RELIGIOUS AND CULTURAL CONSTRUCTS OF THE SASAK COMMUNITY AGAINST CHILD MARRIAGE PRACTICES: Case Study in Sengkerang Village, Central Lombok

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Abstract

In the context of understanding the religion and culture of the Sasak community, there are no provisions that clearly regulate the age of marriage. So cases of child marriage become difficult to stop. Despite the presence of the Child Marriage Law as a very important legal instrument in protecting children's rights and preventing child marriage. This research is field research using qualitative methods through a phenomenological approach. This approach is used in an effort to describe field facts based on the phenomenologist's experience without intervention from the researcher. So this method does not focus on statistical measurements or calculations, but rather emphasizes a deep understanding of the characteristics and context of the phenomena studied using qualitative data. The results of the research show that: In the view of religious communities there are no clear provisions regarding the age requirements for marriage. However, the measurements used to determine whether it is permissible or not still give rise to various interpretations. Meanwhile, in the cultural context of the Sasak community, the existence of Merariq culture is the main support that there are also no provisions regarding the age that is considered valid for carrying out this tradition. It only refers to the readiness and agreement of both parties, even in some cases Merariq is also carried out even without the woman's consent. So laws regarding marriage age are often violated because society is still guided by religious understanding and cultural practices.

A. INTRODUCTION

The practice of child marriage is still a serious problem in Indonesia. Child marriage occurs in all provinces in Indonesia. Child marriage data shows that one in nine Indonesian children are married under the age of 18. In some provinces it is even more than that. For example, 16.23% of the marriage rate is child marriage. In 2022, West Nusa Tenggara Province will occupy first place with the highest number of child marriage cases in Indonesia. Child marriage is still a very popular issue in Islamic society. Including West Nusa Tenggara Province. Although Article 28B of the 1945 Constitution states that every citizen has the right to form a family and continue their offspring through a legal marriage process. However, an age limit has also been set for couples getting married. Therefore, if we refer to Law of the Republic of Indonesia Number 16 of 2019, Amendment to Law Number 1 of 1974 concerning marriage. So the minimum age for marriage for girls or boys is 19 years (Law Number 16 of 2019). This means that what is meant by marriage is a marriage between a man and a woman under the age of 19 years.

However, there are still many Islamic communities who refer to the age of marriage in the historical records of the marriage of the Prophet Muhammad SAW with Siti Aisyah. This marriage took place when Siti Aisyah was nine years old. So referring to this context, most Islamic societies provide legality for child marriage (Masnun Tahir, 2011: 5). In fact, it has become a tradition that has developed and is deeply rooted to this day. So there is friction and upheaval in society which clashes legislation with religious traditions. The Sasak Islamic community considers that in the context of the Islamic religion, marriage is permissible for men or women who have fulfilled the pillars and conditions of marriage. So that the age limit based on people's religious understanding is not an issue that can hinder the marriage process. Apart from that, in the traditions of the Sasak community, the rate of child marriage is also supported by the merariq tradition. The merariq tradition is a tradition that has become integrated with the Sasak community. Merariq is a tradition that contributes to the high rate of child marriage in NTB. With the merariq tradition, prospective bride and groom couples do not go through a thorough approval process as is the tradition of proposing in customs and traditions of communities outside Lombok.

Based on the data above, it shows that in 2020-2021 West Nusa Tenggara (NTB) was the province with the second highest rate of child marriage after Basat Sulawesi. However, in 2022 it will actually become the province with the highest rate of child marriage in Indonesia. Therefore, this problem should be of concern to all parties. This is important because child marriage opens the way for children to enter a new environment, which is not suitable for children. Becoming a parent and raising a child is something no child dreams of. However, child marriage is difficult to stop because it clashes with cultural and religious understanding. In

Lombok society, early marriage reaches a very high average rate compared to other areas. This case occurred because Lombok is an area that has youth. The merariq tradition is a tradition which then contributes to the high rate of child marriage. This tradition is different from child marriage in general, because merariq is often equated with the concept of elopement. Apart from that, religious interpretations that support marriage under the pretext of avoiding adultery are also a factor in the high rate of child marriage.

