



Reconsidering Legal Protections for Child Marriage Victims: A Maqasid Shariah Perspective

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Abstract: This study aims to analyze the legal protection of victims of domestic violence (KDRT) that occurs due to underage marriage in North Sulawesi through the perspective of Maqasid Sharia. The research method used is qualitative with a juridical-empirical approach, collecting data through in-depth interviews with victims of domestic violence, law enforcement officials, and religious leaders, as well as document analysis from related institutions. The results of the study show that the implementation of legal protection for victims of domestic violence in child marriage is still weak due to social stigma, lack of training of officials, and low public legal literacy. The Maqasid Sharia approach emphasizes the protection of individual souls, intellect, and honor as the main principles for handling domestic violence cases in child marriage. This study recommends increasing legal awareness, training on gender issues for officials, and strengthening cross-agency collaboration to create a more effective protection system. These findings are expected to enrich the literature and contribute to the development of policies for the protection of victims of domestic violence in Indonesia.

Keywords: Legal protection; domestic violence; child marriage; Maqasid Sharia; North Sulawesi.

Introduction

Underage marriage remains a fundamental challenge faced by many developing countries, including Indonesia, to this day (Bukido et al., 2023). This issue goes beyond a legal or policy problem. It is intertwined with the younger generation's social, economic, cultural, and health dimensions. Globally, agencies such as UNICEF and UNFPA highlight that every year, millions of girls are forced to marry before the age of 18, losing their rights to education, health, and future (Efevbera & Bhabha, 2020; Pandey, 2021). Indonesia, although it has adopted various regulations to raise the minimum age for marriage, still records an alarming prevalence of child marriage (Aditya & Waddington, 2021; Lubis et al., 2021). This dilemma is exacerbated by unique local factors, making prevention and countermeasures cannot be standardized throughout the archipelago (Mutakin et al., 2023; Sari & Husna, 2023).

Among the provinces in Indonesia, North Sulawesi shows a distinctive face in the issue of child marriage and domestic violence (KDRT). The area is known for its substantial cultural diversity and traditions, as well as social dynamics that are different from other regions (Mursyid & Yusuf, 2022). The latest official data from the Central Statistics Agency shows that the percentage of girls married before the age of 18 in North Sulawesi reached around 12.5% in 2023, a figure that not only exceeds the national average, (Badan Pusat Statistik, 2024) but it also shows a tendency to stagnate from year to year. This reality cannot be separated from the role of customs and social norms that, implicitly and explicitly, sometimes still understand or even encourage the occurrence of child marriage. Behind this data lies the sad reality, many young women enter marriage without physical and psychological readiness and then get caught up in a cycle of domestic violence that is barely visible and rarely disclosed to the public (Fadil et al., 2024).

The phenomenon of domestic violence among young couples in North Sulawesi shows increasingly complex symptoms. Not a few victims choose to silence their voices and injuries to maintain the good name of their families or because they are afraid of social stigma. Data from the North Sulawesi Provincial Women's

Empowerment and Child Protection Office in the past two years confirms an increase in reports of domestic violence cases in the group of early-age couples, where more than 30% of victims are women who married before the age of 18. However, this figure is believed to be just the tip of the iceberg. There are still many victims who choose to remain silent, helpless in the face of social pressure and lack of access to justice. This phenomenon is strengthened by the lack of sex education, low legal literacy, and limited legal protection and assistance services that are truly child- and female-friendly in rural areas and the North Sulawesi archipelago.

Although formal regulations at the national level, such as Law Number 23 of 2004 concerning the Elimination of Domestic Violence and Law Number 35 of 2014 concerning Child Protection, have been promulgated for a long time, their implementation at the regional level is often hit by various obstacles (Albert & Rahmawati, 2018). Law enforcement officials in North Sulawesi often admit to limited capacity, lack of gender-sensitive training, and weak coordination across agencies (Howes & Preston, 2025). In many cases, patriarchal culture and the perception that domestic affairs are private domains further narrow the victim's space for protection (Howes & Preston, 2025; Prajuli et al., 2021). Not infrequently, victims are advised to be "patient" or "return to their husbands" instead of being encouraged to demand rights and justice. In this reality, positive law seems to lose its fangs in the face of more dominant culture and social norms (Sukhufan & Yunanto, 2023).

