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The Hanging Marriage Tradition in West Java from the Perspective of Law Number 16 of 2019 concerning Marriage

Rahmat Aripin [1], Aldo Aultar [2]
[1] Universitas Islam Sumatera Barat
[2] Universitas Islam Sumatera Barat
Correspondence: rahmataripinaripin@gmail.com

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ABSTRACT
This study aims to analyze the tradition of hanging marriages, which is still practiced by some communities in West Java, from the perspective of Law Number 16 of 2019 concerning Marriage. Hanging marriages are marriage practices carried out through matchmaking and the binding of marital relations from childhood, while full household life is postponed until both partners are considered adults. This study uses a qualitative method with a library research approach. Data were obtained from various scientific literature, journals, books, laws and regulations, and previous research results, which were analyzed using a descriptive-analytical approach. The results show that the tradition of hanging marriages is maintained because it is considered able to maintain family honor, prevent promiscuity, adultery, and pregnancy outside of marriage. However, this practice also has various negative impacts, such as increased school dropout rates, the risk of poverty, divorce, domestic violence, and reproductive health problems due to early marriage. From the perspective of Law Number 16 of 2019, the minimum age of marriage for men and women is 19 years to ensure the physical, mental, and social maturity of the prospective bride and groom. Therefore, the practice of hanging marriages involving minors is inconsistent with child protection goals and the principles of national marriage law. Customary traditions can be maintained as long as they do not conflict with laws and children's rights .

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INTRODUCTION

Marriage is a social and legal institution that holds a vital place in human life. Through marriage, a physical and spiritual bond is formed between a man and a woman, aimed at building a harmonious, prosperous, and sustainable family. In addition to fulfilling biological and emotional needs, marriage also serves as a vehicle for continuing the lineage and forming a generation that is qualified, moral, and capable of making a positive contribution to society, the nation, and the state. Therefore, marriage is seen as a noble trust and holds vital social, moral, and religious values in human life. (Podungge et al. 2024) .

Indonesia is a country with diverse ethnicities, cultures, languages, and customs spread across various regions. This diversity is a national treasure that shapes the identity of the Indonesian people. Each region has values, norms, and traditions that have been passed down from generation to generation as guidelines for regulating social life, including marriage. As a social institution with a vital role in human life, marriage is viewed not only as a legal bond between a man and a woman but also as a cultural event steeped in traditional values and local wisdom. Therefore, the procedures for conducting marriages in Indonesia are often influenced by the traditions that have developed within the local community. (Fitri et al. 2025)

Indonesia's cultural diversity has given rise to various traditions and customary practices that have developed within its communities. One tradition still found in some communities is the hanging marriage. Hanging marriage is a marriage practice performed at a young or relatively young age, where the marriage is bound by custom or religion, but the full exercise of husband and wife rights and obligations, as well as the start of a household, is postponed until the couple reaches adulthood. This tradition stems from social and cultural constructs passed down through generations and is still maintained by some communities as part of their traditional identity (Rahmatilah 2021) .

The tradition of hanging marriages is still maintained from generation to generation by some communities in several areas of West Java, including Cipaeh Serdang Village, Gunung Kaler District, Tangerang Regency; Cikawung Village, Pancatengah District, Tasikmalaya Regency; and Ujung Gebang Village, Susukan District, Cirebon Regency. Hanging marriages are a marriage practice that begins with an arranged marriage between a boy and a girl at an early age, followed by a marriage bond when both are still relatively young. In practice, the man's family first proposes to the girl while still a child, even in some cases after the girl has completed elementary school. Once an agreement is reached between the two families, the girl who has been proposed to is considered to have a prospective partner and the family no longer accepts proposals from other parties. Furthermore, marriage or full household life only takes place after the two prospective brides and grooms are considered to have reached puberty, or are mature enough according to local customs and views. (Bless 2021) .

