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Emergency Reasons in Marriage Dispensation (Legal Norms) : A Case Study in Bawean Island, Indonesia

Muhammad Zulfi Al'Ghani[1], Badrizal Al Hazar[1], Ease Arent[1], Muhammad Nur Hidayat[2], Ramadhani Lausi Mkumbachi[3]

[1]*Geography Department, Universitas Negeri Makassar, Makassar, Indonesia*
[2]*Depertment of Sociology, Universitas Darul Ulum Jombang, Jawa Timur, Indonesia*
[3]*Geography, Delhi School of Economics, University of Delhi, Delhi, India*

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Corresponding author:
Muhammad Zulfi Al'Ghani
Email: zulfialghani@unm.ac.id
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ABSTRACT

Early marriages in various countries, including Indonesia, can be legalized by the state based on "emergency reasons" in obtaining marriage dispensation in court. The emergency reason pattern can be used as a basis for intervention in handling this case.. This study aims to describe the 'emergency reasons' for marriage dispensation, examine their relationship with the demographic aspects of the offender, and examine the length of time the marriage dispensation was obtained. This research uses a descriptive quantitative survey approach. The instruments used in this research consist of demographic aspects of early marriage actors, as well as a review of "emergency reasons" in marriage dispensation decisions for 157 respondents at the Bawean Religious Court for 2019-2023. This research data analysis uses correlation techniques to show the direction and strength of the relationship between variables. This research proves that there is a relationship between the age and education of early marriage actors and the "emergency reasons" for marriage dispensation decisions, as well as a relationship between the length of the marriage dispensation process and the "emergency reasons" for marriage dispensation decisions. Other results prove that there is no significant relationship between the income of early marriage actors and the "emergency reasons" for marriage dispensation decisions. However, there is a significant correlation with one of the "emergency reasons", namely that the Husband is already working and has an income has a greater chance of getting a marriage dispensation.. The results of this research can be used as important material for regulating marriage dispensations for the Religious Courts, Office of Religious Affairs, Supreme Court of the Republic of Indonesia and other authorities.

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1. Introduction

The high number of cases of early marriage is still a global concern, with an increasing number of around 15 million girls getting married before the age of 18 (Petroni et al., 2017). The highest rate of early marriage occurs in developing countries, such as in the African zone, which includes Nigeria (77%), Mali (61%), and Ethiopia (58%) (UNICEF, 2005; Walker, 2015). In the Asian zone, this occurs in Bangladesh (74%)(Amin et al., 2018), India (62%) (IPU & WHO, 2016), and Iran (52%) (Hajihasani & Sim, 2019). In Latin America, in general, there is a prevalence of (26%) (Segal-Engelchin et al., 2015), the highest in Canada, with an average annual prevalence of 2,300 cases (Koski & Clark, 2021). Indonesia ranks among the ten highest countries in the world, with more than one million women whose first marriage was less than 18 years (Ministry of Health, 2020; PUSPAKA, 2020; UNICEF, 2016). Early marriage still occurs in all regions of Indonesia (Ministry of Health, 2020; UNICEF, 2016), as well as in remote areas such as Bawean Island, where there are cases of early marriage with a marriage age of 15-18 years between 2015-2021 as many as 13% of the total marriages (Central Bureau of Statistics of Gresik Regency, 2021).

The Indonesian government has surprisingly raised the minimum age for marriage in Law Number 16 Marriage of 2019, which changes the age from 16 to 19 years for women, and there is no change in the age for men from the previous regulation, namely, 19 years (JDIH BPK RI, 2019). Ironically, the legal protection of child marriage in Indonesia is considered to have not been effective in reducing its prevalence because of the access that allows early marriage with the 'Marriage Dispensation' (Aditya & Waddington, 2021). Marriage dispensation (for women and men under 19 years of age) can be obtained in Religious Courts, which refers to the Regulation of the Supreme Court of the Republic of Indonesia Number 5 Paragraph 1 of 2019 concerning Guidelines for Applications for Marriage Dispensation (JDIH BPK RI, 2020). Paragraph 2

continues, "In the event of a deviation from the age provisions as intended in paragraph (1), male parents and/or female parents can request dispensation from the Court for "emergency reasons" accompanied by sufficient evidence. supporting evidence (JDIH BPK RI, 2019).

This also applies to Malaysia, where the minimum age allowed for marriage is 18 years for men and 16 years for women (Samuri et al., 2022). Any deviation from the minimum age limit permitted must obtain permission, which is fully submitted to the Court or Sharia Court (Yuhermansyah & Mohd Hakim, 2018). Civil law in Turkey also allows marriage under applicable legal provisions, namely, 18 years (Yilmaz et al., 2014), but approval from the court is required. Before making a final decision regarding marriage approval, the judge refers the children to a doctor and asks whether they are psychologically and physically ready for marriage (Yilmaz et al., 2022).

Since 2019-2021, marriage dispensation cases in Indonesia have increased by 30% every year (Supreme Court of the Republic of Indonesia, 2022). In 2022, nationally, there will be around 52 thousand marriage dispensation cases submitted to the Religious Court (Supreme Court of the Republic of Indonesia, 2023). This is the highest number of marriage dispensation cases in the last decade. As a result, it is not surprising that there is a desire from certain parties, one of which is the Ministry of Women's Empowerment and Child Protection, to abolish this marriage dispensation because it is considered one of the biggest causes of the persistence of early marriage in Indonesia (The Ministry of Women Empowerment and Child Protection of the Republic of Indonesia, 2023).

Decisions on marriage dispensation cases at Religious Courts contain various "emergency reasons" that can be given to both the prospective bride and groom, who are still minors (Murni, 2020). A review of research on “emergency reasons” in previous marriage dispensations found the following: having been in a relationship for a long time, being pregnant unexpectedly, often dating, and living at home with her future husband (Yuni, 2021). Other reasons for marriage dispensation include pregnancy out of wedlock, the influence of local customs and traditions, economic considerations, parents' willingness to marry off their children, parents' efforts to prevent their children from committing acts that are contrary to religious norms, and uncontrolled social interactions (Mursyid & Nasruddin, 2022). Furthermore, "emergency reasons" were found in implementing the marriage dispensation decision, namely pregnancy (31%), mutual love (25%), worry about the risk of violating religious norms (21%), having had sexual intercourse (16%), violating social values (8%), and at risk of having sexual intercourse (4%) (AIPJ, 2023). In Pulau Pinang, Malaysia, the reasons for the marriage provisions of minors are the child's wishes, such as having already had sexual relations, not being interested in going to school, liking each other, and so on (Yuhermansyah & Mohd Hakim, 2018). In Turkey, the court considered that two reasons were common among participants: being pregnant or having children (54.4%) and having had a religious/unlawful marriage (49.1%) were common among participants (Yilmaz et al., 2022).

