

# The Influence of Law Number 16 of 2019 concerning the Age of Marriage in the Culture of the Madura Tribal Community in Banyuwangi Regency

**Ansari**

Institut Agama Islam Ibrahimy Genteng Banyuwangi, Indonesia; ansaridosen1@gmail.com

---

## ARTICLE INFO

### *Keywords:*

Law Number 16 of 2019;  
Marriage Age Limit;  
Culture of the Madura  
Community

### *Article history:*

Received 2024-10-17  
Revised 2024-11-20  
Accepted 2024-12-31

## ABSTRACT

Early marriage is still a significant problem in Indonesia, including in Banyuwangi Regency, especially among the Madura people. Although Law Number 16 of 2019 sets a minimum marriage age limit of 19 years to protect the rights of children and women, early marriage still occurs, mainly due to cultural factors. This study aims to analyze the influence of the implementation of Law Number 16 of 2019 on the marriage culture in the Madura community, as well as to understand the perception of the younger generation towards this regulation and identify the problems that arise after the enactment of the law. The research method uses field research, with an empirical juridical approach. The results of the study show that Law No. 16 of 2019 aims to reduce early marriage, its implementation in the field is experiencing obstacles. The Madura people in Banyuwangi, who are still very steeped in the tradition of young marriage, tend to show resistance to the new rules. Many families still view early marriage as part of social norms and traditions. However, a number of parties, especially the younger generation and religious leaders, are beginning to realize the importance of this rule and there is a change in attitude towards a more mature marriage age.

*This is an open access article under the [CC BY-NC](https://creativecommons.org/licenses/by-nc/4.0/) license.*



## Corresponding Author:

Ansari

Institut Agama Islam Ibrahimy Genteng Banyuwangi, Indonesia; ansaridosen1@gmail.com

---

## 1. INTRODUCTION

Early marriage is one of the most complex social issues in Indonesia, especially in areas with strong traditions. One of the areas that has an early marriage tradition is Banyuwangi Regency, which is inhabited by the Madura Tribe. According to data from the Central Statistics Agency (BPS) and the results of previous research, the rate of early marriage in this area is still relatively high, even though there are legal regulations that limit the age of marriage (BPS, 2023). Law Number 16 of 2019, which sets a minimum marriage age limit of 19 years, aims to protect children, especially women, from the health and social risks posed by early marriage. However, the implementation of this law faces a number of challenges, one of which is the incompatibility between the legal norms applied and the

cultural practices that are developing in society. This research is important to conduct because it can provide a more in-depth picture of how Law Number 16 of 2019 is accepted in the culture of the Madura people, as well as identify the factors that cause early marriage to still occur despite these regulations.

Although Law Number 16 of 2019 aims to protect the rights of children and women, the practice of early marriage in Banyuwangi Regency is still widespread, especially among the Madura people. Based on previous studies (BPS, 2020), Despite the declining trend of early marriage, underage marriages regulated in the law are still found in rural areas. This shows that there is a gap between what is expected by the regulations and what is happening on the ground. In this context, the difference between theories or legal norms about the age limit of marriage and the cultural practices of society needs to be further studied, to understand the causes and impacts caused. Therefore, it is important to examine how Law Number 16 of 2019 affects marriage patterns in the Madura community, as well as look at the dynamics that occur in the community towards the implementation of these regulations.

The regulation that regulates the age limit for marriage in Law Number 16 of 2019 clearly aims to protect children from early marriage, which often has negative impacts both physically and psychologically. According to WHO (2018), marriage under the age of 18 can cause high health risks for women, such as risky pregnancies, as well as adverse psychological impacts (Octaviani & Nurwati, 2020). On the other hand, in the culture of the Madura Tribe, marriage is considered an important stage in social and family life, which is often carried out at a younger age. This shows the discrepancy between the norms regulated in the law and the reality on the ground, where many Madura people still view early marriage as legal and in accordance with tradition. Based on the results of interviews with community leaders in Banyuwangi Regency, there are still many parents who choose to marry their children at a young age for social and economic reasons, even though there is an age limit set by the government. This creates a major challenge in the implementation of the law at the local level.

A study conducted by Universitas Airlangga in 2021 shows that economic and educational factors are the main drivers of early marriage among the Madura ethnic community (Universitas Airlangga, 2021). Families with low levels of education tend to marry their children at a young age to reduce the economic burden. In addition, social pressures and cultural norms also play a significant role in maintaining this practice. Other research published by Sihabudin, (2022), which highlights that despite the new regulations, changes in people's behavior do not happen instantly. Deep-rooted cultures and traditions take time and the right approach to change. Therefore, intensive education and socialization efforts are needed to change public perception of early marriage.

The Ministry of Women's Empowerment and Child Protection reported that since Law No. 16/2019 was passed, there has been a downward trend in the number of child marriages in Indonesia (PPPA, 2024). However, in Banyuwangi Regency, especially among the Madura people, the decline is not significant. In 2023, there were 120 cases of early marriage, only a slight decrease from 130 cases in 2022. This shows that despite the new regulations, the practice of early marriage is still ongoing in the community.

This study aims to evaluate the effectiveness of the implementation of Law No. 16 of 2019 in overcoming early marriage. In this case, this study will use the theory of effectiveness and social change theory to analyze how the perception of the young generation of the Madurese tribe towards the regulation of the marriage age limit regulated in Law Number 16 of 2019, and how problematic after the birth of Law Number 16 of 2019 concerning the marriage age limit among the Madura ethnic community in Banyuwangi Regency. According to Yasak et al., social change often occurs slowly, especially if it is contrary to established cultural values (Yasak & Dewi, 2015). Therefore, the changes to be achieved through Law Number 16 of 2019 do not only depend on the application of the law, but also on the understanding and acceptance of the negative impact of early marriage, which cannot be forced without a change in the mindset of the community itself.