An example of this hanging marriage is Based on the results of Ali Rahmatilah's research, one of the areas in West Java that still maintains the tradition of hanging marriage is Cikawung Village, Pancatengah District, Tasikmalaya Regency. (Ali Rahmatilah. Thesis, 2021: 7). One of the cases that attracted the attention of the wider community was the case of a girl named Hilda Fauziah from Cijambu Village, Cikawung Village, Pancatengah District, Tasikmalaya Regency who chose to run away because she could not accept the arranged marriage made by her parents since childhood or hanging marriage with a young man from the same village. Based on the results of an investigation conducted by the Regional Indonesian Child Protection Commission (KPAID) of Tasikmalaya Regency, there is still a tradition in some communities of Cijambu Village, Cikawung Village, Pancatengah, Tasikmalaya Regency who marry off children at the age of around 13 years by first carrying out a hanging marriage. Since elementary school, the girl has been approached and proposed to by the boy's parents, because she has been "characterized", the girl is no longer free to choose and have relationships with other men (Rahmatilah 2021) .

As a tradition passed down from generation to generation, hanging marriage is still maintained by some communities as part of their local cultural identity, although this practice has given rise to various debates regarding the protection of children's rights and the freedom to choose a life partner. In formal legal regulations, the Indonesian government has set a minimum age for marriage through Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage. This change was made as a form of adjustment to legal developments, the protection of children's rights, and the principle of gender equality. Through this law, the minimum age for marriage for men and women is the same, namely 19 (nineteen) years. This provision aims to ensure that prospective brides and grooms have adequate physical, mental, and social maturity before entering into married life, thereby minimizing the various risks arising from child marriage (Republik 1974) .

Article 7 paragraph (1) of Law Number 16 of 2019 states:

"Marriage is only permitted if the man and woman have reached the age of 19 (nineteen) years."

Before the amendment through Law Number 16 of 2019, Article 7 paragraph (1) of Law Number 1 of 1974 regulated the marriage age limit of 19 years for men and 16 years for women (Citra Umbara 2007) . However, this provision was later amended to provide better protection for girls and guarantee equal rights between men and women. Based on the background above, this study focuses on examining the Hanging Marriage Tradition in West Java from the Perspective of Law Number 16 of 2019 concerning Marriage.

RESEARCH METHODS

The researcher used a qualitative research strategy (Tamaulina et al, 2023) by analyzing and collecting data from reliable scientific sources. This study used a qualitative method with a literature review approach. Data sourced from the Google Scholar database, selected through *the Publish or Perish* software . The collected data were analyzed using *the Preferred Reporting Items for Systematic*

Reviews and Meta-Analyses (PRISMA) framework . The PRISMA approach is widely used to conduct systematic reviews of relevant literature to analyze and synthesize existing research findings. In this study, the PRISMA framework provides a clear and structured procedure for identifying, selecting, and evaluating literature related to the Hanging Marriage Tradition and Law Number 16 of 2019 concerning Marriage. The data collection process was carried out in several systematic stages. First, literature identification and selection were carried out by searching for relevant studies on the Hanging Marriage Tradition and Law Number 16 of 2019 concerning Marriage in various academic databases and related publications.

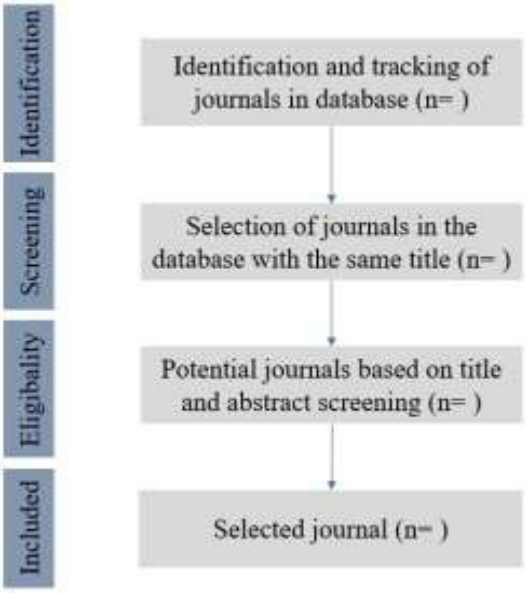


Figure 1. PRISMA Flow Diagram Procedure Chart
Source: (Bahri 2023) ; Bahri et al., 2022; Shahab et al., (2021)

Inclusion and exclusion criteria were applied to ensure that the selected articles were relevant, credible, and of adequate quality. Second, data screening and extraction were conducted. Following the selection process, relevant information was extracted from the included studies. The extracted data included information on the mechanisms, requirements, and objectives of the hanging marriage tradition and Law Number 16 of 2019 concerning Marriage.