It should be noted that each decision on a marriage dispensation case in Indonesia contains several "emergency reasons" for consideration by the Judge in the Religious Court. The Judge considers it based on the background of one/both actors of early marriage, from religious, social, educational, health, economic, and family support so on (Murni, 2020). Thus, "emergency reasons" are considered something very important to study because they influence decisions on marriage dispensation cases, as the most important requirement for carrying out a state-legal marriage for one/both of the prospective bride and groom who are still minors.

This research takes a research gap on how to see the relationship between the demographic conditions of early marriage actors on Bawean Island and "emergency reasons" in decisions regarding marriage dispensation cases. We use several demographic variables, such as the respondent's age, education, employment, income, and length of the marriage dispensation process obtained by connecting "emergency reasons" in the decision of the marriage dispensation case. Differences from previous research also exist in data determination. This study did not use a sample, but we used all data on decisions on marriage dispensation cases from January 2019 to September 2023 at the Bawean Religious Court. Therefore, the objectives of this study are as follows:

RQ1. Describe the "emergency reasons" for the early marriage dispensation case at the Bawean Religious Court.

RQ 2. The relationship between the age and education of early marriage actors and the "emergency reasons" for decisions on marriage dispensation cases at the Bawean Religious Court.

RQ 3. The relationship between the income of early marriage actors and the "emergency reasons" for decisions on marriage dispensation cases at the Bawean Religious Court.

RQ 4. The relationship between the length of the marriage dispensation and the "emergency reasons" for the decision on the marriage dispensation case at the Bawean Religious Court.

2. Research Methodology

2.1. Research Design

This research is a quantitative research using a survey approach. This study aims to examine the relationship between the age of the actor of early marriage (X1), the education of the actor of early marriage (X2), the income of the actor of early marriage (X3), and the length of marriage dispensation (X4) with the "emergency reasons" for the marriage dispensation decision (Y).

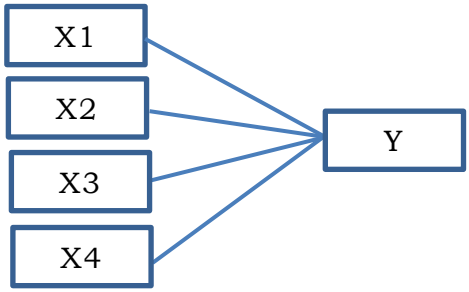


Figure 1. Design of Research

A recent study showed that the average age of early marriage for adolescent girls in Indon esia was 16.94 years. Furthermore, the higher the level of education, the lower the proportion of early marriages (Fitria et al., 2024). In Iraq, the average age at early marriage is 16.82 years old (Cetorelli, 2014). In Colombia, the fertility rate of 16.66-year-old women in urban areas was reported to be higher, particularly between 2012 and 2016 (Ramos Jaraba et al., 2020). In particular, interesting anomalies have been reported, including large age differences between husbands and wives in families with children. The average age of wives in these families was 16 years, while husbands were 30 years old at the time of marriage (Al'Ghani et al., 2024a). The richer the family, the lower is the proportion of early marriages (Fitria et al., 2024).
The hypothesis of the research objectives is explained as follows;

Objective 2 (Hypothesis 1): There is a relationship between the age and education of the actors of early marriage and the "emergency reasons" for decisions on marriage dispensation cases at the Bawean Religious Court.
Objective 3 (Hypothesis 2): There is a relationship between the income of early marriage actors and the "emergency reasons" for decisions on marriage dispensation cases at the Bawean Religious Court.
Objective 4 (Hypothesis 3): There is a relationship between the length of the marriage dispensation process and the "emergency reasons" for decisions on marriage dispensation cases at the Bawean Religious Court.

2.2. Research Respondents

A total of 157 respondents participated in this study. The respondents we refer to are female actors in early marriage as marriage dispensation applicants whose decisions were "granted" by the Bawean Religious Court from January 2019 to September 2023. This is due to the change in the minimum age for marriage to 19 years for women and men, as of January 2019. This study used a total sampling technique in which all populations were included. By covering the entire population, this technique provides accurate and complete data without the risk of sampling bias (Chauvet, 2020; Narayan et al., 2023). These results reflect the true condition of the population. Comprehensive data from this study can help in better planning and policymaking as decisions are based on complete information. Sampling techniques and sizes that use total sampling are essential in studies that require detailed understanding of population characteristics.

2.3. Collecting Data

In this study, we used secondary data for analysis. Secondary analysis allows the researcher to complete the project in less time than it takes for primary data collection and analysis (Windle, 2010). We obtained these data from the Bawean Religious Court. We analyzed 157 datasets from January to May 2023. The instrument was developed in accordance with the objectives of this study. Researchers use research instruments to obtain, measure, and analyze data relevant to the research objectives (Kurniawan, 2021).

The proposed instruments were related to age, education, occupation, income, reasons for marriage, and length of the marriage dispensation process. Our years of marriage scale uses scale 1 for 15 years old, scale 2 16 years old, and scale 4 for 18 years old. Our education scale uses scale 1 for primary school, scale 2 for junior secondary school, and scale 3 for senior secondary school. Our occupation scale uses Scale 1 for housewives, Scale 2 for fishermen, and so on, as shown in figure 8. The reasons for marrying are listed in table 1, and the length of the dispensation process is shown in figure 9. The instrument used was an adaptation of a copy of a marriage dispensation case decision issued by the Bawean Religious Court (Supreme Court of the Republic of Indonesia, 2023).

