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**SOCIAL CONTROL MECHANISM OF DAYAK NGAJU TRIBE AGENTS IN FAMILIES WITH EARLY-AGE MARRIAGE**

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**ABSTRACT**

The education system that has not been evenly distributed in Indonesia causes a disparity in knowledge between urban and rural communities. Youth in the village still have a minimal understanding of marriage as a process of forming social structures. Labeling perawan tua to unmarried women over the age of 20 in the village community is also the cause of early marriage in Central Kalimantan Dayak tribes are listed as one of the provinces with the highest rate of marriage in Indonesia. The purpose of this study was to analyze the forms of social control of adat institutions against early marriage in Central Kalimantan using qualitative methods with the phenomenology approach in Pahandut Village, Maliku District, Pulang Pisau Regency, Central Kalimantan Province. Technique of data retrieval is done by observation, in-depth interviews, and documentation study. Validation of data is done by the triangulation technique. The results of this study indicate that pernikahan usia dini disebabkan oleh faktor ekonomi, Ekonomi, Pendidikan, Konstruksi Sosial budaya, Lingkungan Sosial, dan kemajuan Teknologi. there is a social control mechanism yang dilakukan oleh lembaga adat dalam mengatur permasalahan pernikahan usia dini dalam masyarakat adat sesuai dengan nilai dan norma adat Dayak Ngaju.

**KEYWORDS:** Social Control; Dayak tribe; culture; education; early-age marriage.

**I. INTRODUCTION**

Early childhood marriages occur a lot from the past until now in this country. The majority of the perpetrators of early marriage are village teenagers who have a relatively less level of education compared to urban communities. Village teenagers tend to feel embarrassed if they later marry at the age of 20 and above. The assumption of village youth to later marry at a young age is because of the myth that women who are over 20 years old and unmarried mean "spinsters". The most basic problem of a girl is that when she reaches adulthood, many parents also want their children not to become a spinster. Being a spinster for the majority of the community is considered a form of deficiency that occurs in a girl. That condition then led to the assumption that village teenagers would get married first than urban teenagers. These assumptions arise because of a lack of knowledge from the public related to the importance of education for adolescents. Early marriage will have an impact on the quality of the child, family, family harmony and divorce.

The Central Statistics Agency (BPS) and the United Nations Children's Fund (UNICEF) in January 2017. In the report "Marriage of the Age of Children in Indonesia" noted that the province with the highest early marriage rate is South Sulawesi Province which is 37.0 percent. In addition to the

province, there are also five provinces with the highest prevalence rates namely West Sulawesi (34.22 percent), South Kalimantan (33.68 percent), Central Kalimantan (33.56 percent), West Kalimantan (33.21 percent), and Central Sulawesi (31.91 percent) (Sheni, 2018). The high rate of early marriage is actually very influenced by external and internal factors. The assumption of experts states that child-age marriage is actually very much related to poverty, but it turns out that the high prevalence of child-age marriage is also found in provinces with relatively low poverty rates. In addition to poverty, early marriage is actually also influenced by other factors, including for example social and cultural norms in the community. At present, the Republic of Indonesia Law Number 1 Year 1974 concerning Marriage, states that the lowest age for legal marriage for girls is 16 years and 19 years old boys (BPS, 2016). This law allows for a dispensation for girls and boys to get married early.

In general, child marriages are more common among poor families, although they occur also among the upper economic families. In many countries, child marriage is often associated with poverty. Countries with cases of child marriages generally have low gross domestic product. Child marriage makes the family, the community, and even the country has difficulty in escaping from the trap of poverty and this certainly causes a low quality of health and well-being for both the child and family and the environment (Fadlyana & Larasaty, 2016). Child marriage and educational degrees also influence a person to get married at a young age. Child marriage often causes children to no longer attend school, because now he has a new responsibility, namely as a wife and a husband, who is then expected to play a role in managing the household as well as being the backbone of the family and having to make a living. Other factors that also influence are due to unreachable or relatively high education costs, children stop schooling and are then married to divert the burden and responsibility of parents to support the child to their partner.

Carol Boender in the Child, Early, And Forced Marriage Care's Global Experience Report, stated that every year, 12 million women marry before the age of 18, marking the beginning of their lives as wives and mothers even though they are not physically and emotionally ready. Although globally, the rate of child marriages decreases, but the level of progress is felt rather slowly (Carol, 2018). Furthermore in his report Boender stated that every day around 37,000 girls under the age of 18 get married. Of the 700 million women and men more than 150 million live today who marry too young, one third of them before the age of 15. At present in developing countries 1 in 3 girls are married under the age of 18 and 1 in 9 of them are married before the age of 15. Based on the percentage of 45% of children under the age of 18 are married in South Asia; 39% in sub Saharan Africa; 23% in Latin America and the Caribbean; 18%. in the Middle East and North Africa; and smaller proportions are found in Europe and North America. Without a more serious intervention, Boenders predict that by 2050 the marriage of children will reach 1.2 billion children (Carol, 2018).

