

# Assessing The Role and Capacity of Local Government to Adopt Good Governance Values for Child Marriage Prevention in Central Java Indonesia

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## ABSTRACT

The application of the values of good governance to the prevention of child marriage yielded no results. Since the passage of Law 16 of 2019 regarding marriage, data on minor child marriage has fluctuated from year to year. The number of minor marriages in Indonesia has decreased from 10.35% in 2020 to 9.23% in 2021, according to Statistics Indonesia (BPS) data. Data from the Ministry of Women's Empowerment and Child Protection (KPPPA) reveals that there were 65,000 requests for child marriage dispensation in 2021 and, in 2022, as many as 55 thousand submissions. Changes in children's dating patterns, a shift in determining the marriage age to 19 years, and the prevention and control of child marriage, which have not been supported by all regional authorities, are some of the influencing factors. The aim of this research is to analyze the implementation of good governance in preventing child marriage and the role of local government and stakeholders in preventing and controlling child marriage. This research method is a mix method. Quantitative data was collected using a questionnaire to determine the community's response to child marriage. Qualitative data was conducted on victims, namely children who had married under dispensation, to investigate the problems and factors that influence the occurrence of child marriage. The study revealed that local government governance in preventing and controlling child marriage is still inadequate. Ineffective programs, activities, and sub-activities have not prevented child marriage. Regional governments rely solely on issues of women's empowerment and infant protection, whereas vital regional institutions have not been specifically engaged. Children who marry before the age of consent are extremely vulnerable. The limitation of this research is the distribution of children who married before the specified age. The data collected was finally carried out using a database from the Ministry of Religion combined with research using the snowball method. The implications of this research are to increase the role of local governments and stakeholders in preventing and protecting child marriage.

**Keywords:** Marriage, Children, Marriage Dispensation, Governance, Local Governance, Adoption, Efficiency, Capacity

## INTRODUCTION

The concept of Good Governance emerged in 1993 and gained popularity in 1996. It was introduced by the World Bank and many international agencies as a phrase aimed at emphasizing the importance of independence from external influences. An original ethical framework emerges that appears to critique the actions undertaken by the government, embodying novelty, cleanliness, elegance, professionalism, and inclusivity. The concept of Good Governance, although not a recent creation in public administration, has gained significant attention among international policymakers in the past decade. The notion of governance is frequently employed by multiple parties to elucidate distinct

occurrences [1]. Early in the 1990s, this idea started to appear frequently in public discourse and quickly gained popularity among academics, activists, and practitioners who used it to explain a variety of phenomena that are distinct but connected to government administration practices.

These new concepts of governance depart from definitions that differentiate between government, governance, and effective public governance. In general, "government" refers to the institution and its apparatus responsible for administering the country and carrying out the people's will [2]. Governance is a series of decision-making and policy-making processes, as well as the entire series of processes by which these decisions are implemented or not. The United Nations Commission on Human Settlements (1996) explains that governance is a collection of diverse methods used by private and public institutions and individuals to manage their public interests.

The World Bank draws on a broader dimension of good governance by synonymizing the delivery of solid and responsible public services with development. Good governance can be achieved by establishing synergistic and constructive relationships between government institutions (good governance), the business world (good corporate governance), and society (good civil society). The relationship between the three components must be in a synergistic, balanced position and supervise each other, or check and balance. This is necessary to avoid control (exploitation) by one component over other components [3].

For the World Bank, good governance is closely related to good development management. The World Bank defines three dimensions of governance: (1) the form of a political regime (parliamentary or presidential, military or civilian, authoritarian or democratic); (2) the process by which authority is exercised in the management of a country's economic and social resources; and (3) the government's capacity to design, form, and implement policies, and in general, the capacity to carry out government functions. The World Bank revealed a number of characteristics of good governance, namely: strong and participatory civil society; open and predictable policy making; responsible executive; professional bureaucracy; and the rule of law. This concept became known when the World Bank reported that countries in Sub-Saharan Africa were experiencing a crisis and were on the verge of collapse as failed states in the region were caused by a "crisis of governance" [4]. Governance encompasses the form of a country's political regime, specifically the method by which economic and social resources are administered.

Apart from the World Bank, another international institution that also pays attention to good governance is the United Nations Development Programme (UNDP). The debate regarding the implementation of good governance, seen from the perspective of multilateral actors (the World Bank and the United Nations Development Programme (UNDP)), is not over. There are fundamental differences between the World Bank and the United Nations Development Programme (UNDP) in how they view good governance in development strategies. The World Bank places economic governance, which aims to improve the quality of economic governance that supports state administration, as an important key factor that clearly separates politics and economics. This perspective is linked to the global neoliberal regime and the discourse of economic liberalization. According to the World Bank, economic governance can work well if the market economy can work, and this needs to be designed by rational decision-makers.

The United Nations Development Programme (UNDP) views Good Governance as a democratic government that emphasizes the democratization process from below. The main focus is on the political context of the country and understanding power structures and how they change democratically. The notion of democracy is not only a way to solve practical political problems but also a way to transform identities, such as an inclusive symbolic world and national solidarity, decision-making processes, as well as popular movements that grow from civil society [5], [6]. It is this difference in views that results in the government's perspective in ensuring good governance that has not been fully achieved.

Reviewing a few old political economy studies about how the relationship between the state, civil society, and the economy has changed over time and how it is different now shows that the relationship is not important enough for good governance to be put into place. An evaluation of the relative merits of liberal capitalism, social liberalism, and renewed social democracy suggests that the later administrations were best adapted to limit the de-democratization process by adhering to the concept of democracy. The fact that no form of democracy, including liberal democracy, can be imported easily. The fundamental principles must undergo a process of hybridization in accordance with diverse national traditions in order to accommodate the new demands of a diverse civil society.

