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The Urgency of Establishing Regional Regulations in Southeast Sulawesi to Reduce the Increasing Number of Child Marriages

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Abstract

Child marriage remains a serious problem in Southeast Sulawesi Province, despite Law Number 16 of 2019 raising the minimum age for marriage to 19 years. In 2024, 221 children were recorded as having married before age 19, of whom 85.5% were girls. This study aims to analyse the factors contributing to child marriage and the urgency of establishing a Regional Regulation as a preventive measure in Southeast Sulawesi. The study used a normative-empirical method, combining a review of laws and regulations with an analysis of empirical data on child marriage. The results show that child marriage is influenced by educational, economic, socio-cultural, customary law, technological developments, and promiscuity factors that lead to premarital pregnancies. The establishment of a Regional Regulation is urgently needed because national policies have not effectively addressed the socio-cultural characteristics of local communities. This study found that the Regional Regulation on the Prevention of Child Marriage needs to include provisions regarding prevention, supervision, assistance, and the involvement of various stakeholders in child protection. The research conclusion indicates that the Regional Government has the authority to establish Regional Regulations as a preventive legal instrument to strengthen child protection and reduce the number of child marriages in Southeast Sulawesi. The novelty of this research lies in the formulation of a substantive model of the Regional Regulation on Child Marriage Prevention that is tailored to the socio-cultural characteristics of the Southeast Sulawesi community.

INTRODUCTION

Law Number 16 of 2019, an amendment to Law Number 1 of 1974 concerning marriage, has set the minimum age limit for marriage as a condition for marriage, as regulated in Article 7 Paragraph (1). Previously, the minimum age limit for marriage for women was 16 years and for men 19 years, but now the regulation has been changed to the same age, namely 19 years for both parties. However, despite the increase in the marriage age limit, underage marriages in Indonesia are still rampant. This change is a follow-up to Constitutional Court decision No. 22/PUU-XV/2017. In addition, Article 6 Paragraph (2) emphasises that prospective brides and grooms who have not reached the age of 21 must obtain the consent of both parents as a condition for a valid marriage. This is because, legally, a person under the age of 21 is not considered capable of making independent decisions regarding marriage, so legal protection is needed through the consent of a guardian or parents (Setiawan, 2022).

With the enactment of Law Number 16 of 2019 concerning Marriage, everyone must comply with the law. These regulations are provisions that must be respected and obeyed. This change aims to make couples more mentally, socially, financially, and physically prepared before marriage. However, there are other impacts of this change. Women who were previously considered to have met the age requirements for marriage are now legally categorised as underage if they marry before reaching the age of 19. This has the potential to increase the number of child marriage cases according to the new legal definition. If we look at the substance of Article 7 paragraph (2) of Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974, it is stated that the parents of the man and/or the parents of the woman can request a dispensation from the Court for urgent reasons accompanied by sufficient supporting evidence. This creates a very broad room for interpretation, so that society often rationalises the event of underage marriage by adjusting it to social, economic, cultural, religious and other conditions.

Indonesia is one of the 10 countries with the highest underage marriage rates in the world (UNESCO, 2020). The provinces with the highest rates of child marriage are West Sulawesi, Central Sulawesi, and Southeast Sulawesi. Over one million girls are married at a very young age. In terms of total child marriages, West Java, East Java, and Central Java have the highest number of cases (UNESCO, 2020). Based on the latest data from the Central Statistics Agency (BPS), Indonesia recorded a 9.23% proportion of women aged 20-24 who were married or living together before age 18 by province in 2021, equivalent to 163,371 cases. This means that one in nine women

experienced child marriage. Meanwhile, the ratio was 1 in 100 for men aged 20-24 who married as children. This then increased to 8.06% in 2022, and to 6.92% in 2023. In 2024, the national figure was 5.90% (BPS, 2025).

Furthermore, the number of child marriages under the age of 19 in Southeast Sulawesi Province remains alarming. A total of 221 children were recorded as having married before reaching the legal age of consent, comprising 189 girls and 32 boys. The presentation shows that girls who marry before the age of consent constitute approximately 85.5% of the total cases, while boys only account for 14.5% (DPPPA Sultra, 2024). This inequality shows that girls are much more vulnerable to early marriage practices than boys. Various laws, standards, and concepts that appear objective and neutral at first glance still harbour gender bias in their application, based on women's experiences. Implicit gender bias can be identified by examining the impact of the law on women as a class and by paying attention to how existing legal concepts and standards tend to disadvantage women. The application of the law to women's experiences still leaves a negative imprint, even though the reasons for discrimination are individual. This alone is proof that women's existence, in fulfilling the guarantees of protection for their rights, still encounters obstacles and barriers (Samawati, 2025).

Article 1 paragraph (2) of Law No. 35 of 2014 concerning child protection explains that "Child Protection is all activities to guarantee and protect children and their rights so that they can live, grow, develop and participate optimally in accordance with human dignity and honour, and receive protection from violence and discrimination. Then, Article 13 paragraph (1) of Law No. 35 of 2014 explains that child protection is based on the principles of non-discrimination, respect for children's opinions, and the right to life, survival and development. This law also emphasises that ensuring child protection requires the roles and responsibilities of parents, the community, and the government. Child protection efforts have legal implications, both in written regulations and in unwritten legal norms. In this regard, the law plays a role in ensuring the implementation of child protection. Child protection encompasses various actions, both direct and indirect, aimed at preventing children from threats that could endanger their physical and psychological well-being (Wiyono, 2016).

