

The Impact of Marriage Dispensation Policy Interventions on Underage Marriage Trends Among Banyuwangi Teenagers

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Abstract

The phenomenon of underage marriage in Banyuwangi Regency is a crucial issue that shows an alarming trend even though the minimum age of marriage has been increased. This study aims to examine the impact of the marriage dispensation policy intervention implemented by the Banyuwangi Regency Government in an effort to reduce the number of underage marriages that occur among teenagers. This research uses a qualitative method with an analytical descriptive approach that collects data through observation, interviews and documentation and the data analysis was carried out using the reduction, presentation, and conclusion stages. The results showed that policy intervention through the signing of a Memorandum of Understanding (MoU) between the local government and Banyuwangi Religious Court, which requires recommendations for psychological maturity and reproductive health checks for marriage dispensation applicants, has had a positive impact. There has been a decrease in the number of marriage dispensation applications granted since September 2024. The policy has also strengthened the objective basis for judges in deciding cases and encouraged a shift in society's perspective on the importance of marriage readiness. However, the implementation of this policy still faces challenges related to the influence of religious and traditional leaders. Therefore, the recommendation to involve religious and customary leaders in education is considered important to align the policy with local values and achieve long-term effectiveness in preventing underage marriage.

[Fenomena pernikahan di bawah umur di Kabupaten Banyuwangi merupakan isu krusial yang menunjukkan tren mengkhawatirkan meskipun batas minimum usia pernikahan telah ditingkatkan. Penelitian ini bertujuan mengkaji dampak intervensi kebijakan dispensasi nikah yang diterapkan oleh Pemerintah Kabupaten Banyuwangi dalam upaya menekan angka pernikahan di bawah umur yang terjadi di kalangan remaja. Penelitian ini menggunakan metode kualitatif dengan pendekatan deskriptif analitis yang mengumpulkan data melalui observasi, wawancara, dan dokumentasi serta analisis data dilakukan menggunakan tahap reduksi, penyajian, dan kesimpulan. Hasil penelitian menunjukkan bahwa intervensi kebijakan melalui penandatanganan Nota Kesepahaman (MoU) antara pemerintah Daerah dan Pengadilan Agama Banyuwangi, yang mensyaratkan rekomendasi kematangan psikologis dan pemeriksaan kesehatan reproduksi bagi pemohon dispensasi nikah, telah memberikan dampak positif. Terdapat penurunan jumlah permohonan dispensasi nikah yang dikabulkan sejak September 2024. Kebijakan ini juga memperkuat dasar objektif bagi hakim dalam memutuskan perkara serta mendorong pergeseran cara pandang masyarakat tentang pentingnya kesiapan menikah.

Meskipun demikian, implementasi kebijakan ini masih menghadapi tantangan terkait pengaruh tokoh agama dan adat. Oleh karena itu, rekomendasi melibatkan tokoh agama dan adat dalam edukasi dianggap penting untuk menyelaraskan kebijakan dengan nilai lokal serta mencapai efektivitas jangka panjang dalam pencegahan pernikahan di bawah umur.]

Keywords: Banyuwangi, Government Policy, Marriage Dispensation, Underage Marriage.

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INTRODUCTION

Underage marriage is defined as a marital union involving one or both prospective spouses who are still classified as minors or have not yet reached the legal age of adulthood (Sopyan et al., 2023), specifically under the age of 19, as stipulated in Law No. 16 of 2019, which amends Law No. 1 of 1974 on Marriage. The phenomenon of marriage dispensation has become a persistent social issue requiring serious attention across various regions of Indonesia, including Banyuwangi Regency. A marriage dispensation constitutes a legal exception that allows prospective spouses who have not yet met the minimum legal age requirement for marriage to obtain permission through an application process at the Religious Court (Al Hasan & Yusup, 2021).