No singular definition of effective governance has been established. Typically, various definitions only pertain to the characteristics of effective governance. The concept of good governance is so pervasive that it is frequently debated by various international organizations. Multiple United Nations (UN) agencies use this term inconsistently and overlappingly. Good Governance can be interpreted as a ruse to maximize financial and technical assistance from developed nations to developing and impoverished nations. Good governance is defined in terms of the interests of these international institutions. The demand for effective governance is a special requirement to ensure that technical and financial assistance can operate well in accordance with the stated objectives [7].

The UN Economic and Social Commission for Asia and the Pacific, for instance, identifies eight key characteristics of good governance: participation, consensus-building, accountability, transparency, responsiveness, effectiveness and efficiency, fairness and inclusivity, and adherence to the rule of law. The African Economic Commission of the United Nations defines good governance as the implementation of participatory, transparent, accountable, efficient, and equitable management of public affairs. Grindle compares the definitions of a number of international development actors for the concept. Given the emphasis on efficiency and accountability found in many of these frameworks [8]. Rhodes argues that the concept of good governance unites the new management society with the promotion of liberal democracy [5].

The United Nations Development Program defines governance as the exercise of economic, political, and administrative authority to manage a country's problems at every level. It includes the mechanisms, processes, and institutions by which citizens and societal institutions convey their opinions, exercise their legal rights, fulfill their obligations, and mediate disagreements among themselves.

Governance, according to the UNDP, is the application of economic, political, and administrative authority to manage state affairs at all levels. Governance encompasses all mechanisms, processes, and institutions by which citizens and community groups articulate their interests, exercise their legal

rights, fulfill their obligations, and reconcile their differences. Good Governance [9] is the equitable distribution of roles and responsibilities among the state, the market, and society. Good Governance [10] refers to governance that is carried out by the government, the private sector, and the people in a balanced manner, and not just in a way that must be good. So effective governance is a balance of the government's functions as policymaker, controller, and administrator; the private sector functions as a driver of economic activity; and the people who are objects and subjects participate in the private and government sectors. According to their respective capacities, all three have the authority to do their best to attain shared objectives.

Daniel Kaufmann, Aart Kraay, and Pablo Zoido L define good governance as: the traditions and institutions by which authority in a country is exercised, namely: (1) the process by which governments are elected, monitored, and replaced; (2) the government's ability to design and implement a policy effectively; and (3) the respect of citizens and governments for the institutions that control economic and social interactions between them [2].

Good governance mechanisms include transparent, democratic, efficient institutions, and effective public services. The process of good governance refers to the quality of participation, namely ensuring that participation in political, social, and economic priorities is based on broad consensus in society and the voices of vulnerable, poor, and inaccessible people.

Good governance is a critical component in the development and stability of any nation. It encompasses a set of principles that guide the actions and decisions of public institutions to ensure they are effective, efficient, and aligned with the interests of the citizenry. According to the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP), good governance involves processes and structures that guide political and socio-economic relationships, ensuring accountability, transparency, responsiveness, rule of law, stability, equity, and inclusiveness [11]. Accountability is the role of government, which not only produces effective responses to important issues but also implements mechanisms that can be used as input for those affected by certain policies in the decision-making process so that policymakers can be held accountable for their actions [12].

Several experiences in developing countries show that good governance is related to international aid policies. Good governance is believed by developed countries to be a remedy for overcoming the problems of poverty and underdevelopment. Good governance applied in Asian countries is considered a process of reform so that aid can meet development needs and alleviate poverty. Despite receiving criticism, the agenda for implementing good governance continues to run, even though the impact of international development policies also has an impact on the economic crisis that occurred in the United States [13].

Countries with developed economies believe that institutional and development reforms influence government reforms. Governance and development refers to the connection between governance reform as a process and development as an outcome. Widely criticized is the fact that the concept of governance is always associated with international assistance [14]. Insight into good governance appears to be viewed as a shield against the apprehension of developed countries regarding the outcomes of aid interventions. Thus, effective governance is the collection of measures taken to ensure the return of financial aid from developed countries to developing ones.

Another aspect that can be studied is that governance reforms provide both direct and indirect learning to countries that receive aid and those that do not. Developing countries begin to learn how to implement the principles of good governance, while developed countries receive international learning in the form of development reforms and gain an understanding of the relationship between reform and historical conditions. These implications indicate that there is inequality in achieving good governance. The universal approach is accused of failing to diagnose structural deficiencies in the bureaucracy of developing countries. Therefore, it is important to carry out comprehensive institutional reforms that will impact the distribution of power throughout bureaucratic organizations and reforms in improving bureaucratic performance [15].

In various existing definitions, there are two fundamental definitions for evaluating good governance: a focus on results (efficiency, effectiveness) and the process of making and implementing decisions (accountability, transparency). In the field of public administration, the emphasis is on results, and effective governance is the ability to achieve predetermined objectives [8]. The process focuses on decision-making and implementation, specifically the process of facilitating citizen participation in order to achieve results in the form of transparency and adherence to the rule of law [16].

The practice of good governance in child marriage can be seen from two elements: prevention policies and regulations, namely Law No. 16 of 2019 concerning marriage and culture. The journey of Law No. 16 of 2019 is very long. Law Number 1 of 1974 is so embedded in society that changes to this law are known to the public too late. The surge in data on child marriage cases in 2020 has opened the government's eyes to the fact that child marriage is on the brink of an emergency. Changes to Law 1 of 1974, especially the articles relating to the age of marriage, are apparently not widely known by the public. The results of the research show that Law 16 of 2019 is not a concern of the community; this is said to be 87 percent of the respondents interviewed.

Marriage is a private matter within the family, so the prevalence of minor marriages is frequently unknown, particularly when the girl is already expecting. This is a disgrace that the family must conceal. The effect is that children and families have easy access to information about the health of infants and children. The worst consequence is that malnourished mothers and infants give birth to sickly and even stunted children.