This research explains the various factors influencing the ongoing practice of child marriage in Southeast Sulawesi. These factors include social, cultural, and economic factors, as well as a lack of public awareness of the negative impacts of child marriage on the child's future.

A description of these factors is crucial as an analytical basis for formulating more comprehensive preventive measures. Therefore, the Southeast Sulawesi Provincial Government plays a strategic role in controlling and reducing child marriage, including by formulating regional-level legal policies. This policy can be implemented by developing and ratifying Regional Regulations (Perda) that specifically regulate child protection and prevent child marriage. With these regulations, child protection efforts can be carried out in a more targeted and measurable manner, with strong legal certainty.

Based on this, research on efforts to prevent child marriage through the creation of regional regulations in Southeast Sulawesi is crucial. Regional regulations can be an effective tool to address this issue locally and in accordance with local conditions. Regional regulations not only provide a clear legal basis for preventing child marriage but also play a role in protecting children and reducing the number of child marriages in an organised manner that meets the needs of the community in Southeast Sulawesi. Furthermore, this research can provide a basis for policymakers in developing appropriate and sustainable strategies to protect children's rights and achieve quality human resource development.

The importance of establishing a Regional Regulation as an instrument for preventing child marriage in Southeast Sulawesi needs to be examined not only from normative and empirical perspectives but also in light of the development of previous research. A review of previous research is necessary to determine the extent to which the issue of child marriage has been studied, to identify unanswered research gaps, and to show the contribution and novelty of this research. The comparison between previous research and the research conducted is shown in the following table.

Table 1: The comparison of previous research

No	Researchers and Years	Research Title	Research Focus	Findings	Differences with This Research
1.	Vanesa Ayu Octavia, Sahruddin, and Fatria Hikmatiar Al Qindy (2026)	Implementation of NTB Provincial Regulation Number 5 of 2021 concerning the Prevention	Analysing the effectiveness of the implementation of NTB Regional Regulation No. 5 of 2021 in preventing	The implementation of regional regulations has been ineffective due to the influence of local culture,	This research does not examine the implementation of existing regional regulations, but rather analyses the urgency of establishing a Regional Regulation

		of Child Marriage in the Merarik Kodek Tradition	child marriage in Central Lombok.	low legal literacy, and weak coordination among stakeholders (Oktavia dkk., 2026).	on the Prevention of Child Marriage in Southeast Sulawesi and formulates the substance of such a regulation.
2.	Ferdy Hasan, Weny Almoravid Dungga, dan Zamroni Abdussamad (2023)	Protection of Women and Children from a Legal Perspective	Studying the protection of women and children from a national legal perspective	Child protection requires support from the state, society and family through adequate legal instruments (Hasan dkk, 2023).	This research specifically discusses child marriage and the need to establish regional regulations as an instrument for child protection.
3.	Azrotul Qoyyima (2025)	Problems of Marriage Dispensation and Child Marriage in Bondowoso Regency	Examining the relationship between marriage dispensation and the high rate of child marriage	The lack of clarity regarding urgent reasons for marriage dispensation means that the practice of child marriage continues to occur (Qoyyima, 2025).	This research not only examines the factors causing child marriage, but also offers a regional regulatory model as a preventive solution.
4.	This research	The Urgency of Establishing Regional Regulations to Prevent Child Marriage in Southeast Sulawesi	Analysing the causal factors of child marriage and the urgency of establishing a Regional Regulation on the Prevention of Child Marriage in Southeast Sulawesi, as well as a Substantial Model of	Formulate a model for the substance of the Regional Regulation that includes prevention, supervision, assistance, family empowerment, and the involvement of religious and traditional leaders.	Offering a model of regional regulation substance that is adapted to the socio-cultural characteristics of the Southeast Sulawesi community as a preventive legal instrument.

	Regional Regulations on the Prevention of Child Marriage in Southeast Sulawesi.	

Based on previous research as shown in Table 1, it can be seen that studies on child marriage generally focus on the implementation of existing policies, child protection from a legal perspective, and the problems of marriage dispensation.

These findings indicate that establishing a Regional Regulation on the Prevention of Child Marriage in Southeast Sulawesi Province is not only a legal necessity but also a strategic policy instrument for achieving sustainable child protection in accordance with the region's socio-cultural characteristics. Therefore, this research is novel (*novelty*) because it not only identifies the factors causing underage child marriage, but also formulates a substantive model of the Regional Regulation on the Prevention of Child Marriage which is adapted to the socio-cultural characteristics of the Southeast Sulawesi community as a preventive effort to reduce the number of child marriages.