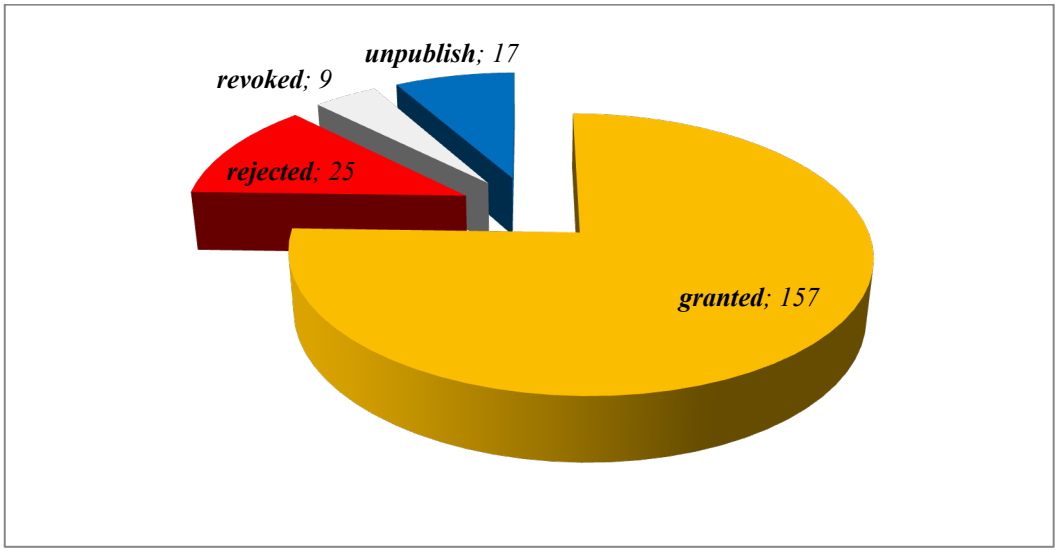


Figure 2. Decisionson Marriage Dispensation at Bawean Court 2019-2023
Source: Bawean Religious Court, 2023.

Figure 2 shows that the Bawean Religious Court received 208 decisions on marriage dispensation cases, not all of which were "granted." There were 157 decisions on marriage dispensation cases that were "granted," or 75.48%. Decisions on other marriage dispensation cases have the status of rejected (25) and revoked (9).

2.4. Data Analysis

The first formulation used quantitative descriptive analysis to explain the "emergency reasons" for marriage dispensation using a frequency distribution. This was done to see the distribution of "emergency reasons". The second, third, and fourth formulations used ANNOVA multiple regression analysis, which showed the significance of the relationship between two or more variables and other variables that form causality (Hoyt et al., 2006, 2008; Prematunga, 2012). The dependent variable was emergency reasons, while the independent variables included age, education, income, and the length of the marriage dispensation process. This was adjusted to meet the objectives of this study.

Testing the normality assumption is required as a condition before testing the hypothesis using the multiple linear regression hypothesis. Based on the results of the Kolmogorov-Smirnov and Shapiro-Wilk normality tests, the data on age, education, income, length of the marriage dispensation process, and "emergency reasons" were found to be normal. Therefore, multiple linear regression hypothesis testing was performed. This analysis technique was used with IBM SPSS Statistics 20 for Windows.

3. Results and Discussion

3.1. Description of "Emergency Reasons" in Marriage Dispensation Case Decisions

The Bawean Religious Court has the authority to decide on religious civil cases on Bawean Island, Gresik Regency, East Java Province, which oversees the administrative areas of two sub-districts, namely Sangkapura and Tambak. In the 2020 Population Census, the population of Bawean Island was 80,289 people (Central Bureau of Statistics of Gresik Regency, 2021). The population of Bawean Island is predominantly a mix of Madurese, Malay, Javanese, Banjarese, Bugis, and Makassarese who have become permanent migrants. The permanent and expansionist territorial mobility of migrants influences their patterns

of adaptation, sociocultural change, and settlement after becoming migrants in a new region (Corry et al., 2022).

The following are various decisions on religious civil cases at the Bawean Religious Court from 2019 to 2023.

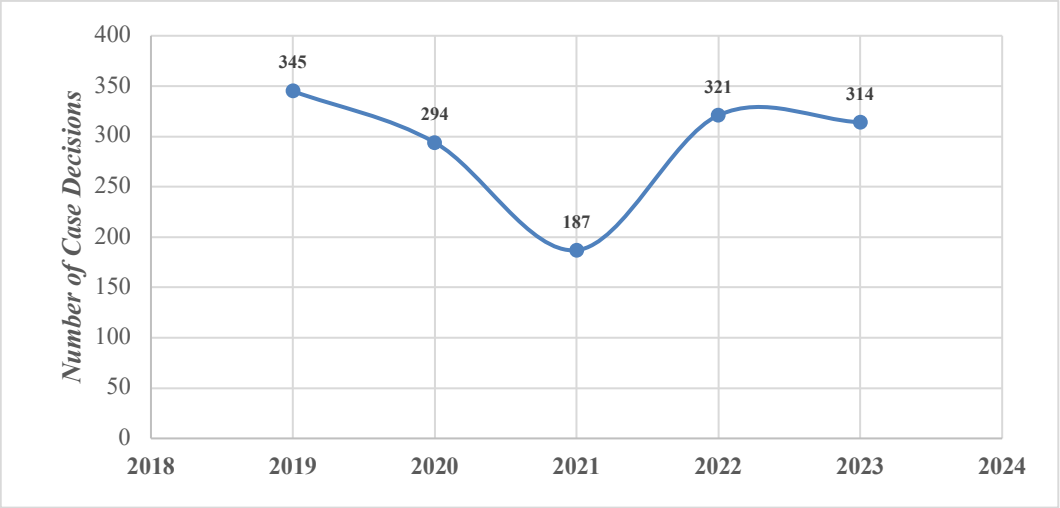


Figure 3. Religious Civil Decisions at Bawean Court 2019-2023
Source: Bawean Religious Court, 2023.

Figure 3 shows the total number of decisions at the Bawean Religious Court from January 2019 to September 2023, totaling 1,461 decisions in religious civil cases. There were 208 marriage dispensation decisions during that period, or the percentage reached 14.23% of all decisions. Other religious civil case decisions included inheritance and grants (498), marriage isbat/marriage validation (323), divorce (236), child guardianship (192), and polygamy permits (4). The decision in the marriage dispensation case is the fourth highest of the six decisions in religious civil cases at the Bawean Religious Court from to 2019-2023. Marriage dispensation is one of the conditions that must be fulfilled for prospective brides and grooms, one or both of whom are under the age of 19 and wish to register their marriage at the Religious Affairs Office. However, marriage dispensations are carried out very strictly in Religious Courts, and marriage dispensations are not necessarily "granted"; they can even be "rejected". The following are the data per decision on marriage dispensation cases at the Bawean Religious Court during 2019-2023;