Although marriage dispensation is intended as a protective mechanism under certain circumstances, in practice it often becomes a legal loophole that facilitates underage marriages (Bukido et al., 2023). This is reflected in the persistently high rate of early-age marriages in Banyuwangi Regency. In 2022, Banyuwangi ranked fourth in East Java Province for the number of underage marriages, with the majority of dispensation applicants aged between 15 and 19. Many adolescents choose to marry due to premarital pregnancy, family economic pressure, and arranged marriage practices that still prevail within traditional communities. (<https://radarbanyuwangi.jawapos.com>, 2025).

The rise in marriage dispensation cases is driven by multiple factors. One of the main causes is premarital relationships leading to unintended pregnancies, which prompt parents and adolescent couples to seek dispensation as a means of preserving family honor (<https://www.rri.co.id/daerah>, 2025). In addition, the persistence of arranged marriage practices and parental pressure—often stemming from concerns about premarital sex—intensify the social pressure on underage adolescents to marry (<https://radarbanyuwangi.jawapos.com>, 2025). The lack of reproductive health education further exacerbates the situation. This phenomenon indicates that underage marriage cannot be understood as the result of a single factor. Instead, it is the outcome of a combination of conservative cultural values, deeply rooted social pressure, and low adolescent literacy on reproductive health and the social risks associated with early marriage (Sopyan et al., 2023).

This situation raises serious concerns, as underage marriage poses a range of negative impacts on society, particularly among adolescents. From a health perspective, girls who marry at an early age face a high risk of complications during pregnancy and childbirth, including the possibility of giving birth to children with stunting conditions (Kurnia & Christiana, 2024). In terms of education, early marriage often leads to school dropout, which in turn limits knowledge acquisition and contributes to increased poverty

rates. Psychologically, adolescents who marry before reaching emotional maturity are often unprepared to take on the roles of partner and parent, making them more vulnerable to divorce and domestic violence (Ramadhani, 2024). These impacts not only harm individuals personally but also undermine the overall quality of human resources.

In response to this situation, the Banyuwangi Regency Government has implemented various policy interventions focused on education and the prevention of underage marriage. This aligns with the literature, which indicates that previous studies have generally concentrated on the preventive aspects of early marriage, such as the research conducted by Silvia on the role of the government and family planning counselors in Licin District, Banyuwangi Regency (Silvia et al., 2024), and the study by Ramadhani discussing the implementation of Law No. 16 of 2019 in Wongsorejo District, Banyuwangi Regency (Ramadhani, 2024). Nevertheless, there is still a significant lack of studies specifically examining the impact of policy interventions on preventing underage marriage. Therefore, this study offers a novel contribution in the Banyuwangi context by not only tracing the trends in marriage dispensation but also evaluating the tangible effects of policy interventions undertaken by the local government.

METHOD

This study employs a qualitative method with a field research approach and a descriptive-analytical orientation, aiming to objectively depict a particular situation or phenomenon based on actual conditions in the field (Hardani, 2020). This method was chosen to capture and interpret the social, institutional, and cultural dynamics related to the marriage dispensation phenomenon in Banyuwangi Regency. The primary focus of this research is directed toward analyzing the impact of policy interventions aimed at tightening the marriage dispensation procedure on trends in underage marriage.

Data collection was conducted through direct observation, in-depth interviews, and documentation, which included archival materials and other literature sources (Sugiono, 2024). The data were analyzed using the Miles and Huberman model (Nasution, 2023), which consists of three stages: data reduction, data display, and conclusion drawing. The data reduction stage involved summarizing the results of interviews, observations, and documentation; relevant data were classified according to key research themes, such as policy interventions by the Banyuwangi local government, their resulting impacts, and challenges in policy implementation. Irrelevant data were excluded to maintain analytical focus. Subsequently, the filtered data were systematically presented in a narrative format, supported by interview excerpts to strengthen the analytical arguments. The final stage involved inductive conclusion drawing to obtain a comprehensive understanding of the impact of marriage dispensation policy interventions on underage marriage trends among adolescents in Banyuwangi.