Following the PRISMA-P approach, the data selection process was conducted in four sequential stages. First, identification was carried out by searching the database using the Indonesian keywords "Kawin Gantung" and "Law Number 16 of 2019 Concerning Marriage". Second, the found articles were screened, where duplicates and similar records were removed. Third, the eligibility of potential articles was assessed through title and abstract screening. Fourth, the final inclusion stage was completed by excluding articles based on three criteria: (1) not categorized as journal articles, (2) unavailability of full text, and (3) not relevant to the research focus.

RESULTS AND DISCUSSION

According to Law Number 1 of 1974 concerning Marriage, marriage is a physical and spiritual bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family (household) based on the One Almighty God. This definition shows that marriage is not only seen as a formal legal relationship, but also as an inner bond containing spiritual, moral, and sacred values based on religious teachings. Therefore, marriage has broad dimensions, encompassing social, psychological, and religious aspects of human life. (Republic 1974) .

Furthermore, the Compilation of Islamic Law (KHI), established through Presidential Instruction Number 1 of 1991, affirms the essence of marriage as *a* firm and strong agreement to obey the commands of Allah SWT. Article 2 of the KHI states that marriage is a very strong contract whose implementation has the value of worship. Thus, marriage from an Islamic legal perspective not only

aims to legalize the relationship between a man and a woman, but also as a means of realizing a household life that is *sakinah, mawaddah, wa rahmah* , namely a family filled with tranquility, affection, and full of grace. Therefore, marriage is seen as a noble and strategic institution in preserving offspring, building family harmony, and realizing the benefits for both individuals and society. (2018 n.d.) .

Indonesia is a country with diverse ethnicities, cultures, customs, and value systems that have developed within its society. This diversity is part of the nation's identity, recognized and protected by the state. In social life, customary law still plays a vital role as a guideline for regulating various aspects of life, including marriage. The existence of customary law in Indonesia is essentially recognized and respected as long as it remains alive, developing, and does not conflict with applicable laws and regulations, religious values, public order, and human rights. (Sudantra 2018) .

Recognition of customary law communities and their traditional rights is constitutionally stated in Article 18B paragraph (2) of the 1945 Constitution of the Republic of Indonesia, which states that the state recognizes and respects customary law community units and their traditional rights as long as they are still alive and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia as regulated by law (Rahman et al. 2011) . This provision shows that the state provides space for customary communities to maintain and carry out traditions and customary norms that have been passed down from generation to generation. .

In the context of marriage, customary law has a significant influence in determining the procedures for marriages in various regions in Indonesia. One example is the Hanging Marriage Tradition in West Java, including in Cipaeh Serdang Village, Gunung Kaler District, Tangerang Regency; Cikawung Village, Pancatengah District, Tasikmalaya Regency; and Ujung Gebang Village, Susukan District, Cirebon Regency (Rahmatilah 2021) . Hanging marriage is a marriage practice that begins with an arranged marriage between a boy and a girl at an early age, then continues with a marriage bond when both are still relatively young (Hidatilah and Bastian 2022) . In its implementation, the man's family first proposes to the girl while still a child, even in some cases after the girl has completed elementary school. Once an agreement is reached between the two families, the girl who has been proposed to is considered to have a potential partner and the family no longer accepts proposals from other parties. Furthermore, marriage or full household life only takes place after both prospective bride and groom are deemed to have reached puberty or are mature enough according to local customs and community views (Hidatilah and Bastian 2022) .