Law No. 16 of 2019 aims to ensure that girls are ready to enter marriage. The stipulated age of 19 years is expected to be able to prevent and reduce the risk of various negative impacts. As is known, the number of child marriages under dispensation from 2018 to 2023 was 51,156. Data for 2018–2022 shows unstable conditions. In 2018–2019, the figure was still at 3,665 (2018) and increased by almost 64.58 percent in 2019, namely to 6,032 cases. The surprising figure was in 2000, when COVID-19 hit almost all countries in the world. In 2000, after the enactment of Law No. 16 of 2019, marriages with dispensation increased by 128.88 percent, namely up to 13,806 men. The increase in the number of marriage dispensations is quite surprising; various arguments arise, and debates cannot be avoided. One party views the issuance of Law Number 16 as the cause of the increase in child marriage; the other side observes low public awareness followed by limited information on changes to the law. Generally, people think that 17-year-olds can still get married because, because in the old law, the marriage age limit for women was only 16 years old.



In 2021, the figure is still increasing, although not as sharply as from 2019 to 2020. In 2021, the number of people applying for marriage dispensation was 14,163, or an increase of 2.59 percent. This slight increase indicates that the process of socializing the law has been successful, although this figure still exceeds the figure for 2019. In 2022, the data presented is quite surprising because, in that year, the number of child marriages under dispensation had fallen to 10,387. This figure does not include those through child marriages. The data below shows the development of child marriage through marriage dispensation in Central Java.

Table 1. Marriage Dispensation for 2018-2023 Central Java

No	District/City	Marriage Dispensations						Number of Marriage Dispensations
		2018	2019	2020	2021	2022	2023 <sup>*)</sup>	
1	Cilacap District	167	346	775	767	670	212	2.937
2	Banyumas District	75	115	236	260	196	47	929
3	Purbalingga District	89	248	546	576	462	130	2.051
4	Banjarnegara District	229	433	753	865	681	147	3.108
5	Kebumen District	767	820	696	693	281	67	3.324
6	Purworejo District	79	137	360	311	228	68	1.183
7	Wonosobo District	137	268	468	513	424	252	2.062
8	Magelang District	81	139	532	603	503	104	1.962
9	Boyolali District	109	178	462	338	197	73	1.357
10	Klaten District	110	144	245	295	210	46	1.050
11	Sukoharjo District	63	77	203	173	150	37	703
12	Wonogiri District	61	129	260	244	167	53	914
13	Karanganyar District	72	124	303	269	201	61	1.030
14	Sragen District	91	151	349	383	93	93	1.160
15	Grobogan District	144	238	899	902	872	224	3.279
16	Blora District	128	177	493	618	530	257	2.203

No	District/City	Marriage Dispensations						Number of Marriage Dispensations
		2018	2019	2020	2021	2022	2023 <sup>*)</sup>	
17	Rembang District	40	130	304	337	238	61	1.110
18	Pati District	104	206	554	640	112	NA	1.616
19	Kudus District	65	95	270	241	228	48	947
20	Jepara District	117	188	423	509	535	177	1.949
21	Demak District	63	102	347	480	431	97	1.520
22	Semarang District	81	116	240	403	349	89	1.278
23	Temanggung District	132	219	581	449	NA	NA	1.381
24	Kendal District	88	125	338	348	NA	NA	899
25	Batang District	72	150	441	400	380	92	1.535
26	Pekalongan District	59	100	379	364	330	80	1.312
27	Pemalang District	84	168	699	724	709	226	2.610
28	Tegal District	61	163	386	331	225	68	1.234
29	Brebes District	77	201	555	538	531	153	2.055
30	Magelang City	4	5	25	21	23	13	91
31	Surakarta City	43	70	143	141	110	31	538
32	Salatiga City	59	92	171	31	26	8	387
33	Semarang City	90	125	223	257	172	52	919
34	Pekalongan City	7	29	67	69	66	27	265
35	Tegal City	17	24	80	70	57	10	258
Number Of Central Java		3.665	6.032	13.806	14.163	10.387	3.103	51.156

Source: City District Religious Court Office 2018-2023

\*) New data is available until the end of July 2023

The policy to reduce the gender gap in terms of marriage through Law Number 16 of 2019 has apparently produced results, even though several city districts still have high numbers. As many as 10 regencies in Central Java have high child marriage rates, as contained in the following graph:

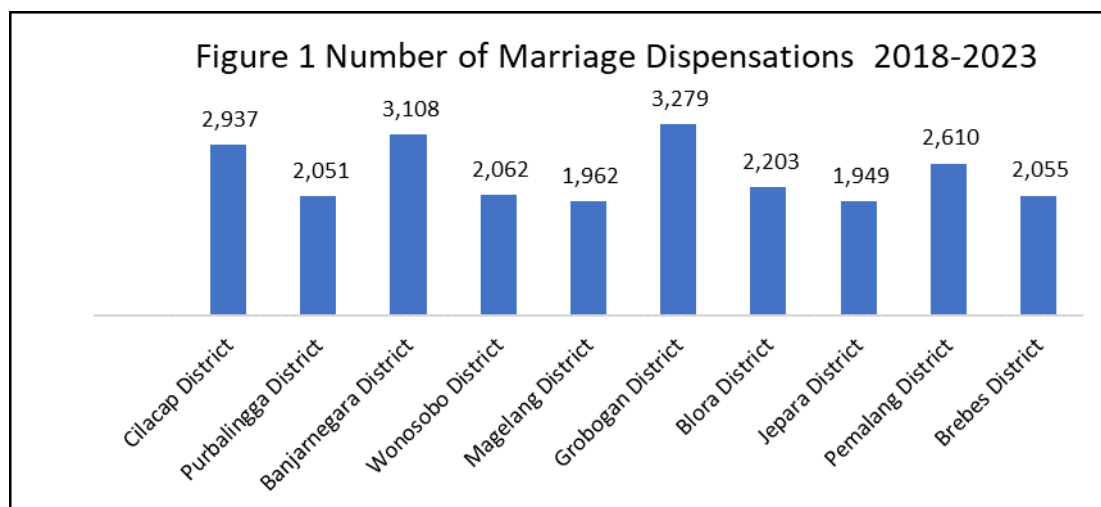


Figure 1. Number of Marriage Dispensations 2018-2023

Source: City District Religious Court Office 2018-2023

\*) New data is available until the end of July 2023

The problem raises questions about what stakeholders and the government have done to control child marriage as a component of sound governance. Marriage being a private matter, the results of in-depth interviews reveal that stakeholders lack the capacity to take precautions. In the meantime, the regional government that controls marriages is also responsible for women's empowerment and child protection, in addition to the religious courts. The treatment of children's problems has not become a priority.