METHOD

This research uses the normative-empirical legal research method (*applied law research)*, namely research that examines the implementation of normative legal provisions (*law in action)* in community life and connects it with empirical facts that occur in the field (Abdulkadir, 2004). This method is used because the research not only analyses regulations on child protection, marriage age limits, and the authority of local governments to issue Regional Regulations, but also examines the factors influencing underage marriage in Southeast Sulawesi Province. This research uses a legislative approach *(statute approach)*, conceptual approach *(conceptual approach)*, and empirical approach *(empirical approach).* A legislative approach was used to examine various regulations on child protection, the minimum age for marriage, and the authority of local governments to establish regional regulations. A conceptual approach was used to analyse the legal and child protection aspects. In contrast, an empirical approach was used to obtain a factual picture

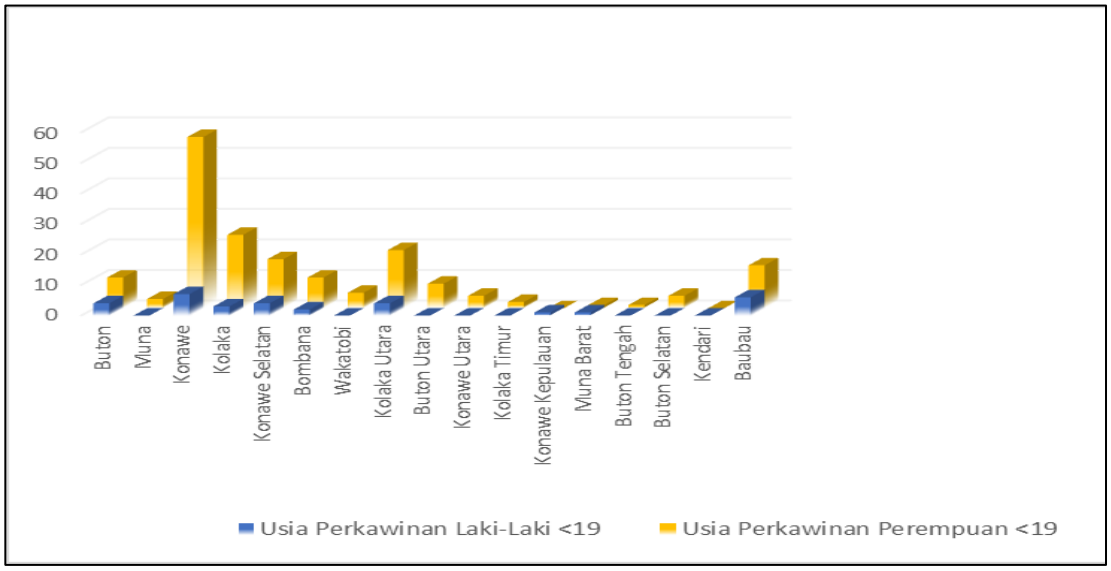
of the conditions of child marriage in Southeast Sulawesi Province. The data were obtained through literature studies and interviews with the Head of the Data, Information, and Community Participation Division of the Women's Empowerment and Child Protection Service of Southeast Sulawesi Province, and were supplemented by data from the 2024 Southeast Sulawesi Child Profile. All data were analysed descriptively and qualitatively by linking applicable legal provisions with empirical evidence on child marriage to derive legal arguments on the urgency of establishing a Regional Regulation on the Prevention of Child Marriage in Southeast Sulawesi Province.

DISCUSSION AND ANALYSIS

1. Factors Influencing Child Marriage in Southeast Sulawesi

The implementation of changes to the minimum age for marriage, as stipulated in Law Number 16 of 2019, an amendment to Law Number 1 of 1974 concerning Marriage, has encountered obstacles in Southeast Sulawesi Province. Low public legal awareness and the existence of court-based dispensation mechanisms have reinforced the perception that the prohibition on marriage before the legal age can be easily waived, so the goal of increasing the minimum age for marriage has not been fully achieved. This can be seen in the following graph:

Figure 1
Graph of Child Marriage Rates before the Age of 19 Years
According to district data in Southeast Sulawesi in 2024



Source: DPPPA Sultra, 2024

The graph shows a striking gap between the numbers of men and women marrying before age 19 across various districts/cities in Southeast Sulawesi Province. Overall, women are far more likely to engage in early marriage than men. Konawe Regency has the highest rate, with over 60 women marrying before age 19. Similar figures are also seen in Kolaka, Bombana, and South Konawe Regencies, where rates remain quite high. Conversely, regions such as Wakatobi, West Muna, and Central Buton show relatively low rates of early marriage for both sexes. Kendari and Baubau City, on the other hand, show a more balanced trend, although early marriages among women remain dominant. The high rates of child marriage in several districts demonstrate that the issue of child marriage is not solely influenced by individual factors, but also by socioeconomic conditions, educational attainment, and strong cultural values that still place marriage as a solution to various family problems. This situation demonstrates that a legal approach alone is insufficiently effective without adequate social and economic interventions.

