Protection and Care of Children Post Marriage Dispensation

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ABSTRACT
This research examines and answers the forms of legal protection for children after the marriage dispensation and factors that influence the implementation of legal protection for children after the marriage dispensation in Gorontalo Province. This research is a type of empirical legal research which is descriptive analysis in nature. The data analysis technique uses qualitative descriptive analysis techniques. This analysis technique provides an overview of the logical flow of data analysis, as well as providing input on the qualitative data analysis techniques used. Forms of legal protection for children after marriage dispensation in Gorontalo Province are: Administrative Protection, Psychological Protection and Social Protection. Factors influencing the implementation of legal protection for children after the marriage dispensation in Gorontalo Province: Internal factors and external factors. Internal factors include: Covering the Family's Shame and Disgrace Most of what influences the request for marriage dispensation, Preventing Adultery is Dominant is the reason put forward by the applicants. The two prospective bride and groom have been dating for a long time and are very close and difficult to separate so that the parents are afraid they will fall into the trap, to the act of Zina. External factors, namely: economic factors, educational factors, and social media which can be easily accessed via the internet, are gradually having a big influence on the interaction and social patterns of teenagers.

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1. INTRODUCTION
Children are a trust from Almighty God who have rights inherent in them from birth. These rights should be protected as part of the fulfillment and recognition of their dignity as human beings.¹ As the next generation of the nation, children are very valuable assets and treasures in forming a society which will one day be the nation's successor, the successor to the nation's ideals², the potential of children is something

that must be safeguarded and protected from any actions that lead to discrimination, violence or even physical and verbal as well as unfair treatment, considering that children are individuals who both physically and psychologically are still in a vulnerable phase so they still need special attention from adults.

Indonesia as a country that upholds the law specifically accommodates it in Law no. 35 of 2014 concerning Amendments to Law no. 23 of 2002 concerning Child Protection, which in essence, this regulation regulates that efforts to protect children are important and must be implemented starting from when the fetus is still in the womb until they are 18 years old. This is in consideration of Article 25 Paragraph 2 in the Universal Declaration of Human Rights (UDHR) which states that mothers and children have the right to receive special care and assistance and all children, whether born inside or outside the country, marriage, must receive the same social protection.

Specifically, the issue of child protection that is often denied is the form of child protection related to underage marriage, even though it is legally formal in Law no. 1 of 1974 concerning Marriage which confirms the special marriage age limit in Article 7 for women 16 years and for men 19 years, but this still provides a bias regarding child protection considering that this age is still very vulnerable to marriage so this change officially stated in Law no. 16 of 2019 dated 15 October 2019 concerning Amendments to Law no. 1 of 1974 concerning Marriage with the spirit that this could become a new regulation to suppress and overcome the number of child marriages.

However, in reality, the solutions adopted through regulations are not significant in suppressing child marriage because after the change in the age limit for children in regulations, data shows that there are increasing fluctuations in applications for marriage dispensations at the Religious Courts a month, with up to around 10 cases being granted.\(^3\) In 2019, the Gorontalo PA was recorded as having resolved 71 Marriage Dispensation cases. Meanwhile in 2020, up to 31 July 2020, 116 marriage dispensation cases had been resolved. With this increase, it is projected that the number of marriage dispensation cases will increase by 300% by the end of 2020.\(^4\)

Marriage Dispensation is an effort for those who want to get married but do not yet meet the age limit for marriage set by the government, so that parents of children who are not yet old enough can apply for a marriage dispensation to the Religious Court through a trial process first in order to obtain marriage dispensation permission.\(^5\) Even when looking at data on a national scale, based on data released by the Indonesian Ministry of Empowerment and Protection of Women and Children (PPPA), the number of marriage dispensations has increased to 64 thousand people.\(^6\) Fluctuations in child marriages that occurred during the Covid-19 pandemic were recorded to have tripled. In 2020, the practice of marriage dispensation jumped from 23 thousand couples to 64 thousand in the Religious Courts in 2020.\(^7\)