In the context of child marriage, incident after incident relates to governance that is not yet optimal in preventing child marriage, i.e., governance that is not yet effective at preventing child marriage. Good governance is a comprehensive concept whose application in state administration may not be on a micro scale but rather on a broad scale. Microscopically, effective governance can be measured by its underlying principles.

In the majority of scholarly works, child marriage is attributed to family ties, gender inequality, poverty and economic survival, sexual control, and the preservation of family honour, tradition, and culture, as well as insecurity. Controlling sexuality and safeguarding the family's integrity are the primary causes of child marriage. This factor has the greatest impact on young girls's decisions to marry before the age of majority. This issue is complex, as it involves not only the young girls as victims but also parents, society as a whole, schools, and the local government.

The large number of child marriage cases is a sign that the implementation of governance in the protection and prevention of child marriage is not yet optimal. In the period 2018–2023, Central Java Province recorded that 51,156 young girls had married under the specified age (<18 years old). This amount does not include undercover, as shown in the following image:



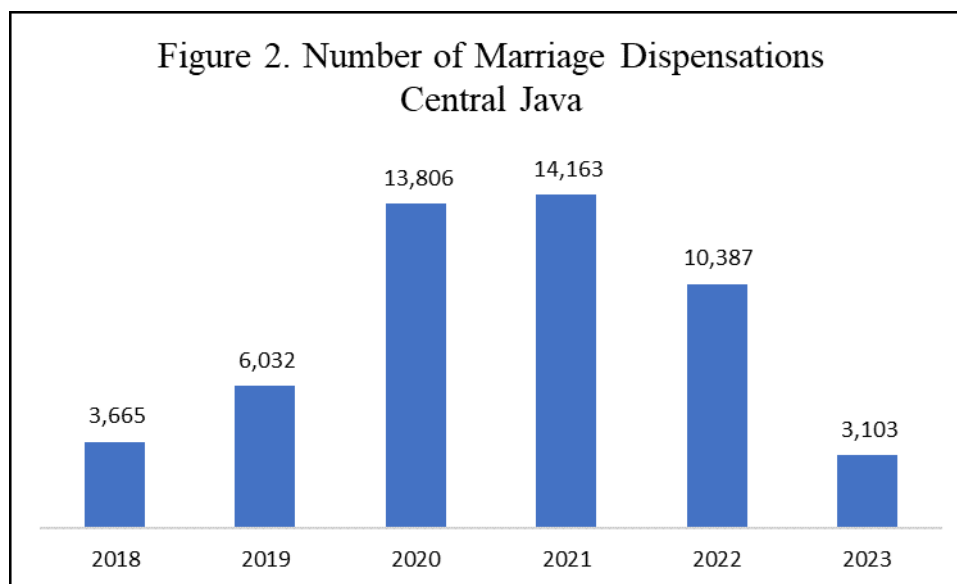


Figure 2. Number of Marriage Dispensations Central Java

Source: City District Religious Court Office 2018-2023

\*) New data is available until the end of July 2023

The greatest number occurred in 2020–2021, following the passage of Law No. 16 of 2019. In 2022, it began to decline but remained greater than in 2018–2019. In the meantime, the data for 2023 is only in the midst of being collected. According to projections, there will be approximately 6,206 cases at the end of 2023.

Taking into account the above data, this research was conducted to find out how the dimensions of good governance can actually be implemented in solving child marriage cases. In an effort to prevent and control child marriage in Central Java, the purpose of this study is to determine the policy and social role of stakeholders constituting good governance, namely province government, business, and civil society.

## METHODOLOGY

This research was conducted using a combination of descriptive quantitative and qualitative research approaches. The mixed method employed is a sequential explanatory design, incorporating quantitative research methods in the first stage, followed by qualitative data collection and analysis in the second stage [17]. In this instance, quantitative descriptive analysis and a qualitative approach were employed in this research without the use of statistical tests.

A quantitative descriptive approach is used to examine the depiction of existing phenomena (ManjunathaN, 2019) applied to teenage children and parents to obtain their perceptions of the increasing number of child marriages. Quantitative descriptives were carried out using questionnaires that described their opinions about teenage relationships, cases of child marriage, the role of the government and regional governments, and stakeholder participation in preventing child marriage. Data from a survey of 400 teenagers spread across Central Java was combined with secondary data, namely data obtained indirectly from primary sources [18] obtained from the Ministry of Religion, especially marriage dispensation data published by this institution.

Secondary data is data obtained indirectly from published information or data based on an institution [19]. Secondary data was not only useful as a database before this research was carried out but also strengthened the findings obtained from primary data. In various research models, secondary data in this research was used as a cross-check between data obtained directly and data not obtained directly.

Following the acquisition of quantitatively descriptive data, qualitative data were collected. The qualitative approach emphasized humanism and human behavior as a result of the realization that an individual's intrinsic characteristics influence the outcomes of all of their actions. These internal aspects include the beliefs, views, and social background of the individual concerned [20]. This research explores the qualitative aspects of teenage couples who are forced to marry. The compilation of data on these 15 couples was conducted using the snowball method and data obtained from the Regional Ministry of Religion. In addition to victims, regional officials responsible for women's empowerment and infant protection were also interviewed.

The collected data is then processed by: (1) data reduction, namely the process of selecting or filtering the data that has been collected; (2) data presentation, namely making an explanation of information in narrative form (sentence description); (3) and data verification (conclusion), namely the process of data analysis to make conclusions or verify field findings, analyzed using a triangulation of methods, researchers, and geographic locations [21]. The researchers in this research took the advantages from triangulating quantitative and qualitative descriptive data to reveal the relationship between effective governance models and the prevention and control of child marriage.

