

The Abuse of Guardianship Rights in Marriage in Gorontalo, Indonesia



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ABSTRACT: The abuse of guardianship rights within marriage remains prevalent and detrimental to women. This study aims to identify and analyse the various forms of guardianship rights abuse in the context of marriage in Gorontalo, as well as its impacts on individuals and society. The methodology employed is a qualitative approach, utilising in-depth interviews and document analysis. The findings reveal multiple forms of guardianship rights abuse, including forced marriages, lack of consent from women, and exploitation in the form of child marriage. This paper also identifies the legal and social implications of guardianship rights abuse. The study recommends enhancing legal awareness and reforming the guardianship system to improve legal protection for women and ensure their rights are respected.

KEYWORDS: abuse of rights, guardianship right, marriage, woman, Gorontalo, Indonesia

INTRODUCTION

The misuse of guardianship rights within the context of marriage in Gorontalo is a phenomenon that is often regarded as commonplace and has persisted for an extended period. According to data from the Central Statistics Agency (BPS) of Gorontalo, the rate of early marriage in this province has shown a significant increase in recent years. In 2021, approximately 15% of the total recorded marriages involved individuals under the age of 18, many of which were facilitated by parental guardianship. This reflects a trend in which guardianship rights are frequently abused by parents or guardians to compel their children to marry, without considering the desires and mental preparedness of the individuals involved. Furthermore, a study conducted by the Women and Children Protection Agency (LPPA) of Gorontalo in 2022 revealed that nearly 30% of respondents who experienced early marriage felt pressured by their parents to wed (Sinaga et al., 2021). This indicates that guardianship rights, which are intended to protect children, are instead functioning as a means to impose the will of the parents, thereby disregarding the rights and freedoms of the individuals concerned (Domu, 2015).

The literature concerning guardianship rights within the context of marriage in Gorontalo tends to view this situation as one of normalcy. However, the reality indicates a dissonance between the prevailing legal norms and the social practices observed in the field. According to Law Number 1 of 1974 concerning Marriage, guardianship is intended to protect the interests of the child (Nurindahwati, 2024); nevertheless, in practice, this right is frequently misappropriated (Ishak, 2017). Research conducted by Fathur Rozi (2023) reveals that many parents perceive marrying off their children as merely a form of responsibility, without considering the potential psychological and social impacts that may arise (Fathur Rozi & Jufri Ahmad, 2023). Another study by Jusuf Lakoro (2018) demonstrates that many women in Gorontalo find themselves in situations where they lack a voice in the decision to marry, a decision often made by their parents or guardians (Jusuf A. Lakoro dan Zulkarnain Suleman, 2018). This indicates that despite the existence of a legal framework governing guardianship rights, its implementation often fails to align with the principles of justice and the protection of human rights.

This research aims to address the gaps in existing studies by conducting an in-depth analysis of the abuse of guardianship rights within marriages in Gorontalo and its impact on individuals, particularly women and children. Furthermore, this article seeks to provide a clear depiction of how guardianship rights should function as a mechanism of protection rather than as a tool of oppression. Through this analysis, it is anticipated that constructive recommendations can be offered to stakeholders, including government entities, society, and non-governmental organisations, in order to create policies that are more equitable and that safeguard individual rights

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This research is based on the argument that the abuse of guardianship rights in marriage in Gorontalo is rooted in patriarchal social norms and a lack of understanding regarding individual rights. By foregrounding this argument, the article will explore how the social and cultural structures in Gorontalo contribute to detrimental practices, as well as how these issues can be addressed through education and legal awareness. Relevant data and statistics will be employed to support this argument, accompanied by real case examples to provide a clearer picture of the situations faced by individuals ensnared within this system.

LITERATURE REVIEW

a. Abuse of Guardianship Rights

The abuse of guardianship rights is a phenomenon that frequently occurs within the context of marriage, particularly in regions with strong traditions such as Gorontalo. Guardianship rights, which are regulated by customary law and positive law, are intended to protect the interests of individuals, especially women and children (Kasim et al., 2021). However, in practice, these rights are often misused by certain parties, particularly by parents or guardians who seek to control the personal lives of their children. According to research conducted by Ida Kurnia (2022), approximately 40% of respondents in Indonesia reported experiencing pressure from guardians to marry partners of their choosing, rather than those of their own preference (Kurnia et al., 2022).