This is predicted to increase to 13 million in the 2020-2030 period.\(^8\) Pohuwato is one of the districts in Gorontalo which has the highest rate in Gorontalo province of children dropping out of school and the factor that dominates this is early marriage.\(^9\)

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\(^3\) https://habari.id/permitkahan-dini-di-kota-gorontalo-terus-meningkat/
\(^5\) http://www.pa-pulangpisau.go.id/artikel-pengadilan/1710-dispensasi-nikah
\(^7\) Data Badilag Tahun 2020
\(^8\) Data UNFPA & BKKBN 2020
\(^9\) https://dulohupa.id/sejak-pandemi-angka-putus-sekolah-di-pohuwato-tertinggi-se-gorontalo/
This also happened in Bone Bolango Regency, as many as 11 junior high school students in Bone Bolango Regency, Gorontalo Province, were married at an early age. In fact, in terms of their age, they are not yet sufficient to comply with the Marriage Law and of course this will hinder them from obtaining formal education as preparation for their children's future as the next generation of the nation who will build the country in the future. This is also confirmed in Article 9 (1), Law 23/2002 which states that every child has the right to receive education and teaching in the context of personal development and their level of intelligence in accordance with their interests and talents.

This data shows that the formal juridical approach through the law does not provide the right solution in preventing child marriage, so what needs to be done now is how children who have received marriage dispensation can have their rights as children guaranteed, both psychologically, physically and socially. and especially their education so that even though they are married and living a domestic life, the state cannot deny that they are national assets who will be the next generation of the nation and children are still children who have basic rights and special rights to grow and develop, as well as the right to receive education especially children who are already married are more vulnerable and at risk when faced with pregnancy, medicine and Family Planning and Reproductive Health Consultant Julianto Witjaksono said that early pregnancy is vulnerable to disease and abnormalities because biologically women under the age of 20 are not yet ready so there is a high risk for the mother and babies.10

This was emphasized by the National Commission on Violence Against Women who stated that there are several points of danger of child marriage:11
   a) Educational aspect: a girl who marries before the age of 18 is 4 times more likely to fail to complete secondary/equivalent education;
   b) Economic aspects: The economic losses that child marriage can cause are economic losses where 1.7% of the country's gross income (GDP) experiences a decrease due to the reduced opportunities for children to participate in the social and economic fields after marriage;
   c) Vulnerable to Violence and Divorce: Marrying when children are vulnerable to experiencing domestic violence (KDRT) and divorce;
   d) Maternal Mortality Rate (MMR): children are vulnerable to complications during pregnancy and childbirth, in addition to the fact that the second largest cause of death for girls is those aged 15 - 19 years.

This reality requires a further step, not only dealing with age restriction regulations, which in reality are also faced with marriage dispensation regulations, which in fact are not an optimal solution and are not yet comprehensive in providing protection to children because they are children, so this research will examine legal protection for post-natal children. Marriage Dispensation.

Based on the background of the problem above, the problem that will be studied as follows is to look at the form of legal protection for children after the marriage dispensation in Gorontalo Province and the factors that influence the implementation of legal protection for children after the marriage dispensation in Gorontalo Province. It is hoped that this research can answer all legal problems faced

within the scope of legal protection for children after the marriage dispensation in Gorontalo Province.

2. METHOD

This type of research is Empirical or Field, that is, it is carried out directly on the object to be researched, with the aim of obtaining data that is purely related to the problem that will be discussed in this research and then analyzed descriptively so that it can answer the problem formulation.

The research in question does not merely examine law as a series of norms or statutory rules relating to child protection and the fulfillment of their rights after marriage dispensation.

This research refers to the research location that the researcher chose as a place to obtain the data and information needed to answer the problem formulation, namely the Gorontalo City Religious Court, Gorontalo Regency Religious Court, Tilamuta Religious Court, Suwawa Religious Court, Gorontalo Province Women's and Children's Empowerment Service, Gorontalo Regency Women's and Children's Empowerment Service, Boalemo Regency Women's and Children's Empowerment Service, Bone Bolango Regency Women's Empowerment Service.

