then followed by the reaching of a consensus. The first communication form, when the presenter gave an explanation about the material, could either be categorized as argumentative speech even there was only one single flow of information. As if the audience show an attitude (there are no question raised) which depict an understanding of the material explained.

Figure 1: The process of argumentative speech Life world creation



Sources : (König, 2013)

This simple explanation clearly affirm that the creation of Life World is not far from our daily life. We are always involved in an argumentative speech, even sometimes we aren't fully recognized it. When you drive your car on the street and suddenly stop before the cross line due to traffic light that turning red. Why you stop is due to your understanding of the communicated information by the traffic light to you. This kind of communication are done when you enter the library with silent attitude, or when you entered the toilets room, your own house, or even in the park. And we assured there are many more our daily activities that we did every day as an argumentative speech, is it persuading people to understand (to gain consensus from other) or even we are persuaded to be understood by other (people or even symbols). And this kind of interaction what Habermas stated to be the determinant in analyzing of human behavior.

ANALYSIS: THE COMMUNICATIVE ACTION OF EARLY MARRIAGE ISSUE IN INDONESIA

From the explanation above we knew that a Life World transformation, even it was just a change started by uttering something, could only be done with the implementation of argumentative speech. In this kind of speech there was some condition which need to be satisfied by all its member. Firstly, the trigger, or the first flow of information is the condition need to be satisfied. However, this first flow of information hardly connected and can't be separated to the second required condition that is the standard used by the society to decide the importance of change related to the first flow of information. And thirdly, are the rules of argumentation. All the participant need to be free-valued, loose from any kind of coercion and only motivated to search the truth of the knowledge thematized to legitimately change the Life World of others participant.

Related to the explanation of early marriage cases in Indonesia, we will divide it in two discussion, first by using Indonesian government side as the view point and then followed by the community as the view point. In those analysis, we would like to find are both subject satisfied every single condition needed to implement argumentative speech, straightly speaking is there any satisfied condition on government side to change the life world of its society and is there any satisfied condition on society itself to change their own Life World.

a. Argumentative speech by government to its society

As stated above this session of analysis we will began to cross check the availability of information flow to the Indonesian government related early marriage issue. Then followed by the availability of government awareness to the issue. are those issue seen as a crucial phenomenon which needs critical attention.

The number of child brides is appalling in Indonesia, second after Cambodia for the highest number of child brides in the Association of Southeast Asian Nations (ASEAN). The Council of Foreign Relations estimates one out of five girls in Indonesia is married before they reach 18. The Law No. 1/1974 on marriage states that 16 is the minimum age of a girl, who is eligible for marriage. This, however, is inconsistent with other existing laws. The Law No. 23/2002 and the United Nations Convention on the Rights of the Child both declare a child as a person under the age of 18. These are the major legal instruments that stipulate basic rights of a child, including protection from all forms of violence and exploitations that could harm the physical and mental health of a child (Soleha, 2016).

Based on our findings, indeed there was massively flow of information calling Indonesian government attention related early marriage issue in Indonesia. Starting from international organization petition, till local organization critics. As could be seen, the most paramount critics came from Muslim feminist activists, belonging to the mainstream organizations of NU and Muhammadiyah. They Negotiated hardly some of the sweeping changes in religious attitudes. While feminism comes in many forms, in this context I refer to Muslim feminists; women and men for whom the key to women's liberation is found in re-interpreting the Qur'an and other Islamic sources (for example the Tradition or Hadith) from the perspective of gender equality. Their reference point is the belief that the sources for women's liberation are the Muslim holy texts, but that these have been misread and abused to subordinate women (Doorn-Harder, 2016).

One of the utmost action could be seen by this organization are petitioned Indonesia's Constitutional Court to change the minimum age of married. They have argued that even the minimum age of sixteen is far too young for a girl to get married and in 2014 (Noer, 2017). Unfortunately, This request was denied based on moral arguments, that "allowing girls to get married earlier can help prevent pre-marital sex and children born out of wedlock" (Indonesia, 2017). Furthermore, the Court argued that Islam only stipulated that a girl must have reached the age of puberty or sexual and social maturity, aqil baligh, and can consent to the marriage (Indonesia, 2017). Thus, this decision aligns itself with traditional opinions and customs that are still widespread across the Archipelago and ties in with conservative and radical-minded Muslim discourses.

Their reasoning to the decision, there is no minimum marrying age for girls stated in the Islamic texts. Since marrying an underage girl is legal, according to the 1974 marriage law, the practice of child marriage is justified. As a result, this practice is encouraged even more in many parts of the country, such as in Indramayu, Sukabumi, and Bondowoso, which all have a high prevalence of child brides (Soleha, 2016).

The Indonesian government seems to be un-consistent with this decision while we trace back to August 2008. When 43-year-old Shaykh Puji, a wealthy businessman and head of an Islamic boarding school contracted a secret (unregistered) marriage with Lutfiana Ulfa, 11 years and 10 months old. The girl had just begun studies at a local junior high school, but had dropped out to take up her wifely duties at home (Online, 2017).

Lutfiana came from a poor household and her parents were delighted with the offer in light of the groom's prosperity. However, when it turned out that it was not clear if Lutfiana had agreed to the marriage, but might have been pushed into it by her parents after winning a "wedding contest" organized by the Shyakh, children's rights activists started to ask if this was a matter of Islamic piety or plain old pedophilia. When the Shaykh announced in public that in his desire to follow the model of the Prophet Muhammad he was planning to marry a 9-year-old and a 7-year-old, the Indonesian Child Protection Commission (Komisi Perlindungan Anak Indonesia / KPAI) took him to court. In 2010, based on the Child Protection Act, Shaykh Puji was sentenced to 4 years in jail for marrying an underage girl (France-Presse, 2017).