## **RESULT**

### **1.1 Adoption Of Good Governanace in Administering A Clean And Authoritative Government**

The notion of instituting good governance as a means of advancing democracy and enhancing the well-being of the populace is not a one-way theory consisting solely of demands for government performance. Good governance is implemented through collaboration between the government or local government, civil society, and the corporate sector. Collaboration is a form of participation in which stakeholders are jointly engaged in establishing priorities during the planning, implementation, and evaluation stages, allowing them to work together to address problems or develop solutions [22].

Good governance is implemented through partnerships between government institutions, the corporate community, and civil society. Collaborative governance is a decision-making approach to collaborative governance that consists of a succession of joint activities that generate goals and strategies and share responsibilities and resources [22]. Governance collaboration involves the full participation of all parties, but the concept of collaboration also emphasizes high-level interaction, namely the sharing of responsibility and influence in a participatory agenda in which partners determine rights and responsibilities with regard to rights and obligations.

Collaboration encompasses the entire decision-making process, from implementation to evaluation. In contrast to other forms of collaboration or stakeholder interaction in which other organizations and individuals act as part of a policy strategy, collaborative governance emphasizes all parties with an interest in policymaking by "sharing power" [23]. There are six important criteria for

collaboration: (1) forums initiated by public institutions or institutions; (2) participants in forums including non-government actors; (3) participants are directly involved in decision-making and are not just 'consulted' by public agencies; (4) the forum is formally organized and meets collectively; (5) the forum aims to make decisions by consensus (even if consensus is not reached in practice); and (6) the focus of collaboration is public policy or management [24].

Governance adoption means placing collaborative governance at the center of carrying out development. In practice, the implementation of collaborative governance does not fully occur. Participation from civil society is carried out during development deliberations (Musrenbang) and the implementation of development on special projects involving the community. Meanwhile, the role of the business world is carried out using a charitable model that sets aside 2.5% of the company's net profit. This participation is not enough if applied in an effort to solve the problem.

As a learning paradigm, collaborative governance can be applied to the problem of child marriage. A centered focus encourages stakeholders to address emerging problems. The objective of collaborative governance is to foster mutual comprehension and consensus. Partner initiative-based collaborative governance achieves objectives through information sharing, requiring stakeholders to collaborate on all aspects of policy development, planning, implementation, and assessment [25]. Thus the main support for the implementation of good governance is the business world and civil society. Community participation in the entire development process is a fundamental right of every individual, guaranteed by the constitution, as articulated in Article 28C(2) of the 1945 Constitution of the Republic of Indonesia. The forms of community involvement are diverse, starting from the dissemination of information, followed by consultation, dialogue, exchange of ideas, deliberation, expression of opinions, and interpersonal interaction, all of which are inherent rights of citizens, as affirmed and upheld in Article 28E(3). Community participation, including the involvement of the business sector in achieving good governance, will result in a Pareto improvement, generating benefits for all stakeholders (Kurahyady, 2023).

Numerous international organizations, including the United Nations, UNICEF, and UNHCR, caution that eradicating child marriage requires the participation of civil society and private sector entities in addition to governmental efforts. The issue of child marriage encompasses more than just the failure to adhere to the legally mandated marriage age; it also entails pervasive and systematic violence against adolescents, as well as infringements on internationally and domestically protected human and fundamental rights.

According to a report by the Center for Reproductive Rights, the proportion of children wed prior to the age of 18 in South Asia is more than double that of women aged 20–24. India is the country where 47% of girls under the age of 18 are married. 66% of girls in Bangladesh are married prior to the age of 15, whereas in Nepal, only a quarter are married at the age of 18, and 40% are married at that age (Center for Reproductive Rights USA, 2013).

The identical condition is also present in Indonesia. According to the Case Dataset Document of the Directorate General of Religious Courts Case Dataset Document, a total of 64,222 children requested dispensation from marriage in 2020. This figure does not include data that was concealed to protect the identities of those conducting private marriages. According to the UNICEF report, the Ministry of Women's Empowerment and Child Protection projected that Indonesia would rank fourth

globally in terms of child marriage in 2023, with a cumulative count of 25.53 million incidents. The Unicef-generated data is the result of collaborative research between PUSKAPA and the University of Indonesia. Additionally, the Ministry of Women's Empowerment and Child Protection reported that marriages had decreased by 6.80% in 2023, surpassing the 2024 RPJMN target of 8.17%, as a result of various initiatives.

Collaboration between the government and numerous stakeholders, including the private sector and civil society, is a top priority. Although not everything has improved, child marriage has decreased. The perception is that law enforcement remains inadequate, and not all relevant parties have implemented preventative measures. Another issue that binds us is the fact that marriage is a difficult-to-intervene-in family matter. The majority of parents who partake in child marriage in Indonesia are socially isolated due to the fact that their child became pregnant prior to the formal matrimonial union.

The research findings highlight the issue of inadequate enforcement of marriage laws; in fact, the new marriage law is largely unknown. The study's findings of the study indicate the following:

