THE ROLE OF ISLAMIC MARRIAGE REGISTRARS (PENGHULU) IN PREVENTING CHILD MARRIAGE

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ABSTRACT

This article examines the role of penghulu (Islamic marriage registrars) in preventing child marriage. The findings indicate that penghulu occupy an important position in strengthening marriage governance and preventing child marriage. Their role extends beyond solemnizing marriage ceremonies to include document verification, premarital counseling, legal education, and explanations of the minimum legal age for marriage. In performing these duties, penghulu need to collaborate with Religious Affairs Offices (KUA), schools, community health centers, village governments, religious courts, child protection agencies, and community leaders. Such collaboration is essential because child marriage is influenced by economic, cultural, educational, and health-related factors, as well as limited legal awareness. Through professionalism, effective communication, and cross-sector coordination, penghulu can serve as intermediaries between state law, religious values, and community needs. Accordingly, they act as public service providers, legal educators, and agents of child protection.

Keywords: Penghulu; Child Marriage

INTRODUCTION

Child marriage remains a significant issue in family development and child protection in Indonesia. Although national figures indicate a downward trend, the problem is far from resolved. According to data from Statistics Indonesia (BPS) cited by the Ministry of Women's Empowerment and Child Protection, the child marriage rate decreased from 6.92% in 2023 to 5.90% in 2024. Nevertheless, the practice persists, including through unregistered or informal religious marriages (nikah siri), which are difficult to monitor administratively.[1] This situation demonstrates that legal provisions alone are insufficient to prevent child marriage; stronger involvement is also needed from religious institutions, families, community leaders, and officials who interact directly with the public.

[1] Kementerian Pemberdayaan Perempuan dan Perlindungan Anak, "Lindungi Hak Anak, Pemerintah Perkuat Pencegahan dan Penanganan Perkawinan Anak" (Kementerian Pemberdayaan Perempuan dan Perlindungan Anak, 2026), https://www.kemenpppa.go.id/.

Child marriage directly affects children's rights, particularly their rights to education, health, protection, and development. Bappenas explains that children who marry before the age of 18 face greater barriers to education and health services, increased vulnerability to violence, and a higher risk of intergenerational poverty.[2] Empirical findings from the World Bank also associate child marriage with lower educational attainment, reduced earnings, diminished participation in household decision-making, and greater maternal and child health risks.[3] Child marriage is therefore not merely a family matter, but also a social, legal, health, educational, and human development concern.

From a legal perspective, the government increased the minimum marriage age to 19 for both men and women through Law No. 16 of 2019. This amendment reinforces the principle of child protection by eliminating the previous difference between the minimum ages for men and women. However, the minimum-age requirement continues to encounter challenges arising from judicial marriage dispensations, family pressure, unintended pregnancy, economic circumstances, and social norms that regard marriage as a solution to adolescent problems. Consequently, child marriage prevention should adopt a preventive rather than merely administrative approach. Prevention must begin before children and families approach marriage registration authorities, through legal education, family counseling, improved parental awareness, and intersectoral coordination.[4]

In this context, penghulu hold a strategic position as frontline marriage service providers at Religious Affairs Offices (KUA). Their responsibilities extend beyond registration and solemnization to premarital counseling, Islamic community guidance, and promoting awareness of marriage law. Minister of Administrative and Bureaucratic Reform Regulation

[2] Bappenas, "National Strategy on the Prevention of Child Marriage" (The National Development Planning Agency, 2020), https://www.bappenas.go.id/.
[3] World Bank, "Consequences of Child Marriage: Evidence from Indonesia" (World Bank, 2021), https://www.worldbank.org/.
[4] Kementerian Agama Republik Indonesia, "Kemenag Terima Komnas Perempuan, Bahas Langkah Strategis Pencegahan Kekerasan Seksual Di Pesantren" (Kementerian Agama Republik Indonesia, 2026), https://kemenag.go.id/nasional/kemenag-terima-komnas-perempuan-bahas-langkah-strategis-pencegahan-kekerasan-seksual-di-pesantren-TAOwc.