Every child as a citizen has the right to receive legal protection from the state, including protection against child marriage practices that have the potential to threaten the fulfilment of their rights. According to Philipus M. Hadjon, legal protection is an effort provided to legal subjects through preventive and repressive mechanisms to ensure the fulfilment of their rights. In the context of child marriage, preventive legal protection is realised through various policies and regulations aimed at preventing marriage at a young age. In contrast, repressive legal protection is carried out through law enforcement and protecting children who have become victims of child marriage practices (Hadjon, 1987). In line with this, Abintoro Prakoso stated that legal protection for children refers to all efforts to protect children who are physically, mentally, socially, economically, and politically vulnerable, so that their rights can be optimally fulfilled. Therefore, the still high rate of child marriage in Southeast Sulawesi indicates that legal protection for children has not been fully implemented effectively, because there are still various educational, economic, socio-cultural, and environmental factors that encourage child marriage (Prakoso, 2016).

From the perspective of Lawrence M. Friedman's legal system, the effectiveness of legal protection is influenced by three components: legal substance, legal structure, and legal culture. These three components are reflected in the issue of child marriage in Southeast Sulawesi. From a substantive perspective, Law Number 16 of 2019 has raised the minimum age for marriage to 19 years for both men and women. However, from a structural perspective, the implementation of child protection and efforts to prevent child marriage have not been optimal. Meanwhile, from a

legal cultural perspective, the continued strong influence of social values and customary law that view early marriage as normal causes the practice of child marriage to continue. This condition indicates that preventing child marriage requires a systemic and comprehensive approach to legal protection. Based on this theoretical framework, the factors causing child marriage in Southeast Sulawesi cannot be viewed as merely an individual issue, but rather a multidimensional issue that indicates suboptimal legal protection for children, both in terms of substance, structure, and legal culture (Friedman, 2001).

Based on interviews with Murdiana Hasan, S.K.M., M.M., Head of Data, Information, and Community Participation at the Women's Empowerment and Child Protection Office of Southeast Sulawesi Province, and a literature review, it is known that child marriage in Southeast Sulawesi is influenced by several interrelated factors, namely education, economics, socio-cultural factors, customary law, technological developments, and promiscuity. Each of these factors can be explained as follows:

1. Education Factor

   Education level is one of the factors influencing child marriage. A child's low level of education results in limited knowledge, understanding, and ability to make rational decisions regarding marriage and their future. Furthermore, low parental education is also a significant factor, as parents with low educational backgrounds tend to have limited insight into the importance of education and child development, making it easier to permit or even encourage early marriage (Dwiranti et al, 2022).

   This situation demonstrates that education serves not only as a means of increasing intellectual capacity but also as an instrument of child protection. The higher the education level of children and parents, the greater their awareness of the risks of child marriage, from health, social, and legal perspectives. Conversely, low levels of education lead children and families to view marriage as a natural choice without considering the potential long-term consequences (Nurhidayati & Alim, 2021). This finding is in line with research showing that low levels of education are the main determinant of child marriage because education plays a role in increasing knowledge, decision-making skills, and awareness of children's rights and the risks of early marriage.

2. Economic Factors

   Economic factors are one of the main causes of underage marriage. Low-income family economic conditions often push parents to marry off their children at a young age in the hope of reducing the family's burden. In such situations, marriage is seen as a way out of economic pressure. However, in reality, it can create new social and psychological problems for children who are not yet mentally or financially prepared for married life.

   Under certain conditions, child marriage is seen as a survival strategy (*survival strategy*) for families in limited economic circumstances. However, child marriage does not necessarily solve a family's economic problems. Instead, it has the potential to perpetuate an intergenerational cycle of poverty, as children who marry at an early age generally miss out on opportunities to continue their education and improve their human resources.

3. Social and Cultural Factors

   Deeply ingrained cultural values, including the view that marrying at a young age is normal, contribute to the high rate of child marriage. Furthermore, social pressures, such as the perceived shame of girls dating for too long without marrying, also encourage parents to hasten their daughters' marriages. Social and cultural factors show that state legal norms do not solely influence the practice of child marriage, but also by the values that live and develop in society (*living law*) (Octavia et al, 2026).

   The differences in views between religious leaders, traditional leaders, and the government show that the practice of child marriage is not only a legal issue, but is also influenced by social and cultural constructions that develop in society (Muttalib et al, 2025). The view that marrying at a young age is normal, along with the social pressures placed on unmarried girls, demonstrate the persistence of a social construct that places marriage as a measure of maturity and family honor. This situation has led to the legal provisions regarding marriageable ages not being fully complied with by society.

4. Customary Law Factors

   Customary law factors still have a significant influence on community life, particularly in determining views on age and readiness for marriage. Many communities continue to adhere to traditional customary provisions, where children are considered ready to marry when they meet customary criteria for adulthood. From a customary legal perspective, a

man is considered an adult if he is able to work and support his family, while a woman is considered an adult if she is capable of performing household chores such as cooking, cleaning, and other domestic activities. This traditional view contributes to the persistently high practice of underage marriage, as the measure of maturity used is socio-cultural and does not take into account aspects of biological age or psychological maturity as stipulated in positive legal provisions.