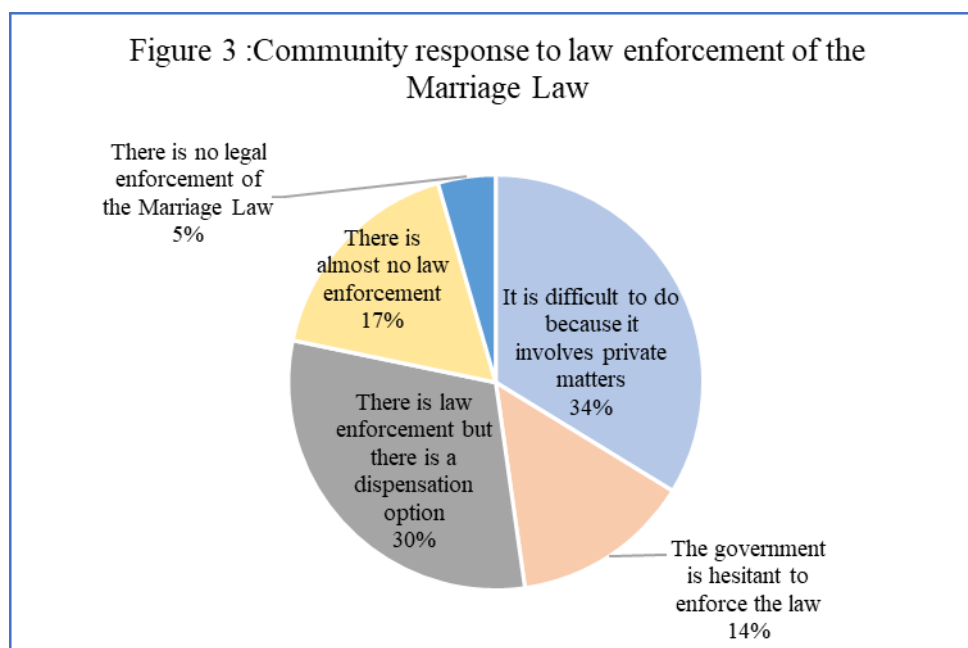


Figure 3. Community Response to Law Enforcement of the Marriage Law

Source: Primary data processed, 2023

Despite the fact that it violates the law, marriage is considered a private domain in which intervention is difficult. Furthermore, the marriage law is quite feeble, as the clause in question can be implemented in its implementation despite not being explicitly stated in the legislation. Marriage dispensation refers to the court's authorization for prospective spouses or husbands to enter into matrimony, granted to those who have not yet reached the age of nineteen. Regulation No. 5 of 2019 of the Supreme Court of the Republic of Indonesia pertaining to Guidelines for Adjudicating Marriage Dispensations specifies this in paragraph 5 of Article 1 (Regulation of the Supreme Court of the Republic of Indonesia Number 5 of 2019 Concerning Guidelines for Adjudicating Marriage Dispensation Applications, 2019)

The marriage dispensation is further explained in Article 7, paragraph (1) of Law No. 16 of 2019 amending Law No. 1 of 1974 regarding marriage. This provision delineates the age restrictions, or dispensation meaning, which commence at the age of 19 for girls and boys. The marriage dispensation was granted, as stated by a judge of the religious court in Grobogan Regency, subsequent to the evaluation of various child conditions and consideration of recommendations from the Women's Empowerment and Child Protection Service. Marriage dispensations have changed the social constellation, which originally allowed marriage at the age of puberty for girls and boys, into a prohibition under the new marriage law. The change in the minimum marriage age from 16 years to 19 years for both men and women — previously regulated in Law Number 1 of 1974 on marriage, setting the age at 19 for men and 16 for women— has led to an increase in requests for marriage dispensations in various regions in Indonesia [26].

The adoption of good governance should be able to bridge the problem of child marriage through the stakeholder role movement. Unfortunately, not all stakeholders have taken action to stop it. The results of in-depth interviews show that the issue of child marriage is inferior to the issues of stunting, poverty, food insecurity, and vulnerability. Therefore, several sub-activities implemented by local governments are more prominent when activities other than child marriage, even for socialization alone, are very minimally accepted by the community, as shown in the following graphic:

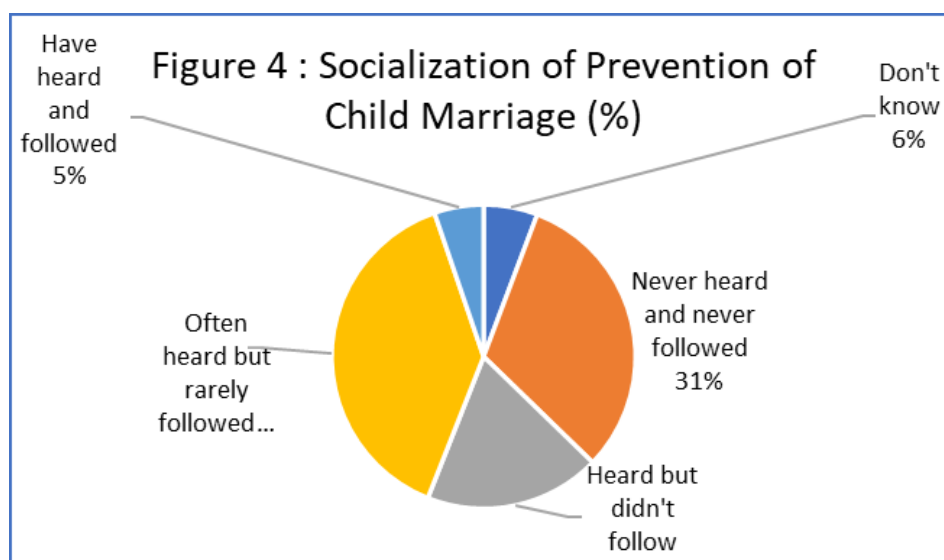


Figure 4. Socialization of Prevention of Child Marriage (%)

Source: Primary data processed, 2023

These findings show that the management of preventing child marriage has not been fully achieved, and not even all communities have received information about the importance of preventing child marriage. "Jo Kawin Bocah," which was used as a mascot for reducing child marriage, has not yet spread throughout all levels of society.



## 1.2 Good Governance Adoption Model in Child Marriage

In accordance with Law 23 of 2014, the adoption of good governance can be traced back to the government's role in instituting the control of child marriage by examining the actions of regional governments. The implementation of governance indicators, such as participation, law enforcement, responsive transparency, consensus, equality and fairness, effectiveness and efficiency, accountability, and strategic vision.