An example of this hanging marriage is Based on the results of Ali Rahmatilah's research, one area in West Java that still maintains the tradition of hanging marriage is Cikawung Village, Pancatengah District, Tasikmalaya Regency. One case that captured the attention of the wider community was the case of a girl named Hilda Fauziah from Cijambu Village, Cikawung Village, Pancatengah District, Tasikmalaya Regency, who chose to run away because she could not accept the arranged marriage made by her parents since childhood or hanging marriage with a young man from the same village. Based on the results of an investigation conducted by the Regional Indonesian Child Protection Commission (KPAID) of Tasikmalaya Regency, there is still a tradition in some communities of Cijambu Village, Cikawung Village, Pancatengah, Tasikmalaya Regency, which marries off children at the age of around 13 years by first carrying out a hanging marriage. The girl has been visited and proposed to by the boy's parents since elementary school, because she has been "characterized", the girl is no longer free to choose and have relationships with other men (Rahmatilah 2021) .

The tradition of hanging marriage is fundamentally motivated by the community's desire to maintain relationships between men and women within the boundaries of religious norms, customs, and prevailing social values. In the view of communities that still maintain this tradition, hanging marriage is seen as a form of protection for the younger generation from various behaviors deemed deviant, such as promiscuity, uncontrolled romantic relationships, adultery, premarital pregnancy, and various other forms of moral violations. Along with the development of information technology and the increasing openness of social interactions among adolescents, some communities believe that monitoring children's relationships has become increasingly difficult. Therefore, hanging marriage is seen as an alternative that can provide certainty in relationships between men and women while maintaining family honor and preventing behavior that conflicts with religious teachings (Syukri and Nasution 2023)

From this perspective, hanging marriage is believed to have beneficial value because it is considered capable of reducing the risk of adultery, sexual relations outside of marriage, and unwanted pregnancies. (Shadri, Rintia, and Shakil 2025) . For its supporters, this tradition not only serves as a social mechanism to control adolescent behavior, but also as an effort to maintain the family's good name and strengthen kinship ties between families that have been established through marriage. By establishing marriage bonds at an early age, parents feel more at ease because the relationship between boys and girls has a clear status according to religion and tradition.

However, despite these goals, the practice of hanging marriages also raises a number of complex issues. Marriages conducted at a young age or school age, generally between 13 and 15 years old, have the potential to have negative impacts because at that age, a person does not yet have sufficient physical, psychological, emotional, or social maturity to live a married life (Nasrulloh 2022) . Adolescence is a developmental phase characterized by the search for self-identity, emotional instability, and changes in thinking and behavior. Therefore, the decision to marry at too young an age is often not based on mature preparation and is more influenced by the decisions of parents or the social environment. (Utami 2015) .

This lack of preparedness can lead to various problems in household life in the future . seldom couples who marry at the age of child experience various quite a bit of difficulty complex in undergo life House stairs , especially in aspect communication , resolution conflict , as well as understanding to their respective roles as husband and wife . At a very young age , the ability emotional and maturity psychological generally Not yet develop optimally , so that interaction in House ladder often influenced by emotions moment , lack of control self , as well as limitations in understand perspective couple . This is can cause communication No walk effective , easy happen misunderstanding , as well as emergence difficult conflict resolved wisely and maturely.

In addition, in carrying out the role as partner husband wife , married teenager early often not yet own mental readiness and adequate knowledge about not quite enough answer in House stairs , including in matter taking decisions , management economy family , and distribution role in life everyday . Condition This the more aggravated by stress from environment around and family big sometimes participate influence the dynamics of the young couple's relationship. As we get older and the process of maturing in ourselves , not seldom appear change method views and needs emotional state of each individual . In situation this , can arise possibility that second partner start realize existence mismatch character , purpose live , and hope to relationship that is being undertaken . In fact , in some case , couple can feel that feeling of love and attachment emotional before become base wedding No Enough strong For maintain sustainability long-term household . As a result, relationships built from an early age are vulnerable to tension, emotional separation, and even divorce when each individual begins to enter a more mature phase of adulthood and has different outlooks on life. Therefore, maturity , mental readiness , and stability emotional become very important factor in build House harmonious , sustainable and capable ladder face various challenge life in a way more wise . (Wayuni 2022) . Condition thus can triggering family disharmony that ultimately leads to divorce. The high divorce rate in early marriages is often linked to low emotional maturity and the couple's inability to face the various challenges of married life (Octaviani and Ilmu 2020) .