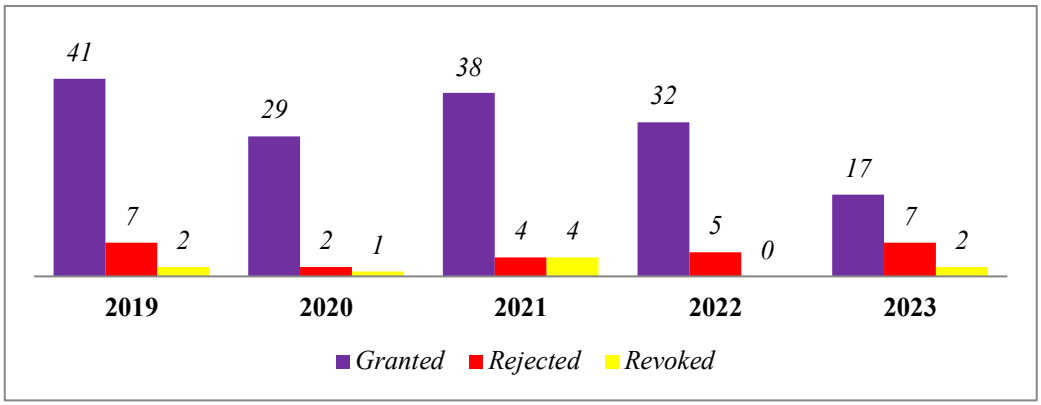


Figure 4. Decisionson Marriage Dispensation at Bawean Court 2019-2023
Source: Bawean Religious Court, 2023.

Figure 4 shows that the Bawean Religious Court received 208 decisions on marriage dispensation cases, not all of which were "granted". There were 157 decisions on marriage dispensation cases that were "granted", or 75.48%. Decisions on other marriage dispensation cases have the status of rejected (25) and revoked (9). A rejected decision cannot be used as one of the conditions for conducting and registering a marriage at the Office of Religious Affairs. A decision that has the status of being revoked implies that the applicant does not continue the marriage dispensation process. In this study, we used decisions on marriage dispensation cases, in which 157 decisions were granted.

One of the "emergency reasons" strongly emphasized in the decision on marriage dispensation cases is the willingness of one or both of them to be considered in the trial at the Bawean Religious Court. Is the willingness of one or both based on one's desire (without coercion) or matchmaking, as shown in the following visualization:

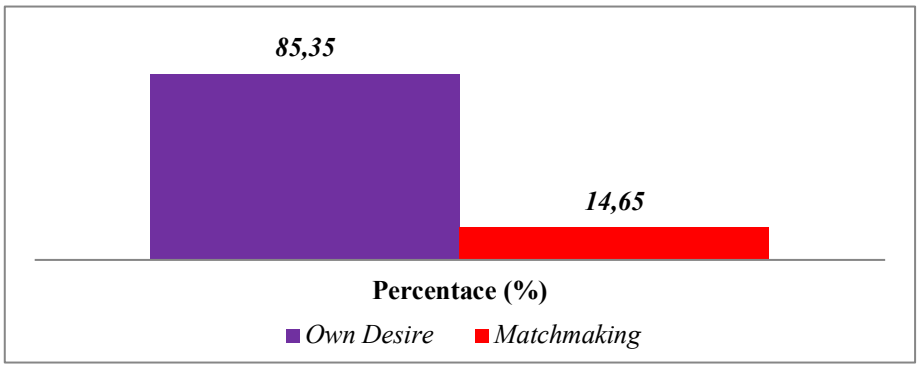


Figure 5. Reasons in Decisions on Marriage Dispensation

Figure 5 shows the willingness of one or both of all marriage dispensation case decisions at the Bawean Religious Court in 2019-2023, namely, early marriages carried out with one's wishes (without coercion) at 85.35% and matchmaking at 14.65%.

The data show that there were several "emergency reasons" in one marriage dispensation case decision. Several of these reasons are important considerations in the trial process at the Bawean Religious Court to decide whether "granted" or "rejected". The following are data on the reasons for the marriage dispensation decision at the Bawean Religious Court for 2019-2023;

Table 1. "Emergency Reasons" in Marriage Dispensation Decisions

Emergency Reasons	Frekuency	Percentace
Ever applied for marriage registration to the Office of Religious Affairs and was rejected because one/both of them did not meet the age requirements	157	100,00
There is no consanguineous relationship	157	100,00
Ready to build a household (Commitment of both actors)	115	73,24
The husband already works and earns money	154	98,08
Own desire (without coercion)	134	85,35
Get to know each other and have a long relationship (dating)	148	94,26
Avoiding adultery (a sin in religion)	93	59,23
Pregnant	5	3,18
Have had a *sirri* marriage (religiously valid marriage but not yet registered with the Office of Religious Affairs)	8	5,09
Do not want to pursue higher education	29	18,47
Matchmaking	23	14,64
Matchmaking (There is still a relationship between siblings who are not married)	18	11,46
Men's parents are ready to take responsibility for economic, social, and health problems for both of them	5	3,18

In Table 1, we find that from all marriage dispensation case decisions, there are two "emergency reasons": Ever applied for marriage registration to the Office of Religious Affairs and was rejected because one/both of them did not meet the age requirements and "There is no consanguineous relationship". We call these two reasons normative reasons.

We also found "empirical" reasons, which we mentioned in order of percentage of the three largest "emergency reasons" as follows: the husband already works and earns money 98.08%, gets to know each other, has a long relationship (dating) of 94.26%, and own desire (without coercion) is 85.35%. Meanwhile, the "emergency reasons" of the three smallest in sequence are as follows: Matchmaking at 14.64%, Having had a sirri marriage (religiously valid marriage but not yet registered with the Office of Religious Affairs) at

5.09%, and Pregnant and Men's parents are ready to take responsibility for economic, social, and health problems for both of them, both have the same amount, namely 3.18%.

In one marriage dispensation case decision, several "emergency reasons" were considered by the judge in the trial at the Religious Court. Our findings show that of all the decisions in marriage dispensation cases, there were two definite emergency reasons: (1) ever applied for marriage registration to the Office of Religious Affairs and was rejected because one or both of them did not meet the age requirements, and (2) there was no consanguineous relationship.