RESULT AND DISCUSSION

Policy Intervention and Prevention Efforts by the Banyuwangi Regency Government

The Case Tracking Information System (SIPP) of the Banyuwangi Religious Court recorded that marriage dispensation requests submitted by adolescents have continued to show an alarming trend. The data indicate 1,031 applications in 2021, decreasing to 877 in 2022 and 781 in 2023. However, from January to August 2024 alone, 510 applications have already been recorded (<https://sipp.pa-banyuwangi.go.id>, 2025). This condition suggests that despite regulatory changes, such as the increase in the legal minimum age for marriage, the implementation of these policies in the field remains suboptimal.

Table 1: Recapitulation of Marriage Dispensation Application

No	Year	Sum
1	2021	1.031
2	2022	877
3	2023	781
4	January-August 2024	510

The Banyuwangi Regency Government does not regard underage marriage merely as a personal or family issue, but rather as a structural problem closely linked to the quality of human resources in the region (Asdam et al., 2023). This perspective has encouraged the government to demonstrate a concrete commitment to the prevention of early marriage. This measure was taken in response to the high number of marriage dispensation requests, most of which are submitted by adolescents who lack the mental and physical readiness to enter marital life. Marriage dispensation, which is essentially an exceptional legal provision, often becomes a legal loophole that legitimizes underage marriage in practice (Rabiah, 2020).

The Banyuwangi Regency Government has deemed it necessary to tighten the procedures for marriage dispensation applications to ensure that each request is truly based on urgent and justifiable grounds. One concrete policy implemented was the signing of a *Memorandum of Understanding* (MoU) between the Regional Government (PEMDA) and the Banyuwangi Religious Court in September 2024. This MoU also involved the Office of Social Affairs for Women's Empowerment and Family Planning (PPKB), the Health Department, and the Religious Court. The agreement was not merely a bureaucratic formality but served as a legal and administrative foundation for strengthening the dispensation request procedure (<https://www.jawatimuran.com>, 2025).

Under the MoU, two additional requirements were stipulated for marriage dispensation applicants. The first requirement mandates that applicants must obtain a psychological maturity recommendation letter from a psychologist appointed by the PPKB Office. This recommendation aims to assess the mental preparedness of prospective spouses in facing married life, including their ability to manage conflict, emotional stability, understanding of domestic responsibilities, and decision-making capacity. Psychological unpreparedness is known to contribute to increased rates of domestic violence, school dropout, and even divorce, making this intervention crucial as a form of protection for adolescents (Itryah & Ananda, 2023).

The second requirement mandates that applicants attach a medical and reproductive maturity assessment letter facilitated by the Health Department. This provision aims to ensure that prospective brides and grooms—both female and male—are in adequate physical condition to undergo the reproductive process in a healthy and safe manner. In many cases, underage marriage poses serious risks such as pregnancy complications, child stunting, and maternal mortality during childbirth due to biologically immature reproductive systems (Kurnia & Christiana, 2024). These two requirements serve as scientific indicators that can be used by the Religious Court as a basis for determining whether or not a marriage dispensation application should be granted.

This policy reflects a paradigm shift from a merely administrative approach to one that is more prevention- and child protection-oriented. The transformation was carried out through the involvement of various sectors such as law, health, and social protection. This cross-sectoral cooperation approach is known as *collaborative governance*, which is considered more effective in addressing complex issues such as child marriage because it involves multiple stakeholders (Pebriani, 2023). The Banyuwangi Regency Government not only

tightened the requirements for marriage dispensation applications but also actively promoted a shift in societal mindset to emphasize the importance of physical and mental preparedness prior to marriage. This policy is not merely a form of prohibition but is part of a broader and more sustainable social transformation effort.