In order to change the mindset about this issue, in 2015, Rumah Kitab taking further action by publishing the book *Aku, Kamu, End. Membaca ulang teks keagamaan kawin anak; I, You, End. Rereading religious texts about child marriage*. The book is based on extensive research that, among others, includes the historical and religious context of the practice. When reading the Holy Texts, Rumah Kitab takes as a point of departure that interpretations should be placed within contemporary contexts and needs. This approach should also be followed when applying the rules on child marriage that are found in the Islamic Jurisprudence (fiqh).

Finally, the team emphasizes issues that are important to society as a whole such as a girl's schooling, health and psychological maturity. The team's most important argument against the practice, however, relies on the Qur'anic teachings that speak about the fact that men and women were created from one soul and serve as each other's companion: Q. 7: 189: It is He who created you from one soul and created from it its mate that he might dwell in security with her. . . and Qur'an 4:1: "O mankind, fear your Lord, who created you from one soul and created from it its mate and dispersed from both of them many men and women..." These verses underscore the fact that a marriage is a union between equals. With many child brides being much younger than the husband, one of the core teachings of the Qur'an that man and wife should be each other's equal, is being ignored. Furthermore, research shows that when spouses are not compatible, this leads to high divorce rates, unstable families and an increase of mental problems.

The fact that five years later Rumah Kitab still lists child marriage as one of its main priorities shows that the battle is far from over. A digital campaign, workshops, numerous talks and the book mentioned in this essay are all meant to address the issue. The main audience are the students and teachers at the *pesantren*. To help them study and understand all the subtleties of the

topic, the book offers a wide array of detailed information, including alternative forms of religious reasoning for future use when these young scholars teach and guide the Muslim believers. In the end the goal is to find a middle way between following the Holy Scriptures, the wellbeing of the girl child, Indonesian culture, and the needs of the country.

b. Argumentative speech on Indonesian society

8 The population of Indonesia is highly diverse, comprising various ethnic and cultural groups that observe their own particular customary laws and traditions, which are known as *adat*. In general, according to Indonesian customary law, a child is considered an adult when he or she either reaches a certain age or is married. The 1974 Marriage Law applies to all Indonesian citizens, regardless of religion. Prior to the passage of this law, there were different laws in place for citizens of European or Chinese origin and for Indonesian Christians, while the Muslim population was "subject to unwritten customary (*adat*) law and to Muslim religious law" (Organization, 2016).

5 According to recent studies emphasized on culture and modernization found out that, in the rapidly modernizing world, the traditional way of life is weakening because the young generation orients itself more and more towards modern values. Social and geographic mobility are growing along with better educational possibilities. The tradition of mutual social control and the authority of neighborhood relationships dissolve more and more. *Slametan* rituals are held less often. There is more disparity between rich and poor. There have been changes also within families. The hierarchy of the family members is becoming less important. Javanese high language is spoken less, even towards fathers. The ritualized position of fathers as distant is less expressed and they are closer to their family members. Children are more open and free in their relationships with their parents, and there is more mutual understanding, communication, and intimacy. To put it in a nutshell, cultural change is occurring and altering the traditional way of life on the societal level as well as within families; however, the family as a main source of identity is still very important for Indonesians (Albert, Trommsdorff, Mayer, & Schwarz, 2005).

However, even the traditional way of life have been eradicated slowly, the early marriage phenomenon in Indonesia still became a common practice, especially in urban which are dominated by poor household. Poverty and the dearth of suitable employment options for young girls stems from their low levels of formal education and restricted skills, and endemic unemployment on the region. The types of paid employment available to poor young girls typically yield very low economic benefits. When there are seemingly insurmountable barriers to participation in education and paid work for poor young girls their experience is that there is literally "nothing else to do". There are no highly valued alternative social roles available to these women other than becoming a wife and mother. Young girls adopt a pragmatic attitude towards their life aspirations, they are acutely aware of the constrained options that flow on from poverty, low educational attainment and limited work skills. Thus, to seek a simple life (*hidup sederhana*) where marriage and motherhood are achievable aspirations is an entirely understandable and realistic response (Bennet, 2014). Another motivation for early marriage that stems from entrenched poverty is the potential economic benefits of a "good" marriage. Parents may wish their daughter to marry early if she has found a prospective spouse who is economically attractive, as they do not wish the possibility of their daughter achieving economic safety to be passed by (Bennet, 2014).

CONCLUSION AND RECOMMENDATION

From the brief description above we could saw that the flow of information which voiced criticism of the phenomenon - early marriage issue- are exist in both sides; at the government level and the public as vanguard parties in this case. However, the response issued by the Indonesian government do have unclear direction. This attitude could be seen clearly by comparing Indonesian government decision in 2010 to punish perpetrators of early marriage, and the decision to refuse public petition to change the minimum age of marriage. it could be concluded that Indonesian government has not yet determined a clear position, due to the unclear standard that is in use by the government to decide the value of the problem. In other words, the government does not have or yet considered the crucially of early marriage issue.

With such conditions, even the modernization gradually undermine the traditional way of life -which has been the main motivation of early marriage cases, the lack of coercion and guidance from the government as a stakeholder in turn has impacted on the continuity of the issue. Especially in urban areas which literally dominated by poor household. This kind of area directly speaking couldn't provide many options for young women to continue living there besides getting married at a young age. Therefore, the recommendation we would like to propose is

1. We positively agree to support any kind of organization whose pursue Indonesian government appetite to decide that the value of early marriage issue is crucial enough as the references point to take any considerable and reliable action that need to be done.
2. Indonesia is a Democratic country which should always followed by honoring any kind of human right including, right of woman which violated by early marriage cases. And of course, the amendment of its marriage law is a must.

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