We further found that there were three most common "emergency reasons" in marriage dispensation case decisions: "The husband already works and earns money", "Get to know each other and have a long relationship (dating)", and "Own desire (without coercion)". These three dominate the marriage dispensation decisions of the Bawean Religious Court. The reason "Get to know each other and have a long relationship (dating)" was also found in previous research at the Religious Courts in several cities in East Kalimantan Province with "emergency reasons," (1) long relationship and (2) frequent dating (Yuni, 2021). In findings in South Sulawesi, uncontrolled relationships were the top three "emergency reasons" (Mursyid & Nasruddin, 2022). This was also found in research on the Australian Partnership in collaboration with the Supreme Court of the Republic of Indonesia (MA RI), which found that "mutual love" ranked second with a percentage of 25% (AIPJ, 2023). One of the related factors in Pulau Pinang, Malaysia, is mutual love (Yuhermansyah & Mohd Hakim, 2018).

The least "emergency reasons" found in the decision of the marriage dispensation case of the Bawean Religious Court are "Have had a sirri marriage (religiously valid marriage but not yet registered with the Office of Religious Affairs)," "Pregnant," and "Men's parents are ready to take responsibility for economic, social, and health problems for both of them." This is in line with research findings in other parts of Indonesia that early marriages are not registered as state-valid marriages (*sirri*) (Susilo et al., 2022). In Turkey, the Court permitted early marriage (under 18 years old) for those who had married religiously/*sirri* (outside the law) by 49.1% (Yilmaz et al., 2022).

In the "emergency reasons" for pregnancy that have been found, the percentage is very small, which is only 3.18%, when compared to the findings in the research of the Australian Partnership in collaboration with the Supreme Court of the Republic of Indonesia (MA RI) which found that "emergency reasons" for pregnancy ranked first with a percentage of 31% (AIPJ, 2023), or what was found in the Religious Courts in several cities in East Kalimantan Province that "emergency reasons" for unexpected pregnancy ranked second (Yuni, 2021). And the findings in South Sulawesi, "emergency reasons" pregnant outside of marriage is the biggest factor (Mursyid & Nasruddin, 2022), and the findings in Turkey are also the same, early marriage (under 18 years old) being pregnant/having children is the biggest reason given by the Court (Yilmaz et al., 2022).

3.2. Relationship between the Age and Education of the Actors of Early Marriage and the "Emergency Reasons" for the Decision on Marriage Dispensation

The age difference between female and male actors in decisions regarding marriage dispensation is quite large. This can be seen as follows:

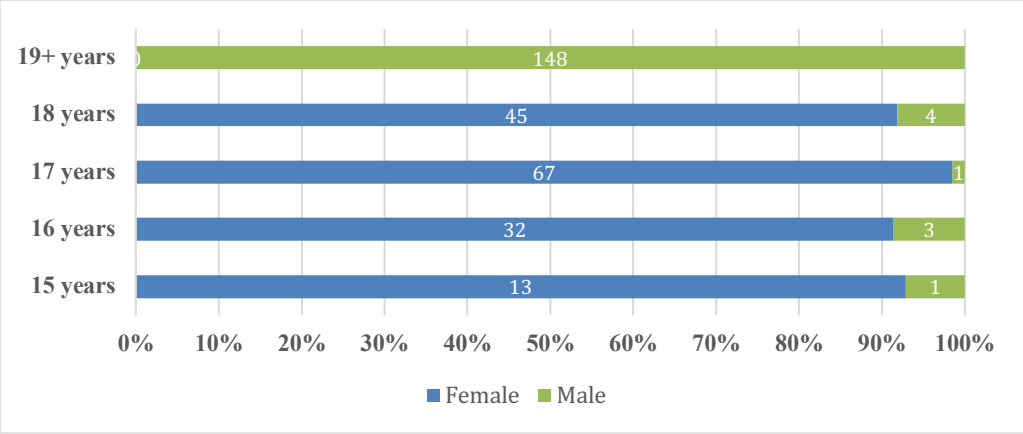


Figure 6. Ages of Female and Male actors
Source: Bawean Religious Court, 2023.

Figure 6 shows that of the 157 people, all female actors were under the age of 19, including those aged 15, 16, 17, and 18. In contrast to the age of the male actors, out of 157 people, only nine were under 19 years old, or 5.71%. This indicates that men are older than women (94.29%). There were 37.57% men over the age of 30 years. The female and male actors in marriage dispensation case decisions have all experienced formal education, as shown in the following data:

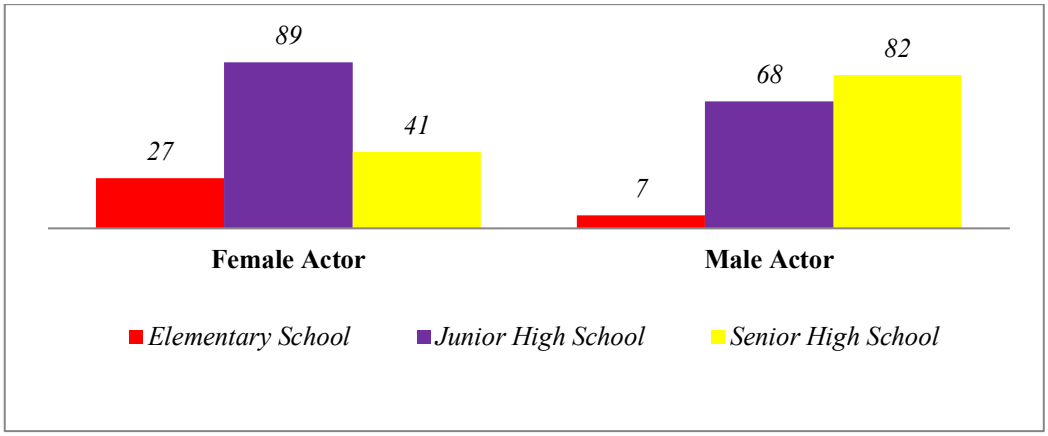


Figure 7. Education of Female and Male actors

Figure 7 shows that most female actors in early marriage were Junior High School graduates, with 89 people (56.68%). High School graduates as many as 41 people or with a percentage of 26.11%. Elementary School graduates were 27 people, with a percentage of 17.21%. The majority of male actors were High School graduates, with 82 people (52.22%). Junior High School graduates comprised 68 people (43.31%), while Elementary School graduates comprised only seven people (4.47%). The following are the statistical test results of multiple correlation techniques between age at marriage (X1) and education (X2) with "emergency reasons" for marriage dispensation case decisions (Y) with the following results:

Table 2. Result Regression

No	Model	df	Sig.
1	Regression	2	.000[b]

Dependent Variable: Emergency Reasons (Y)
Predictors: (Constant), Education (X2), Old (X1)

Based on the statistical test Table 2, the result shows that the significance value in Annova is 0.000 or <0.05, so Hypothesis 1 is accepted. These results indicate a relationship between the age and education of the actor of early marriage and the "emergency reasons" for the decision of the marriage dispensation case.