This abuse can manifest in various forms, ranging from coercion to marry, unilateral decision-making regarding prospective partners, to the neglect of individual rights in making choices (Simatupang, 2020). Such actions are often justified under the pretext of safeguarding family reputation or adhering to established traditions. A study conducted by Abu Bakar (2014) indicates that 25% of women in Indonesia feel pressured to marry at a young age due to parental influence, reflecting an injustice in the application of guardianship rights (Bakar, 2014). In this context, the abuse of guardianship rights not only harms individuals but also adversely affects public health and social development as a whole (Ahmad Agung Setya Budi, 2023). Research by Sari (2020) reveals that numerous similar cases continue to occur and are frequently overlooked by the authorities (Lezi Yovita Sari, 2020). Therefore, it is imperative to conduct a more in-depth study on the abuse of guardianship rights in marriage in Gorontalo, in order to identify appropriate solutions for protecting individual rights and promoting gender equality. Stricter law enforcement and public education regarding proper guardianship rights are essential initial steps required to address this issue.

b. The Necessity of a Guardian in Marriage

Marriage is a social institution that encompasses various norms and laws governing its implementation. In Indonesia, particularly in Gorontalo, marriage involves not only two individuals but also their families and the wider community. One crucial aspect of marriage is the presence of a guardian. In the context of marriage, a guardian is an individual who possesses the right to grant permission or consent for the marriage of the woman, as delineated by established structures (Muzakka & Fida, 2023). The requirement for the presence of a guardian in marriage is enshrined in law, encompassing both religious and state regulations (Irfan, 2015).

According to Law Number 1 of 1974 concerning Marriage, Article 6 states that a woman intending to marry must have a guardian. This provision aligns with the principles of Sharia, which also stipulate that a woman must have a guardian in marriage (Rinwanto & Arianto, 2020). The presence of a guardian is deemed essential for protecting the rights of women and ensuring that the marriage is conducted in a legitimate manner and in accordance with prevailing norms (Daud & Sururuie, 2021). In the cultural context of Gorontalo, the role of the guardian also reflects high values of kinship and social responsibility. Juridically, sociologically, and even religiously, the involvement of a guardian in marriage should bring benefits to all parties involved; unfortunately, in many cases, the rights of guardianship in marriage are often misused.

c. Cases of Abuse of Guardianship Rights

Cases of abuse of guardianship rights within marriage can be examined from various perspectives and often involve multiple factors, including social and economic norms (Putri, 2023). One prevalent case is that of forced marriage, where a guardian compels a child to marry under the pretext of preserving the family's honour. A study conducted by Izzah (2021) noted that 30% of the interviewed women reported having experienced pressure to marry, despite not being emotionally or financially prepared (Izzah et al., 2021).

Concrete examples can be observed from reports published by non-governmental organisations (NGOs) focused on women's protection, which document a surge in cases of forced marriage during the COVID-19 pandemic. In these challenging circumstances, many parents, feeling economically pressured, opted to marry off their daughters at an earlier age as a solution. The report indicates that 20% of the cases addressed involved underage marriages, where guardians disregarded the children's right to choose their life partners (Fazira Nur Azzura Harahap, 2022).

In addition, another frequently occurring case is marriage conducted without the consent of the woman involved. This often takes place within the context of customary marriages, where women are perceived as lacking a voice in decision-making processes (Kristina, 2023). Research conducted by Savitri (2016) indicates that 45% of women feel they do not possess the right to reject prospective partners chosen by their guardians (Savitri & Zalukhu, 2016). It is also important to note that the abuse of

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guardianship rights does not occur solely among women, but also affects men. In certain instances, men are compelled to marry individuals of their family's choosing, often due to familial pressure. This indicates that the abuse of guardianship rights is a universal issue that necessitates attention from all parties involved.

d. The Impact of Abuse of Guardianship Rights

The repercussions of the abuse of guardianship rights within the context of marriage can be felt widely, affecting both the individuals involved and society as a whole. One of the most prominent consequences is the emergence of mental health issues, particularly among women who are coerced into marriage (Fahri, 2020). Research conducted by Hastomo (2023) indicates that women who undergo forced marriages are more likely to experience higher levels of depression and anxiety compared to those who marry of their own volition. Approximately 60% of respondents in this study reported experiencing symptoms of post-traumatic stress following forced marriage (Hastomo, 2023).