The Impact of Marriage Dispensation Policy Interventions

The policy intervention implemented by the Banyuwangi Regency Government has had a significant impact on controlling the trend of underage marriage, affecting individual, institutional, and socio-cultural dimensions. This impact arises from the tightening of the marriage dispensation application process through the addition of administrative requirements, including psychological maturity certification and reproductive health examinations. These policies have made the application process not only more selective but also more educational. The implementation of psychological and medical assessments not only extends the administrative procedure but also provides applicants with a deeper understanding of the social and health consequences of underage marriage (Gufron, 2025).

Empirical evidence indicates a significant decline in the approval rate of marriage dispensation applications since the enforcement of the tightened policy in September 2024. According to data from the Case Tracking Information System (SIPP) of the Banyuwangi Religious Court, from October 2024 to May 2025, a total of 343 marriage dispensation cases were approved. This figure marks a notable decrease compared to the previous period (<https://sipp.pa-banyuwangi.go.id>, 2025). In practice, some applicants have withdrawn and postponed their marriage plans after realizing they did not meet the required mental and physical readiness criteria (Sururin, 2025).

The implementation of this policy has strengthened the position of judges in rejecting marriage dispensation requests without being influenced by social arguments, such as family pressure or out-of-wedlock pregnancies. Judges' decisions are now supported by objective, scientifically grounded documents, thereby providing stronger legal legitimacy to each verdict rendered. This policy has also contributed to reducing dispensation practices based solely on social pressure (Al Hasan & Yusup, 2021). From the community's perspective, the intervention has gradually fostered a shift in perceptions regarding underage marriage. Previously, such marriages were often seen as an immediate solution to moral concerns—such as premarital relationships—or as a way out of family economic hardship (Sari & Hidayati, 2025). Currently, there is growing awareness that mental and physical readiness is a fundamental prerequisite for building a healthy and harmonious family. This transformation is evident in the increasing participation of adolescents and parents in premarital counseling and reproductive health services provided by the Office of Religious Affairs (KUA) and other counseling centers (Sururin, 2025).

Another visible impact is the establishment of a broader prevention ecosystem. Village governments, family planning counselors, and schools have become increasingly active in educating adolescents and parents about the risks of underage marriage and the importance of reproductive health (Silvia et al., 2024). Several schools, for instance, routinely conduct awareness programs on the dangers of early marriage (<https://kemenag.go.id>, 2025). At the village level, counseling is provided through community gatherings or adolescent health post (posyandu remaja) activities. These initiatives are crucial, as shifting societal mindsets cannot be achieved solely through legal regulations but also requires culturally and community-based approaches.

Challenges and Recommendations

The policy intervention initiated by the Banyuwangi Regency Government in preventing underage marriage has shown positive outcomes; however, its implementation still faces several challenges that must be addressed to ensure long-term effectiveness. One of the primary challenges is the strong influence of religious and customary leaders within local communities, who often justify underage marriage based on conservative interpretations of religious norms and cultural traditions. In Banyuwangi's socio-cultural context, the views and recommendations of these figures hold substantial legitimacy in the eyes of the community (Gufron, 2025). In some communities, early marriage is even perceived as a tradition that must be preserved or as an expression of religious obedience, as understood through traditional frameworks (Wafi et al., 2023). The disconnect between these perspectives and government policies may affect both the public acceptance and compliance with the established regulations. This condition illustrates that preventing underage marriage is not solely a legal or medical issue but is deeply embedded in the community's socio-cultural structures.

Active involvement of religious and traditional leaders in educational activities focusing on child protection, reproductive health, and psychological readiness for marriage is crucial. The local government can act as a facilitator by developing thematic preaching guidelines and organizing cross-sectoral dialogue forums that allow for the exchange of perspectives between state actors and communities. By positioning religious and traditional leaders as strategic partners, efforts to prevent underage marriage will gain stronger social support and increase the likelihood of achieving long-term goals, namely child protection and the improvement of human resource quality in Banyuwangi.