On the other hand, there are significant gaps in academic studies and advocacy practices regarding the legal protection of victims of domestic violence in child marriage in North Sulawesi. Much of the previous research has been confined to normative-descriptive analyses of applicable regulations without empirically exploring victims' experiences and the socio-cultural factors that complicate access to justice. In a religious Indonesian society, the normative perspective of religion, especially Maqasid Sharia, actually offers excellent potential to strengthen the victim protection system substantially (Juliansyahzen & Ocktoberrihsyah, 2022). Unfortunately, the study of Maqasid Sharia has stopped more at the conceptual level, not to the integration of empirical analysis of local contexts with their cultural complexity (Mutakin et al., 2023).

This is the *research gap* that this research aims to answer. Until now, there have been almost no studies that specifically and empirically examine legal protection for victims of domestic violence in underage marriage in North Sulawesi by integrating Maqasid Sharia analysis as an evaluation framework and solution. The cultural characteristics and social norms in this area make cases of domestic violence in child marriage have unique dimensions and challenges, so they cannot be approached only with a legal-formalistic approach. This research enriches the scientific literature while encouraging advocacy and policy reform based on substantive justice and humanist values.

This study aims to analyze in depth how legal protection for victims of domestic violence in underage marriage in North Sulawesi is applied, what are the main obstacles, and how the integration of Maqasid Sharia values can provide a more contextual and equitable solution (Agustini et al., 2021; Putra & Agung Burhanusyihab, 2023). This research is expected to answer academic needs and offer policy recommendations applicable to local governments, law enforcement officials, and women and child protection activists. So that victims' rights can be guaranteed, both normatively and in practice at the grassroots level.

Method

This research uses a qualitative approach with juridical-empirical methods specifically designed to capture the complexity of social, cultural, and legal dynamics in North Sulawesi (Wihelmus et al., 2025). The choice of qualitative methods is not without reason, namely that the issue of child marriage and domestic violence (KDRT) is closely related to personal experiences, social interactions, and cultural constructions that cannot be reduced to just statistics. With a juridical-empirical approach, this research not only dissects legal and regulatory texts but also seeks to explore practices in the field, victims' experiences, and the interaction between formal norms and local values. The conceptual framework of this study integrates the theory of legal protection with the principles of Maqasid Shariah so that the analysis can distinguish between a legal-formalistic approach and a substantive approach based on justice.

Primary data was collected through in-depth interviews with underage married domestic violence victims, law enforcement officials, and relevant religious and community leaders in North Sulawesi. The researcher purposively selects informants who have experienced or handled similar cases to ensure the depth and validity

of the data. In practice, this study involved 15 female victims who had experienced domestic violence due to child marriage, five law enforcement officials (police, women, and child protection services), and three religious leaders who played an active role in education and advocacy for women's rights. The researcher explicitly prioritizes the ethical aspect, and each interview process begins with informed consent, maintains identity anonymity, and provides space for informants to express their experiences without pressure.

Meanwhile, secondary data was obtained from literature reviews, scientific journals, reports of civil society organizations, government policy documents, and relevant laws and regulations at the national and local levels. All data collected were analyzed using thematic techniques, from interview transcription, identification of key patterns, and in-depth interpretation that links empirical findings with the framework of Maqasid Sharia and legal protection theory. The validity and credibility of the analysis results are maintained by triangulating data sources and cross-checking the results of interviews with various key informants (Dobinson & Johns, 2017). This research also seeks to support gender and cultural sensitivity throughout the process so that the results obtained truly reflect the reality of the field and can make practical and theoretical contributions to strengthening the protection of victims of domestic violence in the context of child marriage in North Sulawesi.

Results and Discussion

Child Marriage Profile in North Sulawesi

The phenomenon of child marriage in North Sulawesi is not just present as a statistical number. Still, it is closely intertwined with society's social, cultural, and economic dynamics. In contrast to some regions in Indonesia that have experienced a decline in the rate of child marriage, North Sulawesi has shown an alarming consistency of prevalence in recent years. Based on data from the Central Statistics Agency in 2023, around 12.5% of women aged 20–24 years in this province were recorded to have been married before reaching the age of 18, placing North Sulawesi as one of the regions with the highest prevalence of child marriage nationally (Barkah et al., 2025). This condition is exacerbated by the lack of access to secondary education and economic inequality that still colors most villages and archipelago areas. In some communities, traditions and social pressures have also strengthened the legitimacy of child marriage as a "way out" of out-of-wedlock pregnancies, efforts to preserve the family's good name or even economic strategies for low-income families (Fitriana et al., 2024; Ramadhon et al., 2020).