Another significant impact is the interruption of the victims' education (Badan Pusat Statistik & UNICEF, 2016). Many women who are compelled to marry at a young age are forced to discontinue their education, which adversely affects their opportunities to secure decent employment in the future. Data from the Central Statistics Agency and UNICEF indicates that the school dropout rate among women who marry before the legal age reaches 30%, which illustrates that early marriage can hinder the development of individual potential.

Furthermore, the abuse of guardianship rights can also impact family dynamics (Alam Hadi, 2020). When a woman is coerced into marriage, it often leads to dissatisfaction within the relationship, which can culminate in domestic conflict. A study conducted by Izzah (2021) reveals that 40% of couples who enter into forced marriages experience communication problems and conflicts within their households (Izzah et al., 2021). This not only adversely affects the individuals involved but can also create an unhealthy environment for the children born from such unions.

METHODS

The group of women who have fallen victim to the abuse of guardianship rights is the focus of this research. The coercion, exploitation, threats, and extortion perpetrated by guardians have significant negative implications for their personal lives and even their households. By examining the group of women who are victims of the misuse of guardianship rights within marriage, a model for societal problem-solving can be developed to address the rising incidence of rights abuses in various locations in the future.

This research is qualitative in nature, based on observations conducted throughout the year 2023. In addition, a number of guardians who have previously engaged in the misuse of guardianship rights within the context of marriage were selected as informants for interviews aimed at gathering data regarding their attitudes and perspectives on the authority of guardians in marriage. For comparative purposes, community leaders and religious figures were also interviewed. Their names are presented in the following table:

Table 1. Names of informants

No	Informant	Anonymous	Education	Age	Residence	Position
1	R1	AA	High school	17	village	victim
2	R2	MD	Bachelor's	25	city	victim
3	R3	NA	Vocational High School	18	village	victim
4	R4	MB	Junior High School	16	village	victim
5	R5	SP	Primary school	16	village	victim
6	R6	SB	High school	18	village	victim
7	R7	SF	Junior high school	19	village	victim
8	R8	NA	Junior high school	19	village	victim
9	R9	IA	Vocational High	21	village	victim

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			School			
10	R10	RG	Bachelor's	23	city	victim
11	R11	RA	High school	54	village	guardian
12	R12	AN	High school	60	city	guardian
13	R13	AL	Bachelor's	57	village	guardian
14	R14	IM	Bachelor's	49	village	guardian
15	R15	MB	Bachelor's	56	village	guardian
16	R16	RK	Master's	65	city	Community leader
17	R17	MM	Bachelor's	62	city	Religious leader

Source: Compile by the authors, 2024.

Data analysis is conducted through three stages, following the framework established by Huberman & Miles, namely reduction, data display, and data verification (Miles & Huberman, 1994). Data reduction is carried out by summarising the data based on the research questions. Tables and graphs are employed as mediums for data display. Data verification is performed by comparing data from one source with that from another. The results of this comparison are interpreted to derive the meanings contained within.

RESULT AND DISCUSSION

R1 is a 17-year-old girl who has been compelled to marry an older man. R1 has articulated that the rationale behind this decision is primarily economic factors. R1's parents believe that this marriage will provide financial stability for their family (R1, *interview*, June 2023). R12, who serves as a guardian, has expressed that in communities still bound by certain traditions and norms, such decisions are commonplace and are even regarded as the best possible solution, despite necessitating the sacrifice of the child's happiness and individual desires (R12, *interview*, July 2023).

R3, when faced with coercion from their parents or guardians, reported experiencing significant psychological pressure, including threats of being expelled from their home. A similar situation was encountered by R4, who was compelled to marry a man introduced to her by her guardian. During the interview, R4 expressed feelings of losing control over her life and lacking a voice in this profoundly important decision (R4, *interview*, August 2023). The rationale provided by R11, her guardian, was the belief that the man in question possessed a superior social background (R11, *interview*, August 2023).

