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Child Exploitation by Parents in Early Marriage: Case Study in Cianjur West Java, Indonesia

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Abstract: Parents should protect their children. Child exploitation by parents is a cruel act. One form of parental deprivation of children's rights is to marry them at an early age. In Indonesia, the rate of early marriage is still above 10% of all marriages. There is a trend of early marriage with Arab men in tourist destinations such as Puncak-Cianjur, West Java, after the increasing number of tourist visits from the Middle East. This research used a qualitative research method with a phenomenological approach to explore informant' experiences, interpret their experiences, and give meaning to their experiences. Data were collected through observation and in-depth interviews using the Snow Bowling Effect method. The results of the research were analyzed using the framework method. This research found that parents determine the occurrence of early marriage. The drivers of early marriage are economic interests and religious dogma. Parents were influenced by *biyong* (marriage broker) in making decisions. *Biyong* took advantage of half of the dowry. Meanwhile, children's consent to marry was influenced by religious doctrines that caused them to be altruistic and follow their parents' wishes. This research recommends the government be stricter in supervising foreign tourists and socializing the dangers of early marriage and *mutáh* marriage with foreigners.

Keywords: Early marriage, child exploitation, marriage broker, foreigners.

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Abstrak: *Eksplorasi anak oleh orang tua merupakan perbuatan yang mengesankan karena orang tua seharusnya memberikan perlindungan kepada anaknya. Salah satu bentuk perampasan hak anak oleh orang tua adalah menikahnya di usia dini. Di Indonesia, angka pernikahan dini masih di atas 10% dari seluruh pernikahan yang dilaksanakan. Terdapat trend pernikahan dini dengan pria asal Arab di daerah destinasi wisata seperti di Puncak-Cianjur, Jawa Tengah, setelah meningkatnya jumlah kunjungan wisatawan dari Timur Tengah. Penelitian ini menggunakan metode penelitian kualitatif dengan pendekatan fenomenologi yang mengeksplorasi pengalaman informan dan menginterpretasikan pengalamannya serta memberikan makna atas sesuatu yang dialaminya. Data dikumpulkan melalui observasi dan wawancara mendalam dengan menggunakan metode snow bowling effect. Hasil penelitian dianalisis dengan metode kerangka kerja. Studi ini menemukan bahwa orang tua menentukan terjadinya pernikahan dini. Faktor penentu pernikahan dini adalah untuk kepentingan ekonomi dan dogma agama. Orang tua dipengaruhi oleh biyong (broker marriage) dalam menentukan sikapnya. Biyong mengambil keuntungan setengah dari mahar yang diberikan. Adapun persetujuan anak untuk menikah dipengaruhi oleh doktrin agama yang menyebabkan anak bersikap altruis dan mengikuti kehendak orang tua. Studi ini merekomendasikan agar pemerintah lebih ketat melakukan pengawasan terhadap turis asing serta mensosialisasikan bahaya pernikahan dini dan kawin Mutáh dengan warga asing.*

Kata Kunci: *Pernikahan dini, eksploitasi anak, biyong, warga asing*

Introduction

The study of early marriage is indeed a major problem in almost all Muslim countries in the world, including in Indonesia. This article provides a new reality to early marriage, that is, in addition to the role of parents, there are also marriage brokers who take advantage. This reality occurs in Indonesia which is mostly done by tourists from abroad. Marriages between local Indonesian women and men of income (especially from the Middle East) have become a reality in recent years.¹ Therefore, this reality has social and legal repercussions, especially at the age of marriage because they are still classified as children.²

¹ Usep Suhud and Noorfie Syahri Sya'bani, "Halal Sex Tourism in Indonesia: Understanding the Motivation of Young Female Host to Marry with Middle Eastern Male Tourists", *Journal of Economics and Sustainable Development* 5, No. 25 (2014). Usep Suhud and Gregory B. Willson, The Impact of Attitude, Subjective Norm, and Motivation on The Intention of Young Female Hosts to Marry with A Middle Eastern Tourist: A Projective Technique Relating to Halal Sex Tourism in Indonesia, In book, *Heritage, Culture and Society*, (2016). p.237-242.

² Gavin W. Jones, "Which Indonesian Women Marry Youngest, and Why?" *Journal of Southeast Asian Studies* 32, No. 1 (2001), p. 67-78.

Parents' obligation should be to nurture, care for, educate, and protect children because they will continue the baton of life in the future. However, the facts on the ground showed otherwise. Many parents neglect their obligations, some of them even marry off their children at an early age. The National Statistics Agency reported that in 2019, the rate of early marriage reached 10.82% and in 2020 it reached 10.18%.³ According to a UNICEF report, in 2018, it was estimated that 1.2 million women were married at the age of less than 18 years, even around 432,000 of them were already pregnant at 8 years or younger. It showed that Indonesia has not been successful enough in providing protection for children, even though various legal regulations have been enacted and child protection institutions have been established.

Early marriage is a form of child abuse and exploitation since it deprives them of their rights and subjects them to physical and mental damage.⁴ Early marriage has taken away their right to play and robbed their right to education.⁵ Early marriage also threatens reproductive health and mental health⁶, such as leaving a deep trauma for the children,⁷ increasing the risk of depression, as well as isolation (feeling of loneliness) premature birth; low birth weight; and birth bleeding which can increase maternal and infant mortality.

Factors driving early marriage are economy,⁸ poverty, religious understanding, education, cultural pressure, social orientation, family, peers, out-of-wedlock pregnancy, and state policy.⁹ The most prominent factor is the economic factor. In the research location, it was found that in only one small village there were 5 cases of early marriage. All cases had an economic motive. Parents were the main actors in determining early marriage. They considered the

³ Badan Pusat Statistik, "Proporsi Perempuan Umur 20-24 Tahun Yang Berstatus Kawin Atau Berstatus Hidup Bersama Sebelum Umur 15 Tahun (Persen)," 2015, https://www.bps.go.id/indikator/indikator/view_data/0000/data/1358/sdgs_5/1.