Not a few parents see early marriage as part of a tradition that is difficult to change and is considered the quickest solution to avoid social disgrace (Lowe et al., 2022). In an in-depth interview conducted by the researcher, a community leader in Minahasa revealed, "Many families here prefer their children to marry quickly if they are close to the opposite sex, rather than bearing the embarrassment if something happens. Especially in villages, parents are worried that their daughters get pregnant out of wedlock, so before that happens, it's better to get married right away, even if they're still very young." This statement reflects how social constructs and collective pressures remain key determinants in family decision-making regarding girls' futures.

The tendency of child marriage in North Sulawesi is also inseparable from the educational disparity between urban and rural areas. Although access to information and education in urban centers is relatively better, the dropout rate among adolescent girls is still relatively high in coastal and archipelagic regions such as Sangihe and Talaud districts. This phenomenon shows how the unequal structure of opportunity ultimately encourages the practice of child marriage as a shortcut (Apriyanti, 2021; Paradias & Soponyono, 2022). When expectations of continuing education are low and employment opportunities for adolescent girls are limited, families and communities tend to choose the path of early marriage as a pragmatic solution. Not infrequently, this has become a vicious circle that maintains structural poverty and perpetuates gender discrimination.

The perspective of the victims themselves often goes unnoticed, even though they are the ones who experience the most real impact of this practice. In one of the interviews, a 19-year-old woman from Sitaro County, who got married at the age of 15, said:

"I didn't know anything then. I only followed my parents' decision. They say it's better to get married quickly than something unwanted happens later. After getting married, I had to quit school, and all my friends stayed away. I feel like I'm losing my youth, unable to choose what I want freely." (Interview, Manado, 9 June 2023)

This quote illustrates the psychosocial realities that many girls experience: the loss of educational opportunities, social isolation, and the loss of autonomy over their future.

Cultural dynamics also strengthen the existence of child marriage in various ethnicities in North Sulawesi. In many families, out-of-wedlock pregnancies are seen as a disgrace that must be immediately "covered" through a snap marriage, even without taking into account the child's emotional readiness or age. Some societies still hold to collective values, where family honor is more important than the protection of girls' rights. The matchmaking process, both explicit and covert, is sometimes carried out by parents without taking into account the psychological aspects or future of the child (Juliansyahzen & Ocktoherrinsyah, 2022). This is exacerbated by the absence of sexuality and reproductive education in both formal and informal education systems in many communities.

In another interview, a village chief in South Bolaang Mongondow Regency stated:

"We often see girls here getting married before graduating junior high school. Some have been pregnant before and sometimes have been matched with their families. I am also confused because, on the one hand, I want to follow the government's rules, but the pressure of the community and customs is still firm." (Interview, Bolaang Mongondow, 9 June 2023)

This statement confirms a tug-of-war between the modernization of government policies and indigenous forces still rooted at the grassroots level. This means that despite socialization efforts and interventions from local governments and civil society organizations, changes in people's behavior and perceptions are very slow. There are still many families who underestimate the psychological and health impacts that girls will experience due to early marriage, such as the high risk of dangerous pregnancies, mental health disorders, and the potential for domestic violence (Mursyid & Yusuf, 2022; Zaini Miftach, 2024). There is a tendency for victims not to dare to voice their aspirations or reject family decisions for fear of being considered disobedient or disobedient. This further emphasizes the importance of community-based interventions that directly touch the root of the problem, not just regulatory enforcement from above.

In all these dynamics, it can be concluded that the profile of child marriage in North Sulawesi is a reflection of the intersection of strong local traditions, uneven socio-economic structures, and weak legal literacy and sexual education among adolescents and families. This reality demands a holistic approach to advocacy and protection through tightening the law, cultural paradigm change, and sustainable community empowerment.

Patterns and Forms of Domestic Violence (KDRT) in Child Marriage

Domestic violence experienced by underage girls who marry early in North Sulawesi tends to come in various patterns and forms, ranging from physical, psychological, and verbal to economic and sexual violence. These patterns of violence often occur repeatedly, forming a cycle of violence that is difficult to break because victims are trapped in unequal power relations and lack of social and legal support. Interviews with victims and social companions show that physical violence, such as beatings, slapping, and coercive sexual intercourse, often occurs immediately after marriage, especially when the couple is very young and emotionally and financially immature (Darwis et al., 2023; Princess Diana & Arista Candra Irawati, 2022). Not a few victims also experience verbal violence in the form of constant insults, threats, and insults, which, over time, destroy their confidence and self-esteem (Pertiwi & Faozi, 2018).