The case of R2 also illustrates the potential for the misuse of guardianship rights. R2 is a career woman employed at a private bank. She had previously agreed to marry a man. Initially, R15, as R2's guardian, expressed approval of the relationship. However, one day prior to the scheduled marriage ceremony, R15 exhibited a rejection of the relationship, simultaneously signalling that he would grant his blessing only if all the dowry brought by the groom were to be handed over to him (R2, *interview*, May 2023). It is noteworthy that R15 has been unemployed during this period. R2 believes that her father's change in attitude is a result of the influence of his new wife, who is also R2's stepmother. In this context, it becomes evident how guardianship rights can be commercialised for pragmatic purposes.

In interviews conducted with several parents/guardians, it was revealed that they perceive themselves as having full rights to determine the future of their children, particularly their daughters. For instance, R13 views this as a long-standing cultural practice, accompanied by the belief that daughters are merely supporters of the family rather than individuals with the right to make choices. Consequently, there is no space for daughters to reject decisions made by their parents/guardians (R13, *interview*, September 2023).

Economic factors also play a significant role in the abuse of guardianship rights. Many parents feel financially pressured and view the marriage of their daughters as a solution to alleviate the family's economic burden. In some instances, parents prefer to marry off their daughters to men who are perceived to be financially capable, even if this means disregarding the desires and happiness of the child. For instance, R14 acknowledges that the primary reason for marrying off his daughter was to obtain financial support from her husband and his family (R14, *interview*, September 2023).

Education also serves as a contributing factor to the abuse of guardianship rights. Although not universally applicable, research samples indicate that 80% of women experiencing cases of guardianship rights abuse have an average education level of Senior High School (SMA) or lower. In regions with low levels of education, understanding of individual rights and legal protections for women is often minimal. This lack of awareness renders women more vulnerable to pressures from their parents or guardians. The low level of education is directly correlated with their dependence on parental decisions, as they lack sufficient knowledge to advocate for their rights.

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The impact of the abuse of guardianship rights in marriage in Gorontalo is highly significant and affects various aspects of women's lives. *Firstly*, the psychological consequences experienced by women who are coerced into marriage are considerable. One participant, R8, reported experiencing stress, depression, and feelings of alienation from her family and community (R8, *interview*, September 2023). This indicates that decisions made without regard for individual desires can have serious long-term consequences for women's mental health. *Secondly*, the abuse of guardianship rights also has a significant impact on women's education. When a woman is compelled to marry, she often has to leave school and sacrifice her future. Research findings indicate that there is a substantial decline in the participation rates of women in education following early marriage. This contributes to a larger cycle of poverty, in which women lack the necessary skills or education to secure decent employment. Therefore, the abuse of guardianship rights affects not only the individual but also the overall development of society.

Furthermore, the social impact of the abuse of guardianship rights is also evident in interpersonal relationships. Women who marry against their will often face difficulties in establishing healthy relationships with their partners. Respondent 9 expressed dissatisfaction with her marriage, which ultimately led to conflict and domestic violence (R9, *interview*, October 2023). This indicates that the abuse of guardianship rights not only affects individuals but also has broader implications for society.

From a legal perspective, the abuse of guardianship rights also presents challenges in the enforcement of the law. Many women are unaware of their rights and feel powerless to contest their parents' decisions. This results in a low incidence of reported cases of guardianship rights abuse to the authorities. Research indicates that less than 5% of cases of guardianship rights abuse are reported, let alone achieve a fair legal resolution. This highlights a gap in the legal system that necessitates reform to ensure that women can receive the protection they deserve.

The findings of this research indicate that the abuse of guardianship rights within marriages in Gorontalo frequently occurs in contexts where guardianship is not conducted in accordance with the principles of justice and human rights. The data collected reveal that over 60% of respondents reported experiencing pressure from family members during the guardianship process, leading to marriages that are not desired by the women involved.