In this context, this study combines normative and socio-cultural approaches to explore the impact of Law Number 16 of 2019 on the practice of early marriage in Banyuwangi Regency. Based on the results of research conducted by Safitri, there are strong cultural barriers in the implementation of regulations regarding the age of marriage, which are often influenced by factors such as tradition, economy, and low understanding of the dangers of early marriage (Safitri, 2024). This research will examine more deeply the problems and how they affect the perception and behavior of the Madura people in carrying out marriage, as well as how this law is accepted or opposed at the local level.

Practically, this research is important to contribute to government policies in overcoming early marriage, especially in areas that still uphold the tradition of early marriage such as Banyuwangi Regency. This research will provide data and insights that can be used by local governments, non-governmental organizations, and other organizations in designing more effective socialization programs to increase public awareness about the importance of postponing marriage to a more mature age. This research can also provide relevant recommendations in efforts to empower women and reduce poverty, which is often a driving factor for early marriage. Thus, this research is not only theoretically relevant, but also very practical in efforts to overcome existing social problems.

Thus, this research will make an important contribution in understanding the social and cultural dynamics that affect the implementation of Law Number 16 of 2019 in Banyuwangi Regency. This research will also be considered for relevant parties in formulating more effective policies to address early marriage, as well as providing deeper insights into the importance of cultural change in implementing regulations that protect the rights of children and women in Indonesia.

## 2. METHOD

The type of research that will be used in this study is field research (Muhaimin, 2020: 34). This research can also be called empirical juridical research, which is a form of legal research regarding the enactment or implementation of a normative legal rule in action or directly on certain legal events that occur in society (Almukar, 2023). Research data sources (Muhaimin, 2020: 88-124), namely: primary data and secondary data. Primary data is obtained directly from primary sources, such as respondents, informants, and resource persons in the field. Meanwhile, secondary data includes literature and documents, such as books, journals, regulations, jurisprudence, and other legal documents. The researcher used legal materials, including Law No. 16 of 2019 concerning the Age of Marriage and Law No. 23 of 2002 concerning Child Protection. Data collection techniques, Researchers use three different methods to collect data, specifically; (Hasanah, 2017), interview (Mamik, 2014), and documentation. The data analysis technique is carried out to process data from interviews, observations, and descriptive documentation (Muhaimin, 2020: 102). The researcher will examine the understanding and response of the Madurese people to Law No. 16 of 2019 as well as the influence of culture and customs on young or old marriages. Through four stages, namely; data reduction, thematic coding, data presentation, conclusion and verification.

## 3. FINDINGS AND DISCUSSION

### **The Effectiveness of the Implementation of Law Number 16 of 2019 concerning the Age of Marriage Limit on the Tradition of Underage Marriage**

The implementation of Law Number 16 of 2019 which sets the marriage age limit to 19 years for women and men has a direct impact on the tradition of early marriage that has long been embraced by the Madura Tribe community in Banyuwangi Regency. Most Madurese people consider early marriage as a way to maintain family honor and reduce economic burden. In interviews with several parents in Kalipuro, they stated that early marriage is considered a part of the culture that has been passed down from generation to generation, so this change in regulations is considered a disturbance to these values. For example, Mrs. Siti Rahayu revealed that she felt confused by this new rule because the existing tradition is not only about age, but also about family responsibilities.

However, despite resistance, the regulation provides legal protection for women, which is expected to reduce the rate of early marriage which often has a negative impact on women's health and education. This situation supports Talcott Parsons' theory of Structural Functionalism, which states that, although society as a whole has a tendency to maintain the status quo, a shift in regulation can encourage society to adopt new ideals that are more proactive in protecting individual rights, especially women's rights (Turama, 2020). This can be seen from how some parents are starting to realize the benefits of postponing marriage for the welfare of their daughters, even though they have to adapt to a new perspective.

On the other hand, the implementation of Law Number 16 of 2019 is not simple. Some groups of people still feel that this change is disrupting their social stability, which has traditionally considered marriage as a way to maintain honor. In an interview with Pak Hasan, a local farmer, he explained that although he knows early marriage can affect health, he is worried about fewer potential husbands who are interested in older daughters. This is a major challenge in the implementation of this law, where there is a mismatch between more progressive legal norms and more conservative social norms.

Overall, the implementation of these regulations requires a thoughtful approach from the government, by prioritizing communication that is sensitive to local customary values. As the theory of Social Change by Emile Durkheim explains, changes in social norms cannot be forced, but must go through a process of gradual adaptation and internalization of values (Kasnawi & Asang, 2014). The government needs to involve traditional leaders and community leaders to ensure that this regulation is widely accepted and does not conflict with the cultural identity of the Madurese people.

Article 1 of Law Number 35/2014, which amends Law Number 23/2002 on Child Protection, became the basis for the formation of Law Number 16/2019. All human beings, whether born in this world or not, are considered children under the law if they are under the age of eighteen. The legal definition of adult is an individual who has reached the age of eighteen years or older (Indonesia, 2014).

The legal definition of a child is someone who has not reached the age of eighteen. "Child marriage" refers to marriage between individuals under the age of 18, and Law Number 16/2019 aims to end this practice. As stated by Mrs. Wardah as the Chairperson of the Posyandu said that:

*"The existence of this law on the age limit of marriage certainly affects the tradition of people who still practice young marriages, in my opinion this law is very helpful to realize the law on child protection. Because the process in marriage is not as easy as before this law, it's just that sometimes there are still people who do underage marriages because they can still have a trial." (Warda, 23 Oktober 2024).*

Law number 16 of 2019 is not enough to punish individuals who violate its regulations, especially by allowing child marriage. This is contrary to the content of the law as stated in article 7 paragraph (2) of Law Number 16 of 2019 which revises Law Number 1 of 1974 and states that in the event that the age requirements are not met, parents of minors can apply for dispensation to the court by providing sufficient evidence (Telaumbanua, 2019b). A more comprehensive examination of the substance of paragraph (2) is necessary because this paragraph allows underage marriage to be carried out even though there is no article or paragraph outlining sanctions. Therefore, strict penalties should be imposed under this law to protect the rights of developing children.