If we look at other factors, social, economic and educational can also trigger child marriage. In certain social conditions of society, in the Lombok area, girls who marry at the age of 20 and over often get a negative label, namely as dedare toaq (Old Girl). Meanwhile, regarding economic factors, often children with poor parents prefer to solve economic problems by getting married. Furthermore, the educational factor is actually closely related to economic factors. Children who come from low-income families certainly find it very difficult to access higher education. So they choose to have an early marriage. Apart from that, there are many other factors that trigger the high rate of child marriage in Lombok. Therefore, the servant feels interested in providing community service to the community in Sengkerang Village, East Praya District, Central Lombok Regency in an effort to provide strengthening for the prevention of child marriage.

In Islamic law there are five main principles, namely the protection of religion, soul, lineage, property and reason. Of the five universal values, one of them is religion to protect the line of descent (hifdzu al nasl). Therefore, in order for family lines to be maintained, sexual relations that have religious legality must be through marriage. If religion did not prescribe marriage, the genealogy (line of descent) would undoubtedly become increasingly blurred (Fatma Amalia, 2019). Marriage, both from a religious and state perspective, has received legality and has been designated as something that is recommended, of course with terms and conditions that are in accordance with the Shari'a and legislation. The aim of religious marriage is not only to have children, but also to fulfill religious instructions in order to establish a harmonious, prosperous and happy family. Harmony in exercising the rights and obligations of family members. Prosperity means the creation of inner and outer calm due to the fulfillment of the physical and spiritual needs of life, so that happiness arises, namely love between family members (Agus Mahfudin, 2016).

Child marriage is a social problem that is often discussed at the global, national and regional/regional levels. This is because the rate of child marriage is still very high in all parts of the world. This practice has become a global debate due to its negative impact on children's well-being, including education, health and human rights. There have actually been many studies on child marriage. For example, in research entitled "Marriagen Minors: Case Study of Marriage Practices

in Mataram City". Show thatpThe practice of child marriage has caused erosion of the family's functions, such as reproduction, education, protection, economics and affection. In fact, this has changed the meaning of the sacredness of marriage, where it has resulted in easy marriage and divorce, which ultimately also has an impact on the future of children; (Ahsanul Halik, 2017:185) victims of the marriage-divorce act. This article is the result of field research which examines the phenomenon of underage marriage in Mataram City using a sociological-philosophical approach. The findings of this article show that the high practice of child marriage in Mataram City is motivated by internal and external factors. Internal factors include the level of understanding of perpetrators of underage marriages, and the conditions of the family environment in which perpetrators of underage marriages live. Meanwhile, external factors include economic, religious, social and cultural factors. The impact of underage marriage on the lives of Muslim communities in Mataram City includes religious, social, economic and domestic life aspects. In other research, results also show that the strength or superiority that arises is due to the presence of reDominative power relations put women in second place. So it is difficult to refuse, resulting in decisions being made in matchmaking mechanisms, especially in Islamic Da'wah groups (Eni Palupy, 2019: 27). Through the members' thinking about a less critical interpretation (common sense), the hegemonic discourse which is a construction experienced by the group is internalized. Including in the realm of marriage, where through the idea of there being outsiders and insiders (outsider-insider), marriages are only carried out within the membership so that matchmaking within the membership sphere is assisted by the marriage team. This research shows that there is the power of religion in influencing marriage practices.

In research that has similarities, it has also been carried out by looking processs dialecticala betweena agen locall yesn structurer religiousn dalam practicalk marriagenwhich has been donedi Matchg Sidempuan. This research shows that Secara conceptual, practicalk marriagen experiencei distortioni practicals yang configured- kan throughi consensuss Shariah yesn Elit local. Apart from that, practice marriagen ish phenomenona dualitys agen yesn arrangementn satu Sama other. so that habitn agen dominatedi Oleh culturea Mandailing throughi relaxi powern yesn excessn model Elit locall comparedn withn tata cara Shariah dalam structurer religious. However, competenti agen ableu compact itn aturan marriagen becomei semi-complex. Hence its importance promoten strategyi habituationn teachn religiona throughi internalizationi yesn socializationi alternativef practicalk marriagen sharia (Fadhil Nurdin, 2020:35).Several literatures show that research on marriage has actually been carried out a lot and has explained the phenomenon of child marriage and found factors supporting the occurrence of child marriage in the city of Mataram. Meanwhile, the research that will be carried out by researchers refers to the issue of social construction built by the community based on the religious understanding and cultural practices of the