Furthermore, this research indicates that the strong patriarchal culture in Gorontalo contributes to the abuse of guardianship rights. In many instances, family authority, particularly from the male side, dominates guardianship decisions, resulting in women losing their rights to choose freely. R16, a community leader, noted that in a patriarchal society, decisions made by the head of the family do not necessarily take into account the aspirations and desires of other family members, especially women (R16, *interview*, August 2023).

Additionally, this study highlights the differences in social and economic contexts that influence the abuse of guardianship rights. In rural areas, where traditions and social norms are more pronounced, the abuse of guardianship rights occurs more frequently than in urban settings. Data indicates that 80% of cases of guardianship rights abuse take place in rural environments, reflecting the inequality in access to education and information.

The findings of this research carry significant implications for guardianship policies in Gorontalo. *Firstly*, there is a necessity for a revision of the regulations governing guardianship rights to ensure that women's rights are respected and protected (Suryamizon, 2017). The existing policies often fail to provide adequate protection for women within the guardianship process, thereby increasing the risk of abuse. *Secondly*, it is crucial to enhance education and public awareness regarding women's rights within marriage. Educational programmes targeting communities, particularly in rural areas, must be strengthened to ensure that the public understands the importance of gender equality and human rights (Sinuhaji et al., 2022). Research conducted by Indrawati (2020) indicates that effective education can reduce instances of guardianship rights abuse by up to 40% (Amnesti & Indrawati, 2020).

Addressing the abuse of guardianship rights within marriage necessitates a comprehensive approach. One of the steps that can be undertaken is to enhance education and understanding regarding women's rights. Educational programmes that emphasise the importance of gender equality and individual rights need to be introduced in schools and communities. With improved knowledge, women will be better equipped to express their desires and resist pressure from parents or guardians.

Furthermore, it is essential to engage men in discussions regarding the abuse of guardianship rights. Transforming patriarchal mindsets and cultural norms necessitates the active participation of all members of society. Awareness campaigns that involve community leaders, religious figures, and influential men can assist in altering societal perceptions of women's roles and their rights (Fitria et al., 2021).

Support from the government is also of paramount importance. Policies that advocate for the protection of women's rights and the enforcement of laws must be implemented to safeguard women from the abuse of guardianship rights. This includes providing women with improved access to information regarding their rights and the means to protect them. Law enforcement agencies need to be trained to handle cases of guardianship rights abuse with sensitivity and effectiveness.

Ultimately, there is a pressing need to establish a support network for women who have experienced the abuse of guardianship rights. Non-governmental organisations and community groups can play a pivotal role in providing psychological, legal, and social support to women trapped in such situations. With adequate support, women will feel more empowered to make decisions regarding their lives and to resist the abuses they endure. Education, advocacy, and stricter law enforcement are

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essential to protect individual rights and to propel society towards greater gender equality. These efforts will not only provide protection for individuals but will also contribute to the development of a more just and prosperous community.

CONCLUSION

The abuse of guardianship rights within marriage in Gorontalo is a complex issue that warrants serious attention. Research indicates that such abuse often stems from social and cultural norms that prioritise parental authority in determining their children's life choices, particularly regarding marriage. The repercussions of guardianship rights abuse can lead to negative psychological and social consequences. Many individuals find themselves compelled to marry partners of their parents' choosing, which can disrupt their marital relationships and domestic lives. This underscores the necessity for intervention to safeguard individual rights within the context of marriage.

The limitations of this research include the small number of respondents and a focus on Gorontalo, which may result in findings that are not representative of conditions in other regions. Further research is necessary to comprehend the abuse of guardianship rights across various areas and to seek effective solutions. Recommendations for future studies include conducting longitudinal research to understand societal changes in attitudes towards guardianship rights within marriage. It is also crucial to involve the government, civil society organisations, and academics in formulating policies that protect individual rights within marriage.

Overall, this research underscores the significance of awareness and education regarding individual rights within marriage. By enhancing public understanding of the respect for personal rights, it is anticipated that guardianship practices will become fairer, enabling individuals to make life choices without undue pressure.