No. 9 of 2019 places the functional position of penghulu within a professional framework covering official duties, activity components, work descriptions, competencies, and professional development.[5] Mokoginta likewise emphasizes that penghulu and KUA represent the Ministry of Religious Affairs at the subdistrict level and can help prevent early marriage through public outreach, counseling, administrative refusal when applicants do not meet legal requirements, and cooperation with families and community leaders.[6]

Against this background, examining the role of penghulu in preventing child marriage is important for understanding how they carry out administrative, educational, preventive, and coordinating functions within communities. This article is premised on the view that effective prevention depends not only on the existence of regulations but also on the ability of local actors to translate legal requirements into social practice. Penghulu should be understood as religious officials who maintain direct relationships with prospective spouses, families, and communities. Accordingly, this article discusses their role in child marriage prevention as part of broader efforts to protect children, strengthen family resilience, and promote a more legally informed society.

DISCUSSION

1. The Profession of Penghulu: Principal Duties and Functions

The profession of penghulu is an important component of Islamic religious services in Indonesia. Penghulu are not simply officials who attend marriage ceremonies; they are functional public officials responsible for technical, administrative, educational, and community-guidance activities. Within the civil service system, a functional position is understood as a career position providing services based on specific expertise and skills.[7] The

[5] Kementerian Pendayagunaan Aparatur Negara dan Reformasi Birokrasi, "Peraturan Menteri PANRB Nomor 9 Tahun 2019 tentang Jabatan Fungsional Penghulu" (2019), https://peraturan.bpk.go.id/.
[6] B Mokoginta, "Strategi Pencegahan Perkawinan Usia Dini pada KUA Kecamatan Lolak," *Transformasi: Journal of Management, Administration, Education, and Religious Affairs* 3, no. 2 (2021): 77–94.
[7] Badan Kepegawaian Negara, "Pembinaan Jabatan Fungsional" (Badan Kepegawaian Negara, 2024), https://www.bkn.go.id/.

profession therefore requires competence in Islamic law, public administration, public communication, service ethics, and guidance on marriage and family matters.

Normatively, the position of penghulu is governed by Minister of Administrative and Bureaucratic Reform Regulation No. 9 of 2019 concerning the Functional Position of Penghulu. This regulation stipulates that the scope of the position includes marriage and reconciliation services and guidance, professional development, and guidance for Muslim communities.[8] It confirms that penghulu are not merely marriage ceremony officiants but professional officials responsible for ensuring that marriages comply with religious law, state law, and applicable administrative requirements.

The principal duties of penghulu are directly related to marriage services, particularly registration, document verification, solemnization, and guidance for prospective spouses. Minister of Religious Affairs Regulation No. 30 of 2024 concerning Marriage Registration specifies several stages: registration of the intention to marry, examination of marriage requirements, solemnization, and official marriage registration.[9] At these stages, penghulu help maintain administrative order and the legal validity of marriage. This role is important because marriage is not only an act of religious observance but also creates legal consequences for spouses, children, property, and family status.

In addition to administrative duties, penghulu perform an educational function through premarital counseling and family guidance. This function is crucial because many marital difficulties arise from prospective spouses' limited understanding of rights and responsibilities, psychological preparedness, family communication, and post-marital obligations. Regarding KUA services, Rif'ah shows that the implementation of KUA responsibilities under Minister of Religious Affairs Regulation No. 34 of 2016 includes marriage registration and guidance

[8] Birokrasi, Peraturan Menteri PANRB Nomor 9 Tahun 2019 tentang Jabatan Fungsional Penghulu.
[9] Kementerian Agama Republik Indonesia, "Mulai Akhir Juli 2024, Bimas Islam Wajibkan Calon Pengantin Ikut Bimbingan Perkawinan" (Kementerian Agama Republik Indonesia, 2024), https://kemenag.go.id/.

toward harmonious Muslim families (keluarga sakinah).[10] This illustrates that the profession is closely connected to efforts to establish legally compliant, harmonious families with appropriate social and religious preparedness.

The functions of penghulu continue to evolve in response to community needs. In practice, they encounter applications for marriage dispensation, unregistered marriages, family conflicts, limited marriage-law literacy, and demands for timely and accountable public services. Accordingly, they require strong professionalism. Professionalism entails not only technical proficiency but also integrity, responsibility, attention to detail, and commitment to service standards. The Great Dictionary of the Indonesian Language (KBBI) defines professionalism in terms of the quality and conduct characteristic of a profession or professional person.[11] For penghulu, this is demonstrated through careful verification of marriage requirements, effective advice, basic mediation skills, and regulatory compliance.