Apart from having an impact on family life, hanging marriage also has implications in a way significant to aspect education , in particular for children who are still be at the age school . In the phase this , they Actually Still is at in an important process formation knowledge , skills , and character through formal education . However , when marriage occurs at too young an age early , educational process the often experience enough disturbance serious . Children who marry at the age of school tend face various obstacle in continue formal education , both due to internal and external factors.

From an internal perspective, the burden of responsibility as a married couple, often coupled with the role of parents at a very young age, makes it difficult for them to divide their time, energy and concentration . between obligation House stairs and activities learning . Condition This often cause decline motivation learning , absence from school , to Finally ended in a breakup school . Meanwhile that , from side external pressure social and cultural environment around also often strengthen view that after married , education No Again become priority main , so that encouragement For continuing school becomes weaker.

In addition, limited economic support in young households is also a factor . factors that are not can ignored . Many couples young people who have not own independence financial so that difficulty

in fulfil need education , such as cost school , supplies learning , as well as access to facility adequate education . This is the more enlarge risk stopping the education process in the middle of the road. As a result , opportunities to obtain higher education are becoming increasingly limited, resulting in low levels of skills and knowledge . term length , condition This No only influence the future the individual concerned , but also contributes to low quality source Power man in a way overall . In fact , development national needs badly educated generation , has good competence , productive , and capable compete in the middle increasingly global developments complex and competitive . Therefore that , phenomenon marry hanging can viewed as one of the potential factors hinder progress education and development nation if No anticipated with appropriate and sustainable policies . (Maslukha and Firmansyah 2026) .

From an economic perspective, the low level of education consequence marriage age early can impact wide to limited chance Work as well as low level income family . Education was interrupted at the age of school or No completed until higher level tall cause individual No own supplies adequate knowledge , skills and competencies For compete in an ever -increasing world of work competitive . As a result , the choice available jobs become very limited , generally in the informal sector with low and uncertain income . Couples who marry at a young age generally do not have work experience or skills. vocational , as well as independence sufficient economy For build life House ladder in a way stable . Unpreparedness This make they difficulty in fulfil need base family , such as food , education children , health , and place decent living . In Lots case , condition This cause they must depend on help family big or environment around For endure life , especially in the early days of marriage.

Apart from that, limited access to decent work is also often exacerbated by low levels of employment trust self and lack of network social as well as professionals owned by the couple young said . This is make they the more difficult For increase level economy in a way independent . Dependence sustainable economy No only impact on stability House stairs , but also can cause tension in connection extended family who provide support.

In the long term, this condition can increase the risk of it occurring . poverty intergenerational , where limitations economics and parental education impact on the minimum access education and welfare children them in the future . Cycle This tend repetitive from One generation to generation next if No There is appropriate intervention in form improvement education , empowerment economy , as well as policy protection against early marriage. Thus, the impact of early marriage is not only individual, but also has implications . more social wide , because can influence quality source Power human , level welfare family , and development public in a way overall . Therefore that , the effort prevention marriage age early become very important as part from the improvement strategy quality education and alleviation poverty in a way sustainable . (Endria and Hasmira 2026) .

From a health perspective, marriage and pregnancy at too young an age also carry various risks. Medically, adolescent girls' reproductive organs are not yet fully developed. develop optimally for facing the process of pregnancy and childbirth . Pregnancy at an early age child can increase risk complications pregnancy , childbirth premature , anemia , bleeding , to increasing number death mother and baby . Besides that , the low knowledge about health reproduction can also cause various problem health others . Therefore that , a lot institution health and organization international push delay age marriage until achieved maturity adequate physical and mental.

Furthermore, the unstable psychological condition of teenagers is also an important factor that needs to be considered, because pregnancy at an early age can cause mental stress, anxiety, depression, and unpreparedness in carrying out ... role as parents . This is No only impact on health mother , but also has an influence to grow flower children born , incl risk of stunting, less nutrition and disorders development cognitive . From the side socio-economic , marriage age early also often hinders sustainability education and limiting chance work , so that impact on low quality life family in the future . With thus , the delay age marriage is one of the effort important preventive measures in frame increase degrees health reproduction as well as quality the next generation come . (Husna et al. 2019) .