While there has been global progress in improving laws prohibiting child marriage, the legal framework still needs to be adequately enforced in countries with the highest prevalence of early marriages (Kohno et al., 2020). For example, Saudi Arabia is one of the countries that has not set a legal minimum age for marriage because of the influence of religious authorities (Al-Hakami & McLaughlin, 2016). Many countries have formulated a minimum legal age for marriage to reduce early marriage (Irem, 2021). For example, through the Child Marriage Restriction (Amendment) Bill 2009 and the Charter of Rights Bill 2009, efforts have been made to increase the age of marriage to 18 years for girls (Nasrullah et al., 2014). Tanzania has raised the marriage law from 15 to 18 years of age but has yet to effectively reduce the prevalence of early marriage (Schaffnit et al., 2019; Tanzania Bureau of Statistics, 2016). In Ethiopia, the minimum age for marriage increased from 15 to 18 years in 2000 (McGavock, 2021). In Turkey, the 2002 Civil Code (Article 192) sets the minimum age for marriage for both men and women at 18 years (Lou O'Neil & Sule, 2014). Malaysia is generally regulated under its Law Reform Act of 1976 (Marriage and Divorce). The minimum age allowed for marriage in Malaysia is 18 years for males and 16 years for females (Samuri et al., 2022; Yuhermansyah & Mohd Hakim, 2018).

Early marriage increases the likelihood of prolonged fertility being prolonged (Hidayat, 2018). In Indonesia, in 2019, the minimum age of marriage was set at 19 years in Law Number 16 of 2019 (JDIH BPK RI, 2019). We correlated this with the age at which most Indonesians attend formal education. From the age of seven years to 13 years, they attend elementary school. Ages 13–16 attend junior high school, and ages

16–18 attend senior high school. This follows the Indonesian Ministry of Education and Culture, which strategizes 12 years of compulsory education for all Indonesians up to the Senior High School level (The Ministry of Education and Culture, 2015). However, early marriage provides a great opportunity for actors not to continue their education or be forced to drop out (Ashburn et al., 2020; Polyakova, 2018; Rahiem, 2021). The findings of this study evidence this "emergency reasons," Do not want to pursue higher education in the decision of the marriage dispensation case. This is also reinforced by the findings in Pulau Pinang, Malaysia, "emergency reasons" regarding the provision of marriage for minors, one of whom is no longer interested in going to school (Yuhermansyah & Mohd Hakim, 2018).

The younger generation should inherit their parents' spirit of productivity (Al Hazar et al., 2024), to support future economic independence (Al Hazar et al., 2024). Education, age, and parental support are determinants of human maturity in behavior, although there are differences in gender considerations (Lim & Sukkyung, 2019). Furthermore, adolescents may be capable of making deliberate decisions at the age of 16, but even adults exhibit "more mature" decision-making. It is reasonable to apply different age limits for different legal purposes, such as for matters that prioritize cognitive capacity and for matters that prioritize psychosocial maturity. While cognitive capacity reaches adulthood around age 16, psychosocial maturity reaches adulthood after age 18, creating a "maturity gap" between cognitive and psychosocial development (Icenogle et al., 2019). This can be strengthened by findings that show that by looking at the age variable, there is a close relationship between motivation for early marriage and readiness to carry out family functions (Eka Devi et al., 2021).

In psychosocial maturity, there is a commitment to every decision, which is directly proportional to experience, education, and age (Icenogle et al., 2019). We assume that the more mature the age, the higher the education and experience of a person, and the more careful they are in maintaining a committed attitude from the attitude taken that must be delivered to its destination. In our findings, the correlation between age and education is related to one of the "emergency reasons" in the decision of the marriage dispensation case, namely "Ready to build a household (Commitment of both actors)." The judge's decision in the trial saw this consideration, as evidenced by the fact that these "emergency reasons" had a fairly large percentage of 73.24%. Here is an example of the reinforcing guidelines from the decision used, namely:

"Considering that the condition of the prospective husband of the Applicant's child, who is 28 years old, has a high school education, and is independent (has a job and income), indicates that he is physically and psychologically mature, which is necessary to become a husband and head of the household."

The contradictory findings in this study strengthen the previous argument, with the "emergency reasons" that Men's parents are ready to take responsibility for economic, social, and health problems for both of them, in the decision of marriage dispensation cases, only 3.18%, which is significantly related to other "emergency reasons," namely pregnancy at 3.18%. These "emergency reasons" occurred in actors aged 15 and 16 years. This indicates that commitment is not built by the actor, but by the parents. This is also corroborated by the research findings of the Australia-Indonesia Partnership for Justice 2 (AIPJ2) in collaboration with the Supreme Court of the Republic of Indonesia (MA RI), which found that the "emergency reasons" of pregnancy ranked first with the majority of female actors aged 16 years (AIPJ, 2023), as well as the findings of "emergency reasons" of pregnancy outside of marriage being the biggest factor for women aged 15-17 years (Mursyid & Nasruddin, 2022).

3.3. The Relationship between the Income of the Actors of Early Marriage and the "Emergency Reasons" of the Marriage Dispensation Decision

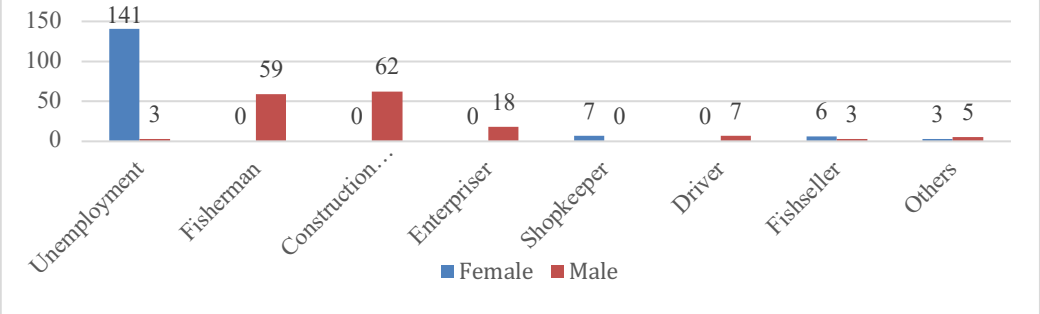


Figure 8. Employment of Female and Male actors
Source: Bawean Religious Court, 2023.