Sasak community. so that looking at the problem of child marriage is not only based on empirical factors but more deeply on the social interpretation built by society.Theoretically, this research is built based onSocial construction theory is rooted in the constructivist paradigm which sees social reality as a social construction created by individuals who are free humans. Individuals become determinants in the social world which is constructed based on their will. Humans have the freedom to act outside the control limits of social structures and institutions where individuals through responses to stimuli in their cognitive world. In the social process, humans are seen as creators of social reality who are relatively free in their social world. This is the basis of the constructivist paradigm which views reality as a social construction created by individuals. However, the truth of a social reality only applies according to a specific context that is considered relevant by the social actors themselves (Hidayat, 2009: 13). So in this research, researchers looked at the social constructs built by individuals regarding the practice of child marriage. By referring to the religious understanding and cultural identity of the Sasak people.

B. METHODS

This research is field research using a phenomenological approach. Phenomenology is a method or way of thinking to obtain new knowledge or information or develop it using logical, systematic and critical steps, not based solely on prejudice and dogma (Abd Hadi et al., 2021:22). In relation to this research, the researcher will describe the religious and cultural construction of the Sasak community in understanding child marriage based on the understanding and experience of the community. So phenomenological studies are actually part of qualitative methods. This is because phenomenological studies also try to interpret the meaning of individual experiences based on the individual's own perspective. So it is very interpretive. So it requires in-depth observation and interviews. Be it to key informants or additional informants. To find meaning that is built on religious understanding and local cultural traditions regarding child marriage. In the sense that researchers should not assume that they know what the meaning of something they research. Phenomenological research really appreciates complex and varied experiences (Emzir, 2010:22). Phenomenological research directs interpretation or interpretation of individual practices (Abd Hadi et al., 2021:44). Therefore, the penomenological approach is one of the most appropriate approaches to reveal people's experiences, behavior and habits in building understanding and concepts about child marriage.

The research was conducted in Sengkerang Village. This location was chosen because it is a place that is very suitable for the problem being studied. Sengkerang Village is also one of the villages that still legalizes child marriage in their cultural and religious context. To obtain accurate data, researchers carried

out direct observations by observing incidents of child marriage, the practice of marrying underage children, administrative problems of child marriage, and the impact of child marriage. To validate the observation results, researchers also conducted in-depth interviews, with the key informants being the hamlet head, religious leaders, community leaders, kiayi (penghulu), the underage bride and groom, the underage bride's family and the surrounding community who were involved as additional informants. In this way, accurate data can be obtained administratively and directly from experience.

Apart from that, in conducting data analysis, this research refers to the analysis model developed by Miles and Huberman in 2014. This model is commonly used in qualitative research. This model is an evolution of the previous models they developed. The following are several stages and techniques used to organize, group and analyze qualitative data with Data Collection: (1) The initial stage is data collection. Qualitative data can be obtained through interviews, observation, documentation studies, or other qualitative research methods. In this research, the researcher collected data from observations with key informants and additional informants and collected documents related to the research theme. (2) Data Organization: The data obtained is organized and arranged in an accessible form. This could be an interview transcript, field notes, or other relevant documents. (3) Data Reduction: Here, the collected data is reduced into smaller units or relevant thematic categories. The aim of this stage is to identify patterns and themes that emerge from the data. (4) Data Display: Data that has been reduced is then presented in a form that is easy to understand, such as tables, graphs, or matrices. It helps researchers to visualize data and the relationships between data elements. (5) Data Verification: The verification process involves checking the validity of the data. Researchers ensure that the data that has been reduced and presented accurately reflects the reality observed or interviewed. (6) Data Relationships: This stage involves looking for relationships or patterns that emerge between different data elements. Researchers look for patterns that may relate to the research question. (7) Conclusions and Interpretations: Based on the results of data analysis, researchers develop conclusions and interpretations. This involves a deeper understanding of the findings, implications, and relationships to relevant theory or literature. (8) Reporting Results: The results of data analysis are reported in the form of research reports or scientific articles. This report must be clear, organized, and support findings with evidence from data. (Miles, Huberman: 2014)