The child protection objectives outlined in Law No. 35 of 2014, an amendment to Law No. 23 of 2002, will be achieved by enforcing severe penalties against anyone who violates this law. This includes the bride-to-be, the parents or marriage authorities, and all parties involved in child marriage. As a result, parents will feel less worried, and the authorities will have a legal framework that can be followed to prevent child marriage. According to article 1 paragraph (2) of Law Number 35 of 2014, children have the right to an environment that is free from violence and discrimination. This includes all measures taken to ensure that children can live, grow, develop, and participate optimally in accordance with the dignity and dignity of humanity, as well as receive protection from violence and discrimination (Indonesia, 2014). Therefore, the goal of the child protection law can be

achieved by enforcing severe penalties under the Marriage Law. In addition, the government's treatment of the Marriage Law, which allows marriage dispensation and limits the age of marriage, is inconsistent, without any sanctions for violations.

Regarding the protection of children's rights, Law Number 16 of 2019 should be based on the Child Welfare Law of 1979. Any person who has never been married and is under the age of 21 is considered a minor (article 1 paragraph 2) (Indonesia, 2014). Child welfare is an inevitable topic when it comes to the protection of children's rights. The authors of Child Welfare Law Number 4 of 1979 clearly thought far ahead when drafting it.

The authors of Law Number 16 of 2019 have said that changes and additions are needed in family law, namely in the provisions of Law Number 1 of 1974. The current situation and difficulties, such as the large number of unrecorded marriages (also known as "series marriages"), will be overcome by this. According to religious beliefs, marriage is considered valid if it meets certain requirements. This is how most people see marriage. This is what the author has found in the field when interviewing Mr. Ahmadi as someone who performs underage marriage:

*"Before I got married legally at KUA I had been married in series while waiting for the dispensation application process, according to my parents it was better like that, because after getting engaged we considered that we already had a couple and were one step closer, so we went out together more often, visited each other's houses for a long time, so avoiding things that our parents did not want us to finally get married while taking care of the files and other preparations in series" (Ahmadi, 24 Oktober 2024).*

The same thing was also conveyed by I as someone who performs underage marriage, namely at the age of 16 years in series and has not been recorded:

*"At first we only wanted to propose, but when we returned the proposal, we were immediately married Siri, because I often came here after my fiancé became unpleasant so our neighbors said that we wanted to get married in Siri first. The plan is to file a trial in two months." (Rahmawati, 23 Oktober 2024).*

The author concludes from this conversation that a regulation is needed that regulates the prohibition of serial marriages. This is because child marriage is widespread, and serial marriage is also popular, which can lead to child marriage. Strict fines and recommendations can help ensure that regulations are followed correctly. Despite this, there are still many underage marriages that occur; This could be due to rules and regulations that do not have strong legal support.

The culture prevalent in society should be considered among other things when establishing and implementing regulations. It will be easier for people to implement a rule if the basic principles are in accordance with their cultural values. Underage marriage is an ingrained part of Madurese society that has been maintained for centuries. Traditional views and unquestioned practices, both give credence to the widespread practice of underage marriage. With this in mind, the following is a statement expressed by the Trustees of the Daya Daya Setara Foundation (MDS) and the Minister of Women's Empowerment and Child Protection (PPPA):

*"Cultural factors need to be studied more deeply to ensure the handling of the high prevalence of child marriage in Indonesia. Therefore, cultural engineering must be carried out immediately by instilling a new mindset, building enthusiasm, initiative, and creativity in girls and their parents as a provision for life before marriage. This cultural engineering must start from here and be part of the development of the nation's character and national culture to create superior Indonesian people" (DKP3A, 2024).*

Based on this statement, the traditions and customs of the community have a considerable contribution to underage marriage. The cultural approach is important in the implementation of Law Number 16 of 2019 by instilling a new mindset in the community and providing an understanding that marriage requires physical and mental readiness.

## Perception of the Young Generation of the Madura Tribe Towards the Regulation of the Marriage Age Limit as regulated in Law Number 16 of 2019

The legal age to get married in the Philippines is 19 years old, as stated in Law Number 16 of 2019. This rule aims to protect children's rights, prevent health risks, and create a more qualified generation. However, among the Madura people in Kalipuro District, Banyuwangi Regency, who have a tradition of marrying young, this regulation raises new challenges. Based on the results of an interview with Mrs. Siti Marlina, Chairperson of the PKK of Kalipuro District, Banyuwangi Regency, how the young generation of Madura understands and accepts this rule, she said that:

*"As part of the community, we at the PKK support this regulation because it has a very good impact on women, especially in preventing early pregnancy. However, the biggest challenge is convincing traditional families that this rule is important, given that marrying young has been a hereditary culture." (Siti Marlina, 27 Oktober 2024).*

The role of the Office of Religious Affairs (KUA) is very important in carrying out this regulation. As an official agency, KUA must ensure that every marriage is in accordance with the provisions of the law. However, the response of the Madura people to the implementation of this marriage age limit at the KUA level in Kalipuro District, Banyuwangi Regency is still lacking. This is in accordance with what was conveyed by Mr. Ahmad Fauzi, Head of KUA Kalipuro District, Banyuwangi Regency said that:

*"We receive many applications for marriage dispensation from young families, especially in the villages. Most find this rule difficult because they are used to marrying their children at a young age. We always try to educate them that this rule is for their good as well." (Ahmad Fauzi, 28 Oktober 2024).*

Religious extension workers play an important role in bridging government regulations with religious teachings, when the researcher was able to interview Mr. Mustofa as a religious punyuluh in KUA Kalipuro District, the researcher asked how the approach of religious extension workers to the community who still hold the tradition of young marriage, he said that:

*"We always explain from a religious point of view that Islam emphasizes the importance of mental and physical readiness before marriage. However, not all societies accept it easily because they feel that the tradition of marrying young is part of their identity." (Mustofa, 28 Oktober 2024).*

Young couples who marry under the regulatory age are one group that can provide a real picture of the impact of early marriage. Then the researcher can interview Mas Moh. Job as a young couple who died below, the researcher asked about the experience of Mas Ayub getting married at a young age, and whether Mas Ayub agreed with the existence of the minimum age rule;

*"We got married young because we were encouraged by our family, but now we feel that we are not ready to live the heavy responsibility. If there is a rule like this, maybe the younger generation like us can prepare ourselves better before getting married." (Moh. Ayub, 29 Oktober 2024).*

Furthermore, the researcher interviewed Mr. Syaifullah as a Madurese community leader in Kalipuro District who is often considered a guardian of local traditions. The researcher asked about your views regarding the regulation of Law No. 16 of 2019 concerning the Marriage Age Limit whether it is relevant to be applied in the Madura tribal community which still has a strong tradition, he said that:

*"Many people consider this rule contrary to tradition. However, I personally see this regulation as bringing benefits, especially in preparing a more qualified young generation. It's just that the government needs a more subtle approach so that it doesn't seem forceful." (Syaifullah, 27 Oktober 2024).*

Then Ust. Wahyudi Arif added that said:

*"Islam does not prohibit young marriage, but it also does not encourage it if there is no readiness. If this regulation is intended for the good of the people, of course it is in accordance with Islamic teachings. However, the delivery must be in a way that does not offend tradition" (Wahyudi Arif, 27 Oktober 2024).*

Viewed from the perspective of academics, the regulations that regulate the age limit for marriage in Law Number 16 of 2019 from a broader perspective, including their impact on the education and quality of the younger generation. Mr. Dr. Akhmad Rudi Maswanto, S.Sy., M.H as the Dean of the Faculty of Sharia said that:

*"This regulation has great potential to improve the quality of education and health of the younger generation. However, the biggest challenge is to change the mindset of traditional people who are used to early marriage." (M. Akhmad Rudi, 29 Oktober 2024).*

Furthermore, Mr. Rudi said that:

*"Madura customs do view young marriage as part of tradition, but times change, and traditions must also be able to adjust. This regulation can be accepted if there is a good dialogue between the government and traditional leaders." (M. Akhmad Rudi, 29 Oktober 2024).*

Marriage in the Madura community is greatly influenced by customs and traditions, where early marriage is considered part of the social obligation that must be fulfilled by every individual. In interviews with several traditional leaders, they stated that early marriage is a way to preserve family honor and avoid promiscuity. However, after the enactment of Law Number 16 of 2019, several traditional leaders began to see the need for adjustments in this tradition. As stated by Haji Abdul Wahid, a local traditional leader, that although customs are still important, marriage at a young age now needs to be reconsidered by considering education and health.

Max Weber's Theory of Culture and Social Change provides a perspective that customs and traditions cannot be seen as static entities (Kasnawi & Asang, 2014). Social change will affect the way people view these values. In this context, despite the rejection of the new regulations by some indigenous leaders, they are beginning to realize the importance of giving the younger generation the opportunity to continue their education before marriage. This process requires cultural adaptation that cannot be forced, but must be carried out gradually by involving respected indigenous leaders in the community.

However, although there are some indigenous groups that support postponing marriage, many families still consider marrying girls as soon as possible to be part of a tradition that must be preserved. This shows the tension between long-developed customary values and more progressive regulations. Along with the growing understanding of the importance of women's education and health, there is likely to be a shift in people's views of early marriage. As mentioned by Haji Abdul Wahid, changes in marriage customs in Madura take time, but can be done with an approach that better understands women's needs and rights.

Through Everett Rogers' Theory of Social Change, the adoption of new regulations such as Law Number 16 of 2019 can be strengthened by introducing new values that are in line with local traditions (Hartina Batoa, 2024). For example, traditional leaders can emphasize the importance of education as part of good wedding preparation, so that postponing the age of marriage can be accepted as a new value that supports family welfare. With a collaborative approach involving the government, indigenous institutions, and communities, the Madura people can begin to see the harmony between their traditions and the purpose of the law, which is to protect children's rights and improve the quality of life of the younger generation.

## Problems After the Birth of Law Number 16 of 2019 concerning the Age of Marriage among the Madura Tribal Community in Banyuwangi Regency

Law Number 16 of 2019 concerning the minimum age for marriage increases the age of women to marry from 16 to 19 years, but the implementation of the law is fraught with difficulties. Residents of Kalipuro District in Banyuwangi Regency, which is a Madura tribe, are among those affected. Traditional practices provide a solid basis for establishing the age and time of marriage in this region. Significant social, economic, and cultural impacts accompany the influence of such policies on the law. The purpose of this interview is to gain a better understanding of reactions and adaptation to new restrictions from the perspectives of community leaders, parents, and adolescents. Haji Abdul Wahid, according to the results of an interview with one of the community leaders, said that:

*"The Madura people in Kalipuro basically understand the purpose of the change in the age of marriage regulated by Law Number 16 of 2019" (Abdul Wahid, 28 Oktober 2024).*

Furthermore, he said that:

*"For us, getting married at a young age is not only a matter of individuals, but also about family honor. If there is a girl who has not been married for too long, the family can feel embarrassed in the eyes of the community," Mr. Wahid further said, "even though there is government socialization, some families still look for alternative ways such as getting married in series to avoid this regulation" (Abdul Wahid, 28 Oktober 2024).*

Parents' views on Law Number 16 of 2019 are mixed, but most feel confused and burdened by this change. Based on the results of an interview with Mrs. Siti Rahayu, one of the parents in Kalipuro, revealed that:

*"The tradition of marrying girls at a young age has long been a habit, especially after children graduate from junior high school. In the past, if a child had already proposed, they were usually married immediately. But now, because of the minimum age of 19, we have to wait longer." (Siti Rahayu, 27 Oktober 2024).*

Furthermore, he said that:

*"These delays often trigger fears that girls will lose potential partners, creating social pressure among families" (Siti Rahayu, 27 Oktober 2024).*

On the other hand, some parents are beginning to realize that this rule can be an opportunity for their children to continue their education, although adapting to these changes requires more time and support from the government and community leaders.

The view of the young generation of the Madura tribe towards Law Number 16 of 2019 tends to be more positive, especially for those who want to focus on education and self-development. As the researcher interviewed mb' Aisyah, a 17-year-old teenager in Kalipuro, expressed her gratitude for this rule because it provides an opportunity to continue school without rushing to get married.

*"With this rule, I can focus more on studying and achieving my goals," (Aisyah, 27 Oktober 2024).*

The young generation of the Madura Tribe in Banyuwangi Regency generally shows a more positive perception of Law Number 16 of 2019 regarding the age limit for marriage. In interviews with several teenagers, such as 17-year-old Aisyah, they expressed gratitude for the new rules, as they gave them the opportunity to continue their education without having to rush into marriage. Aisyah revealed that she feels more focused on her studies and has the opportunity to achieve her dreams before marriage, which was previously considered almost impossible if she had to follow the tradition of getting married at a young age. This shows a change in the perspective of the younger generation towards the importance of education and self-development before entering the marriage stage.

The majority of teenagers welcome this regulation, there are also some who feel pressured by the expectations of families who still uphold the tradition of early marriage. For them, this change becomes a dilemma between pursuing education and meeting parents' expectations. This is in line with Max Weber's theory of Social Change, which explains that every individual in society will experience a tension between the values embraced and the changes that occur around them (Kasnawi & Asang, 2014). In this context, although Madurese teenagers tend to support the new regulations, they are still stuck in a long-established social pattern, namely the importance of early marriage as part of family honor.

Overall, the perception of the younger generation towards this regulation shows a change in attitudes towards education and personal life. However, social tensions arising from family expectations and customary traditions are still the main challenges in its implementation. As expressed by Aisyah, although she supports this rule, she still feels pressure from her family who want her to get married soon. Therefore, the successful implementation of Law Number 16 of 2019 among the younger generation relies heavily on support from family and the wider community to help them overcome the dilemma between education and marriage.

To increase the acceptance of this regulation among the younger generation of the Madura tribe, a community-based approach involving traditional leaders, religious leaders, and culturally sensitive education is urgently needed. The Theory of Planned Social Change by Kurt Lewin emphasizes the importance of unfreezing, changing, and refreezing processes in implementing social change (Nurhasanah dkk., 2024). The first step is to open awareness of the need for change (unfreezing), then introduce new behaviors (changing), and finally reinforce the new behavior as a norm (refreezing). With a comprehensive and inclusive approach, it is hoped that the perception of the young generation of the Madura tribe towards the regulation of the marriage age limit will be more positive, so that the goals of the law can be achieved effectively.

For the poor in Kalipuro, in particular, the social and economic impact of the ratification of Law Number 16 of 2019 is quite large. For some families, early marriage is often seen as a solution to reduce the economic burden, in the hope that married girls can ease family responsibilities. However, with the rule delaying marriage until the age of 19, many families feel distressed, especially those with girls aged 16 to 18. As an interview researcher with Mr. Pak Hasan, a farmer in Kalipuro, said that:

*"Without adequate economic support from the government, the poor feel burdened because of this delay. If our child delays marriage, our family will have to bear the cost of living."* (Hasan, 27 Oktober 2024).

Based on the results of the interview, the researcher can give a bottom picture of parents if postponing marriage will have an impact on worsening the family's economic condition, which is already difficult to deal with without sufficient social or financial support. The role of the village government in Kalipuro District, Banyuwangi Regency, in facing the implementation of Law Number 16 of 2019 is very crucial, especially in providing understanding and socialization to the community. The Head of Kalipuro Village, Mr. Yusuf, explained that his party actively held seminars and meetings with residents, including parents and teenagers, to explain the purpose and benefits of the new regulation;

*"We recognise that these changes affect people's mindsets, so we try to provide clear information so that people can accept and adjust"* (Yusuf, 28 Oktober 2024).

Instead, village governments seek to work closely with indigenous and religious leaders to provide a more comprehensive and culturally relevant strategy to avoid potential conflicts between community beliefs and these regulatory reforms.

The people of Kalipuro have proposed a strategy to counteract the impact of Law Number 16 of 2019, and this strategy is centered on developing partnerships between national institutions and indigenous peoples' way of life. In accordance with what Haji Abdul Wahid said:

*"For the government to involve more traditional and religious leaders in educating the public about the purpose and benefits of this regulation, in a way that respects local traditions" (Abdul Wahid, 28 Oktober 2024).*

Furthermore, Mr. Yusuf, the Head of Kalipuro Village, said that:

*"For the government to provide incentives such as scholarships or skills training for adolescents, especially women, to improve their skills and motivation before marriage" (Yusuf, 28 Oktober 2024).*

Meanwhile, from the economic side, some respondents also proposed that the government provide small business assistance programs or entrepreneurship training for families so that they have a more stable source of income, so that they can postpone marriage without feeling economically burdened. A more flexible and local needs-based approach is expected to help communities adjust to the rules without neglecting their cultural values.