⁴ Aditya, et.al., "The Legal Protection Against Child Marriage in Indonesia" *Bestuur* 9, No. 2 (2021), p. 126-134.

⁵ Gordon Brown, "Out of Wedlock, into School: Combating Child Marriage through Education," *The Office of Gordon and Sarah Brown*, 2012. Musawar, "Prevent Child Marriage by Improving Education in West Nusa Tenggara Through Sister Province Relations with Kujawsko-Pomorskie, Poland," *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 6, No. 1 (2022)

⁶ Eddy Fadlyana and Shinta Larasaty, "Pernikahan Usia Dini Dan Permasalahannya," *Sari Pediatri* 11, No. 2 (2009).

⁷ Friska Anggi Siregar, "Eksplorasi Anak Di Ruang Media: Sebuah Tinjauan Hukum" 9, no. 1 (2022), p. 215-30.

⁸ Quentin Wodon, et.al., "A Simple Approach to Measuring the Share of Early Childbirths Likely Due to Child Marriage in Developing Countries 49, No 2" *Forum for Social Economics*, (2020).

⁹ The Minister of National Development Planning, "National Strategy on The Prevention of Child Marriage" 2020. <https://www.unicef.org/indonesia/sites/unicef.org/indonesia/files/2020-06/National-Strategy-on-Child-Marriage-Prevention-2020.pdf>.

burden of their life as very heavy. Therefore, they married off their children at an early age to reduce the economic burden. The decision of the parents was influenced by *biyong*. The *biyong* said that if their daughter married an Arab man, she would live happily because she would earn a lot of money.

In early marriage, children were made property by their parents, which were offered to be married with a certain amount of dowry. Parents who have daughters feel they have some kind of treasure. Both family debt and poverty were directly charged to their daughters who were considered their assets. They were married off to reduce the burden on the family. The process of offering children was facilitated by *Biyong* as a marriage broker. At the research location, the dowry in early marriage was divided between the female parents and the broker, as stated in the research results.¹⁰ In this matchmaking, brokers often provide misleading information about the age, national origin, or economic ability of the spouses.

The doctrine of “*wali mujbir*” in early marriage at the research location was very strong. The *wali* or *guardian* is considered to have the right to marry off without asking the child’s permission or consent. People understand that “*wali mujbir*” is a person who has full authority and does not have tolerance in choosing his child’s life partner. Of the five cases at the research location, there was one case in which the parents did not ask their daughter’s opinion and even lied to her. The girl only knew that her mother had married her when her husband, an Arab man, came into the room. In the case of the other four children, their parents did ask for their opinion. However, they could not refuse for certain reasons related to customs and religious dogmas. This condition had caused children’s altruism. They prioritized the wishes of their parents over their own happiness.

This research aimed to complement the shortcomings of studies on early marriage from the perspective of children as victims. In line with that, this research answered three questions about child exploitation, rights violations, and form of consent in early marriage. These three questions were the main focus of the discussion. The focus of this article is child exploitation in early marriage, a growing phenomenon in tourist areas, due to parents’ economic pressure. The existence of a market for this early marriage model has led to parents’ initiative of to marry their child unilaterally. The child powerlessness in refusing early marriage stemmed from the doctrine that a child must obey their parents’ orders.

This research was conducted in a small village in Cugenang District, Cianjur Regency, West Java, where five cases of early marriage with Arab men were carried out. This research uses qualitative research methods because it was based on the interpretation of the subject, and the research findings were tied to the context. This qualitative research also described a problem, and the results cannot be generalized. This type of research is descriptive, which aims to make a

¹⁰ Thriwaty Aرسال, et al., “Nikah Siri Di Warurejo Dalam Perspektif Sejarah,” *Paramita: Historical Studies Journal* 25, No. 2 (2016).

systematic, factual, and accurate description of the facts and properties of certain objects. The research approach used phenomenology which explores human experience, where humans actively interpret their experiences and give meaning to what they experience.¹¹ According to Griffin, phenomenology analyzes everyday life from the point of view of people living in their own lives. The researcher conducted observations and interviews with parties involved in early marriage. Because early marriage data is low visibility data or dark figures, the data collection in this research uses the Snow Bowling Effect method. The researcher found the first key person as the opening informant. From the first informant, the researcher found the second informant until the data was saturated or no new data is needed.

Once collected, the data will be reduced by simplifying, classifying, and removing what is not needed to produce relevant information. Data display is done by classifying data systematically and in easy-to-understand ways in the form of narratives from field notes and graphs. Next, the researcher verified the data by looking at the data reduction results. Researchers still refer to the predetermined analysis objectives by looking for correlations, similarities, or differences to answer research questions.

Early Marriage

Early marriage is a marriage of which both or one of the spouses are categorized as children or under the age. Early marriage is generally defined as marriage under the age of 19. Early marriage is considered a violation of human rights, whether it happens to a girl or a boy. This is because early marriage is considered one of the most common forms of child sexual abuse and exploitation.¹² Early marriage occurs due to various driving factors such as cultural pressure, social orientation, family, peers, and even out-of-wedlock pregnancy experienced by children or adolescent girls.¹³ In addition, poverty and religious understanding can also encourage early marriage. Economic hardship tends to make children more likely to be trapped in early marriage.¹⁴ Religious understanding that prioritizes faith aspects rather than age maturity and mental readiness issues is also one of the drivers of early marriage.

¹¹ Salim and Erlies Septiana Nurbani, *Penerapan Teori Hukum Pada Penelitian Tesis dan Disertasi*, (Jakarta: Rajawali Pers, 2014).