WHO in its Child report, early and forced marriage legislation in 37 Asia-Pacific countries also highlights the condition of child marriages in Indonesia (WHO, 2002). The dynamics of child

marriage, first marriage and forced marriage in Indonesia are complex and are driven by the interrelationship between legal, religious, social, cultural and economic factors. Indonesia is strongly influenced by tradition, especially in remote areas and economically disadvantaged girls who are married before the age of 18 are considered normal. In rural areas, this practice can be seen as a traditional heritage from the previous generation that continues to be carried out for generations. According to WHO, Indonesia has made considerable progress by implementing the Millennium Development Goals (MDGs) in its development policies. This was marked by universal basic education and gender equality. But in certain groups that are more conservative, the government has not been able to suppress child marriages.

Research conducted by Djamilah, Reni Kartikawati (in Djamilah, 2017) regarding the Impact of Child Marriage in Indonesia identified the economic, social, health, and cultural impacts of child marriage problems in 8 (eight) research areas, namely DKI Jakarta, Semarang, Banyuwangi, Bandar Lampung, Sukabumi Regency, West Nusa Tenggara, South Kalimantan and South Sulawesi. This study succeeded in identifying the economic, social, health, and cultural impacts in each region to find results in the form of dominant factors why child marriages occur because of the lack of comprehensive reproductive and sexual health education (PKRS) early to provide an appropriate understanding for adolescents on their choices.

These various concerns are actually a scourge for the government to try to minimize the number of early childhood marriages. In addressing the problem of early childhood marriage, in addition to formal institutions, informal institutions are also very much needed to help deal with these problems. How then community leaders, religious leaders, traditional leaders, as well as regional organizations such as youth organizations, help to make every member of the community aware in relation to early marriage. There are many factors which then encourage someone to do a marriage at an early age, such as economics, parents, education, association, and customs. From these various factors, it is very clear that the role of the environment is very important. How a family is ultimately affected by its environment, which in this case relates to early childhood marriage.

Efforts to overcome the rampant early age marriage are a response to the increasing amount of evidence which then shows the scale and scope of the problem. More than 700 million women who live today are married when they are children, of which one in three is married before the age of 15 (Damar, 2017). Based on the Research Center of the UGM Population Policy Study, in 2014 there were at least 5 (five) main factors which later became the cause of early childhood marriage, namely poverty, low parental education levels, local traditions, changing values in society, lack of awareness and understanding girls and social influences (Damar, 2017). To minimize the possibility of massive early marriage, the role of the government is certainly very necessary in intervening in the driving factors of someone to do an early marriage. So far there have actually been several steps taken by the government to reduce the number of early childhood marriages, namely: First, Making the 12-year compulsory education program, the President of the Republic of Indonesia through Presidential

Instruction Number 7 of 2014 has instructed the Minister, Head of State Institutions, and The Head of Regional Government then implements the Productive Family Program through the Family Welfare Deposits Program (PSKS), the Healthy Indonesia Program (PIS) and the Smart Indonesia Program (PIP).

Second, Socialization of the importance of reproductive education (PP No. 61 of 2014 concerning Reproductive Health). Third, Gender Mainstreaming (PUG) in national development and the concept of Gender Equality and Justice (KKG). Fourth, the district / city program is feasible for children Fifth, Revised Law No.1 Year 1974, entered prolegnas 2015-2019, about the age limit of marriage. Sixth, socialization of Law No. 35 of 2014 concerning changes to Law No.23 of 2002 concerning Child Protection (Damar, 2017). The government efforts mentioned above have actually been able to minimize early marriage. But it can only be realized if later the implementation of these various efforts is in line with the ideals of its formation. The government as a high state institution has responsibility for the lives of its citizens. Therefore, it must have a significant contribution in the process of preventing early marriage. The concrete steps above are one of the actions taken by the government to protect the rights of every citizen, especially in the prevention of early marriage.

Various programs that have been carried out by the government, should be able to reduce the number of early marriage, but the fact is that early childhood marriages continue to occur today. If you look at these conditions, the real problem is how the government controls all the programs that have been planned so that it touches all elements of society. In addition to efforts from the government (formal institutions), control is also needed from informal institutions, such as community leaders, religious leaders, and traditional leaders. The role of these figures is very important in solving various problems in the midst of society. This is certainly because the figures are people who are relatively heard or at least become role models for ordinary people in general, in a particular region or region.