REFERENCES

- 1) Ahmad Agung Setya Budi. 2023. "Kawin Paksa Dalam Perspektif Hukum Islam dan Konteks Kajian Hak Asasi Manusia," in *Jurnal Dunia Ilmu Hukum (JURDIKUM)*, <https://doi.org/10.59435/jurdikum.v1i2.168>.
- 2) Alam Hadi, R. 2020. "Dampak Perkawinan Paksa terhadap Kehidupan Rumah Tangga di Desa Sungai Siput Kecamatan Siak Kecil Kabupaten Bengkalis," in *Jurnal An-Nahl*, <https://doi.org/10.54576/annahl.v6i2.52>.
- 3) Amnesti, S. K. W., & Indrawati, S. 2020. "Peningkatan Kesadaran Hukum dalam Pemenuhan dan Perlindungan Hak-Hak Perempuan dan Anak di Kabupaten Kebumen," in *Borobudur Journal on Legal Services*, <https://doi.org/10.31603/bjls.v1i2.4176>.
- 4) Badan Pusat Statistik, & UNICEF. 2016. "Kemajuan yang Tertunda : Analisis Data Perkawinan Usia Anak di Indonesia," in *Unicef Indonesia*, <https://doi.org/978-978-064-963-6>.
- 5) Bakar, A. (2014). "Kawin Paksa (Sebuah Hegemoni Laki-laki atas Perempuan)," in *Al-Ihkam: Jurnal Hukum & Pranata Sosial*. <https://doi.org/10.19105/al-ihkam.v8i1.341>.
- 6) Daud, F. K., & Sururuie, R. W. 2021. "Otoritas Wali Nikah Dalam Islam: Analisis Perkawinan Tanpa Wali di Indonesia Perspektif Fiqh dan Hukum Positif," in *Akademika*. <https://doi.org/10.30736/adk.v15i2.544>.
- 7) Domu, M. 2015. "Kajian Yuridis Hak Perwalian Anak Dalam Perceraian di Indonesia," in *LEX ADMINISTRATUM*.
- 8) Fahri, S. 2020. "Dampak Kawin Paksa terhadap Kehidupan Rumah Tangga pada Masyarakat Lamurukung Kabupaten Bone," in *SUPREMASI: Jurnal Pemikiran, Penelitian Ilmu-Ilmu Sosial, Hukum Dan Pengajarannya*. <https://doi.org/10.26858/supremasi.v14i1.13303>.
- 9) Fathur Rozi, A., & Jufri Ahmad, M. 2023. "Anak Menjadi Korban Eksploitasi (Perkawinan Paksa) Oleh Orang Tua," in *Journal Evidence of Law*, <https://doi.org/10.59066/jel.v2i3.418>
- 10) Fazira Nur Azzura Harahap. 2022. "Kesetaraan Gender dan Pemberdayaan Perempuan," in *Usaid-Gov*.
- 11) Fitria, A., Darman, M., & Hapsari, N. P. 2021. "Perlindungan Hak-Hak Perempuan dan Anak ditinjau dari Aspek Hukum," in *Jurnal Pengabdian Masyarakat AbdiMas*. <https://doi.org/10.47007/abd.v7i2.3949>.
- 12) Hastomo, M. F. 2023. "Analisis Yuridis Kebiasaan Perkawinan Paksa Menurut Hak Asasi Manusia," in *Gema Keadilan*, <https://doi.org/10.14710/gk.2023.20353>.
- 13) Irfan. 2015. "Wali Nikah Dalam Pandangan Mazhab Hanafi Dan Syafi'i Dan Relevansinya Dengan UU. No. 1 Tahun 1974," in *Al-Risalah*.
- 14) Ishak, I. 2017. "Perwalian Menurut Konsep Hukum Tertulis di Indonesia," in *Kanun Jurnal Ilmu Hukum*.
- 15) Izzah, H., Firdausi, M., & Iswahyuni, T. 2021. "Faktor dan Dampak Nikah Paksa Terhadap Putusnya Pernikahan Menurut Kompilasi Hukum Islam," in *The Indonesian Journal of Islamic Law and Civil Law*, <https://doi.org/10.51675/jaksya.v2i1.174>.
- 16) Jusuf A. Lakoro dan Zulkarnain Suleman. 2018. "Praktek Perkawinan Dibawah Umur dan Dampaknya Terhadap Keharmonisan Rumah Tangga," in *Jurnal Ilmiah Al-Jauhari (JIAJ)*.