¹² Jordan Greenbaum, "Child Sex Trafficking and Commercial Sexual Exploitation," *Advances in Pediatrics* 65, No. 1 (2018).

¹³ Agege EA, "Legalities of Child Marriage in Nigeria: Implications on Health and Strategies of Prevention," *Sexual Health Issues*, (2017).

¹⁴ Wodon, Malé, and Onagoruwa, "A Simple Approach to Measuring the Share of Early Childbirths Likely Due to Child Marriage in Developing Countries." *Forum for Social Economics* 49. No. 2, (2020).

Early marriage is not uncommon due to matchmaking practices carried out on children, which negatively impact children's human rights, economy, education, and psychological well-being.¹⁵ Early marriage has taken away children's rights such as the right to play and gather with their friends, and disrupt their education because those who marry at an early age tend to leave school to carry out family duties.¹⁶ Early marriage also has a profound impact on various aspects, ranging from reproductive health due to lack of knowledge about reproduction, anatomy of body development, the process of pregnancy and childbirth, to psychosocial impacts on the wife or husband and the families of both parties. These things are caused by the contradiction between the role of women depicted by society and the mental unpreparedness of children due to their young age.¹⁷ Furthermore, early marriage causes the birth of gender inequality in psychosocial aspects, where unequal gender relations result in gender inequality in discussing income, negotiating sexual desires, using contraceptives, and conceiving children.

Child Exploitation

Child exploitation is an attitude that refers to the discriminatory or arbitrary treatment of children by families or society by forcing them to do something for economic, social, or political interests without regard to their rights to protection in accordance with their physical, psychological, and social development, and social status.¹⁸ Child exploitation is divided into three types: physical exploitation (abuse of children's labour for profit), social exploitation (all forms of abuse of children's inability that can cause delays in their emotional development), and sexual exploitation (involving children in sexually activities they don't understand).¹⁹ Child exploitation occurs due to poverty, community, environment, violence in domestic life, and parental divorce.²⁰ In addition, child

¹⁵ Judith Ann Walker, "Early Marriage in Africa-Trends, Harmful Effects and Interventions.," *African Journal of Reproductive Health* 16, No. 2 (2012). Mursyid Djawas, et.al., "The Government's Role in Decreasing Divorce Rates in Indonesia: The Case of Aceh and South Sulawesi.," *Ahkam: Jurnal Ilmu Syariah* 21, No. 1 (2021).

¹⁶ Brown, "Out of Wedlock, into School: Combating Child Marriage through Education." (2012).

¹⁷ Eddy Fadlyana and Shinta Larasaty "Early Marriage and Its Problems.," *Sari Pediatri* 11, no. 2 (2009). Ahmad Faris Hilmi and Muhammad Zawil Kiram, "The Under-age Marriage during the Pandemic: The Best Interest of the Child Principle.," *El-Ussrah: Jurnal Hukum Keluarga* 6, No. 1 (2023).

¹⁸ Hadi Machmud, Nur Alim, and Rasmi Rasmi, "Eksplorasi Anak Di Kota Layak Anak (Studi Di Kota Kendari).," *Zawiyah: Jurnal Pemikiran Islam* 6, No. 1 (2020).

¹⁹ Meivy R Tumengkol, "Eksplorasi Anak Pada Keluarga Miskin Di Kelurahan Tona I Kecamatan Tahuna Timur Kabupaten Kepulauan Sangihe.," *Jurnal Holistik IX*, No. 17 (2016).

²⁰ Machmud, Alim, and Rasmi, "Eksplorasi Anak Di Kota Layak Anak (Studi Di Kota Kendari).," *Zawiyah Jurnal Pemikiran Islam* 6, No. 1 (2020). Mursyid Djawas, et.al., "Creating

exploitation is also caused by cultural influences in society; children are seen as economic values that have meaning if they can provide financial assistance to families.²¹

Various forms of child exploitation include prostitution, early marriage, pornography, etc. In addition, it also appears in forms such as forced labor, bonded labor, or the recruitment of child labor with the promise of a better life.²² Child exploitation has a lasting impact on the future. Some of the impacts include the inhibition of the child's mindset and abilities because they cannot explore their abilities.²³ In addition, child exploitation disrupts physical growth, including overall health; education, including the lack of knowledge in obtaining the necessary knowledge; and social development, with the child's sense of closure which results in limited social interactions.²⁴ The practice of child exploitation will leave a deep trauma that negatively impacts the victims throughout their life.²⁵

Marriage Broker

Marriage is an inner and outer bond between a man and a woman as husband and wife which aims to form a happy and long life family (household) in one supreme God.²⁶ In marriage, the *khitbah* process is divided into two ways: 1) choosing a spouse of one's own volition for reasons of love, and 2) accepting a spouse at the will of family or relatives through an arranged introduction process or "matchmaking".²⁷ In a marriage, it is important to distinguish between arranged and forced marriage when one of the spouses disapproves of the marriage and

Family Resilience in Indonesia: A Study of Marriage Guidance Program in Aceh and South Sumatera," *al-Ihkam: Jurnal Hukum dan Pranata Sosial* 17, No. 1 (2022).

²¹ Rahmadany Septian Pratama, et.al., "Eksplorasi Anak Yang Dijadikan Pengemis Oleh Orangnya Di Kota Surabaya," *Court Review: Jurnal Penelitian Hukum* 1, No. 4 (2021).

²² Ingrid Walker-Descartes, et.al., "Sexual Violence Against Children," *Pediatric Clinics of North America* 68, No. 21 (2021)

²³ Emy Sukrun Nihayah, "Eksplorasi Anak Jalanan (Studi Kasus Pada Anak Jalanan Di Surabaya)," *Paradigma* 4, No. 1 (2016).