The data collection technique in this research is based on the problems discussed. Therefore, library research and field research methods were used. For library research purposes, researchers used several books on legal themes or other references related to the title of this research. Meanwhile, for field research purposes, researchers used observation and interview methods. In analyzing the data that has been collected, researchers use qualitative descriptive analysis techniques.

3. RESULTS AND DISCUSSION

3.1. Legal protection for children after marriage dispensation in Gorontalo Province.

Marriage is something sacred that unites two different individuals in a sacred bond which is not only regulated in religion but also regulated legally in the form of a law that is binding on every citizen of the Republic of Indonesia, namely Law Number 1 of 1974 concerning Marriage. This Law is the regulatory benchmark that regulates the legality of marriages carried out in the territory of the Republic of Indonesia. Over time, this Law has begun to be revised and has been changed to Law Number 16 of 2019. One of the things that prompted the revision of this Law was the existence of a regulation regarding the minimum age limit for marriage for children, which indicates that this regulation provides the opportunity for children to marry at an early age, so that in Law Number 16 of 2019 specifically in Article 7, the minimum age limit for

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12 According to Sanapiah Faisal, things that can be observed are what are seen, heard or felt. All of this is seen as an expanse of reality that might be used as research data. See Sanapiah Faisal, “Data Collection and Analysis in Qualitative Research,” in Burhan Bungin, Analisis Data Penelitian Kualitatif: Pemahaman Filosofis dan Metodologis ke Arah Penguasaan Model Aplikasi , PT RajaGrafindo Persada , Jakarta : 2003, p. 66.
marriage is stated. marriage, which in this Article regulates that men and women may marry when they reach the age of 19 (nineteen) years. This is certainly a breath of fresh air for the government's commitment to preventing child marriage.

In fact, the change in the minimum age limit for marriage in the latest marriage law does not mean that the government's challenge in preventing child marriage is over, in fact, after the passing of Law Number 16 of 2019, requests for marriage dispensations in religious courts, especially in Gorontalo province, have increased significantly.

This phenomenon makes the courts the final filter to provide careful consideration in providing policies so that children can avoid early marriage, so that in reality the Religious Courts have the task of providing a decision that not only provides a decision but also provides legal protection for the best interests of the child.

The existence of a marriage dispensation is more or less a scourge of the government's commitment to preventing child marriage, but the marriage dispensation that is entered in the religious courts is truly filtered and is indeed the best solution for children, for example the prospective partner is already pregnant, so there is no other choice but to accept the dispensation that they submit.\textsuperscript{15}

The fact that there is a change in the age limit for children in the Marriage Law does not mean that child marriage can be prevented because in fact, in several courts in the Gorontalo Province Legal Area, it was recorded that after the amendment to this Law, there was a surge in requests for marriage dispensation. The Gorontalo City Religious Court noted that after the change in regulations regarding the minimum age for marriage, there was a surge in requests for Marriage Dispensation.

The marriage dispensation is basically a deviation from article 7 paragraph (1) of the Marriage Law. However, this is a matter of reference because it is also legally regulated in paragraph (2) which states that the arrangements in Article 7 paragraph (1) can be carried out by going through the procedure of submitting a dispensation to the Court or another official appointed by the male or female parents.

What is meant by deviations that require permission in Article 7 paragraph (2) are those who wish to marry but in terms of age do not yet meet the requirements, namely not yet 21 years old, so the marriage must obtain permission from both parents. Marriage dispensation apart from requiring approval from a party authorized by law, one of the other requirements is permission from parents because this refers to the adult size rules in the Civil Code (BW) which stipulate that the intended age is categorized Adulthood is 21 years old, so when someone who has not reached the age of 21 years and wants to enter into civil bonds, in this case such as marriage, then this must obtain permission from both parents.\textsuperscript{16} To better map the form of legal protection for children after marriage dispensation in Gorontalo Province, this research will divide it based on the stages of granting marriage dispensation, the process and forms of protection after marriage dispensation is granted.