Examining the profession of penghulu and its principal duties and functions is necessary to clarify its position within religious and public services. It combines legal, religious, administrative, social, and family-guidance dimensions. This article positions penghulu as functional officials with strategic responsibilities in marriage registration, premarital guidance, professional development, and guidance for Muslim communities. Such an understanding reinforces the view that they do more than solemnize marriages: they also contribute significantly to orderly, legally valid marriage governance oriented toward family welfare.

2. The Role of Penghulu in Legal Education and Understanding the Minimum Marriage Age

[10] A Rif'ah, "Implementasi Peraturan Menteri Agama Nomor 34 Tahun 2016 tentang Organisasi dan Tata Kerja Kantor Urusan Agama Kecamatan di KUA Kecamatan Long Ikis" (Universitas Islam Negeri Sultan Aji Muhammad Idris Samarinda, 2023), https://repository.uinsi.ac.id/.
[11] Badan Pengembangan dan Pembinaan Bahasa, "Profesionalisme," *Kamus Besar Bahasa Indonesia Daring* (Kementerian Pendidikan, Kebudayaan, Riset, dan Teknologi, 2024), https://kbbi.kemdikbud.go.id/entri/profesionalisme.

Marriage is both a legal and a social institution with considerable implications for individuals, families, and communities. Under Indonesian law, it is understood not only as a physical and spiritual bond between a man and a woman, but also as an institution requiring maturity in age, psychological readiness, economic preparedness, and social responsibility. The minimum marriage age is therefore an important element of child protection and healthy family formation. Law No. 16 of 2019 establishes a minimum marriage age of 19 for both men and women, reflecting the state's effort to make age-related maturity a key prerequisite for marriage.[12]

Despite clear minimum-age legislation, child marriage remains a concern in Indonesia. Data from the Ministry of Women's Empowerment and Child Protection show a decline from 6.92% in 2023 to 5.90% in 2024, but the practice continues, including through unregistered marriages.[13] This suggests that regulatory reform alone has not fully transformed social behavior. Direct legal education is still needed for families, prospective spouses, community leaders, and the social environments in which children grow up.

Child marriage has serious implications for children's futures. Those who marry too early are more vulnerable to school dropout, financial hardship, reproductive health risks, and social dependence within marriage. UNICEF and Bappenas emphasize that prevention must be systematic, integrated, and multi-stakeholder in nature because child marriage is closely connected to education, health, child protection, and human development[14]. Legal education regarding the minimum marriage age must therefore go beyond communicating rules to fostering awareness of the legal and social consequences of child marriage.

In this setting, penghulu have a strategic role as frontline marriage service providers at KUA. Their responsibilities include solemnizing marriages, verifying administrative documentation,

[12] "Peraturan Mahkamah Agung Republik Indonesia Nomor 1 Tahun 2019 Tentang Administrasi Perkara Dan Persidangan Di Pengadilan Secara Elektronik" (Jakarta: Mahkamah Agung Republik Indonesia, 2019).
[13] Indonesia, "Kemenag Terima Komnas Perempuan, Bahas Langkah Strategis Pencegahan Kekerasan Seksual Di Pesantren."
[14] UNICEF and Bappenas, "Perkawinan Anak di Indonesia" (UNICEF Indonesia, 2020), https://www.unicef.org/indonesia/id.

guiding prospective spouses, and ensuring compliance with religious and state law. Minister of Administrative and Bureaucratic Reform Regulation No. 9 of 2019 establishes duties, activity components, work descriptions, outputs, competencies, and professional-development provisions for the functional position of penghulu.[15] Their mandate is therefore not solely administrative; it also includes educational and preventive responsibilities.

The educational role of penghulu is evident during premarital counseling and examination of marriage applications. Minister of Religious Affairs Regulation No. 30 of 2024 provides for registration of the intention to marry, examination of requirements, solemnization, and marriage registration.[16] During verification, penghulu can explain to prospective spouses and families the minimum-age requirement, documentary requirements, and consequences of attempting marriage before reaching the prescribed age. In this way, they serve both as administrative gatekeepers and as providers of legal education.