²⁴ Dewi Ayu Hidayati, et.al., "Eksplorasi Anak Jalanan Oleh Keluarga (Studi Kasus Pada Anak Jalanan Di Lampu Merah Way Halim Bandar Lampung)," *Sociologie: Jurnal Ilmiah Mahasiswa Sosiologi* 1, No. 1 (2022), p. 104–13.

²⁵ Friska Anggi Siregar, "Eksplorasi Anak Di Ruang Media: Sebuah Tinjauan Hukum" 9, no. 1 (2022)

²⁶ Siti Sarah Maripah, "Fenomena Kawin Kontrak Di Kawasan Puncak Bogor," *SOSIETAS* 6, No. 2 (2016)

²⁷ Wahyu Wibisana, "Pernikahan Dalam Islam," *Jurnal Pendidikan Agama Islam-Ta'lim* 14, No. 2 (2016). Luthfi Auni and Nidawati Nidawati, "The Semiotic Meaning and Philosophy of Symbols in the Gayo Ethnic Marriage Processions in Central Aceh," *Jurnal Ilmiah Peuradeun* 11, No. 1 (2023).

feels compelled to do so.²⁸ Arranged marriages are usually designed by parents, siblings, or friends. However, arranged marriages are currently carried out through brokers as intermediaries in introducing and making an arranged marriage successful. Brokers serve as liaisons for individuals to find spouses.²⁹ Brokers provide an avenue for their clients to meet and choose, usually done through a short visit.³⁰

These days, many marriages are facilitated by agents called brokers.³¹ A broker does his job to earn far more economic benefits than the bride-to-be herself.³² However, a marriage broker often provides limited or incorrect information to both parties during the matchmaking, leading to an unhappy marriage. This has an impact on the social problems associated with fake marriages.³³ Marriages arranged through brokers are often motivated by economic factors. Socioeconomic factors cause families to choose to find husbands for their daughters based on wealth, so women are perceived as goods that can be traded. Such marriages occur across the social spectrum, especially in low-income families, where women are forced to marry men twice their age to save themselves and their families from poverty. In other words, marriages arranged through brokers are often carried out due to the expectation of parents to get compensation from the children they marry off.

Dowry as Room for Child Exploitation

The ground data showed that there have been early marriages between underage girls and Arab men. Their lowest age is 15 years and the highest is 17 years. Their status is virgin at the time of marriage. The following is data related to the age of marriage of underage girls with Arab men in Cugenang Cianjur.

²⁸ María del Mar Pastor Bravo, et.al., "Arranged Marriages: Women for Sale," *Procedia-Social and Behavioral Sciences* 132, (2014).

²⁹ Kelly Stamper Balistreri, et.al., "Trading Youth for Citizenship? The Spousal Age Gap in Cross-Border Marriages," *Population and Development Review* 43, No. 3 (2017).

³⁰ Daiji Kawaguchi and Soohyung Lee, "Brides For Sale: Cross-Border Marriages And Female Immigration," *Economic Inquiry* 55, No. 2 (2017).

³¹ Felicity Amaya Schaeffer, *Love and Empire: Cybermarriage and Citizenship across the Americas*, *Love and Empire: Cybermarriage and Citizenship across the Americas* 43, No. 4 (2012).

³² Arsal et al., "Nikah Siri Di Warurejo Dalam Perspektif Sejarah." Agustin Hanapi, et.al., "Isbat Nikah Siri dalam Putusan Hakim Mahkamah Syar'iyah Lhoksukan," *Media Syar'iah: Wahana Kajian Hukum Islam dan Pranata Sosial* 23, No. 1 (2021).

³³ Haeil Jung and Yeonwoo Sim, "Reducing Information Asymmetry before Marriage: Evidence from South Korea," *Asian and Pacific Migration Journal* 29, No. 1 (2020).

Table 1: Age of Early Marriage in Cugenang Cianjur

No	Name	Age Of Marriage	Marital Status	Spouse Citizenship	Spouse' Age
1	RN	17 years old	<i>mutáh</i>	Saudi Arabia	50 years old
3	AR	15 years old	<i>sirri</i>	Saudi Arabia	50 years old
4	IN	16 years old	<i>sirri</i>	Saudi Arabia	60 years old
5	EV	16 years old	<i>sirri</i>	Saudi Arabia	55 years old
6	RR	15 years old	<i>mutáh</i>	Saudi Arabia	60 years old

The husbands of the underage girls are adult men aged between 50 and 60 years. All the men are from Saudi Arabia and already have wives in their country. In terms of marital status, there are three girls: AR, IN, and EV, who were in *sirri* marriage and married off by their father. EV said, "My father married me off."³⁴ Meanwhile, two other girls were in *mutáh* marriage because they did not use a real *wali* (guardian), but instead used a false guardian and witness. MMH, RN's mother said, "At that time, the guardian was the one who had been prepared in Cisarua."³⁵ A similar statement was also conveyed by RR. Marriage is determined by the amount of dowry from a man to a woman. The amount of dowry received is between 10 million and 35 million, as shown in the table below:

Table 2: Material Acquisitions from Marriage with Arab Men in Cugenang Cianjur

No	Name	Age of Marriage	Marital Status	Dowry	Other Material Acquisitions
1	RN	17 years old	<i>mutáh</i>	35 million	Money for daily needs, and IDR. 500,000 at the first meeting
2	AR	15 years old	<i>sirri</i>	10 million	Money for daily needs
3	IN	16 years old	<i>officially married</i>	10 million	Permanent residence
4	EV	16 years old	<i>sirri</i>	10 million	Money for daily needs
5	RR	15 years old	<i>mutáh</i>	20 million	Money for daily needs

³⁴ Interview with EV, Cianjur, West Java, May 13, 2022.

³⁵ Interview with MMH, Cianjur, West Java, May 1, 2022.