CONCLUSION

The Banyuwangi Regency Government has demonstrated a strong commitment to preventing underage marriage through policy interventions that tighten the procedures for marriage dispensation requests. A key strategic measure is the signing of a Memorandum of Understanding (MoU) with the Banyuwangi Religious Court, which establishes additional requirements for applicants, including psychological maturity assessments and reproductive health evaluations. This policy aims to ensure the mental and physical readiness of prospective spouses while providing a more comprehensive understanding of the consequences of early marriage.

The implementation of this policy has shown significant impact. Data indicates a substantial decline in the number of granted marriage dispensation requests. Furthermore, the presence of objective and scientific supporting documents strengthens the position of judges in decision-making and reduces social pressure-based interventions. The policy has also fostered a shift in public perception regarding the importance of readiness before marriage, thereby decreasing the prevalence of underage marriages, which are often driven by social or economic factors.

Nevertheless, the implementation continues to face challenges, particularly due to the strong influence of religious and traditional leaders who, in some cases, still legitimize underage marriage based on conservative interpretations of religious and cultural norms. Addressing this issue requires the active involvement of religious and customary figures in public education efforts. Harmonizing government policy with local values will enhance the social legitimacy of the initiative and improve its long-term effectiveness in safeguarding children and promoting the development of high-quality human resources.

REFERENCES

Journals and books

- Al Hasan, F. A., & Yusup, D. K. (2021). Dispensasi Kawin Dalam Sistem Hukum Indonesia: Menjamin Kepentingan Terbaik Anak melalui Putusan Hakim. *Al-Ahwal: Jurnal Hukum Keluarga Islam*, 14(1), 86. <https://doi.org/10.14421/ahwal.2021.14107>
- Aripin, Y., et al. (2023). Child Exploitation by Parents in Early Marriage: Case Study in Cianjur West Java, Indonesia. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 7(3). <https://doi.org/http://dx.doi.org/10.22373/sjhk.v7i3.14804>
- Asdam, W. S., Prayoga, D., Amani, Z., & Ningtiyas, S. F. (2023). Pencegahan Peningkatan Tren Fenomena Pernikahan Dini Di Kalangan Remaja Melalui Sosialisasi Serentak. *Community Development Journal*, 4(4), 8832–8839.
- Fahreza, R. T. (2024). Implementasi Undang-Undang Nomor 16 Tahun 2019 Tentang Perkawinan (Studi Terhadap Pencegahan Pernikahan Dini Di Desa Wongsorejo, Kecamatan Wongsorejo, Kabupaten Banyuwangi). *JIRK: Journal of Innovation Research and Knowledge*, 4(7), 5195–5202.
- Hardani. (2020). *Metode Penelitian Kualitatif dan Kuantitatif* (cet. ke-1). CV. Pustaka Ilmu Group.
- Hefsa Pebriani, A. N. (2023). Collaborative Governance Dalam Upaya Pencegahan Pernikahan Anak Usia Dini di Kabupaten Ogan Komering Ulu. *Jurnal Pemerintahan Dan Politik*, 8(2). <https://doi.org/https://doi.org/10.36982/jpg.v8i2.2905>
- Indah Kurnia, & Indah Christiana. (2024). Peningkatan Edukasi Melalui Penyuluhan Kesehatan Reproduksi Sebagai Upaya Pencegahan Pernikahan Dini Pada Remaja Di SMK 1 Banyuwangi. *Jurnal Pengabdian Masyarakat (JUDIMAS)*, 2(2), 248–254. <https://doi.org/10.54832/judimas.v2i2.271>
- Itryah, I., & Ananda, V. (2023). Persiapan Pernikahan dengan Pendekatan Psikologis di Kelurahan 8 Ulu Kabupaten Banyuasin, Sumatera Selatan. *Jurnal Abdi Masyarakat Indonesia*, 3(2), 759–766. <https://doi.org/10.54082/jamsi.744>
- Nasution, A. F. (2023). *Metode Penelitian Kualitatif* (cet. ke-1). CV. Harfa Creative.
- Rabiah, M. I. (2020). Penafsiran Dispensasi Perkawinan bagi Anak di Bawah Umur (Analisis Beberapa Putusan Mahkamah Syar'iyah Aceh). *El-Usrah: Jurnal Hukum Keluarga*, 3(1).
- Sari, S. R., & Hidayati, N. (2025). Analisis Yuridis Faktor Terjadinya Perkawinan di Usia Dini. *Konstitusi: Jurnal Hukum, Administrasi Publik, Dan Ilmu Komunikasi*, 2(1).
- Silvia, Harjianto, A. R. (2024). Peran Pemerintah Desa dan Penyuluh Keluarga Berencana Dalam Mengurangi Angka Pernikahan di Bawah Umur di Desa Tamansari Kecamatan Licin Kabupaten Banyuwangi. *Nusantara: Jurnal Ilmu Pengetahuan Sosial*, 11(12).
- Sugiono, M. (2024). *Metodologi Penelitian* (Cet. Ke-1). Poltek LPP Press.
- Bukido, R., et al., (2023). Reception of Marriage Age Limit in Marriage Law in Indonesia. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 7(1). <https://doi.org/10.22373/sjhk.v7i1.15245>
- Uly Risda Wafi, Nur Atika, B. (2023). Pendampingan Masyarakat dalam Upaya Preventive Terhadap Dampak Pernikahan Dini Di Desa Segobang. *Ngarsa: Journal of Dedication Based on Local Wisdom*, 3(2).