Data from the Basic Health Research (Riskesdas) in 2010 also explained that 5 provinces in Indonesia with the highest child marriage rates for the age range of 15-18 years are Central Kalimantan (52.1%), West Java (50.2%), Kalimantan South (48.4%), Bangka Belitung (47.9%), and Central Sulawesi (46.3%). In addition, 41.90 percent of the first marriage age was in the 15-19 year age group and 4.8 percent in the 10-14 year age group were married (BPPK, 2010). This is an important note in the development of the number of early marriage in Indonesia.

Furthermore, the results of research from the Women's Research Center (PPW) of Palangkaraya University (Unpar) supported by the Central Kalimantan Women's Empowerment and Child Protection Agency (BP3AKKB) presented the results of their survey that Sukamara District was the district with the highest child marriage rates in the Province Central Kalimantan. The survey by the Unpar PPW included Palangkaraya District, Kapuas Regency, North Barito Regency, Gunung Mas Regency, Lamandau Regency, and Sukamara Regency. The Unpar PPW survey found that Sukamara Regency was in the first position of marriage aged 15-19 years (55.46%) in Central Kalimantan

province, followed by Lamandau district (52.67%), and the lowest was Palangkaraya City (26.16%) (Program Studi Kajian Gender, Sekolah Kajian Strategik dan Global Universitas Indonesia, 2016).

This study aims to analyze the phenomenon of early marriage in Pahandut Village, Pahandut Subdistrict, Palangka Raya City, Central Kalimantan Province, and customary law mechanisms as social control of families with early marriage children.

## II. LITERATURE REVIEW

According to Soerjono Soekanto social control is a process that is either planned or unplanned, which aims to invite, guide or even force community members to comply with the values and rules that apply. The purpose of supervision is so that people's lives take place according to the agreed upon patterns and rules. Social control follows planned and unplanned social processes (spontaneous) to direct someone. Social control is basically a system and process that educates, invites and even forces citizens to behave in accordance with social norms (J Dwi, 2004).

Astrid Susanto social control is a psychological and nonphysical control, which is because it is a "mental stress" towards individuals so that individuals will behave and act according to the group's judgment because he lives in a group. These limits emphasize the psychological aspects. Paul B. Horton and Chester L. Hunt in social control are all the ways and processes taken by a group of people or communities so that all members can act in accordance with the expectations of that group or community. Furthermore, Peter L. Berger explained that social control is a variety of ways that people use to curb dissident members. Meanwhile, according to Roucek, social control is a collective term that refers to a planned process or not to teach individuals to be able to adjust to the habits and values of the groups in which they live (Mardiyatmoko, 2004).

Robert M. Lewang provides the definition of social control as all the means by which the community returns the pervert to the normal or actual line. Joseph S Roucek saw social control from the educational aspect. He limits social control of all processes, both planned and unplanned, that are educational, inviting, or even forcing citizens to comply with prevailing social rules and values. As for Karel J. Veeger, seeing social control as a continuation point of the socialization process and relating to the methods and methods used to encourage someone to behave in harmony with the wishes of the group or society that if carried out effectively, individual behavior will be consistent with the type of behavior expected (Elly & Usman, 2011)

## III. METHODOLOGY

This research is a type of qualitative research using a phenomenological approach that seeks to express and understand the reality of research based on the perspective of the research subject. As stated by Bogdan and Taylor in *The Phenomenologist* is concerned with understanding human behavior from the actor's own frame of reference "Bogdan and Taylor (Carol, 2018). This study seeks to identify and analyze Dayak tribal customary law as a social control of families with early

marriage children in Pahandut Village, Maliku District, Pulang Pisau Regency, Central Kalimantan Province.

Data collection in this study begins with observations, namely a process composed of various biological processes and psychology (Sugiyono, 2013). After that the researcher conducted an interview to the informant. In this study the informants were divided into three parts, namely, Main Informants, Key Informants and Supporting Informants. The researcher chose informants who were considered to know the problems to be studied and were able to provide information that could be developed to obtain data (Sutopo, 2002).

The technique of determining informants is purposive (according to criteria) to informants who are considered to be most knowledgeable about local customary law, namely traditional tribal chiefs, adat instruments, and families with early marriage children both men and women. This research also collects secondary data through literature studies related to the theme of research on family crises and power relations. The validity of the data in this study uses triangulation of sources by exploring the correctness of certain information through various methods and sources of data acquisition (Raharjo, 2010).