Every marriage of underage girls with old men was based on the transactional principle in which the parents got a substantial economic benefit. The dowry depends on the agreement of three parties: the parents, *biyong*, and the Arab men. Due to language limitations, *biyong's* role was more prominent because he was the one who could communicate with the Arab men. The parents' negotiations with *biyong* determined the difference in the amount of dowry. *Biyong* took half of the dowry given by Arab men. The money was distributed among the people involved in the matchmaking success. The three cases mentioned above prove that the dowry is room for negotiation in the practice of early marriage.

Example 1: The case of marriage between RN (17 years) and Mr. X (60 years old) which occurred in 2001 is a representation of the marriage practice that benefits parents. In the marriage, RN received a dowry of IDR. 35 million. The dowry was divided in half with *biyong*, the term for this was "to split watermelon". According to RN, she had no idea how big the money was. "All that money, my mother took it," she said.³⁶ Her mother fully controls the money. The amount of dowry was an agreement between the mother, *biyong*, and the Arab man. MMH, said, "I got 35 million. At first I asked for more, but *biyong* said, 35 million is a lot."³⁷ RN's marriage only lasted three months.

After divorcing her first Arab husband, RN remarried two local men and gave birth to 3 sons. In 2017, she married an Arab named MB (65 years old). As a result of her failure and reflecting on her friends' marriage, RN gave a number of requirements when proposed. She required their marriage to be officially registered and asked for a house and a 5000-meter garden for her mother. Her mother received financial support from the RN.

Example 2: In the case of AR's marriage (15 years) with Mr. XZ. (50 years) the dowry was IDR. 10 million, EV's (16 years) was 10 million, and RR's (15) who was married to Mr. VB (60 years) was 20 million. The parents controlled the dowry and divided it in half with *biyong* as the matchmaking commission. AY, AR's mother said, "When the Arab man wanted to marry my daughter, he promised to take me to perform Hajj or Umrah to the holy land. But, the promise was not fulfilled...."³⁸

Example 3: IN (16 years old) who was married to Mr. BZ (60 years old) got a dowry of Rp. 10 million, and the dowry was controlled by her parents by dividing it in half with *biyong*. However, Mr. BZ built a house for IN's parents which they now live in. Inna said, "*Alhamdulillah*, my husband built the house that is now occupied by our family."³⁹

³⁶ Interview with RN, Cianjur, West Java, May 1, 2022.

³⁷ Interview with MMH, Cianjur, West Java, May 1, 2022.

³⁸ Interview with AY, Cianjur, West Java, May 13, 2022.

³⁹ Interview with IN, Cianjur, West Java, May 13, 2022.

The data above showed that all marriages between underage girls and Saudi Arabian men are transactional in nature, providing financial benefits to their parents, in the forms of dowry, houses, and gardens. While the profit for *biyong* is half of the dowry. The promise to send for Hajj or Umrah is only a trick so that parents agree to marry off their children.

Child Exploitation

Early marriage between underage girls and Arab men in Puncak-Cianjur is sexual exploitation because the main purpose of marriage for Arab men is to get sexual pleasure. This early marriage is a form of economic exploitation by parents and *biyong*, in which children are used as tools to obtain economic benefits in the form of a sum of money from the dowry paid. Meanwhile, children are victims whose rights have been deprived. The following four examples show that there are violations of children's rights.

Example 1: RN said that her mother took him to Cisarua, Bogor. She was married to an Arab man there. RN did not know that she had been married, and her husband tried to rape her that night. "...I held a knife that night and threatened him, 'If you come any closer, I'll stab you....'," she said. Meanwhile, RR said that her husband had bad behavior, was drunk and violent, including during sexual intercourse.⁴⁰

Example 2: The marriage of AR (15 years), IN (16), EV (16 years) and RR (15 years) deprived them of their right to education. The girls only had a primary school education. Eva said, "At that time, I had left elementary school, I didn't continue my education because there was no more money." Meanwhile, RN (17 years old) said, "At that time, I was in the third grade of high school, but my mother forced me to marry."⁴¹ When married, they were still underage girls and had the right to a proper education. Early marriage has also deprived children of their right to happiness, such as playing with their friends. When the researcher asked EV why she agreed to get married when she was still young, the girl replied, "What could I do? That's what they wanted, I just obeyed them. Otherwise, I was a sinner."⁴²

Example 3: Similar information came from EV. She said, "When my husband was drunk, he behaved violently, hitting and yelling at me."⁴³ These two cases deprived children of their right to receive protection from all acts of violence and abuse. This also happened to the heinous murder of Sarah (21) by her

⁴⁰ Interview with RN, Cianjur, West Java, May 1, 2022.

⁴¹ Interview with RN, Cianjur, West Java, May 1, 2022.

⁴² Interview with EV, Cianjur, West Java, May 13, 2022.

⁴³ Interview with EV, Cianjur, West Java, May 13, 2022.

husband, Abdul Latif (45), a Saudi Arabian citizen, who poured hard water on his wife's body at the end of 2021.⁴⁴

Example 4: AMR (3 years old) is EV's child from her marriage with SH, a man from Bangladesh. Eight months ago, EV got the news that SH died in Arabia. She was worried about the fate of her daughter. SH rarely provided a living for her and her daughter during his life. EV said, "I got information that my husband died. I am worried about the future of my daughter. My husband is an underprivileged man. He is not what he claimed to be when he married me. My husband is not an Arab, but a Bangladeshi."⁴⁵ Furthermore, EV expressed her concern for her daughter's future for she doesn't have a permanent job. Her life depends on her family. She was also worried about her child's nationality. "I am afraid my daughter will be deported for being considered a foreign citizen. My poor daughter," she added.⁴⁶

The four examples above showed that in early marriage there have been violations of children's rights in terms of sexual violence, loss of the right to education and happiness, loss of the right to avoid fear, and loss of the right to obtain a citizenship identity. These four rights are principal rights for children, which cannot be removed or reduced by anyone.