\textsuperscript{15} Interview with Mr. H. Hasan Zakariah, S.Ag., A.H. Gorontalo City Religious Court Judge Tuesday 12 April 2022 at 08.12 WITA

\textsuperscript{16} Interview with Indah Abbas, S.H.I. Judge of the Tilamuta Religious Court, Wednesday 23 March 2022 at 08.30 WITA
a. Administrative Protection

The most important conditions regarding marriage dispensation, namely having permission from parents, have also been regulated in the Marriage Law which can be seen in Articles 6 to Article 11 which can be explained as follows:

1. Requires agreement and agreement regarding marriage from both parties.
2. Prospective couples who are not yet 21 years old are required to obtain permission from their parents/guardians, meaning that when the prospective partner is not yet 21 years old they are required to obtain permission from their parents.
3. For prospective brides and grooms who are under 19 years old, they must obtain a Marriage Dispensation from the Court.
4. There is no prohibition on marriage between the two prospective bride and groom, for this matter ensure whether the prospective bride and groom do not have a relationship that is not permissible for marriage.
5. The prospective bride and groom are not in a marital relationship with another party.
6. Not getting a second divorce if the candidate is your ex.
7. Completion of the iddah period for prospective brides who are widows.

The previous explanation shows the conditions for carrying out a marriage which are mandated in statutory regulations which are then explained in detail in the Compilation of Islamic Law which is regulated in Articles 14 to 44. It is important to know that the conditions for marriage which have been stipulated are complete and cannot be separated. This means that if one of them does not meet the requirements, the marriage is considered invalid by the State. However, as previously discussed, the age requirement can be violated by carrying out the marriage dispensation process in a religious court.

Directly or indirectly, this gives a mandate to religious courts, in this case the courts have jurisdiction to decide whether couples who are not old enough to marry can be given permission to marry or not.\(^\text{17}\)

The determination of marriage dispensation through the Religious Courts has been regulated in Supreme Court Regulation Number 5 of 2019, namely:

1. Implementation of the principles contained in Article 2 PERMA Number 5 of 2019, namely the principle of the best interests of children, the principle of the right to life, the principle of child growth and development, the principle of respect for children's opinions, the principle of respecting the dignity of children, non-discrimination, gender equality, the principle of equality before the law, the principle of justice, the principle of benefit and the principle of legal certainty.
2. Ensure the implementation of a justice system that protects children's rights;
3. Increase parental responsibility in preventing child marriage;

\(^{17}\) Interview with Drs. Burhanuddin Mokodompit Judge of the Gorontalo City Religious Court, Tuesday 12 April at 07.45 WITA
4. Identify whether or not there is coercion behind the application for marriage dispensation;

5. Achieve standardization of the process of adjudicating applications for marriage dispensation in court.

In accordance with research conducted at the Gorontalo City Religious Court, Suwawa Religious Court, Limboto Religious Court and Boalemo Religious Court, the marriage dispensation trial scheme has the same rules based on SOP by considering decisions that meet the best interests of the child, which is carried out in a trial led by single judge who emphasizes advice and advice about the risks that will occur when marriage is carried out at an immature age, such as economic, reproductive, psychological, educational continuity which will trigger ripples in the household, the biggest risk of which is the emergence of domestic violence and usually The judge still gave the option to postpone the marriage.\footnote{Interview with Djufri Bobihu, S.AG., S.H. Judge of the Gorontalo City Religious Court Wednesday 13 April 2022 08.45 WITA}

The application letter contains three parts, namely the applicant's identity, namely stating the two prospective bride and groom who will be married along with the basic reasons and reasons for submitting the request for marriage dispensation. The conditions that must be met to apply for marriage dispensation are:

1. Application letter
2. Village or village head cover letter
3. Rejection letter from the Office of Religious Affairs (KUA); stamped 6,000.
4. Photocopy of the applicant's KTP
5. Photocopy of the birth certificate of the person getting married with a stamp of 6,000
6. Photocopy of the ID card of the person getting married with a stamp of 6,000
7. Photocopy of the applicant's father's marriage certificate with a stamp of 6,000.