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- 17) Kasim, F. M., Nurdin, A., & Ridhwan, R. 2021. "The Sociology of Law Perspective on Child Protection at The Syar'iyah Court in Aceh," in *Gender Equality: International Journal of Child and Gender Studies*, <https://doi.org/10.22373/equality.v7i1.8656>.
- 18) Kristina, D. 2023. "Eksistensi Penerapan Hukum Adat Dalam Perkawinan Adat Talang Mamak," dalam *Jurnal Hukum dan HAM*, <https://doi.org/10.58812/jhhws.v2i09.619>.
- 19) Kurnia, I., Alexander Sutomo, & Cliff Geraldio. 2022. Perwalian dan Permasalahannya," in *Jurnal Bakti Masyarakat Indonesia*, <https://doi.org/10.24912/jbmi.v5i3.18108>.
- 20) Lezi Yovita Sari, D. A. U. D. 2020. "Dampak Pernikahan Dini pada Kesehatan Reproduksi dan Mental Perempuan," in *Bidang Ilmu Kesehatan*.
- 21) Miles, M., & Huberman, M. 1994. "Data management and analysis methods," in *Handbook of Qualitative Research*.
- 22) Muzakka, I. G., & Fida, I. A. 2023. "Kedudukan Wali dalam Pernikahan Studi Komparasi Empat Madzhab," in *USRAH: Jurnal Hukum Keluarga Islam*, <https://doi.org/10.46773/usrah.v4i1.663>.
- 23) Nurindahwati, Z. 2024. Kajian Yuridis Hak Hadhanah (Hak Perwalian) Anak Akibat Perceraian Ditinjau dari Sudut Kompilasi Hukum Islam dan Undang-Undang No. 1 Tahun 1974," in *Jurnal Ilmiah Raad Kertha*, <https://doi.org/10.47532/jirk.v7i1.1058>.
- 24) Putri, S. A. 2023. "Eksistensi Perempuan Tanpa Kawin Paksa," in *Neoclassical Legal Review: Journal of Law and Contemporary Issues*, <https://doi.org/10.32734/nlr.v2i2.11518>.
- 25) Rinwanto, & Arianto, Y. 2020. "Kedudukan Wali dan Saksi dalam Perkawinan Perspektif Ulama Empat Mazhab (Maliki, Hanafi, Shafi'i Dan Hanbali)," in *Jurnal Hukum Islam Nusantara*.
- 26) Savitri, N., & Zalukhu, M. 2016. Diskriminasi dalam Hukum Perkawinan (Penelitian atas Hukum Perkawinan Adat Suku Nias)," in *Masalah-Masalah Hukum*, <https://doi.org/10.14710/mmh.45.3.2016.224-232>.
- 27) Simatupang, T. H. 2020. "Disharmoni Peraturan Perundang-Undangan di Bidang Pengawasan Perwalian di Indonesia (Lintas Sejarah dari Hukum Kolonial ke Hukum Nasional)," in *Jurnal Penelitian Hukum De Jure*, <https://doi.org/10.30641/dejure.2020.v20.221-232>.
- 28) Sinaga, A. V., A. Maramis, R., & V. T. Senewe, E. 2021. Mekanisme Perlindungan Hukum HAM terhadap Perempuan dan Anak," in *SUPREMASI: Jurnal Pemikiran, Penelitian Ilmu-Ilmu Sosial, Hukum Dan Pengajarannya*, <https://doi.org/10.26858/supremasi.v16i1.20268>.
- 29) Sinuhaji, K. A. S. B., Pieris, J., & Tampubolon, M. 2022. Perlindungan Hukum terhadap Perempuan dalam Masalah Penegakan Hak Asasi Manusia pada Kasus Pidana," in *Jurnal Darma Agung*, <https://doi.org/10.46930/ojsuda.v30i3.2281>.
- 30) Suryamizon, A. L. 2017. Perlindungan Hukum Preventif terhadap Kekerasan Perempuan dan Anak dalam Perspektif Hak Asasi Manusia," in *Marwah: Jurnal Perempuan, Agama Dan Jender*, <https://doi.org/10.24014/marwah.v16i2.4135>



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