Homepage

- Ilyas. (n.d.). No TiBanyuwangi Perketat Syarat Dispensasi Nikah untuk Cegah Pernikahan Dinitle. Jawatimuran.Com. <https://www.jawatimuran.com/jatim/1445132893/banyuwangi-perketat-syarat-dispensasi-nikah-untuk-cegah-pernikahan-dini>
- Khoeron, M. (n.d.). Cegah Kawin Anak, Penyuluh Agama Banyuwangi Rutin Bina Siswa SMA. Kementrian Agama Republik Indonesia. <https://m.kemenag.go.id/nasional/cegah-kawin-anak-penyuluh-agama-banyuwangi-rutin-bina-siswa-sma-sPM1c>
- Putusan Dispensasi Nikah. (n.d.). Direktori Putusan Mahkamah Agung Republik

Indonesia. https://putusan3.mahkamahagung.go.id/search.html?q=dispensasi+nikah+&jenis_doc=putusan&cat=&jd=&tp=&court=&t_put=&t_reg=&t_upl=2025&t_pr=

Rohman, B. R. (n.d.). *Gegara Perjudohan dan Takut Zina, Muncar Peringkat Satu Pengajuan Dispensasi Nikah di Banyuwangi*. Radar Banyuwangi. <https://radarbanyuwangi.jawapos.com/liputan-khusus/755168374/gegara-perjudohan-dan-takut-zina-muncar-peringkat-satu-pengajuan-dispensasi-nikah-di-banyuwangi>

Sistem Informasi Penelusuran Perkara Pengadilan Agama Banyuwangi, https://sipp.pa-banyuwangi.go.id/list_perkara/search_detail.

Sumarsono, "Pergaulan Bebas Picu Pemohon Dispensasi Nikah di Pengadilan Agama Banyuwangi Meningkat", *Radio Republik Indonesia*, <https://www.rri.co.id/daerah/340683/pergaulan-bebas-picu-pemohon-dispensasi-nikah-di-pengadilan-agama-banyuwangi-meningkat>.

Interviews

Sururin. (May 4, 2025). *Personal interview with the Islamic Religious Counselor for Family Affairs at the Office of Religious Affairs (KUA) of Gambiran District, Banyuwangi Regency*

Gufon. (May 4, 2025). *Personal interview with the Head of the Office of Religious Affairs (KUA) of Gambiran District, Banyuwangi Regency*