This situation demonstrates the difference between the measures of adulthood in customary and positive law. Customary law tends to use social indicators and the ability to perform domestic roles as measures of maturity. In contrast, positive law emphasises physical and psychological maturity and the protection of children's rights (Hasan et al., 2023). These differences in perspectives pose a challenge in efforts to prevent child marriage in Southeast Sulawesi and demonstrate the importance of an approach that is not only legal in nature, but also takes into account the socio-cultural values of the local community.

5. Technology Factors

Technological advances that are not utilised positively have the potential to make it easier for children to access various negative content, including pornography. Access to such sites also contributes to accelerated maturation in children, particularly in matters related to sexual behaviour. Lack of education regarding reproductive health, weak instillation of moral and religious values, and minimal supervision from parents and the community are factors that make children more vulnerable to deviant behaviour, including extramarital relationships.

This situation is even more concerning when children lack adequate guidance to understand the risks and consequences of such behaviour. As a result, the opportunity for risky sexual behaviour is increasingly open, potentially leading to child marriage, a solution often considered "practical" by some in society. On the other hand, the development of digital technology can also be a valuable educational tool for reproductive health and child protection when used appropriately. Therefore, the primary problem lies not in technological advancement itself, but rather in low digital literacy and weak supervision and guidance regarding children's use of technology. Easy access to information through digital media without being balanced by adequate digital literacy and reproductive health

education can increase adolescents' vulnerability to risky sexual behaviour that leads to child marriage (Yoshida et al, 2023).

6. Free Association Factors

   The phenomenon of promiscuity among adolescents is a significant factor contributing to the rise in underage marriage rates. Biological urges and a heightened curiosity about sexuality often lead adolescents to engage in deviant behaviour. A lack of understanding of healthy social boundaries, coupled with minimal education about the risks of early sexual intercourse, further increases the potential for such behaviour. Furthermore, the absence of parental supervision and weak social control also provide opportunities for adolescents to engage in extramarital relationships, ultimately leading to child marriage as a solution deemed appropriate by some communities (Qoyyima, 2025).

   This situation often leads to out-of-wedlock pregnancies, which then forces young couples to marry to avoid social stigma and clarify the status of their unborn child. However, marriages at an immature age often create various problems, as the couple is not yet emotionally, psychologically, or financially prepared to fulfil their roles as husband and wife and parents.

The phenomenon of promiscuity ultimately demonstrates that child marriage is often the result of the failure of various child protection systems, both within the family, educational environment, and society. Pregnancies outside of marriage, followed by child marriage, demonstrate that marriage is still viewed as a practical solution to social problems, even though in practice it has the potential to create new problems, such as school dropout, divorce, domestic violence, and family economic vulnerability. The various reasons cited for child marriage are essentially interrelated. For example, the reason for a girl's pregnancy is also correlated with the family's low education and economic status. Girls with only primary or secondary education are unable to absorb the various temptations that come their way. Furthermore, the family's economic situation requires both parents to work, resulting in limited time and attention for the child. When the child has free time and lacks parental supervision, this creates an opportunity to socialise freely without guidance (Samawati dkk., 2025). Various studies have shown that child marriage has multidimensional impacts on children, families, and society at large. These impacts include an increased risk of divorce, poor human resource quality, increased potential for domestic violence, and various

reproductive health issues for mothers and children, including an increased risk of maternal mortality, premature birth, and stunting in children (Kartikasari & Hariyati, 2022).

Based on this description, child marriage in Southeast Sulawesi is a multidimensional problem influenced by interrelated factors, including education, economics, socio-cultural factors, customary law, technological developments, and promiscuity. This condition indicates that the regulation on the minimum age for marriage under Law Number 16 of 2019 is not yet fully capable of addressing the complexity of the problems faced in the region. Therefore, more comprehensive steps are needed through strengthening regional policies that are responsive to the socio-cultural characteristics of the people of Southeast Sulawesi, one of which is through the establishment of a Regional Regulation on the Prevention of Child Marriage as a preventive and sustainable legal protection instrument.

2. The Urgency of Establishing Regional Regulations as an Effort to Prevent Child Marriage in Southeast Sulawesi

Various policies at the global and national levels that have been made are a good sign that stakeholders, especially the Indonesian government, are committed to preventing the practice of child marriage. This policy needs to be supported by an adequate strategy that reflects the current situation of child marriage practices and adopts approaches that have proven successful in preventing and responding to child marriage practices in Indonesia (BPS, 2020). Although the central government has made various efforts through national policies, such as revising Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage, which sets the minimum age for marriage for men and women to 19 years, the number of child marriages is still relatively high in several districts/cities in Southeast Sulawesi. The marriage dispensation mechanism, which remains open in judicial practice, is also one of the factors preventing a significant decline in the number of child marriages (Ludfi, 2024). This national policy has not been fully effective at the regional level due to differences in social, cultural, and economic conditions, as well as in levels of legal awareness in society.