From the victims' confessions, it was revealed that psychological violence is often the most painful form and leaves scars that are difficult to heal. The mental stress of social exclusion, excessive control from husbands and families, and threats of divorce or return to their parents left many victims feeling isolated and losing their fighting power. An 18-year-old girl who married at the age of 16 and is now a widow relates:

"Every day, I am always scolded, suspected that if I want to leave the house, even just to meet friends is not allowed. If I protested, my husband immediately threatened to divorce me or kick me out of the house. I feel useless for a long time, so it's better to keep quiet to avoid getting caught up." (Interview, Manado, 2023)

In addition to physical and psychological violence, economic violence is also a real phenomenon faced by victims of child marriage in North Sulawesi. Many victims are not given access to manage money, are prohibited from working, and are even forced to hand over all their income to their husbands or their families. In challenging economic situations, it is not uncommon for young women to bear a double burden: taking care of a household without adequate financial support and receiving pressure from extended families. This form of

violence is often invisible on the surface, but its impact is enormous in strengthening dependency and weakening the victim's bargaining position in the household.

The aspect of sexual violence cannot be ignored either. Women who marry underage tend to lack sufficient knowledge and skills about healthy sexual relationships, making them particularly vulnerable to coercion, sexual violence in marriage, or even rape (Agustini et al., 2021; Sumariati et al., 2020). Unfortunately, society's understanding of the right to bodily control and consent in marital relationships is still very low, so victims often do not realize that they have experienced a violation of their rights or feel that they have no room to fight back. One of the victims from Sangihe County, who got married at the age of 15, revealed in an interview:

"If my husband wants to, I have to go along. I can never refuse, even if sometimes I get sick or don't want to. If I refuse, later he will say that I am a bad wife, and he will be even more scolded." (Interview, Sangihe, 2023)

This recognition shows a low understanding of the rights and autonomy of the body, as well as the injustice of gender relations in the child marriage household.

Verbal violence is also often the gateway to more severe physical violence (Fitriana et al., 2024; Ramadhon et al., 2020). Insults, reproach, derogation, and abusive words from the spouse or husband's family create an uncondusive domestic atmosphere, triggering arguments that lead to physical violence. In many cases, the social environment does not provide a safe space for victims to complain, and sometimes even blames the victim on the pretext of being less obedient or less devoted to her husband (Darwis et al., 2023; Diana & Arista Candra Irawati, 2022). This situation is further exacerbated by the lack of intervention from outside parties, the government, religious leaders, and the community, who still view household affairs as private (Amin et al., 2025).

This repeated cycle of violence makes many victims feel that they have no way out other than to accept the situation or finally choose to divorce at a very young age. Many of them have to return to their parent's homes in a state of trauma (Anisa & Mustofa, 2021; Fatma, 2018), loss of confidence, and lack of adequate education and skills to build a new life. The testimony of a social worker in Manado corroborates these findings:

"Many girls are victims of domestic violence after early marriage. They usually don't dare to speak, afraid the family's disgrace will be exposed. If they can't stand it, they ask for a divorce, but usually, they are seriously injured mentally and physically. Unfortunately, the protection system is still weak in helping them regain their feet." (Interview, Bolaang Mongondow, 9 June 2023)

This quote confirms the need for systemic safeguards and a more sensitive response from all stakeholders.

Based on these findings, the patterns and forms of domestic violence experienced by girls in early marriage in North Sulawesi show how complex and multi-layered the challenges they face (Apriyanti, 2021; Paradiatz & Soponyono, 2022). Cycles of violence, unequal power relations, patriarchal cultural norms, and lack of legal support all combine to create an environment that is vulnerable and unfriendly to victims. These findings underscore the urgent need for a paradigm shift in victim protection that not only relies on law enforcement but also targets the cultural, educational, and early empowerment roots of adolescent girls.

Obstacles and Challenges in the Implementation of Legal Protection

The implementation of legal protection for victims of domestic violence (KDRT) in child marriage in North Sulawesi is still faced with various obstacles that are very complex and multi-layered. These obstacles are not only derived from weak legal and structural aspects but are also influenced by social norms, culture, and the low legal literacy of the community. These findings are in line with several international studies, such as those outlined by UNICEF, which confirm that in many developing countries, legal protection for victims of domestic violence, especially those stemming from child marriage is often hindered by patriarchal social structures and low victim participation in law enforcement processes (Judiasih & Kusmayanti, 2024).