Despite various studies demonstrating the negative impacts of early marriage, some communities still support the practice of hanging marriage, arguing that the tradition has become part of their cultural heritage. For those who support it, hanging marriage is not simply a marriage practice but also a part of their cultural identity, reflecting highly valued moral, religious, and kinship values. This tradition can still be found in several regions in Indonesia, such as Cipaeh Serdang Village, Gunung Kaler District, Tangerang Regency; Cikawung Village, Pancatengah District, Tasikmalaya Regency; and Ujung Gebang Village, Susukan District, Cirebon Regency. The continued existence of this

tradition demonstrates the dynamic between the preservation of local cultural values and the growing demand for the protection of children's rights within the national legal system (Rahmatilah 2021) .

For these reasons, the government issued Law Number 1 of 1974 concerning Marriage, as amended by Law Number 16 of 2019. All marriage practices in Indonesia must comply with applicable legal provisions. Through this law, the minimum age for marriage for men and women is the same, namely 19 (nineteen) years. This provision aims to ensure that prospective brides and grooms have sufficient physical, mental, and social maturity before entering into married life, thereby minimizing the various risks arising from child marriage.

Article 7 paragraph (1) of Law Number 16 of 2019 states:
"Marriage is only permitted if the man and woman have reached the age of 19 (nineteen) years." (Republic of 1974)

Changes to the norms in Law Number 1 of 1974 concerning Marriage, reaching the age limit for marriage, improvements to the norms reach by raising the minimum age limit for marriage for women. In this case the minimum age limit for marriage for women is the same as the minimum age limit for marriage for men, namely 19 (nineteen) years. The age limit is considered to have matured physically and mentally to be able to marry in order to realize the goals of marriage properly without ending in divorce and having healthy and quality offspring. It is also hoped that increasing the age limit higher than 16 (sixteen) years for women to marry will result in a lower birth rate and reduce the risk of maternal and child mortality. In addition, children's rights can also be fulfilled so as to optimize child growth and development including parental guidance and provide children with access to the highest possible education .

Thus, a customary tradition can only be implemented as long as it does not conflict with the principles stipulated in laws and regulations, such as the minimum age limit for marriage, the consent of both prospective bride and groom, protection of children's rights, gender equality, and the purpose of marriage to form a happy and eternal family.

Therefore, state recognition of customary law does not mean granting communities unlimited freedom to practice all existing traditions. Instead, customary law must operate in harmony with national law to remain relevant to current developments and protect citizens' rights. In the event that customary practices have the potential to be detrimental, discriminatory, or contrary to laws and regulations, the state has the authority to make adjustments and restrictions to ensure legal certainty, justice, and the protection of human rights. Thus, customs can be preserved as the nation's cultural heritage, but their implementation must be in harmony with the values of the constitution and applicable laws in Indonesia.

CONCLUSION

The tradition of hanging marriage is a traditional practice still maintained by some communities in West Java as a cultural heritage passed down through generations. This tradition aims to maintain social relations between men and women, prevent adultery, and maintain family honor and kinship. However, the practice of hanging marriage at a young age has the potential to have various negative impacts, including educational, economic, health, and psychological aspects. Children who marry at an early age are more vulnerable to dropping out of school, poverty, domestic conflict, divorce, and various reproductive health risks.

Based on Law Number 16 of 2019 concerning Marriage, the minimum age for marriage for men and women is 19 years. This provision is established to ensure the physical, mental, and social maturity of prospective brides and grooms and to provide better protection for children's rights. Therefore, the practice of hanging marriage, which leads to child marriage, is inconsistent with the spirit of child protection and the goal of establishing a quality family as mandated by law. State recognition of customary law does not mean granting unlimited freedom in the implementation of traditions; rather, they must remain within the corridors of national law, human rights values, and the best interests of children. Therefore, the preservation of the hanging marriage tradition needs to be carried out selectively and adaptively to maintain respect for local cultural values without neglecting legal protection and the welfare of the younger generation.

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