This situation indicates that the regulation of the minimum age for marriage through Law No. 16 of 2019 has not fully addressed the complex factors causing child marriage in the region. Various studies have shown that the change in the minimum age for marriage through Law No. 16 of 2019 has not been able to fully suppress the practice of child marriage due to the persistence of various obstacles in its implementation and enforcement at the community level (Nazar &

Shalihah, 2024). The sociocultural characteristics of the community, low levels of family education and economic well-being, the influence of customary law, and weak oversight of technological developments and adolescent social interactions indicate that the problem of child marriage cannot be resolved solely through a normative approach, such as setting a minimum age for marriage. Therefore, legal instruments at the regional level are needed that are more responsive to local community needs and capable of integrating preventive measures comprehensively and sustainably.

Furthermore, the current situation in Southeast Sulawesi lacks regional regulations on mechanisms for preventing, monitoring, and handling child marriage cases, underscoring the urgency of establishing Such Regulations. The absence of specific regulations at the regional level means that child marriage prevention efforts in Southeast Sulawesi are still being implemented partially and not yet integrated into a comprehensive policy framework. Consequently, inter-agency coordination for education, mentoring, supervision, and handling of children at risk of early marriage lacks clear operational guidelines. This situation indicates a regulatory vacuum (*legal gap*) which requires regional government intervention through the formation of Regional Regulations on the Prevention of Child Marriage.

The urgency of establishing a Regional Regulation on the Prevention of Child Marriage in Southeast Sulawesi can be viewed from philosophical, sociological, and legal aspects. Philosophically, the establishment of a Regional Regulation is a manifestation of the state's responsibility for ensuring the fulfilment of children's rights, including the right to education, protection, health, and optimal growth and development, as guaranteed in the 1945 Constitution of the Republic of Indonesia. Sociologically, the still high rate of child marriage in several districts/cities in Southeast Sulawesi indicates the community's need for regulations that are more adaptive and in accordance with the socio-cultural characteristics of the region. Meanwhile, from a legal perspective, although there are various laws and regulations governing child protection and the minimum age for marriage, there is no specific regulation at the regional level that comprehensively regulates the mechanism for preventing child marriage, so the establishment of a Regional Regulation is needed as an instrument for implementing and strengthening national policies in the region.

Based on the description of the factors that cause underage marriage and the impacts caused by underage marriage in Southeast Sulawesi province, the practice of underage marriage has the

potential to hinder the achievement of various national development agendas, which must be immediately addressed by increasing public legal awareness and the role of the Southeast Sulawesi provincial government in presenting a more specific, comprehensive and operational regulatory framework. In the context of implementing regional government authority to regulate and manage its own affairs, the source of authority is crucial, given that, in principle, regions within a unitary state must not conflict with the central government. Furthermore, in the context of Indonesia as a state governed by the rule of law, the source of such governmental authority must be grounded in legal provisions derived from statutory regulations, whether through attribution, delegation, or mandate (Huda, 2014).

Regarding the concept of granting authority, the authority to regulate and manage government affairs has been constitutionally granted to regions under the 1945 Constitution of the Republic of Indonesia. As is known, one of the characteristics of decentralisation is the authority of autonomous regions to regulate, namely to establish legal norms that are generally applicable and abstract in nature (Nurcholis, 2007). General and abstract norms in the context of regional government can be contextualised by the authority to formulate and determine regional regulations. As regulated in Article 18 paragraph (6) of the 1945 Constitution of the Republic of Indonesia, regional governments have the right to establish regional regulations and other regulations in order to implement autonomy and assistance tasks.

The authority to establish these Regional Regulations constitutes a form of attributional authority granted directly to regional governments by the 1945 Constitution of the Republic of Indonesia. Therefore, the establishment of the Regional Regulation on the Prevention of Child Marriage in Southeast Sulawesi cannot be viewed as a form of establishing a new norm that conflicts with national policy, but rather as a legal instrument that serves to outline, implement, and optimise the implementation of child protection policies in accordance with the conditions and needs of the local community. In addition to having a general basis of authority under Article 236 paragraph (1) of the Regional Government Law, the formation of the Regional Regulation on the Prevention of Child Marriage is also legitimised by the division of concurrent government affairs in the field of women's empowerment and child protection. Thus, regional governments not only have the authority but also the constitutional and administrative responsibility to present regional policies that provide more effective protection for children from early marriage.

In line with this authority, the Regional Government of Southeast Sulawesi Province, in implementing the division of concurrent affairs in the field of Women's Empowerment and Child Protection that is effective, efficient, transparent and accountable, can form a Regional Regulation as a legal instrument that functions to strengthen efforts to prevent underage marriage in the Implementation of Child Protection in Southeast Sulawesi Province. The formation of this Regional Regulation is a strategic step in strengthening the region's position as the implementer of national policies in the field of child protection, as well as a means of implementing the principle of regional autonomy, which is oriented towards social development and community welfare. The selection of Regional Regulations (Perda) is also based on the consideration that Perda has a stronger binding force than other administrative policies, as it contains general norms that bind all communities within the regional jurisdiction. Through Perda, local governments can establish more operational policies, such as prevention mechanisms, reporting systems, inter-institutional coordination, empowerment of vulnerable families, counselling services, and the involvement of religious leaders, traditional leaders, educational institutions, and the community in sustainable efforts to prevent child marriage.