The social stigma attached to victims

Social stigma is one of the thickest barriers that prevents victims of domestic violence, especially young women who are underage marriages, from obtaining legal protection and justice (Setiawan et al., 2023). In many communities in North Sulawesi, domestic life is still considered a sacred and closed private affair, so any form of violence or conflict within the family is seen as a "disgrace" that must be hidden from the outside world. This causes victims to be reluctant to complain about their fate to the authorities, religious leaders, or even their own families. Erving Goffman (1963), in his theory of social stigma, asserts that individuals who experience

humiliation or perceived deviance from the social environment will tend to avoid social interactions that could potentially reveal their status as victims. This phenomenon is very real in North Sulawesi, where the community still maintains the reputation and good name of the family over the rights and safety of individuals.

Furthermore, social stigma not only impacts victims' courage to report but also strengthens their helplessness in the face of perpetrators. The moral and collective pressures of society, whether conveyed directly or through gossip and informal talk, often force victims to "be patient" or "self-improving" as if they were the cause of the problem. Wessells & Kostelny (2022) highlight that victims of domestic violence are often blamed for failing to fulfill their role as good wives or daughters. Thus, shame, fear of being judged, and the fear of damaging the image of the family become an invisible prison for the victim. In many cases, the victim's own family encourages that the problem is not exaggerated or resolved familially, which ultimately only benefits the perpetrator and perpetuates the cycle of violence.

The lack of support from the surrounding environment exacerbates this situation. In many Asian societies, including Indonesia, victims of domestic violence, especially those married underage, are more likely to be socially isolated than supported (Md Said & Emmanuel Kaka, 2023; Syukriani et al., 2022). They are the target of rumors and ostracization by neighbors, peers, and extended family. This makes victims more withdrawn, accumulate trauma, and lose faith in the protection system that is supposed to defend them. In the context of North Sulawesi, the values of collectivity and adherence to customs further aggravate the victim's burden because every act of "disgracing the family" is often considered a betrayal of the community.

Ironically, social stigma also has an impact on law enforcement itself. Many law enforcement officials have, consciously or not, brought bias and patriarchal values in handling domestic violence cases. As a result, the legal process is often colored by efforts to "peaceful mediation" that does not pay attention to the victim's bargaining position and prioritizes the integrity of the household over the restoration of women's rights. This is in line with the findings of Idriss (2022), who emphasized that the legal system in patriarchal societies tends to be less sensitive to the experiences and needs of women victims of violence. Therefore, without serious efforts to erode social stigma, legal protection, and advocacy programs for victims of domestic violence in child marriage will only run on the spot.

Legal literacy

Low legal literacy is a fundamental barrier in efforts to protect victims of domestic violence (KDRT) among adolescent girls who are underage in marriage. In many areas of North Sulawesi, knowledge of the law is limited and often considered something far from everyday life, especially for educated and informal livelihood groups. Many families and girls are unaware of their fundamental legal rights, such as the right to be free from violence, the right to state protection, and the right to access legal or psychological assistance (Setiawan et al., 2023). Not infrequently, forms of violence such as beatings, forced sexual relations, or economic detention are considered "commonplace" or "domestic affairs," not violations of the law that should be complained of or acted upon by the authorities.

The lack of legal education in the school and family environment strengthens the victim's helplessness in recognizing and fighting for their rights. Formal education materials at the primary and secondary levels, even to date, have minimal discussion of children's rights, women's protection, or violence reporting mechanisms. On the other hand, socialization by government agencies or civil society organizations is also not evenly distributed most of it only reaches city centers or certain groups with better access to information. This is in line with the findings of Helbling et al. (2015), who emphasized that weak legal literacy in vulnerable groups not only increases the risk of violence but also opens up opportunities for impunity because victims tend to be passive and do not understand the legal steps that must be taken.

Many victims of child marriage, especially in villages or areas of the North Sulawesi archipelago, experience confusion even after experiencing repeated violence. In an interview with a 17-year-old victim from Sangihe County, he said:

"I don't know where to report, and there's never anyone explaining what to do if there's a problem at home. My parents said it was better to keep quiet and the situation would improve later. I'm also scared because if I report it, it can even be more embarrassing." (Interview, Bolaang Mongondow, 9 June 2023)

This statement explains that ignorance of the law and lack of confidence and environmental support make victims choose to survive in dangerous situations.