Work generates income that is used to meet daily economic needs. Female and male actors also do this to obtain income from the work done Figure 8. Figure 8 shows that most female actors in early marriages do not work as many as 141 people (89.80%). Some female actors in early marriage work, such as shopkeepers (7) and fishsellers (6) (3). The majority of male actors in early marriages work as Construction Workers (39.49%) and fishermen (37.57%). Other occupations included self-employment (11.46%), drivers (4.45%), fishmongers (3.82%), and others (3.18%). Only three male actors did not work (0.63%). In general, income can be calculated as the amount earned in one month, even though the income earned is accumulated from daily income according to the work engaged in. The following are the data on the income earned by female and male actors in one month.

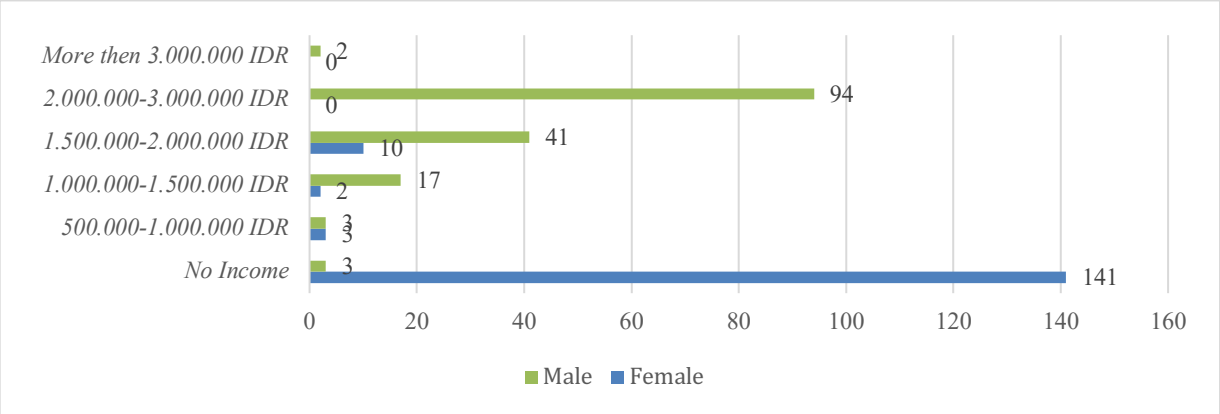


Figure 9. Income of Female and Male actors
Source: Bawean Religious Court, 2023.

Figure 9 shows that most female actors in early marriages had no monthly income (89.80%). Only a few have a monthly income, including income between 1,500,000-2,000,000 IDR as much as 6.3%, monthly income of 500,00-1,000,000 IDR as much as 1.99%, and monthly income of 1,000,000-1,500,000 IDR as much as 1.91%. In contrast to male actors, 99.37% had monthly income. Income per month between 2,000,000-3,000,000 IDR is 59.87%, between 1,500,000-2,000,000 IDR is 26.11%, between 1,000,000-1,500,000 IDR is 10.82%, income 500,000-1,000,000 IDR is 1.91%, and income above 3,000,000 IDR is 1.29%.

The East Java Provincial Government has set the 2023 Provincial Minimum Wage in East Java Governor Decree Number 188/189/KPTS/013/2022. The East Java Provincial Minimum Wage 2023 is IDR 2,040,244 (East Java Regional Development Planning Agency, 2022). It is important to compare this with our findings. Compared to the income of actors in early marriages, the income earned by female actors does not meet this standard. However, the income of male actors in early marriages (husbands) exceeds the standard by more than 60%.

The following are the results of the statistical test of the correlation technique between income (X3) and the "emergency reasons" for the decision of the marriage dispensation case (Y) with the following results:

Table 3. Result Regression

No	Model	df	Sig.
1	Regression	1	.362[b]

Dependent Variable: Emergency Reasons (Y)
Predictors: (Constant), Income (X)

Based on the statistical test listed in Table 3, the results show that the significance value in Annova is 0.362 or > 0.05; thus, Hypothesis 2 is rejected. These results indicate no relationship between the income of the actor in early marriage and the "emergency reasons" for the marriage dispensation case.

Most female actors in early marriages do not work and spend almost all their time at home (141 respondents, 89.80%). This follows previous findings that most actors of early marriage on Bawean Island are junior high school graduates who become housewives (Al'Ghani et al., 2024b). There is a direct relationship between education on financial literacy and consumption rationrationration/managing family income (Ika Fitriani et al., 2021). Bawean Island, administratively included in Gresik Regency, East Java Province, in 2023, uses a UMP of IDR 2,040,244 (125.95 USD) each month (East Java Regional

Development Planning Agency, 2022). This indicates that most of the income of female actors in early marriages in one month is below the standard. In contrast, the income of male actors of early marriage (husbands), more than 60% of the income in one month, exceeds the predetermined standard. Bawean Island families still retain the male's surname, as is the case with the Batak people of Indonesia (Napitu et al., 2024). This reinforces the importance of a husband earning more than his wife does.

The statistical test analysis results show no relationship between the income of female actors in early marriage and the "emergency reasons" for the decision on marriage dispensation cases. This result is limited to measuring the income of female actors, which accounts for only 10.20% of all data. However, in the data in figure 9, male actors (husbands) account for a considerable percentage. This is significant with the "emergency reasons" of the husband already working and earning money in the marriage dispensation case decision of 98.08%. This appears to be a consideration of the judge in the trial at the Religious Court, which refers to one example of the decision guidelines used:

> "Considering that the prospective husband of the Plaintiff's child is 23 years old and independent (has a job and income), he is physically and psychologically mature enough to become a husband and head of household. Thus, with this independence, the judge is convinced that the child can provide livelihood and income to meet his needs later when married".

This concludes that the chances of marriage dispensation being "granted" are greater if the husband of the actor of early marriage has a job and income. It is not without reason that the husband, in the concept of household from the point of view of Islam, plays the most responsible role in the family, including in economic matters (nafkah) (Ja'far & Agus, 2021). This is also in line with the findings of previous research conducted on Bawean Island, where most of the women who entered early marriage were housewives, so the contribution to the family's economic involvement was considered low but benefited from the husbands' income (Susilo et al., 2021). Findings in countries where women marry early make a minor contribution to family income (Wahi et al., 2019). This is also supported by other research findings, which conclude that although, in general, there are opportunities for women to contribute to the family economy, the hypothesis that the opportunity for assistance is more significant if the husband is deceased or has difficulty getting a job is accepted (Horrell et al., 2022). In contrast, in this modern era, women are not only housewives but also have a significant role in family income by becoming 'career women' (Ja'far & Agus, 2021).