The existence of regional regulations is inseparable from the hierarchy of statutory regulations, as regulated by Law Number 12 of 2011 concerning the Formation of Legislation, as amended by Law Number 13 of 2022. In this hierarchy, the position of Regional Regulations is below the 1945 Constitution of the Republic of Indonesia, Laws/Government Regulations instead of Laws (Perpu), Government Regulations (PP), and Presidential Regulations (Perpres). Thus, the essence of Regional Regulations, as part of the national legal system, lies in their further elaboration of higher laws and regulations, taking into account regional characteristics and needs (HAS, 2008). Thus, the urgency of establishing a Regional Regulation on Child Marriage Prevention in Southeast Sulawesi is not only based on the persistently high rate of child marriage, but also on the lack of regulation at the regional level and the need for a legal instrument capable of addressing the complex factors causing child marriage in Southeast Sulawesi. Regional Regulations are needed as a preventive, comprehensive, and sustainable legal instrument to strengthen the implementation of national policies, integrate stakeholders' roles, and ensure the fulfilment of children's rights, thereby realising the development of quality human resources in Southeast Sulawesi Province (RPJMD Southeast Sulawesi, 2020).

3. Substantive Model of Regional Regulations on Child Marriage Prevention in Southeast Sulawesi

The 2024 Southeast Sulawesi Child Profile data shows that child marriage is still dominated by girls and is spread across several districts with varying socio-cultural characteristics. The high rate of child marriage in Southeast Sulawesi Province demonstrates that the problem cannot be resolved solely through regulations regarding the minimum age for marriage, as stipulated in Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage. The research results show that the practice of child marriage in Southeast Sulawesi is influenced by various interrelated factors, including low levels of education, limited family economic conditions, socio-cultural influences and customary law, technological developments not matched by adequate digital literacy, and the phenomenon of promiscuity that leads to out-of-wedlock pregnancies. These conditions demonstrate that child marriage is a multidimensional issue that requires a comprehensive and integrated approach.

Although the central government has established various child protection and child marriage prevention policies, these regulations remain general and do not yet specify detailed mechanisms for prevention, supervision, and assistance, as well as the division of roles and responsibilities among stakeholders at the regional level. Furthermore, the socio-cultural characteristics of the people of Southeast Sulawesi, which are still influenced by customary values and traditional views on marriage, require more operational regulations tailored to local conditions. Therefore, the establishment of a Regional Regulation on Child Marriage Prevention is an urgent legal necessity to strengthen child protection and optimise the implementation of national policies at the regional level.

Philosophically, the formation of the Regional Regulation on the Prevention of Child Marriage aims to protect the dignity and worth of children as the nation's next generation who have the right to live, grow, develop, receive an education, and receive protection from all forms of discrimination and actions that can hinder their physical, mental, spiritual, and social development. The practice of child marriage has the potential to rob these basic rights, so the state and local governments have a constitutional responsibility to implement preventive and sustainable protection efforts. Sociologically, the establishment of the Regional Regulation on Child Marriage Prevention in Southeast Sulawesi is based on the empirical reality that child marriage is still found in various districts/cities at relatively high rates, dominated by girls. This condition indicates that

the regulation of the minimum age for marriage in national legislation has not been fully effective in reducing the number of child marriages in the region. Therefore, a regional legal instrument is needed that not only regulates prohibitions but also includes prevention strategies, education, community empowerment, and protection mechanisms for children at risk of early marriage.

From a legal perspective, the establishment of the Regional Regulation on the Prevention of Child Marriage derives its constitutional and legal legitimacy from various laws and regulations. Article 28B paragraph (2) of the 1945 Constitution of the Republic of Indonesia affirms that every child has the right to survive, grow and develop, and has the right to protection from violence and discrimination. Furthermore, Law Number 35 of 2014 concerning Child Protection mandates that the state, government, regional governments, families, and communities are obliged and responsible for implementing child protection. In addition, Article 236 paragraph (1) of Law Number 23 of 2014 concerning Regional Government authorises regions to establish Regional Regulations in the context of implementing regional autonomy and assistance tasks. Thus, the Regional Government of Southeast Sulawesi Province has the authority to establish Regional Regulations on the Prevention of Child Marriage as a regional legal instrument that more effectively supports the implementation of child protection.

Based on the results of research and analysis of various factors causing child marriage in Southeast Sulawesi, the substantive model of the Regional Regulation on the Prevention of Child Marriage proposed in this study at least contains the following material.

Table 2. Substantive Model of Regional Regulations on Child Marriage Prevention in Southeast Sulawesi Province

Chapter	Content Material
CHAPTER I	General requirements
CHAPTER II	Principles, Objectives, and Scope
BAB III	Children's Rights and Obligations of Local Governments
Chapter IV	Prevention of Child Marriage
Chapter V	Roles and Responsibilities of the Family
CHAPTER VI	The Role of Educational Institutions
Chapter VII	The Role of Religious Leaders, Traditional Leaders, and the Community
CHAPTER VIII	Education and Socialisation on Child Marriage Prevention

Chapter	Content Material
Chapter 9	Early Detection and Reporting Mechanism
CHAPTER X	Counselling, Support, and Protection Services for Children at Risk
CHAPTER XI	Coordination and Institutions
CHAPTER XII.	Construction and Supervision
CHAPTER XIII.	Funding
CHAPTER XIV	Closing

The substance of regulations regarding the prevention of child marriage needs to emphasise preventive efforts through strengthening education and outreach regarding children's rights, reproductive health, and the negative impacts of child marriage on health, education, and social welfare. These regulations also need to accommodate economic empowerment programs for vulnerable families, given that economic factors remain a primary cause of child marriage in Southeast Sulawesi.