The absence of legal literacy also increases the victim's dependence on community leaders or families in the decision-making process for reporting and mediation. Unfortunately, however, the role of these local figures is often ambiguous some are willing to help. Still, not a few maintain the patriarchal cultural status quo and suggest that the problem be resolved "in a familial way." The law enforcement process eventually becomes sporadic and relies on individual courage and knowledge rather than a system that favors the victim. This condition is reinforced by the research of Merry (2003), which shows that in many cases of violence against women, the success of the legal process is primarily determined by community support and informal networks rather than the formal state system. Therefore, strengthening legal literacy cannot only be in the form of normative socialization but must be integrated into education, community empowerment, and proactive and victim-friendly public service reform.

Capacity and sensitivity of law enforcement officers

The low capacity and sensitivity of law enforcement officials in the regions is a serious obstacle to the protection of victims of domestic violence, especially those from child marriage. Many officers at the police level, the Women and Children Protection Service (DP3A), and village officials in North Sulawesi do not have adequate knowledge and skills in handling cases of gender- and age-based violence (Zaini Miftach, 2024). This condition reflects the lack of technical training and the weak internalization of the perspective of protecting the rights of children and women as part of institutional duties. Without a deep understanding of the dynamics of child and female victims, the process of reporting and handling cases is vulnerable to being hampered by bias, prejudice, and even intimidation of victims.

The lack of ongoing training causes the approach of the authorities to be often too formalistic, underestimating the psychological aspects and the recovery needs of the victims. Many cases end in peaceful mediation in favor of the perpetrator. At the same time, the victim is encouraged to return to an unsafe household under the pretext of maintaining family harmony or avoiding social disgrace. The UN Women report in Setiawan et al. (2023) confirm that gender-sensitive training is essential to improve the empathetic response and professionalism of the authorities in dealing with victims of domestic violence. Without it, the authorities tend to normalize violence, maintain unequal power relations, and reinforce the stigma against victims.

The limited institutional capacity of the apparatus is also closely related to cultural and social challenges at the grassroots level. In a society that firmly upholds customs and collectivity values, such as North Sulawesi (Mentari, 2024). The authorities often feel they are in a dilemma between carrying out legal duties and maintaining social harmony. Many officers are under pressure from traditional leaders, the perpetrator's family, or the community not to continue the case to the formal legal realm. Without strong institutional support and training to deal with cultural resistance, the authorities often choose a compromise or neutral path that ultimately harms victims.

A direct confession from a police officer in Manado underscores this problem:

"We do have training on domestic violence, but it is not routine, and there are not many who specifically discuss child cases. Sometimes we are confused about what is allowed and not, especially if the case concerns customs or extended families."
(Interview, Kotamobagu, 15 June 2023)

This statement shows that the obstacles are not only a matter of technical capacity but also the courage to face cultural pressures and alignment with victims' rights. Therefore, the program to strengthen legal institutions must prioritize integrated training and ethical courage so that victim protection is not just a rhetoric but a real presence in the field.

Lack of coordination and synergy between institutions

The lack of inter-agency coordination and limited protection service infrastructure are the very real inhibiting factors in handling domestic violence cases, especially for victims of child marriage. In many districts and cities in North Sulawesi, cooperation mechanisms between local governments, police, women and child protection agencies, health units, and civil society organizations are still partially and often overlapping. Not infrequently, victims of domestic violence have to "move tables" without certainty of solutions because there is no transparent and integrated referral system. Megan Comfort et al. (2015) confirm that without strong cross-

agency coordination and SOPs, victims risk losing track of assistance or becoming increasingly traumatized due to exhausting bureaucracy.

This condition is further exacerbated by the lack of service infrastructure that is responsive to the needs of victims of violence, especially in suburban and archipelagic areas. Many villages or sub-districts in North Sulawesi do not yet have an Integrated Service Center for Women and Child Empowerment (P2TP2A), safe houses, counseling services, or easily accessible reproductive health clinics. Often, the services available are only centralized in provincial or district capitals. Hence, victims in remote areas have to travel long distances, a logistical and psychological hurdle that not all victims can overcome (Kohtala et al., 2025). Limited access to protection services contributes directly to the low rate of reporting and handling of domestic violence cases, as well as prolonging the suffering of victims (Md Said & Emmanuel Kaka, 2023).

Lack of synergy also occurs in the aspects of data collection and monitoring. Many cases are poorly documented because each institution tends to create a database without a structured information-sharing mechanism. This makes case mapping and handling follow-up inaccurate and often repetitive. In the field, some victims even have to retell the chronology of the incident to several different parties without proper psychological assistance. These findings align with the criticism of Sutawijaya (2023), who stated that the weak governance of the victim protection system in Indonesia is partly due to the lack of suboptimal cross-sector synergy.