Religious Texts Exploitation

Birrul walidain education is one of the most important factors in ideal character education.⁴⁷ The concept of *birrul walidain* is about how to act, behave, and be devoted to both parents. People in the research location gave meaning to *birrul walidain* in a strictly manner. Parents were of the view that their children must obey them without exception. On the other hand, the children felt guilty or afraid of "bad luck" if they against their parents' wishes. Children have no other alternative but to obey their parents' wishes.

Example 1: RN married at an early age to an old Arab man. She was cheated by her mother. RN felt disappointed and hated her mother. However, she was afraid of being a sinner. RN gave a good description to explain her relationship with her mother. "My mother is like a broken Qur'an. It's hard to read, but when it's burned, it's a sin."

The dogma of *birrul walidain* became a powerful weapon to persuade children to be willing to marry Arab men. When the researcher asked RN whether

⁴⁴Detikjabar, "Perjalanan Kasus Pria Arab Bunuh Sarah hingga Dituntut Seumur Hidup" selengkapnya <https://www.detik.com/jabar/hukum-dan-kriminal/d-6154279/perjalanan-kasus-pria-arab-bunuh-sarah-hingga-dituntut-seumur-hidup>.

⁴⁵ Interview with EV, Cianjur, West Java, May 13, 2022.

⁴⁶ Interview with EV, Cianjur, West Java, May 13, 2022.

⁴⁷ Nurjanah, Abdullah A, and Nufus C, "Karakteristik Sediaan Garam Ulva Lactuca Dari Perairan Sekotong Nusa Tenggara Barat Bagi Pasien Hipertensi," *Jurnal Pengolahan Hasil Perikanan Indonesia* 21, no. 1 (2018).

she knew that her future husband was old, RN replied, “I didn’t know. I just found out when I first met him.” The researcher asked the same question to EV, IN, AR, and RR, and they gave the same answer. When the researcher asked why they accepted the marriage they didn’t want, EV, IN, and AR mentioned the obligation of children to be respectful to their parents. They should not argue and reject their parents because it is a sin. “If we disobey them, we are sinners. If we cheat with our parents, our life will be hard in the future,” answered IN.⁴⁸

Example 2: There is a discrepancy between honorable position and deeds. MB, RN’s husband, was proud that he was a descendant of the Qur’an writer at the time of the Prophet. He was also a tribal chief in his country. However, during an interview with the author, MB dare to drink *arak*, an alcoholic beverage. His wife said that she had caught her husband committing adultery with two prostitutes at the same time in her villa. Several years ago, her husband contracted a venereal disease that was transmitted to his wife. “My husband and I went to the veterinarian three times because we contracted the disease,” said RN. “But when my husband recovered, he committed adultery again and again. I would prefer him to be polygamous than to commit adultery.”⁴⁹

The willingness of underage girls to be married to Arab men is because they accept inappropriate religious doctrines. The concept of *Birrul walidain* should not be used as a tool for coercing or leading children to agree to marriage for fear of sin. Arab men should not boast of being of honorable descent, when their actions are not following Islamic values.

The case of early marriage with an Arab man in Cugenang, Cianjur, illustrates the power relation as described by.⁵⁰ There are three power relations in this case: the relationship between parents and children, the relationship between rich Arabs and poor women, and between smart *biyong* and stupid parents. In this relation there is exploitation of children, violations of children's rights, and exploitation of religious texts. Meanwhile, the relationship between Arab men and Indonesians, especially with minors, is illustrated by Gramsci’s theory of hegemony⁵¹ in which rich Arab men feel more powerful and dominate the weaker people.

⁴⁸ Interview with IN, Cianjur, West Java, May 13, 2022.

⁴⁹ Interview with RN, Cianjur, West Java, May 1, 2022.

⁵⁰ Michel Foucault, *Religion and Culture Michael Foucault* (New York: Routledge, 1999).

⁵¹ Richard J. Bates, “Trends in the Sociology of the School,” *Journal of Sociology* 11, no. 3 (1975).

Child Sexual Exploitation for Parents' Economic Interest

Parents' motivation to marry off their underage child can be interpreted as child sexual exploitation of for economic purposes.⁵² The results of the research in the field found that Arabs marry underage girls to seek temporary sexual pleasure, not to build a lasting household. This sexual exploitation takes advantage of the poor economic conditions of parents. Poor conditions can be an incentive for parents to be permissive. The motivation to marry women in the research location is only for sexual exploitation. This is different from the research conducted by Nawati⁵³ which shows that the marriage motivation is to make the wife an instrument to facilitate business, or as a business strategy where husbands can use the wife's name to get a business license, buy land, and other business legalities

Parents consider children as commodities that can be traded. However, according to them,⁵⁴ children are not a commodity. The field observations showed that both parents who became informants had low education and economic levels. Meanwhile, they live in a religiously conservative, dogmatic, and textualist environment. This is a factor in the weak understanding of parents on children's rights. As a result, coercion of children is considered normal because parents are the owners. This is in line with Devi Rahayu's finding that parents no longer question whether their child's marriage is with the child's consent or the response of the family and environment to the marriage. Most importantly, the marriage brought in a lot of money that could change their destiny. This is in line with the results of research of about community permissivism. Parents feel proud if they marry off their daughters to rich men who will raise the family's status because of the sufficiency economy. However, unlike in the royal era, where children were sold to be the king's concubines, now it is done to tie up social status.

Although the dowry is determined between the parents, *biyong*, and Arab men, the daughter and the parents are still at a disadvantage.⁵⁵ Economically weak and uneducated parents consider that 10 million is a large amount because they have never had that kind of money. When *biyong* was persuaded by the lure of money, the parents agreed to marry their child. Even though, in practice, the money had to be divided in half with *biyong*.