Analysis of the data in this study using the phenomenological social analysis proposed by Alfred Schutz said that the daily life of this world can be understood in terms of what he later called *pelambangan* / typing (typifications) which are used to organize the social world. Humans construct meaning outside the mainstream of experience through a process of "typification". These typifications are constructs of interpretation that vary according to the background of one's life, cultural group, and particular social context. The essence of Schutz's thinking is how to understand social action through interpretation. The process of interpretation can be used to clarify or examine the true meaning, so that it can provide the concept of implicit sensitivity. Schutz laid the human nature in subjective experience, especially when taking action and taking a stand against the world of everyday life. In this case, Schutz follows Husserl's thinking, namely our actual process of understanding, and giving meaning to it, so that it is reflected in behavior (Kuswarno, 2009).

## IV. RESULT AND DISCUSSION

Pahandut Village, Maliku Subdistrict, Pulang Pisau Regency, Central Kalimantan Province has a social problem in the form of early marriage among teenagers. This is influenced by various factors that cause it. As a society that upholds the values and customary norms of the Dayak Ngaju tribe, there is social control in the community, especially those that regulate the problems of early marriage and the problem of immoral acts in society.

### A. Result

#### 1) *Dayak Ngaju Customary Law*

Local people have social control instruments in the form of regulations contained in 69 articles of the Tumbang Anoi Peace Meeting in 1894 (Biro Bina Pemerintahan Desa, 2000). Dayak tribes people have a social control mechanism for families with early marriage. Some of the following articles are legal products of the Central Kalimantan Dayak Ngaju tribe that regulate the behavior of individuals and groups in the community, including in marital relations and the phenomenon of marriage which is not customarily permitted.

The penalty in this law is given the term kati ramu, which is the amount of the fine imposed on the violator of customary law, one kati ramu the value is now equal to Rp 100,000. In addition, there are also several sanctions which require the holding of a peaceful party. The following are the articles that regulate the early marriage and sexual problems in the Dayak Ngaju tribe (Biro Bina Pemerintahan Desa, 2000).

a) Article 9 : Singer sarau tihi bujang (fine for an affair with a virgin girl)

Case: A man interrupts, teases, persuades a single woman who is single, commits adultery until she is pregnant, then is known to others or public and becomes a case. sanction: Male A can be threatened by:

- Singer tekap-bau mate 15-30 kati ramu.
- Singer dosa-sala (zina) 30-45 kati ramu
- If you are not married, you must guarantee the child of the woman B, 30-60 kati ramu.
- If you are married If you continue to marry, man A pays the way for marriage
- If A has a child and wife, the wife can sue as a separate case.
- Cost of traditional parties for joint meals is borne by A

b) Article 10 : singer marusak balu (fine damages widows)

Case: Male A is found to commit adultery or until pregnant widow B, former spirit wife C.

Sanction: Male A can be threatened singer karusak balu for 30-60 kati ramu for the inheritance of spirit C if B hasn't died. But if C is already dead, then the singer's material falls into the hands of the female heir B. If woman B has a child, then the singer adds 15-30 to the child for her children. The traditional feast of eating together is borne by A.

c) Article 12 : singer sala basa dengan bawi bujag (fine of misbehavior on virgin girl)

Case: A man who invites someone or several virgins with no permission from his family or mother-father, aloof or unclear the purpose Such behavior can be considered shameful to the family, as if making the girl made light in the eyes of the public (disrespectful)

Sanctions: The man can be punished with the threat of singer sala basa 15-30 kati ramu

d) Article 52 : singer tandah dusa sala (fine adat zina allegations)

Explanation: A man or woman A accuses B of committing adultery with him, while he himself does not dare to have custom (oath), while the B has been vain to swear (hasapa traditionally). If so A turns out to be defamatory B and B can sue under this article.

Sanctions: Threatening A pays for B 30-60 kati ramu, and covers all costs of customary peaceful parties as needed.

e) Article 60 : Singer pahaliman/mimim bandung (custom fines hide other people's adultery)

Explanation: Man A commits adultery with woman B. The accursed act is known to C. In order not to leak his secret, A gives money to pahaliman to C to diem. Then it is revealed, so the case A adultery with B and C eats a

Sanction: A pays 15-30 kati ramu to family / husband B and C punish 15-20 15-20 kati ramu for family / husband B. A and C bear the costs of traditional parties and court fees.

f) Singer Suruk Jangkut Amak (traditional fine caught caught sleeping in a woman's room)

Explanation: A man caught caught (sleeping) in a woman's room, is considered to have committed adultery (habandung). Such a thing is very embarrassing for a woman or inheritance and the woman's husband.