This situation raises the urgent need for an integrated protection system at the central and grassroots levels. Without effective coordination and adequate service infrastructure, legal protection efforts for victims of domestic violence in child marriage tend to be only administrative formalities. Victims need a system that is responsive, easy to reach, and able to restore their dignity and rights. Thus, developing an integrated service model, cross-sector training, and community-based reporting system are prerequisites for more real and sustainable change in North Sulawesi.

Patriarchal cultural norms and conservative interpretations of religion

One of the obstacles that is very influential but often unrealized is the strong patriarchal cultural norms and the dominance of conservative religious interpretations in North Sulawesi society. In a social environment that still strongly prioritizes the value of collectivity and family harmony, the position of women especially those who marry underage is often placed as a party that must be "obedient," "patient," and "yield" to maintain the good name of the family. This kind of patriarchal culture not only narrows the victim's space for action in demanding justice but also normalizes various forms of violence as part of the "maturation" or "sacrifice" of a wife and daughter. Ridwan & Susanti (2019) emphasized that the patriarchal system maintains a power structure that places men as controllers and women as submissive parties, both in the household and in the public sphere.

In practice, customary and religious values are often used as an excuse to reconcile domestic conflicts, even when it is clear that violence is repeated. Many spiritual leaders and traditional leaders prioritize internal settlement through mediation or apology of the perpetrator rather than bringing cases to the realm of formal law. A study by Merry (2003) and the results of field observations prove that the advice for victims to "return to their husbands" is still very often given under the pretext of maintaining family integrity and avoiding greater "disgrace." This attitude not only negates the victim's right to protection and restoration but also strengthens the unequal power relationship between the perpetrator and the victim.

Conservative religious interpretations also contribute to the perpetuation of discrimination and violence against young women. Not infrequently, religious verses or teachings are quoted selectively to demand the wife's loyalty and obedience without giving room for interpretation that protects the rights of victims of domestic violence. If referring to the spirit of justice and protection of the soul in Maqasid Shariah, religion should be a fortress of defense for the victim, not a justification for violence (Husni et al., 2015; Mursyid & Yusuf, 2022). This finding is supported by Booley (2024), who stated that religious understanding reform is essential so that the values of protection, justice, and respect for women's dignity are truly the primary reference in family and community life.

The impact of patriarchal norms and religious conservatism is very pronounced in the daily lives of victims. Many young women, after becoming victims of domestic violence, end up choosing to remain silent,

not only because they are afraid of being considered "disobedient" to their families or considered to violate religious norms. In an interview, an 18-year-old victim in Minahasa said:

"My parents and neighbors often advise me; they say that you must be strong as a wife and don't like to complain. If there is a problem with the husband, it is better to solve it at home so that outsiders do not know, let alone report it to the police. Later, he said I could get a sin for opening the family's disgrace." (Interview, Minahasa, 2023)

This recognition shows how powerful the influence of social norms and conservative religious interpretations can be in silencing the voices of victims and closing their access to justice.

Without a paradigm transformation in religious and cultural interpretations from emphasizing blind obedience to the protection of women's and children's rights, legal protection efforts will never be truly effective. Cross-sectoral collaboration is needed to dismantle patriarchal cultural myths, promote fair and victim-friendly religious interpretations, and build community courage to stand with victims of domestic violence of all ages.

Based on these findings, the implementation of legal protection for victims of domestic violence in child marriage in North Sulawesi is faced with multidimensional structural, cultural, and institutional challenges. This study emphasizes the importance of comprehensive cross-sectoral efforts, from strengthening legal literacy at the community level, continuous training for officials, and building service infrastructure to changing cultural paradigms that better respect the rights of children and women. Victim protection can only be adequate and bring about real change with sincere and evidence-based collaboration.

Response of Law Enforcement Officers and Community Institutions

The response of law enforcement officials in North Sulawesi to cases of domestic violence (KDRT) in child marriage shows the contradictory dynamics between formal law enforcement efforts and the various obstacles faced at the field level. On the one hand, several police officers from the Women and Children Protection Service (DP3A) and village officials have begun to show awareness of the importance of victim protection. This aligns with the development of national regulations and civil society pressure to ensure gender justice. The efforts to socialize the Law on the Elimination of Domestic Violence and the establishment of a special unit for handling women and children at the police level are developments that should be appreciated. Officers who receive special training can often provide more victim-friendly services, such as private consultation rooms and assistance during visum (connecting victims to health and psychosocial services).