Legal education by penghulu is especially important because some communities continue to view marriage primarily through custom, religion, or family-related social pressure. In certain cases, families encourage child marriage for economic reasons, concern about adolescent relationships, unintended pregnancy, or the belief that early marriage resolves social difficulties. Yet marriage below the age of 19 requires judicial dispensation and must still account for the child's best interests. Penghulu can explain that marriage law is designed to protect children, not simply to regulate marriage procedures. They may also encourage families to postpone marriage until the child attains the required age and sufficient psychological maturity.

Premarital counseling also offers penghulu an important opportunity to strengthen prospective spouses' legal understanding. Through the Directorate General of Islamic Community Guidance, the Ministry of Religious Affairs has promoted premarital counseling as a

[15] Birokrasi, Peraturan Menteri PANRB Nomor 9 Tahun 2019 tentang Jabatan Fungsional Penghulu.
[16] Indonesia, "Mulai Akhir Juli 2024, Bimas Islam Wajibkan Calon Pengantin Ikut Bimbingan Perkawinan."

requirement for prospective spouses.[17] The Marriage Management Information System (SIMKAH) further states that applicants who have registered their intention to marry must attend premarital counseling and obtain a certificate. Such counseling can address minimum-age requirements, family readiness, spousal rights and responsibilities, and the risks of child marriage. Under this approach, penghulu do more than receive applications: they foster legal literacy from the earliest stage of marriage services.

Studying the role of penghulu in legal education and understanding the minimum marriage age clarifies their position as public service officials, religious advisers, and agents of child marriage prevention. Their authority and community relationships enable them to explain to prospective spouses, families, and the public why compliance with minimum-age laws matters. This article therefore examines how penghulu communicate marriage law, build public awareness, and prevent child marriage through orderly, informative, and child-protection-oriented marriage services.

3. The Role of Penghulu in Cross-Sector Collaboration to Reduce Child Marriage

Child marriage remains a social and legal problem that requires serious attention in Indonesia. It concerns not only family decisions but also child protection, education, health, welfare, and family resilience. The child marriage rate fell from 6.92% in 2023 to 5.90% in 2024, indicating progress. Nevertheless, the practice persists, including through unregistered marriages that are more difficult for the state to monitor.[18] Preventing child marriage therefore requires more than formal policy: it also demands cooperation across sectors at the subdistrict and village levels.

Child marriage has wide-ranging consequences for children's futures. Children who marry before reaching sufficient maturity may lose educational opportunities, experience reproductive health problems and psychological distress, and become more economically dependent. UNICEF, Statistics Indonesia, and Bappenas associate child marriage with

[17] Indonesia.
[18] Indonesia, "Kemenag Terima Komnas Perempuan, Bahas Langkah Strategis Pencegahan Kekerasan Seksual Di Pesantren."

education, health, welfare, social protection, fertility, and employment.[19] It is thus a human development issue as well as a family issue. Prevention must involve institutions with distinct responsibilities, including religious, educational, health, and child protection institutions, village authorities, community leaders, and law enforcement agencies.

The legal basis for preventing child marriage was strengthened through Law No. 16 of 2019, which raised the minimum marriage age to 19 for men and women.[20] However, implementation still faces difficulties. Families may apply to courts for marriage dispensations on specified grounds, while some continue to regard marriage as a solution to poverty, unintended pregnancy, or social pressure. Accordingly, legal provisions must be supported by education, assistance, and coordination among institutions.

Within Islamic religious services, penghulu have a strategic position in child marriage prevention. As frontline marriage service officials at KUA, they regularly interact with prospective spouses, families, guardians, and community members. Minister of Administrative and Bureaucratic Reform Regulation No. 9 of 2019 governs their duties, activity components, work descriptions, outputs, competencies, education, training, and professional development.[21] This position enables them not only to solemnize marriages but also to provide guidance, verify marriage requirements, and help communities understand marriage legislation.