Governance indicators, if equated with the affairs inherent in the task of preventing and controlling child marriage, will be listed in the following table:

Table 2. Comparison of Regional Government Affairs with the Principles of Good Governance

The Principles of Good Governance	Authority of Regional Government in Managing Affairs
Vision and Strategy	Regional Government
Transparency responsive	All Managers of Affairs
Consensus	All Managers of Affairs
Participation	All Managers of Affairs
Law enforcement	Civil Service Police Unit, Law Enforcement
Effectiveness and efficiency	All Managers of Affairs
Equality and justice	Women's Empowerment and Child Protection and Religious Courts
Accountability	All Managers of Affairs

Source: Attachment to Law 23 of 2014, analyzed.

Adoption of good governance can be carried out by all administrators of affairs, but in the case of organizing child marriages, involvement is specifically delegated to administrators of women's empowerment and child protection, whose sub-affairs include: quality of life of women; women's protection; family quality; gender and child data system; fulfillment of children's rights; and special protection for children.

If you look closely at the concept of good governance, the only relevant concept is equality and justice, which is specifically the task of managing women's empowerment and child protection. Other concepts were implemented, but they did not specifically address the issue of child marriage. Even this adoption has not yet involved the business world or society. The community is still not aware of child marriage cases because they perceive it as a domestic domain that is difficult to penetrate. According to the Head of the Central Java PPPAKB Service, in terms of adopting the principles of good governance for prevention efforts, various programs have been carried out by Central Java Province, as shown in Table 3 below.

Table 3. Comparison of Special Programs and Types of Activities by the Central Java P3AKB Office in 2022

Special Programs			Type of activity
Family Learning Center (PUSPAGA)			Chat on topics about women and children ( <i>Ngopi Penak</i> ) and Instagram live
The Jogo Konco movement			Realization of the implementation of the concept of the role of children as pioneers and reporters (2P) in an effort to protect each other and encourage the fulfillment of children's rights, and protect children from all forms of violence, abuse and exploitation.
<i>Jo Kawin Bocah</i> Movement			This is an implementation of the National Strategy for Preventing Child Marriage by strengthening child protection regulations/policies, involving pentahelix, data collection through the Mapping Application for Vulnerable Groups of Women and Children and Couples of Childbearing Age (APEM KETAN), life skills training for teenagers, <i>Jo Kawin Bocah</i> care center services, as well as the exhibition title <i>Jo Kawin Bocah</i> .
Implementation of Women Friendly and Child Villages (DRPPA)		Care	Village program that fulfills basic infrastructure and improves the welfare of the community (Destara).
Flexi Time for State Servant (ASN)		Civil	Special program for ASN, especially women, so that parents can have more time to pay attention to their children.

Source: Interview results with the Central Java P3AKB Office.

In Central Java, the Women's Empowerment Service, Child Protection, and Family Planning have not been able to thoroughly control child marriage. Even though the socialization of "Jo Kawin Bocah" at various events has been able to reduce the number of child marriages, this reduction has not been sufficient to bring the number of child marriages in 2018 to the same level. Neither has the role of stakeholders been strengthened. Underhanded child marriage is still not widely known. The functions of the business sector and civil society should be realized at this level. Several districts and cities have implemented village-reaching programs through local agreements.

The Provincial Government of Central Java has additionally devised a framework for the synchronization and coordination of preventive measures in partnership with the Ministry of Religion in Central Java. This model is intended to ascertain whether a child is eligible for dispensation from marriage. The Ministry of Religion coordinates with the Women's Empowerment and Child Protection Service on each application for marriage dispensation to ensure that child services are duly informed

and that data collection is conducted to monitor the developmental progress of children who are granted dispensation. This model facilitates not only facilitates the documentation of children whose mothers are already pregnant, but also aids in the documentation of children whose mothers marry prematurely.

Two sides of the policy, namely advocacy through "Jo Kawin Bocah" and Prevention Coordination across regional agencies, have not significantly reduced the number of child marriages. Child marriage can be prevented, but the decline is quite slow.

### **1.3 The Role and Capacity of Local Government in Preventing Child Marriage**

The role of the Regional Government in preventing child marriage in Central Java is known as the "Jo Kawin Bocah" program. The Central Java Provincial Government has stipulated Regional Regulation Number 4 of 2022 concerning the Implementation of Child Protection. In Chapter XI, Prevention and Handling of Child Marriage, Article 84 states: (1) The Regional Government is obliged to prevent and handle child marriage. (2) Prevention and handling of child marriage aims to: a. realizing child protection and guaranteeing the fulfillment of children's rights so that they can live, develop and participate optimally in accordance with human dignity; b. creating children who are of good quality, have noble and prosperous character; c. prevent all forms of violence against children; d. prevent acts of domestic violence; e. improve women's reproductive health and the quality of maternal and child health; f. reducing the divorce rate; g. reduce maternal mortality; h. reduce infant and toddler mortality; i. reducing school dropout rates; and j. reduce poverty rates. Article 85 (1) In preventing and handling child marriages, the Regional Government draws up a Regional Action Plan (Perda of Central Java Province Number 4 of 2022, 2022).

This article does not specifically address the prevention of child marriage, but rather how to protect minors in general. In the meantime, the RAD for the Prevention and Management of Child Marriage is still undergoing deliberation, so it cannot be referred to by stakeholders or other regional civil servant responsible for certain matters.

The limited roles of regional governments have made it more difficult to address the issue of child marriage due to changes in the nomenclature of programs, activities, and sub-activities. The Decree of the Minister of Home Affairs No. 050-5889 provides a selection of subactivities, none of which regulates the prevention and control of juvenile marriage. The selection of sub-activities focuses on activities of a general nature, such as activities to fulfill children's rights and specialized child protection activities. A further challenge is that the selection of administrators for other matters, such as education and health, is typically based on non-specific subactivities. For instance, females who become expectant prior to marriage are permitted to continue their education after giving birth. In the health sector, for instance, the provision of prenatal classes, maternal and infant examinations, and vitamin assistance.