C. RESULTS AND DISCUSSION

1. Marriage in Religious and Cultural Views

Before explaining the meaning of marriage in Sasak Islamic society, it is also explained in social sciences that marriage is a very important social event and

seems to be a necessity that every person goes through. Even in certain social systems, the necessity of establishing a marriage relationship is used as a benchmark for seeing the perfection of an individual's life. So marriage is often considered a basic institution in every society. Marriage is also considered an institution in establishing relationships between men and women. Marriage will always involve various parties in its implementation. Both social institutions, religion, culture and even the smallest unit of social life, namely the family. Because a marriage between a man and a woman can be said to be official if it meets the requirements and is in accordance with the procedures applicable in the traditional traditions and customs of the Sasak community. one man and several women, one woman and several men, which is officiated according to customary, legal or religious procedures in society (Koentjaraningrat, 1999:143). In the Sasak community tradition, the word marriage is often termed the word merariq. If you look at it etomologically, merariq is actually taken from the word running. Or merariq means running away. This is then close in meaning to the term elopement. Merariq, when viewed linguistically, means running away or eloping, where in the customary system that applies to the Sasak community, this is a normal phenomenon and is permitted in customary and cultural rules (Solihin Salam, 1992:22)

Even the escape of a woman by a man with the aim of marrying her is considered a real action in an effort to free a girl from her ties to her parents and family. Even eloping in Sasak society is considered a symbol of male toughness. Apart from that, according to community leaders, the tradition of eloping is a symbol of the self-respect of the woman's parents. Because the girls they have are so precious that it would be unethical for them if their children were asked (proposed) in a tradition outside the one we know. If we look at the historical context, the emergence and development and even the existence of the Merariq tradition on the island of Lombok. There are two major views that are often put forward, namely: The originality of the merariq or elopement tradition has been considered as a culture which is a local product or an original product which is the original traditions and rituals of the Sasak community (genuine) which have been passed down from generation to generation from their ancestors. Elopement existed and was practiced by the Sasak people long before the arrival of outsiders, including before the colonial arrival from Bali or the Netherlands. This was then reinforced by Nieuwenhuyzen's opinion which was stated in the text of the NTB education and culture department. Stating that although there are many similarities in the traditions of the Sasak and Balinese tribes. However, the habits and customs that apply to the merariq tradition are considered true Sasak customs and culture. This means that the merariq custom did not originate from outside. Although the second view considers merariq as cultural acculturation. This means that the tradition of elopement is also considered as an imported culture or product that originates from outside or is not an original tradition

(ungenuine) of the Sasak people. This opinion also considers that the merariq tradition is considered to have never been practiced before the colonial period. Or before the colonialists entered the island of Lombok.

This second opinion then received a lot of support from religious leaders in the Sasak community. This was then indicated by the initiation of several religious figures in the West Lombok Bengkel area, namely Tuan Guru Haji Saleh Hambali in 1955. At that time he wanted the tradition of elopement to be abolished from the traditions of the Sasak people because it was considered part of the manifestation of colonial Hinduism that had been carried out. by Balinese people and is considered contrary to the teachings of the Islamic religion. Similar incidents are also often found in several Islamic-based areas such as Tanah Pancor, Kelayu and others.