### **Changes in Marriage and Family Patterns Due to Marriage Age Limit Regulations**

The implementation of Law Number 16 of 2019 is expected to cause changes in marriage patterns and family structures among the Madura people. In the past, many families considered early marriage as a solution to reduce the economic burden and maintain family honor. However, with new rules setting the minimum age of 19 years old for marriage, many families are beginning to reconsider the way they view marriage and family formation. Interviews with some families show that they are now more focused on their daughters' education and view it as a priority before marrying them.

This change also reflects a shift in family dynamics, where families now prioritize emotional readiness and children's education before deciding to get married. This is in line with Talcott Parsons' theory of Structural Functionalism, which states that every change in a social system will affect other social structures (Turama, 2020). In this case, the change in the age of marriage leads to a change in the family structure, where the role of women is prioritized in education and career, rather than just being wives and housewives.

However, while these changes have a positive impact on women's well-being, there are concerns that delayed marriages could affect existing social structures. Many families still feel pressured to marry their daughters immediately so as not to lose their future husbands, as revealed by Pak Hasan. This tension shows that although the new regulations bring positive changes, the process of adapting to these changes requires time and deep understanding from all relevant parties, both governments, communities, and indigenous leaders.

On the other hand, these changes also affect the overall family pattern. With the increasing age of marriage, couples tend to be more mature mentally, emotionally, and financially when building a household. This has the potential to improve the quality of marriages and reduce the risk of divorce, which is often higher in young marriages. Modernization Theory explains that this change is in line with the modernization process that encourages a shift from traditional patterns to more oriented patterns on education, health, and family well-being (Saronto, 2001). Thus, changes in the marriage age limit regulations can be the first step to form a marriage and family pattern that is more adaptive to the challenges of the times.

### **The Role of Religion in Supporting or Opposing the Implementation of Law Number 16 of 2019**

In the Madura Tribe, which is predominantly Muslim, religion plays a very large role in determining the view of early marriage. Several religious leaders in Banyuwangi Regency support Law Number 16 of 2019, because they are aware of the negative impact of early marriage on women's health and welfare. In an interview with Ustadz Ridwan, a local religious figure, he explained that although Islam does not prohibit early marriage, he sees that marriage at a more mature age will be

better for the welfare of the couple. He supports this regulation as a good step to protect women from the potential adverse effects of early marriage.

There are some religious groups who oppose this rule, arguing that marriage is a part of worship that can be performed at any time if it is qualified. This is in line with the theory of Religion and Society by Max Weber, who states that religion serves as a moral and social guide in society (Kasnawi & Asang, 2014). In this case, different interpretations of religion are one of the factors that affect people's views on early marriage. Some people feel that early marriage is a way to maintain family honor in accordance with religious teachings, and this new regulation is considered contrary to these values.

The role of religion in supporting or opposing the implementation of Law Number 16 of 2019 is greatly influenced by the interpretation of religion that applies in society. Although many religious leaders support this rule, there is still resistance from some groups who feel that early marriage is a personal decision that should not be restricted by state rules. In this context, changes in the practice of early marriage depend not only on the law, but also on the process of change in religious perspectives on marriage and the role of women in society.

In addition, there are also views from some religious circles who oppose the implementation of this regulation. They adhere to the principle of religious law which stipulates that a person's maturity to marry is not entirely determined by age, but rather by biological signs and moral readiness. In this context, some clerics or religious leaders view the minimum age limit for marriage regulated by law as a form of intervention that can be contrary to certain religious traditions. This resistance often occurs in communities that highly respect the tradition of early marriage as part of religious values. Therefore, efforts to harmonize state laws and regulations and religious views are very important. A dialogical approach involving religious leaders to support the implementation of this law with a beneficial perspective for the people can be a solution to reduce resistance and strengthen public acceptance of the rule.

#### 4. CONCLUSION

The implementation of Law Number 16 of 2019 concerning the age limit for marriage in Banyuwangi Regency, especially among the Madura people, still faces various challenges in overcoming early marriage. Although these regulations aim to protect the rights of children and women, early marriage still occurs in the field, mainly due to the strong influence of cultural traditions that consider marriage to be an important stage in life. The perception of the younger generation of the Madura Tribe towards this regulation tends to be mixed, with most of them acknowledging the importance of the age limit of marriage to protect health and welfare, but there are also those who feel that traditions and customs are more dominant. Problems that have arisen after the enactment of this law include the inconsistency between legal norms and social practices, as well as a lack of deep understanding of the adverse effects of early marriage. Therefore, even though there are clear regulations, their implementation requires a more sensitive approach to local cultural values as well as more effective strategies in conducting socialization and education to the community, especially among the younger generation and families.

#### REFERENCES

- Abdul Wahid. (2024, Oktober 28). *Wawancara dengan Tokoh Masyarakat di Kecamatan Kalipuro Kabupaten Banyuwangi* [Komunikasi pribadi].
- Adawiyah, R. (2021). Analisis Batas Usia Perkawinan Pada UU No. 16 Tahun 2019 atas Perubahan UU No. 1 Tahun 1974 Tentang Perkawinan (Studi Terhadap Pandangan Ilmuan Kota Padang tentang Perubahan Batas Usia Perkawinan). *Hukum Islam*, 21(2), 256–278.
- Ahmad Fauzi. (2024, Oktober 28). *Wawancara dengan bapak Kepala KUA Kecamatan Licin Kabupaten Banyuwangi* [Komunikasi pribadi].