The application for marriage dispensation was submitted after the prospective bride and groom refused to marry, so the rejection letter from the Religious Affairs Office was used as the basis for submitting the application for marriage dispensation.

The trial is held after the presiding judge and member judges have studied the case files, the parties who will undergo the trial are notified to prepare evidence that will be presented in the trial followed by reading the application letter, the chairman of the panel begins the examination with questions asked of the applicant, children and prospective children applicants in turn. After this process, the Panel of Judges deliberated and made a decision which was then read out the decision which was as follows: adjudicating by granting the applicant's request, determining dispensation for the applicant to marry off his child, charging the applicant a court fee of IDR.... After reading the decision, the Chairman of the Panel declared the trial closed. If the applicant is not satisfied with the judge's decision, the applicant can immediately appeal, and not go through the appeal process.

Continuing this, the Supreme Court as a forum for providing justice gives special and serious attention and tendencies in analyzing issues related to the existence
of a marriage dispensation which is realized by issuing special regulations through technical instructions for handling marriage dispensation cases, namely Supreme Court Regulation No. 5 of 2019 concerning Guidelines for Adjudicating Marriage Dispensation Applications which in detail ensures that there are equal standards in carrying out the process of adjudicating marriage dispensations in Court.

Based on the results of an interview with Mr. H. Hasan Zakaria, SH., M.H, he explained that regarding the determination of the granting and implementation of marriage dispersion application cases in considering the phrase 'urgent reasons', in practice at the Gorontalo City Religious Court it is directed to applications that This was motivated by cases where the bride and groom had engaged in relations like husband and wife which resulted in unwanted pregnancies.19

b. Psychological Protection

Child marriage is very vulnerable which can lead to domestic violence both psychologically and psychologically so that it will lead to divorce, these impacts are actually a heavy pressure, especially if this is experienced at a very vulnerable age or is classified as immature, the psychological condition is Immaturity encourages someone to do things that are not in their proportion, especially as this will take away the child's future, besides this, child marriage will take away their opportunity to enjoy a normal education like other unmarried children.

This condition is the driving force that marriage dispensation is not the final solution in overcoming the problems faced by children, but is another door that will take them to a world that is more vulnerable for their growth and development process so that a directed and structured mechanism and system is needed to guarantee protection. law after the existence of the marriage dispensation. This was agreed with by Nurbia Tenkeran who stated that it is very important for the State to think about the fate and development of children who have received marriage dispensation because their condition can be said to be not yet fully ready to undergo marriage.20

c. Social Protection

Fulfillment of children's rights is very relevant to the legal protection of children and this includes various aspects, namely: (a) protection of children's human rights and freedoms; (b) child protection in the judicial process; (c) protection of children's welfare (in the family, educational and social environments); (d) child protection in cases of detention and deprivation of liberty; (e) protection of children from all forms of exploitation (slavery, child trafficking, prostitution, pornography, drug trafficking/abuse, using children to commit crimes and so on); (f) protection of street children; (g) protection of children from the consequences of war/armed conflict; (h) protection of children against acts of violence.21

Law Number 35 of 2014 concerning Child Protection is intended to provide guarantees that children's rights will be fulfilled so that they can live, grow, develop and achieve optimally in accordance with human dignity, for the sake of creating quality, noble and prosperous Indonesian children. .

19 Interview with Mr. H. Hasan Zakariah, S.Ag., A.H. Gorontalo City Religious Court Judge Tuesday 12 April 2022 at 08.12 WITA
20 Interview with Mrs. Nurbia Tengkean, Head of P3A Division, Boalemo Regency, April 19 2022 at 10.07 WITA
The welfare and fulfillment of children's rights is the goal of legal protection itself, so it is clear that these rights will not be obtained by the child, if they marry under age which has the potential to cause various things that can have a bad impact on the prospective bride and groom and also on the children. born from a marriage under that age.\footnote{22}{Ibid. Hal 267}

The most important thing is how the state can guarantee that the rights of children who have received marriage dispensation can still enjoy prosperity and continued growth and development. This of course requires systemic synergy and is carried out by parties who have knowledge in providing protection for the rights of these children.