The issue that is still being considered is the impact of child marriage. For girls, child marriage has an impact on health, education, and the family economy. The results of interviews with married children show that after girls became pregnant, they decided not to go to school, locking themselves up and being embarrassed to leave the house. Meanwhile, the boys continued their studies. Apart from dropping out of school, another impact is on the health of pregnant children; their situation of not

wanting to leave the house has an impact on the health of the baby and mother. No wonder children who are not ready to get pregnant can give birth to babies with the possibility of malnutrition or stunting.

In general, the factors that cause early marriage are: (a) family ties, which are a means of controlling an area, resolving disputes, and maintaining relationships between certain parties, whether ethnically or community-wise; (b) Inequality in the roles of women and men in social society can occur, namely that women are seen as not having an important role so that early marriage for women is considered a natural thing; (c) Poverty, namely early marriage, especially for women, can be a means of reducing the cost of daily necessities in a family with a low economy; (d) Control over sexuality and maintaining family honor is carried out on the basis of maintaining the function of women's sexuality to prevent promiscuous sexual behavior which is bad for family identity; (e) Traditions and culture that apply in the environment around where they live; and (f) insecurity, namely unsafe situations such as poverty and sexually transmitted diseases that are rampant so marriage is carried out as an effort to overcome this situation [27].

From the perspective of the effects of child marriage, females who become pregnant prior to marriage face greater social and physical pressure. The girls are socially humiliated by the circumstances.

The age difference between boys and girls in child marriage can have an impact on women's authority, status, and autonomy in the home. Boys, parents, and in-laws can exert greater control or manipulation over girls. In child marriage, the daughter's position is emotionally and physically weakened. Pregnancy at a very young age affects the baby's chance of survival. The behavior, attitudes, and power relationships formed at the beginning of marriage may last a long time, but due to their tender age, the status and position of females in the family become weak. The age at which a woman marries and the age difference between the spouse and wife can impact the autonomy and status of women [28].

#### **1.4 The Role of Market and Civil Society Institution of in Preventing Child Marriage**

Civil society plays a relatively minor role in the effort to prevent child marriage. Marriage of children is considered a private matter, with individuals interviewed stating that while others may serve as reminders, they lack the authority to prevent the practice. In the village, it was rumored that the children of the Takmir of the Mosque and the Head of the Neighborhood Association were compelled to wed due to the pregnancy of their daughters. As illustrated in the following graph, this community participation is impeded by "ewuh pekewuh," "embarrassment," and "fear of appearing to interfere in other family matters."

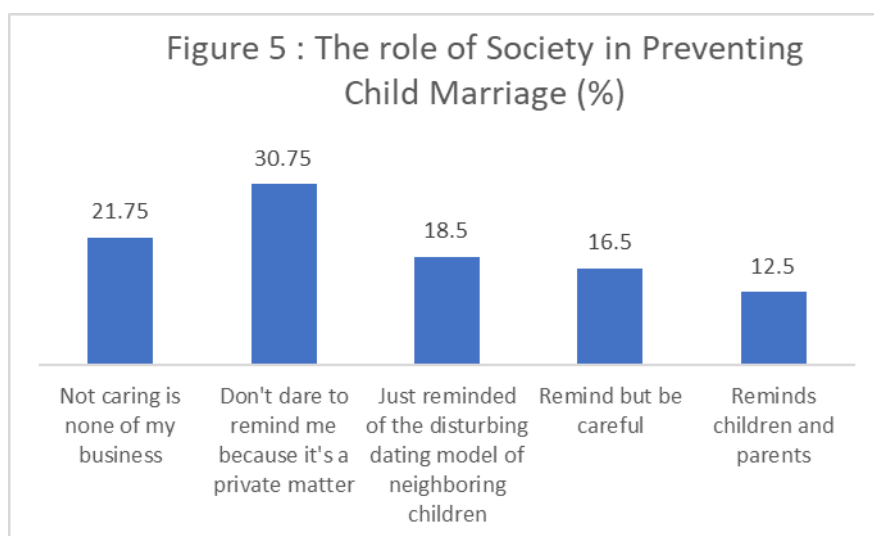


Figure 5. The Role of Society in Preventing Child Marriage (%)

Realistically, NGOs play a crucial role in preventing child marriage. To support victims and postpartum assistance for girls, a number of NGOs conduct campaigns via mass media. Support in obtaining birth certificates, assistance in situations involving coerced marriages involving children subjected to violence, and discussions on child marriage prevention via radio and television are all examples of facilitation. Regional heads utilize the findings of research conducted by a number of NGOs regarding child marriage in their efforts to prevent the practice.

Still, the private sector plays a very limited role. The majority of organizations have specialized programs that align with their vision and mission. The organization explicitly incorporates supplementary initiatives, including those aimed at averting child marriage, maternal mortality, stunting, and poverty. As of now, not a single organization has implemented a program to explicitly prevent child marriage. According to the chairman of the Central Java Gender Equality and Justice Forum, the private sector's limited involvement was due to the dispersion of data on married children, which hampered the execution of activities. This is in contrast to child protection programs, which may pertain to a specific domain; thus, their focus lies more on child protection programs.

## CONCLUSION

The policy efforts to reduce child marriage include the slogan "Jo Kawin Bocah" and collaboration between the Ministry of Religion's Central Java Regional Office and the Women's Empowerment and Child Protection service. Their coordination aims to collect data and make recommendations regarding marriage dispensation requests. Despite these efforts, child marriage persists due to parents and children themselves not fully adopting these policies, although there is a slight decline in its prevalence.

While theories suggest that good governance is hard to implement in private areas like marriage, practical efforts, including local governance initiatives, can be made. Yet, the local government's role is limited by narrow authority and the general nature of the activities attached to other broader programs. Additionally, civil society's role and the involvement of the business sector remain weak, partly because child marriage is often viewed as a family matter.



The impact of child marriage, especially for girls, is severe, including the risk of malnutrition, stunting, and loss of educational opportunities, as they become dependent on their spouses or families. NGOs have taken various initiatives to address the issue, but challenges remain in completely eradicating child marriage due to cultural and societal norms that restrict civil society's influence.

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