3.4. Relationship between Length of Marriage Dispensation and "Emergency Reasons" in Marriage Dispensation Decisions

The duration of the marriage dispensation process depends on how the trial proceeds in a Religious Court. Decisions in marriage dispensation cases differ due to the complexity of proceedings. Our findings on how long it takes for a marriage dispensation case decision to be obtained at the Bawean Religious Court vary, as follows:

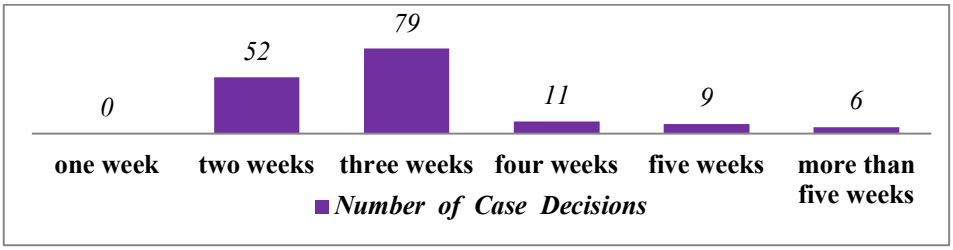


Figure 10. Marriage Dispensation Process Length
Source: Bawean.go.id

Figure 10 shows that the duration of the marriage dispensation decision process was two weeks (33.12%), three weeks (50.31%), four weeks (7.00%), five weeks (5.73%), and more than five weeks (3.82%). No data show that the length of the marriage dispensation decision process was obtained in less than two weeks.

The following are the results of the statistical test of correlation techniques between the length of marriage dispensation (X4) and the "emergency reasons" for the decision of marriage dispensation cases (Y) with the following results:

Tabel 4. Result Regression

No	Model	df	Sig.
1	Regression	1	.000[b]

Dependent Variable: Emergency Reasons (Y)
Predictors: (Constant), Process Length (X)

Based on the statistical test listed in table 4, the results show that the significance value in Annova is 0.000 or <0.05, so Hypothesis 3 is accepted. These results indicate a relationship between the length of marriage dispensation and the "emergency reasons" for the marriage dispensation case decision.
The statistical test shows a relationship between the length of time the marriage dispensation was obtained and the "emergency reasons" for the decision of the marriage dispensation case. The research found that the shortest marriage dispensation was obtained within two weeks with empirical evidence from two trials at the Religious Court, with a percentage of 33.12%. The longest marriage dispensation was obtained in more than five weeks with seven hearings with a percentage of only 3.82%.

There is a very significant assumption in the correlation between the weight of the process of obtaining marriage dispensation and the "emergency reasons" in the marriage dispensation case decision. This is based on the percentage of the duration of marriage dispensation obtained within two weeks and three weeks when added together, which amounted to hazard to 83.43%. This figure is quite significant when linked to one of the examples, namely "emergency reasons", where the husband already works and earns money of 98.08%. The percentage of marriage dispensations obtained within five weeks and more than five weeks, when added together, was only 9.55%, which significantly correlates with another "emergency reason," namely, "Men's parents are ready to take responsibility for economic, social, and health problems for both of them" at 5.73%. This was considered because most cases involved 15 and 16-year-old female offenders who needed extra review to prove their commitment, which automatically required more trials.

This consideration is based on the possibility of the adverse effects of early marriage, especially for adolescent girls. Adverse effects in terms of psychology, such as the emergence of anxiety and lack of freedom in peer relationships due to new roles as wives and parents (Shaud & Asad, 2020), the threat of household sustainability (divorce) due to facing various problems that are not yet time to face (Narwanti, 2014), anxiety in adapting to new people who are not of the same age as her (Setyawan et al., 2016), the tendency to vent disappointment and despair from unresolved problems to the closest person (Hajihasani & Sim, 2019), and the tendency to vent disappointment and despair from unresolved problems to those closest to them (Hajihasani & Sim, 2019; Hamed & Yousef, 2017; UNICEF, 2016).

Adverse health effects include weak hips (Goli et al., 2015), high blood pressure, anemia, bleeding during pregnancy at a young age, and childbirth accompanied by chronic complications, such as obstetric fistula (Ministry of Health, 2020). Babies born also have a high potential for heart disease (Ministry of Health, 2020; Sekine & Carter, 2019; UNICEF, 2016). The impact on mental health of female actors can cause depression and excessive anxiety, as they lack status, power, support, and control over their own lives (Hamed & Yousef, 2017; Le Strat et al., 2011).

Adverse social impacts, early marriages that are not harmonious and happy, will create a high potential for divorce, which raises the family's good name at stake and a decrease in social status in society (Erulkar & Muthengi, 2009), children's socio-psychological vulnerability (Le Strat et al., 2011; Nour, 2006), divorced couples will find it challenging to build a family/marry a second time (Octaviani & Nunung, 2020), and reduced opportunities, skills, and social support (Le Strat et al., 2011). Female actors in early marriages are more likely to drop out of education (Polyakova, 2018), become housewives, and have lower participation in family income (Parsons et al., 2015; Wodon et al., 2016).

4. Conclusion

This research contributes to analyzing the demographic relationship between the actors of early marriage and "emergency reasons" in the decision of marriage dispensation cases. The results of the study are as follows: (1) "There is a relationship between the age and education of the actors of early marriage and the "emergency reasons" of the marriage dispensation decision." (2) "There is no relationship between the income of the actor of early marriage and the "emergency reasons" of the marriage dispensation decision, but there is a significant correlation with one of the reasons: "the husband already works and earns money" in the marriage dispensation decision case. (3) "There is a relationship between the length of the marriage dispensation process and the "emergency reasons" of the marriage dispensation decision. These results indicate that marriage dispensation will be more effortless to obtain and faster to process in court, with higher age, education, and income (of the female actor and husband). Causality exists between one reason in the decision of an early marriage case and another. A limitation of this research is that the phenomenon studied was found in one Religious Court on a remote island. Further researchers can develop this theme by comparing many religious courts and several locations in Indonesia and various countries.The results of this

study are expected to be used as essential material to regulate marriage dispensation for the Religious Courts, Religious Affairs Offices, the Supreme Court of the Republic of Indonesia, and other authorities.

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