Examining this, a system is needed that involves several agencies, such as the religious court, in this case a panel of judges who examine and decide on granting marriage dispensations, psychologists, religious leaders and the Women's and Child Protection Service. In this case, the involvement of a religious court judge can provide an initial picture of the child's condition and mental state when undergoing the process of determining a marriage dispensation so that a comprehensive picture can be obtained regarding what the child's needs are, then the psychologist can provide ideas and approaches in mapping things out. what can arise in the child's life after undergoing the marriage dispensation and entering the household, so that strategies and patterns of protection and fulfillment of the child's rights can be planned, the involvement of religious figures can be a major milestone in providing guidance and direction to the child in undergoing the life of the child. household so that the household becomes a sakinah, mawaddah and warahmah family, the involvement of women and child protection services is an important thing in order to ensure that children who live a domestic life are free from all forms of pressure that will lead to domestic violence considering that those who live This marriage is a child that is still a labyrinth and is still in the process of physical and mental growth.

These four pillars can become a team that carries out systemic control and supervision functions for couples who are given marriage dispensation, the supervision pattern can be carried out based on a coaching pattern once a month for things like spiritual guidance, providing training that can improve children's skills and ensure that the couple can live their domestic life well and ensure that children's rights such as getting an education can continue to be obtained to guarantee the best interests of the child.

### 3.2. Factors Influencing the Implementation of Legal Protection for Children After the Marriage Dispensation in Gorontalo Province

Gorontalo is one of the provinces that has experienced an increase in requests for marriage dispensations. After the change in the minimum age limit for marriage in the Marriage Law, this has become a phenomenon that is worth studying because the large number of requests for marriage dispensations means that there are more opportunities and opportunities for child marriages to occur. One of them is can be seen from the data in the Gorontalo City Religious Court which can be explained in the following table.
TABLE 1
Number of Cases Requesting Marriage Dispensation in Gorontalo City Religious Court

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Cases</th>
<th>Remove</th>
<th>Granted</th>
<th>Reject</th>
<th>Not Accepted</th>
<th>Fall</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>100</td>
<td>2</td>
<td>91</td>
<td>-</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>2018</td>
<td>97</td>
<td>-</td>
<td>97</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>2019</td>
<td>71</td>
<td>5</td>
<td>66</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>2020</td>
<td>188</td>
<td>-</td>
<td>184</td>
<td>-</td>
<td>-</td>
<td>5</td>
</tr>
<tr>
<td>2021</td>
<td>221</td>
<td>2</td>
<td>219</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>677</td>
<td>9</td>
<td>657</td>
<td>0</td>
<td>3</td>
<td>8</td>
</tr>
</tbody>
</table>

Data Source: Gorontalo City Religious Court April 2022

In table 1 above, it can be seen that from 2017 to 2018 the number of cases requesting a marriage dispensation was in the range of figures that did not change significantly but were different after 2019, namely the year when the Marriage Law underwent changes. Especially regarding the age limit for marriage, it can be seen that from 2019 to 2020, the number of requests for marriage dispensation increased by 117 cases, or more than 100%. The same thing also happened from 2020 to 2021. The number of cases increased by 103 cases, which also exceeded 100%, and in 2021, 219 couples received requests and when looking at the total number of married child couples from 2017 to 2021, it is 657 pairs. This phenomenon does not only occur in Gorontalo City, but a surge in requests for marriage dispensation also occurs in district cities such as at the Boalemo District Court. This can be explained in the following table:

TABLE 2
Number of Marriage Dispensation Application Cases at the Boalemo Religious Court

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Cases</th>
<th>Remove</th>
<th>Granted</th>
<th>Reject</th>
<th>Not Accepted</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>7</td>
<td>7</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>2019</td>
<td>84</td>
<td>83</td>
<td>1</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>2020</td>
<td>159</td>
<td>159</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>2021</td>
<td>247</td>
<td>217</td>
<td>12</td>
<td>-</td>
<td>18</td>
</tr>
<tr>
<td>Maret</td>
<td>40</td>
<td>35</td>
<td>3</td>
<td>-</td>
<td>2</td>
</tr>
<tr>
<td>2022</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JUMLAH</td>
<td>537</td>
<td>501</td>
<td>16</td>
<td>0</td>
<td>20</td>
</tr>
</tbody>
</table>