Neither parents nor their daughters got the material abundance they had dreamed of from this marriage. Even if there is, the value is not commensurate

⁵² Mayer D. M, M Kuenzi, and R. L Greenbaum, "Examining the Link Between Ethical Leadership and Employee Misconduct: The Mediating Role of Ethical Climate," *Journal of Business Ethics* 95, no. 7 (2011).

⁵³ Ayun Nawati, "Fenomena Kawin Kontrak Dalam Perspektif Gender Di Kabupaten Jepara," *Journal of Social Science and Teaching* 2, no. 2 (2018).

⁵⁴ Johan Christiaan Bester, "Measles Vaccination Is Best for Children: The Argument for Relying on Herd Immunity Fails," *Johan Christiaan Bester* 14, no. 4 (2017).

⁵⁵ Arsal et al., "Nikah Siri Di Warurejo Dalam Perspektif Sejarah."

with the losses. This is in line with the results of Sri Mustika's research, which shows that after marriage, they only get their rights to the extent of what is stated in the prenuptial agreement.⁵⁶

In early marriage, there is a power relation: the relation between the rich and the poor. Arabs as rich people, use *biyong* to persuade poor parents to marry off their children in exchange for some money. The relationship between the stupid and the smart is illustrated between *biyong* and parents. *Biyong*, with his ingenuity, persuaded parents to marry off their daughters to Arabs, with the lure of material abundance. According to Foucault, power must be understood as a form of power relation immanent in the space in which power operates. Power must be understood as something that perpetuates those power relations, which forms a chain or system of those relations or even isolates them from the rest of a power relation. Therefore, power is a strategy in which power relations are the effect. Therefore, according to Foucault, power relations are to understand that power is seen from how power operates or in what way it is operated.⁵⁷

Meanwhile, the exploitative behavior of Arab men toward local women cannot be separated from the hegemony of Arabs as a rich nation towards the local population, as intended by Gramsci.⁵⁸ *Biyong's* function as a broker is to supply and find women's stock. This is different from the research of⁵⁹ which stated that marriage brokers cooperate with *kiai* or *modin* in early marriage. In this study, *biyong* only involves parents and their groups working as travel or motorcycle taxi drivers.

Children's Rights Deprivation

Children have not been able to fulfill and protect their rights. Therefore, their protection is the obligation and responsibility of all parties such as the state, government, community, family, and parents, Children's rights are rights inherent in a child, including the right to education, the right to love, the right to be happy, and the right to play. Children whose rights are fulfilled will grow into a superior generation who will continue the baton of life. To fulfill their rights, there must be a guarantee that these rights can be realized so that children can live, grow, develop, and participate optimally with human dignity and protection from

⁵⁶ Maharani, Laila, and Meri Mustika, "Hubungan Self-Awareness Dengan Kedisiplinan Peserta Didik Kelas VIII Di SMP Wiyatama Bandar Lampung," *Jurnal Bimbingan Dan Konseling* 3, no. 1 (2018).

⁵⁷ Abdil Mughis Mudhoffir, "Teori Kekuasaan Michel Foucault: Tantangan Bagi Sosiologi Politik," *Journal Sosiologi Masyarakat* 18, no. 1 (2013).

⁵⁸ Bates, "Trends in the Sociology of the School."

⁵⁹ Dian Yulie R. and Sri Endah Kinasih, *Pola Aktualisasi Wanita Dalam Proses Pengambilan Keputusan Wisata Terkait Dengan Perubahan Status Desa Baha Menjadi Desa Wisata Ditinjau Dari Perspektif Gender* (Surabaya: Lembaga Penelitian: Universitas Airlangga, 2002).

violence and discrimination.⁶⁰ Children should not get actions that constitute negligence and tyranny, violence, abuse of children (exploitation), social discrimination, and neglect.⁶¹

In essence, early marriage has deprived children's rights. For example, the right to education. Four out of five respondents only have an elementary school education background. Lack of education inhibits the child's mindset and self-ability.⁶² Early marriage causes children to be physically and mentally disturbed, hindering social interaction.⁶³ The research found victims who experienced deep trauma. RR said that every time she had sex with her husband, she was scared and often wet the bed. Victims received physical and verbal violence and also experienced trauma. This is in line with the findings of.⁶⁴ Victims should have the right to be protected from acts of violence and abuse. However, they don't know how to get this protection. One example of ignorance is in the case of EV, who has a child from her marriage with a foreigner. She didn't know whether her daughter inherited from his father, didn't know her child's citizenship status, and was confused about how to support her child.

Toxic Obedience: Misinterpreting *Birrul Walidain* Concept

One of the ideal concepts of character education in Islam is the *birrul walidain* concept, which teaches respect and obedience to both parents who give birth and raise children. In this educational concept, children are not allowed to speak harshly or offend their parents. In a hadith, it is said that the pleasure of Allah is found in the pleasure of both parents, and the hatred of Allah is in the hatred of the parents. This concept is understood rigidly by the research location community. Whatever the parents command must be carried out, and whatever is forbidden must be shunned.

Therefore, the parents' orders for their daughters to marry Arabs were understood as orders they could not refuse. If the girl refuses, it is considered not *birrul walidain*. She will be viewed as a disobedient child, causing something bad, a disaster, or a curse which in the terminology of the local community is called *kawalat* or *kualat*. In fact, obedience to parents is also limited in the Qur'an. When

⁶⁰ Machmud, Alim, and Rasmi, "Eksplorasi Anak Di Kota Layak Anak (Studi Di Kota Kendari)." *Zawiyah Jurnal Pemikiran Islam* 6, No. 1 (2020)

⁶¹ Irwanto, *Psikologi Umum* (Jakarta: Garmedia, 1991).