Several external researchers also support this opinion, such as Lieftimek, a Dutch researcher who considers the meraariq traditionor elopement is a culture borrowed from Bali. In the anthropological and historical analysis also carried out by Clifford Geerts as stated in his book Internal Convention in Bali. And Hildred Geertz in his work entitled An Anthropology of Romance of Bali (John Bartholomew, 2001: 195). Apart from all these opinions, what is important now is that this tradition is still strong and rooted among the Sasak people in Lombok. In fact, it is very difficult to get rid of it, even though it often clashes with religious and cultural rules. The conflict and rejection of the merariq tradition actually makes this tradition increasingly exist. In fact, this tradition often receives attacks and rejection from various perspectives, but the fact is that society still cannot be separated from this tradition.

2. Marriage According to Islamic Religious Law

As has been conceptualized according to Islam, marriage is a way to have a married life, to obtain peace and tranquility which in Islamic terms is called sakinah mawaddah wa Rahmah. Marriage is also a means of continuing generations or producing offspring. Therefore, marriage should not only be a step to unite or establish relationships between men and women, but also contain the meaning of uniting close relationships between two large families. Namely bringing together male relatives with female relatives (Harfin Zuhdi, 2012:49)

Meanwhile, in the rules of Islamic jurisprudence, the term marriage is often referred to as marriage. According to language, marriage means merger and mixing. According to Sharia terms, marriage means a contract which in its true sense is a contract between a man and a woman's guardian which then becomes a condition for sexual relations to be halal (Shaykh Hasan Ayyub, 2001:27)

Therefore, marriage means a contract and in a broader sense is sexual intercourse in a majasi (metaphorical) sense. Therefore, based on Surah An-Nisa verse 25, Allah SWT says which means: "Therefore, marry them with the permission of their master." (An-Nisa': 25) Thus, in order to make sexual

relations between a man and a woman legal, it is not permissible to do so without the permission of the master, in this case the woman's guardian, and there is a clear contract in it (Shaykh Hasan Ayyub, 2001: 3). Meanwhile, in other literature, marriage is also described using the word marriage. Marriage is also interpreted as a contract between a male and female candidate to establish a relationship and live together in a sacred relationship between the two of them. And in it there is an agreement and a close relationship. The aim is to lead a close life and live a life full of intimacy in order to obtain legitimate offspring in building a happy family and household (NJ. Aisjah Dachlan, 1996:47) As Rasulullah SAW said which means: "Has told us Ahmad bin Al Azhar said, has told us Adam said, has told us Isa bin Maimun from Al Qasim from 'Aisyah he said, "The Messenger of Allah sallallaahu 'alaihi wasallam said: "Marriage is my sunnah, whoever does not practice my sunnah is not from my group." (HR. Bukhari). This hadith states clearly that marriage is a matter that is highly recommended in the teachings of Islam, in order to establish good relationships and live happily in a household.

In every marriage there is always a series of events that become the conditions for a marriage to be considered valid. For example, in the context of the Islamic religion, the ulama have agreed that every marriage ceremony must be accompanied by a series of pillars and conditions of marriage that must be fulfilled. The pillars of marriage are part of the essence of the continuity of marriage. In fact, it is a part that must be present to determine whether a marriage is valid or not. Those included in the series are as follows: first: the prospective groom, second: the prospective bride, third: the guardian of the bride, fourth, two people as witnesses and fifth: the vows pronounced by the guardian and the qobul made by the prospective husband or groom (Rahman I Doi, 1996:250).

Thus, without the essence of a marriage, the marriage cannot be carried out. For example, without a groom or without a bride and other elements. There are conditions for a marriage that must be present but are not part of the marriage series, namely the dowry and does not have to be handed over at the time the ceremony takes place.

3. **Religious and Cultural Views on Child Marriage Practices**
   a. Islamic Religious Views on the Practice of Child Marriage

   Child marriage is a form of marriage where one or both of the married partners is under the age limit for marriage set by the law of a country. Child marriage often becomes a very important issue in the context of human rights and children's protection. Child marriage refers to a marriage involving one or both partners who are under the legal age for marriage under their country's laws. The legal age limit for marriage varies in different countries and regions. In general, child marriage is considered detrimental to children because it can have a negative impact on their physical, emotional and social well-being. Some of the problems that often arise as a result of child marriage include

gender inequality, health risks, violations of children's rights, and difficulties in accessing education and economic opportunities.