- Ahmadi. (2024, Oktober 24). Wawancara pribadi dengan yang melakukan pernikahan dibawah umur di Kecamatan Licin Kabupaten Banyuwangi [Komunikasi pribadi].
- Aisyah. (2024, Oktober 27). Wawancara dengan Seorang Remaja Uisa 17 Tahun Mengenai Pandangan generasi muda suku Madura terhadap Undang-Undang Nomor 16 Tahun 2019 di Kecamatan Kalipuro Kabupaten Banyuwangi [Komunikasi pribadi].
- Akhmad Rudi, M. (2024, Oktober 29). Wawancara dengan Dekan Fakultas Syariah mengenai Sudut Pandangan Akademisi terkait Batasan Usia Pernikahan Khususnya Bagi Generasi Muda Suku Madura di Kecamatan Licin Kabupaten Banyuwangi [Komunikasi pribadi].
- Almukar, F. M. (2023). *Metode Antropologi Hukum*.
- Amri, A., & Khalidi, M. (2021). Efektivitas Undang-Undang Nomor 16 Tahun 2019 Terhadap Pernikahan Di Bawah Umur. *Jurnal Justisia: Jurnal Ilmu Hukum, Perundang-Undangan Dan Pranata Sosial*, 6(1), 85–101.
- Bank, W. (2017). *Uganda Economic Update, December 2017: Accelerating Uganda's Development, Ending Child Marriage, Educating Girls*.
- Bawono, Y., Suminar, D. R., & Hendriani, W. (2023). Pengalaman Hidup Perempuan Etnis Madura dalam Menjalani Pernikahan Dini: Studi Fenomenologis (The Life Experience of Ethnic Madurese Women in Early Marriage: A Phenomenological Study). *Mozaik*, 23(1), 61–76.
- Beccaria, C. (2009). *On crimes and punishments and other writings*.
- BPS. (2023). *BPS Kabupaten Banyuwangi*. <https://banyuwangikab.bps.go.id/>
- Cahyaningsih, D. T. (2020). Mengurai Teori Effectiveness of Law Anthony Allot. *Journal Rechts Vinding Online*, 2089–9009.
- DKP3A. (2024, September 16). *Dinas Kependudukan, Pemberdayaan Perempuan dan Perlindungan Anak*.
- Durkheim, E. (2018). The division of labor in society. Dalam *Social stratification* (hlm. 217–222).
- Femmy Eka, K. P. (2024). *Perempuan & Anak | Kementerian Koordinator Bidang Pembangunan Manusia dan Kebudayaan*. <https://www.kemendikpmk.go.id/bidang/perempuan-anak>
- Giddens, A. (2013). *Politics, sociology and social theory: Encounters with classical and contemporary social thought*. John Wiley & Sons.
- Hartina Batoa, S. P. (2024). Teori-Teori Komunikasi. *Komunikasi Sosial dan Lintas Budaya*.
- Hasan. (2024, Oktober 27). Wawancara dengan seorang petani di Kalipuro yang memiliki anak perempuan usia 16 hingga 18 tahun [Komunikasi pribadi].
- Hasanah, H. (2017). Teknik-teknik observasi (sebuah alternatif metode pengumpulan data kualitatif ilmu-ilmu sosial). *At-Taqaddum*, 8(1), 21–46.
- Indonesia, R. (2014). Undang-Undang Nomor 35 Tahun 2014 Tentang Perubahan Atas Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak. *Jakarta: Kementerian Pemberdayaan Perempuan dan Perlindungan Anak*.
- JDIH BPK. (2002, Oktober 22). *Undang-undang Nomor 23 Tahun 2002 tentang Perlindungan Anak*.
- Kasnawi, M. T., & Asang, S. (2014). Konsep dan pendekatan perubahan sosial. *Teori Perubahan Sosial: Vol. IPEM4439/M*.
- Malinowski, B. (2014). *A Scientific Theory of Culture and Other Essays:[1944]*.
- Mamik, M. (2014). Metodologi Kualitatif. Dalam *Zifatama PUBLISHER*. Zifatama Publisher.
- Maula, B. S. (2019). Perlindungan Perempuan dalam Hukum Perkawinan di Indonesia: Sebuah Wacana Pembaharuan Undang-Undang Perkawinan dalam Masalah Batas Usia Perkawinan. *Yinyang: Jurnal Studi Islam Gender dan Anak*, 14(1), 14–38.
- Moh. Ayub. (2024, Oktober 29). Wawancara dengan pasangan muda yang menikah di bawah, mengenai pengalaman menikah di usia muda, dan apakah mas ayub setuju dengan adanya aturan usia minimal. [Komunikasi pribadi].
- Muhaimin. (2020). *Metode Penelitian Hukum*. University Press.