Data Source: Gorontalo City Religious Court April 2022
At the Boalemo religious court, significant figures occurred in 2018 to 2019, namely from 7 cases to 83 requests that were granted. This increased 12-fold and this continued in 2020, where there was an increase of 76 cases, then in 2021 it increased again by 58 cases, and as of March 2022, it has been recorded that 35 requests have been granted, so it can be seen that the number of marriage dispensations granted by the Boalemo Religious Court from 2018 to March 2022 is 501 cases, so when compared with the number of requests granted at the Gorontalo City Religious Court, which incidentally has a population if there are more, the number of Marriage Dispensations granted in Boalemo tends to be more significant.

After investigating, there are several factors and reasons that influence the application for a marriage dispensation in Gorontalo Province, namely:

a. Internal factors:
   1. Covering the family's shame and disgrace

      Most of what influences requests for marriage dispensation are driven by very forced circumstances where the prospective bride has become pregnant before marriage, especially when her pregnancy has advanced, of course this condition will be difficult to hide, especially the condition of Gorontalo society which still adheres to customs and religion. This is of course considered taboo and a disgrace that will tarnish the family's good name and will become an unpleasant conversation in society. When something like this happens, the safest solution is to marry the couple.

   2. Prevent adultery

      The dominant reason put forward by the applicants is usually that the two prospective bride and groom have been dating for a long time and are very close and difficult to separate so that the parents are afraid that they will fall into adultery, so to avoid this the wisest way is to marry them off.

b. External Factors
   1. Economy

      Economic factors are also one of the triggers for children to be married off, especially for girls, marrying off a child can be seen as easing the burden on the family, especially when the girl child is married off to a partner from a family background that is considered economically stable so that later when the child gets married it can help lighten the burden. family economy.

   2. Education

      The educational factor is also one of the reasons for marrying children off at an early age, parents' education which is not optimal causes parents to not respond optimally to their children's education, parents' encouragement to continue their education is also minimal, the reason that can be said is because their children have dropped out of school, or no longer want to continue their education, their child is too lazy to go to school to the point that the reason for not having a job is clearly one of the reasons for marrying off the child.

   3. Social Media

      One of the factors in requesting a marriage dispensation is caused by social media, which can be easily accessed via the internet, which is gradually having a big influence on the interaction and social patterns of teenagers. The easy access to adult
films on the internet causes children to mature before their time and invites their curiosity to experience sensations that they cannot actually understand.

4. CONCLUSION

Forms of legal protection for children after marriage dispensation in Gorontalo Province are: Administrative Protection, Psychological Protection and Social Protection, but this is only provided to the extent that children are still in the process of applying for and determining marriage dispensation, until now there are no concrete regulations and policies on how to ensure that their rights are fulfilled.

Children's rights after obtaining marriage dispensation.

Factors that influence the implementation of legal protection for children after the marriage dispensation in Gorontalo province are Internal Factors (Covering Family Shame and Disgrace and Preventing Adultery) External Factors (Economic Factors, Educational Factors and Social Media). Providing rights as a form of child protection in obtaining marriage dispensation should pay attention to the child's information and opinions, the fact that important reasons are attached to pregnancy out of wedlock must be given more consideration by looking at the real physical and mental condition of the child as well as the child's wishes for building a household, involvement psychologists in the trial are very important to be considered by the judge in giving his decision so that the decision has an impact on the best interests of the child and Forming a special team involving religious courts, Psychologists, Religious Leaders and the Women's and Children's Protection Service whose task is to provide guidance and supervise couples who have received marriage dispensation with the aim of ensuring that their marriage runs well and that their rights as children are fulfilled for the best interests of the children who will also educate their children in the future.

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