Sanction: Male A is punished by a fine of paying the singer to stick with the smell of mate for 15-30 kati ramu to the inheritance of the woman and the singer of the sala for 30-60 kati ramu for the mother-father of the woman. A also covers the costs of the case, the severity of the fine / sentence depends on the consideration of the local mantir

g) Article 69: singer hahanjean balai/hatamput (customary fine marrying to someone else's village)

Explanation: Male A and woman B who are determined to marry flee to another village with the intention of avoiding the anger of their family / inheritance who do not agree with their will / will. A and B request protection from bakas lewu (local parents). By local envoys, in order to avoid zina by A and B in their village, an event is held at the hall or outside the house, where chickens are cut off to eat together and as statements A and B before the local people, they mahanjean arep at their own risk . With tawur, he informed the planners of the plots that this action was an emergency measure, did not mean raping the rights of A and B.

Sanctions: Traditional mantras tried to return them to their inheritance to have a perfect marriage through good marriages.

Remarks: This article applies only to emergency actions in order to avoid adultery A and B which are clearly naughty, stubborn to their own parents. a and B bear the costs of the mahanjean traditional party, the salary of the bargain worker and the cost of the trial hall. The mahanjean balai event did not rule out the possibility of the demands of other traditional singers from inheritance parties A and B in their own villages.



2) Driving Factors for Early-Age Marriage

Phenomenon of early marriage in research locations is caused by various factors, including economics, economics, education, socio-cultural construction, social environment, and technological progress. Further explanation is described in the following table form.

**TABLE I. FACTORS AFFECTING EARLY MARRIAGE**

No.	<i>Aspect</i>	<i>Description</i>
1	Economy	of the surrounding community constitutes the majority with a fairly high poverty rate, besides that access to employment is very minimal so that many teenagers are unemployed and fall into social problems
2	Education	quality of human resources is low due to the lack of access to education and the willingness to pursue education as high as possible.
3	Socio-cultural construction	Strong patriarchal culture. The public's assumption that girls when they finish school immediately find a mate to get married soon.
4	Social Environment	Many 13-year-olds consume drugs and use methamphetamine. Encouragement to know and try new things
5	Technology	Intercourse increasingly widespread by using social media, access to all information is very easy, but not accompanied by good digital literacy skills so that technology is not used wisely..

Primary Data, processed in 2019

**B. DISCUSSION**

There is no doubt that early marriage is a practice of social irregularities in the community. The International Humanist and Ethical Union even states that child marriage is a form of mistreatment in children or child abuse (Fadlyana & Larasty, 2016). This is considering the various consequences faced by children related to early marriage that affect the social structure of the community.

According to the Sociology perspective, in line with Giddens' thought, structure is not external to individuals but in a certain sense more internal. Related to this internal aspect, Giddens relies on his presentation on a subject who has an autonomous nature and has a stake in controlling the structure

itself. Human actions are likened to a continuous flow of behavior such as cognition, support or even breaking as long as reason is bestowed on him.

The concept of structure according to Giddens refers to a set of rules and resources that are formed from and form a repetition of social practices. Giddens argues that "Structure exists only in and through the activities of human agents. So it can be said that through social practices awareness and structure are produced" (Ritzer, 2008).

The role of customary institutions has authority in making rules in the form of customary law that regulates all problems of early marriage in the Dayak Ngaju Tribe. Articles concerning punishment for people who take actions that have the potential to increase the rate of early marriage such as free sex, elopement, rape, even accusations of adultery will receive certain sanctions. This is an effort to prevent and overcome the practice of early marriage from the perspective of customary law. In this case the head of the tribe or the Pademangan Institution has a role as an agent in upholding customary law as social control. This rule then forms a social practice in society. Social control through customary rules has the function of controlling social structures. The products of customary law produced are social structures as mentioned by Giddens. Structural theory focuses on the way agents produce and reproduce social structures through their own actions. Agents in the community construct the structure and practice it in daily life by trying to uphold the values and norms of the customs of the Dayak Ngaju tribe. The concept of structuration is based on the notion that the constitution of agents and structures are not two sets of ordinary, stand-alone phenomena (dualism), but reflect the duality of the structural systems of social systems as well as the results of repeated practices, or moments of producing action. reproduction in the context of making daily social life (Ritzer, 2008).

## V. CONCLUSION

In practice, customary law has not been able to significantly deal with family problems with children who marry at an early age. External influences such as the advancement of technology that are not accompanied by the quality of human resources, especially in education, are complex problems to be dealt with in a strategic manner. There needs to be collaborative governance between the government, the private sector, and the community to alleviate early marriage problems.

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