Child marriage often has negative impacts on children, including higher health risks, hindered education, and human rights violations. So many countries have adopted laws and regulations aimed at protecting children from child marriage. This could include ending child marriages under a certain age and punishment for those involved in child marriages. Efforts are also made to ensure that children, especially girls, have access to education and equal opportunities, so that they are not forced to marry at a young age. Apart from legal action, public education about the dangers of child marriage and socio-cultural changes are also important to overcome this problem. So it is important to remember that understanding and approaches to child marriage can vary significantly from one country to another, and this issue remains a focus of global attention in efforts to protect children and ensure that they have a better future.

Meanwhile, Islamic views are also very varied, depending on different interpretations and understandings. However, there are several important points that often form the basis of the general Islamic view of early marriage: In Islam, there is no specified minimum age for marriage. However, the main requirement is that both parties to the marriage must reach physical and mental maturity and be able to carry out the responsibilities of marriage. This then gives rise to different interpretations regarding the provisions on the age of puberty. Because generally the size of puberty in Islam is determined not based on age but on several characteristics and conditions. For example, a man is said to be mature if he has had a wet dream. Then women are said to be mature after experiencing menstruation. So even though the age does not meet the statutory regulations. Often society provides the legality of marriage based on religion and culture. Although Islam respects social and legal norms in the society where an individual lives. If state or local community law prohibits the marriage of children under a certain age, then Islamic views generally support compliance with that law. However, according to customary law, this marriage does not receive strong objections.

The Islamic view seeks a balance between protecting children's rights and individual freedom in choosing a life partner. Therefore, early marriage that meets these balance requirements and does not harm children can be considered valid in the Islamic view. Views on early marriage may differ in different parts of the Muslim world and may be influenced by local culture, traditions and laws. Therefore, in practice, views and practices of early marriage in Islamic societies can vary greatly. However, in all cases, the basic principles of Islam regarding the protection of children's rights and individual freedom in choosing a life partner remain an important cornerstone in the general Islamic view of early marriage.

b. Cultural Views on Child Marriage Practices

The Sasak tribe is an ethnic group that inhabits the island of Lombok in Indonesia. In Sasak culture, early marriage or marriage that occurs at a young age is still a common practice. Sasak culture has strong traditions, including regarding marriage. Early marriage among the Sasak people is often still practiced due to cultural factors and traditions that have been going on for generations. Namely merariq culture, this tradition is deeply rooted and has become a habit of the Sasak people. Merariq is a traditional tradition related to the process of running away a prospective bride. This tradition involves a series of traditional ceremonies and rituals that take place before the actual wedding. Although the merarik tradition is considered an important part of Sasak culture, there are several aspects that can increase child marriage rates, especially in cultural contexts that are less changing. The following are several factors that may play a role in increasing the rate of child marriage in the Sasak merarik tradition. In the Merarik tradition there is no regulation on the age of marriage. So it can be done by all ages, including early childhood or ages below the provisions of the applicable legislation. Marriages carried out through the merari process often involve relatively young people, even children. This is what can influence the number of child marriages on the island of Lombok.

Merarik is also done by bridal couples to avoid social and family pressure. Especially for women, because women are married after the age of 20. Especially for those who are not currently studying, they tend to receive negative stigma from society. namely as dedare toaq (old maid). So women often experience strong social and family pressure to get married. So strong traditions and culture can control marriage decisions, and in some cases, this can contribute to high rates of child marriage.

E. CONCLUSION

The high rate of child marriage in the Sasak community is caused by views that are based on religious and cultural understanding. From a religious perspective, there is no clear age limit as a legal requirement for marriage. Likewise in developing cultural traditions. There is no age requirement for whether or not to marry. Then it is also supported by the deep-rooted tradition of merariq which makes it easier for prospective couples to determine their choice of marriage. So the power of law number 16 of 2019 which limits the age of marriage for men and women to 19 is becoming increasingly weaker. This can be seen from the large number of underage couples who choose to have private marriages. Namely marriages that are not registered and do not comply with valid laws and regulations.

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