- Mustofa. (2024, Oktober 28). Wawancara dengan Punyuluh Agama di KUA Kecamatan Licin tentang bagaimana pendekatan penyuluh agama terhadap masyarakat yang masih memegang tradisi menikah muda [Komunikasi pribadi].
- Nurhasanah, D., Hayadi, B. H., Yusuf, F. A., Prasetyo, E., & Raman, R. (2024). Change Organization Theory Of Kurt Lewin. *Musyati: Neraca Manajemen, Akuntansi, dan Ekonomi*, 5(2), 133–143.
- Octaviani, F., & Nurwati, N. (2020). Dampak pernikahan usia dini terhadap perceraian di Indonesia. *Jurnal Ilmu Kesejahteraan Sosial HUMANITAS*, 2(2), 33–52.
- OHCHR. (2019). *Child and Forced Marriage, Including in Humanitarian Settings*.
- Orlando, G. (2022). Efektivitas Hukum dan Fungsi Hukum di Indonesia. *Tarbiyah bil Qalam: Jurnal Pendidikan Agama dan Sains*, 6(1).
- Perempuan, K., & Tahunan, C. (2020). Komnas Perempuan. Retrieved from <https://www.komnasperempuan.go.id/read-news-menemukanlikekerasan-dalam-rumah-tanggakdrt>.
- PPPA. (2024). Menteri PPPA: Angka Perkawinan Anak Turun Menjadi 6,92 Persen, Lampau Target RPJMN.
- Rahmawati. (2024, Oktober 23). Wawancara pribadi dengan yang pernah melakukan pernikahan dibawah umur di Kecamatan Licin Kabupaten Banyuwangi [Komunikasi pribadi].
- Safitri, I. (2024). Dampak Pernikahan Siri Terhadap Status Hukum Anak. *Journal of Knowledge and Collaboration*, 1(6), 290–294.
- Saronto, Y. W. (2001). *Intelijen: Teori, aplikasi dan modernisasi*.
- Selznick, P. (2011). *Leadership in administration: A sociological interpretation*.
- Sihabudin, H. A. (2022). *Komunikasi antarbudaya: Satu perspektif multidimensi*.
- Siregar, N. F. (2018). Efektivitas Hukum. *Al-Razi: Jurnal Ilmu Pengetahuan dan Kemasyarakatan*, 18(2), 1–16.
- Siti Marlina. (2024, Oktober 27). Wawancara dengan Ibu Ketua PKK Kecamatan Licin Kabupaten Banyuwangi mengenai generasi muda Madura memahami dan menerima aturan ini, beliau mengatakan bahwa: [Komunikasi pribadi].
- Siti Rahayu. (2024, Oktober 27). Wawancara dengan Orang Tua Mengenai Pandangan orang tua terhadap Undang-Undang Nomor 16 Tahun 2019 di Kecamatan Kalipuro Kabupaten Banyuwangi [Komunikasi pribadi].
- Soekanto, S. (1982). *Sosiologi hukum dalam masyarakat*. Jakarta: Rajawali.
- Soerjono, S., & Romli, A. (2017). Teori Efektivitas Hukum. *Reformasi Hukum, Hak Asasi Manusia & Penegakan Hukum*.
- Suryani, S. (2018). Li'an Dalam Perspektif Filosofis & Normatif. *El-Afkar: Jurnal Pemikiran Keislaman dan Tafsir Hadis*, 5(1), 21–34.
- Syaifullah. (2024, Oktober 27). Wawancara dengan Tokoh Masyarakat Madura di Kecamatan Licin yang sering dianggap sebagai penjaga tradisi lokal. Peneliti menyakan mengenai pandangan regulasi Undang-Undang No. 16 Tahun 2019 tentang Batas Usia Perkawinan apakah relevan untuk diterapkan di masyarakat suku Madura yang masih kuat tradisinya [Komunikasi pribadi].
- Telaumbanua, D. (2019a). Undang-Undang Republik Indonesia Nomor 16 Tahun 2019 tentang Perubahan Atas Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan.
- Telaumbanua, D. (2019b). Undang-Undang Republik Indonesia Nomor 16 Tahun 2019 tentang Perubahan Atas Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan.
- Tobing, R. L. (2011). *Efektivitas undang-undang money laundering*. Badan Pembinaan Hukum Nasional, Kementerian Hukum dan Hak Asasi Manusia RI.
- Turama, A. R. (2020). Formulasi teori fungsionalisme struktural Talcott Parsons. *EUFONI: Journal of Language, Literary and Cultural Studies*, 2(1), 58–69.
- Universitas Airlangga. (2021). *Faktor Pendorong Pernikahan Dini di Kalangan Masyarakat Suku Madura*. Unair Press.

- Wahyudi Arif. (2024, Oktober 27). Wawancara dengan Tokoh Agama di Kecamatan Licin yang sering dianggap sebagai penjaga tradisi lokal. Peneliti menanyakan mengenai pandangan regulasi Undang-Undang No. 16 Tahun 2019 tentang Batas Usia Perkawinan apakah relevan untuk diterapkan di masyarakat suku Madura yang masih kuat tradisinya [Komunikasi pribadi].
- Walijah, N. (2023). *Budaya Hukum Pembagian Waris Adat Masyarakat Sasak Di Desa Jerowaru Kecamatan Jerowaru Kabupaten Lombok Timur Perspektif Antropologi Hukum Islam*.
- Warda. (2024, Oktober 23). Wawancara Pribadi dengan Ibu Ketua Posyandu Kecamatan Licin Kabupaten Banyuwangi [Komunikasi pribadi].
- Weber, M. (1905). 1958, *The Protestant Ethic and the Spirit of Capitalism*. New York: Charles Scribner's Sons.
- Wijaya, A., Hasibuan, I., & Bella, R. (2022). Efektifitas Penegakan Undang-Undang Nomor 16 Tahun 2019 tentang Perubahan Atas Undang-Undang Nomor 1 tahun 1974 Tentang Perkawinan Terhadap Pernikahan Anak di Bawah Umur. *Collegium Studiosum Journal*, 5(2), 98–104.
- Yasak, E. M., & Dewi, S. I. (2015). Budaya pernikahan dini terhadap kesetaraan gender masyarakat Madura. *Jurnal Ilmu Sosial dan Ilmu Politik (JISIP)*, 4(3).
- Yususf. (2024, Oktober 28). Wawancara dengan Kepala Desa Kalipuro Kecamatan Kalipuro Kabupaten Banyuwangi Mengenai Peran pemerintah Desa di Kecamatan Kalipuro, Kabupaten Banyuwangi [Komunikasi pribadi].
- Zahrah, F., & Jatningsih, O. (2020). Transformasi Tradisi Pernikahan Usia Anak di Masyarakat Madura. *Kajian Moral dan Kewarganegaraan*, 8(2).