From the perspective of responsive legal theory, law functions not merely as an instrument of social control but also as a means of responding to societal needs and resolving emerging social problems. According to Nonet and Selznick (1973), responsive law must adapt to social dynamics and protect vulnerable groups through policies oriented toward substantive justice. In the context of child marriage, the law is not sufficient to set a minimum age for marriage; it must also establish a prevention system capable of addressing the underlying social, economic, cultural, and educational roots of the problem.

Furthermore, the formulation of the Regional Regulation on the Prevention of Child Marriage must be based on the theory of legal protection, which positions the state as the party responsible for ensuring the fulfilment of children's rights as a vulnerable group. Legal protection for children is a form of state responsibility to ensure the fulfilment of the rights to life, to grow and develop, to education, and to be protected from all forms of exploitation and discrimination (Rahardjo, 2006). Therefore, preventing child marriage is an integral part of the constitutional obligations of local governments in implementing child protection.

Normatively, the model of the Regional Regulation on the Prevention of Child Marriage must be built on several generally applicable legal principles, namely the principle of the best interests of the child. *(best interests of the child)*, child protection basics, prevention basics

(preventive principle), the principle of community participation, and the principle of social justice. The principle of the best interests of the child requires that every government policy and action consider the long-term impact on the child's future (Rochaeti & Ardhanariswari, 2018). Meanwhile, the principle of prevention requires intervention to be carried out before child marriage occurs, not only after negative impacts have emerged.

Based on these theories and principles, the proposed Regional Regulation should not only contain prohibitive norms but also establish institutional mechanisms and programs that local governments can implement concretely. First, the Regulation should establish a Child Marriage Prevention Task Force at the village and sub-district levels, involving village governments, health workers, schools, religious leaders, traditional leaders, and community organisations. A community-based approach has proven more effective in detecting and preventing child marriage because it involves the actors closest to the child's social life (Saraswati, 2020).

Second, the Regional Regulation needs to govern the development of an integrated early detection system and a database of vulnerable children among local governments, schools, community health centres, village governments, and the Women's Empowerment and Child Protection Agency. This system aims to identify children at risk of early marriage due to school dropout, poverty, or teenage pregnancy. A data-driven approach is considered crucial because it allows local governments to implement targeted and sustainable interventions (Kurniawati & Akub, 2021).

Third, regional regulations can stipulate the obligation to provide psychological, social, and reproductive health support to every child who applies for a marriage dispensation through the courts. This regulation is not intended to diminish the authority of religious courts, but rather to strengthen child protection before the dispensation is granted. The high number of marriage dispensations across regions underscores the need to strengthen preventive measures outside the judicial system (Hatta, 2021).

Fourth, regional regulations need to integrate family economic empowerment programs with child marriage prevention strategies. Various studies show that poverty and economic vulnerability remain dominant factors driving families to marry off their children at an early age. Therefore, families with at-risk children need to be prioritised in social assistance programs, skills training, micro-enterprise assistance, and other economic empowerment programs (Lestari & Azizah, 2021).

Fifth, the regional regulation needs to specifically regulate the involvement of traditional and religious leaders in efforts to prevent child marriage. Given that the people of Southeast Sulawesi still have strong social and cultural ties, a cultural approach is a crucial instrument for changing public mindsets regarding child marriage. Harmonising traditional values and child protection principles is key to the successful implementation of regional policies (Elwan & Hamsinah, 2022).

Thus, the proposed Regional Regulation on Child Marriage Prevention serves not only as a regulatory instrument but also as a social engineering instrument, building a child protection system based on prevention, early detection, mentoring, economic empowerment, and community participation. This model builds on previous studies by not only examining the causal factors of child marriage but also offering an operational, implementable regulatory design that aligns with the socio-cultural characteristics of the Southeast Sulawesi community.

CONCLUSION

Child marriage in Southeast Sulawesi Province is influenced by various interrelated factors, including low education levels, family economic conditions, sociocultural factors, customary law, technological developments, and promiscuity, which leads to out-of-wedlock pregnancies. These conditions demonstrate that child marriage is a multidimensional issue that cannot be resolved solely by establishing a minimum age for marriage as stipulated in Law Number 16 of 2019. The suboptimal implementation of national policies and the lack of specific regional regulations underscore the urgency of establishing a Regional Regulation on Child Marriage Prevention in Southeast Sulawesi Province. This Regional Regulation is needed as a preventive and comprehensive legal protection instrument that encompasses education, family economic empowerment, early detection and reporting of cases, support services, and the involvement of various stakeholders, in accordance with the socio-cultural characteristics of the Southeast Sulawesi community.

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