Penghulu cannot prevent child marriage on their own. The practice arises from interacting factors, including household finances, local culture, limited education, unintended pregnancy, weak legal understanding, and insufficient social oversight. Mokoginta finds that prevention strategies employed by penghulu and KUA should combine internal and external approaches.[22] Internal measures include developing professional capacity and strengthening commitment to regulations, whereas external measures involve intersectoral coordination and dissemination of

[19] UNICEF and Bappenas, "Perkawinan Anak di Indonesia."
[20] Republik Indonesia, "Undang-Undang Nomor 16 Tahun 2019 tentang Perubahan atas Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan" (2019), https://peraturan.bpk.go.id/.
[21] Birokrasi, Peraturan Menteri PANRB Nomor 9 Tahun 2019 tentang Jabatan Fungsional Penghulu.
[22] Mokoginta, "Strategi Pencegahan Perkawinan Usia Dini pada KUA Kecamatan Lolak."

minimum-marriage-age rules. These findings underscore the need for institutional support to make prevention more effective.

Cross-sector collaboration matters because institutions possess different resources and mandates. KUA and penghulu can provide legal and religious education. Schools can educate students on reproductive health, self-protection, and educational aspirations. Community health centers (puskesmas) can explain the health risks of pregnancy during childhood. Village governments can strengthen community oversight and identify vulnerable families. Religious courts can apply careful scrutiny when considering marriage dispensation petitions. Child protection agencies can offer counseling and assistance. Yuliani emphasize that child marriage prevention requires a holistic, integrated effort involving government institutions, the private sector, and civil society.[23]

In practice, penghulu can bridge state regulations and community realities. During marriage application and verification, they can identify prospective spouses who do not meet the minimum-age requirement, explain the legal consequences, and advise families against forcing children into marriage. Minister of Religious Affairs Regulation No. 30 of 2024 provides for registration of the intention to marry, examination of requirements, solemnization, and marriage registration.[24] These procedures create opportunities for penghulu to intervene preventively before a marriage occurs. Marriage services can thus become an entry point for education and prevention.

The participation of penghulu in cross-sector collaboration can also help change community behavior. Several preventive practices show that KUA may provide counseling spaces for young couples or prospective spouses below the recommended age so that they can understand the psychological, social, and legal consequences of early marriage.[25] Religious counselors

[23] S Yuliani et al., "Analisis Stakeholder dalam Strategi Pencegahan Perkawinan Anak di Indonesia," *Spirit Publik* 17, no. 2 (2022): 130–49, https://doi.org/10.20961/sp.v17i2.65340.
[24] Kementerian Agama Republik Indonesia, "Peraturan Menteri Agama Nomor 30 Tahun 2024 tentang Pencatatan Pernikahan" (2024), https://peraturan.bpk.go.id/.
[25] Kementerian Agama Sulawesi Selatan, "KUA Pusaka Bantimurung Gencarkan Pencegahan Perkawinan Anak" (Kantor Wilayah Kementerian Agama Sulawesi Selatan, 2025), https://sulsel.kemenag.go.id/.

from KUA have also been encouraged to engage directly with communities and collaborate with the education sector in preventing child marriage.[26] These practices suggest that prevention is strengthened by educational, dialogic, and collaborative approaches. Penghulu should be recognized as local actors with administrative, educational, preventive, and coordinating functions. Their responsibilities extend beyond marriage registration to promoting legal awareness, advising prospective spouses and families, and collaborating with schools, health centers, village administrations, religious courts, child protection agencies, and community leaders. Cross-sector cooperation enables earlier, more targeted prevention that addresses the underlying causes of child marriage.

CONCLUSION

Penghulu play a strategic role in strengthening marriage governance and preventing child marriage. Their involvement begins well before solemnization, through document verification, premarital counseling, legal education, and explanations of minimum-age requirements. They also need to work with KUA, schools, community health centers, village governments, religious courts, child protection agencies, and community leaders. This cooperation is essential because child marriage stems from economic, cultural, educational, and health-related factors, as well as limited legal understanding. Through professional competence, effective communication, and intersectoral coordination, penghulu can connect state regulations, religious values, and community needs. They therefore function as public service providers, legal educators, and agents of child protection. These roles must be carried out consistently to ensure more orderly marriage services that respond to community needs.

[26] Kemenag Asahan, "Cegah Perkawinan Anak, Penyuluh Agama dari KUA Diminta Terjun ke Masyarakat" (Kementerian Agama Republik Indonesia, 2024), https://sumut.kemenag.go.id/.

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