⁶² Nihayah, "Eksplorasi Anak Jalanan (Studi Kasus Pada Anak Jalanan Di Surabaya)." Muhamad Yusuf, et.al., *The Role of Anak Jalanan At-Tamur Islamic Boarding School in Internalizing the Values of Religious Moderation to College Students in Bandung*, *Jurnal Ilmiah Islam Futura* 23, No. 1 (2023).

⁶³ Dewi Ayu Hidayati, et.al., "Eksplorasi Anak Jalanan Oleh Keluarga (Studi Kasus Pada Anak Jalanan Di Lampu Merah Way Halim Bandar Lampung)," *Sociologie: Jurnal Ilmiah Mahasiswa Sosiologi* 1, No. 1 (2022)

⁶⁴ Friska Anggi Siregar, "Eksplorasi Anak Di Ruang Media ; Sebuah Tinjauan Hukum" 9, no. 1 (2022)

parents tell their children to conduct sinful deeds, they don't have to listen and obey. It also means that when a parent orders immorality, trafficked daughters into contract marriages, violated the law and also violated the rights of the child, he or she can convey their objections in a good way. On the other hand, parents certainly know that marrying off their children at an early age is a violation of children's rights.

MMH was a case in point. She didn't feel guilty, even considered herself as innocent by marrying off her daughter without consent, and thought that her actions were natural. The children who were married off at a young age are forced to accept the marriage. They can't escape the will of their parents for fear of being considered disobedient. This dogma is used to subdue their children to marry the Arab man. The child's approval is her altruism attitude so that parents are happy. This condition leads to an unhealthy and dilemmatic relationship between parents and children. As RN put it, "My mother is like a broken Qur'an. It's hard to read, but when it's burned, it's a sin."⁶⁵

A child has an obligation to *birrul walidain* or to obey or obey his/ her parents (QS. Luqman: 15, QS. al-Ahqaf: 15). *Birrul walidain* is a core concept in Islamic ethics.⁶⁶ Children are prohibited from disobeying their parents unless the parents tell them to disobey them. This is mentioned in the Quran, QS. Lukman: 15. This means obeying parents, not absolute. Al-Maraghi explained that obeying parents means respecting both parents with love and honor, not with fear.⁶⁷ This means that in this meeting there is a reciprocal interaction.

Obedience is very important for a person for balance, discipline, growth and development. Obedience is the key to maintaining self, family or teaching identity. Obedience will form a disciplined person who applies ethics, morals, and virtue.⁶⁸ As social creatures, humans will interact with other people and agree on social contracts, namely laws or social norms. This is what is called positive obedience. The opposite is negative obedience also called toxic obedience. Toxic obedience is fulfilling someone blindly. This obedience can be passed to parents or figures in authority. This obedience is simply accepted even though the order is irrational, self-defeating, or even an order that is contrary to values.⁶⁹ Toxic obedience is dangerous and detrimental obedience that can have a negative impact

⁶⁵ Interview with RN, Cianjur, West Java, May 1, 2022.

⁶⁶ Muhammad Deden Purnama and Dhita Hapsarani, "Challenges in Interpreting Birrul Walidain Values in Children's Literature in Indonesia," *Proceedings of the fourth Asia-Pacific Research in Social Sciences and Humanities, Arts and Humanities Stream*, Atlantis Press, (2019).

⁶⁷ Ahmad Musthafa Al Maraghi, *Tafsir Al-Maraghi*, Kairo: Musthafa al-Bab al-Halabi, n.d.

⁶⁸ Graeme Newman, *The Punishment Response*, New York: Routledge, 2008.

⁶⁹ S Alexander Haslam, et.al, "Questioning Authority: New Perspectives on Milgram's 'Obedience' Research and Its Implications for Intergroup Relations, *Current Opinion in Psychology* 11, (2016), p. 6-9.

on individuals and society. Toxic obedience is widely practiced using political ideology or religious doctrines. In raising children, for example, in the name of religious teachings, children are required to obey their parents unconditionally. If they do not obey their parents' wishes, the child will be blamed and labeled as a disobedient child or an unfilial child.

Conclusion

The implication of this study is to prove that Islamic law and Islamic family law provide protection for children and women. The state has made legal rules about the age limit of marriage for girls that must not be violated. In other contexts, parents as responsible for the child's future are also obliged to provide education and teaching to children for their future. However, it is also unfortunate that some parents' awareness also needs to be corrected to pay more attention to their children's future. On the other hand, the government must also be stronger to socialize the legal rules of marriage age limit, as well as foreigners who come to Indonesia. Early marriage between underage girls and Arab men is a form of sexual exploitation by parents for economic purposes. In practice, early marriage is facilitated by a marriage broker, who takes half of the dowry from each marriage. In the practice of early marriage, the most disadvantaged are girls because their rights as children have been deprived. As for their agreement to be married, it is a false agreement since it is based on the child's altruism attitude which is influenced by religious dogma about the fatalistic concept of *Birrul Walidain*. Of course, this research is limited with its sample and cases. To produce more comparative and in-depth research, more comparative research is needed by expanding the sample area. It is hoped that future research can develop broader research, such as examining the psychological impact received by victims. From this research, several things need attention. Governments, both central and regional and across departments such as immigration, police, tourism, need to regulate tourism, especially about tourists from the Middle East in Puncak-Cianjur. The government needs to carry out preventive programs so that early marriage can be reduced or even eliminated. The role of religious leaders is urgently required to explain a softer understanding of religious dogmas that are rigidly understood by society, such as early marriage and *birrul walidain*.

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Interview with MMH, Cianjur, West Java, May 1, 2022.

Interview with RN, Cianjur, West Java, May 1, 2022.