However, implementation in the field is still often stuck in structural and cultural challenges. Many officials at the grassroots level are not fully sensitive to the experiences and needs of victims, both due to lack of training and the influence of local cultural values. In many cases, the legal process is colored by mediation that prioritizes family peace over the victim's rights. The authorities often encourage victims to "reconcile" with the perpetrator, especially if the perpetrator has a strong social position or kinship relationship in the community (Shewell, 2020). Mediation without clear partisanship with the victim risks adding to the trauma, as the victim returns to an unsafe environment without a guarantee of change in the perpetrator's behavior.

The involvement of civil society institutions is a key element that fills the gaps and limitations of the state. In North Sulawesi, several non-governmental organizations and women's advocacy groups actively provide legal assistance, psychological counseling, and education on women's and children's rights. These institutions also play an essential role in building a supportive community network, accompanying victims to the legal realm, and advocating for policies at the regional level. Their role is especially felt in areas far from access to state services or when victims distrust formal institutions. In an interview, a female companion in Manado said:

"Often, we are the first to know that there is a domestic violence case. The victims are usually more daring to confide in us because they are afraid that if they go directly to the police, they will become the subject of talk in the village. We help them collect evidence, accompany them to doctors, and sometimes even help with transportation costs so that victims can get to service centers." (Interview, Manado, 2023)

This statement underscores the importance of the role of community institutions in building trust and bridges between victims and the formal protection system.

However, collaboration between law enforcement officials and civil society institutions has not been optimal. Coordination is often limited to specific cases and has not been regulated in a precise coworking mechanism. Not infrequently, civil society organizations face bureaucratic obstacles or resistance from local

officials, especially if their intervention is perceived to disturb the harmony or "disgrace" of the family. On the other hand, local governments still lack adequate budgets, training, and institutional support for community-based protection efforts. This condition that strengthening the victim protection system is not enough with regulations alone but requires cross-sectoral integration, trust, and sustainable resource allocation.

The response of law enforcement officials and community institutions in North Sulawesi is still in the process of creating a system that is genuinely on the side of victims of domestic violence, especially in child marriage. Progress in regulations and programs is beginning to be seen. However, there is still a lot of homework regarding building sensitivity and courage against oppressive norms and expanding inter-institutional collaboration. The expected change does not only rely on individual officials or activists but demands institutional transformation, political support, and a shift in society's paradigm of rights and justice for victims.

Integration of Maqasid Sharia Principles in Legal Protection

The integration of Maqasid Sharia principles into the legal protection system for victims of domestic violence in child marriage offers a substantial and innovative perspective, especially in the context of religious societies such as North Sulawesi. Maqasid Shariah, as the core of Islamic teachings, places the protection of the soul (*hifz al-nafs*), honor (*hifz al-'ird*), and heredity (*hifz al-nasl*) as the primary goals of every social policy, norm, and practice. Within this framework, all forms of violence, including domestic violence, are expressly positioned as violations of human rights that are not only legally prohibited but also morally and spiritually condemned. Thus, the application of Maqasid Sharia should be able to strengthen the argument for victim protection, both at the regulatory level and to change the cultural paradigm that has been normalizing violence in the name of customary or family harmony (Basid & Jazila, 2023).

However, the reality in North Sulawesi shows that the integration of Maqasid Sharia into the domestic violence victim protection system still faces several challenges. At the formal level, several rules have adopted the principles of justice and the protection of human dignity. However, in practice, the knowledge and understanding of the public, including law enforcement officials, religious leaders, and communities, about the substance of Maqasid Sharia is often limited to ritual or legalistic aspects alone. Many still interpret religious teachings conservatively and normatively, so they are not able to analyze the protection of victims of domestic violence as part of a fundamental religious mandate. This condition is exacerbated by the lack of interfaith dialogue and the lack of literacy of Maqasid Sharia in public discourse in schools, religious assemblies, and community forums (Hamdiyah, 2025).

Suppose the principle of life protection (*hifz al-nafs*) is completely internalized. In that case, all forms of physical, psychological, and sexual threats against women and children should be seen as serious offenses that must be stopped and dealt with seriously. Maqasid Sharia also places the honor and dignity of the individual (*Hifz al-'IRD*) above all forms of oppressive collective interests, such as covering up violence to protect the good name of the family or community (Basid & Jazila, 2023). In some cases found in the field, a Maqasid Sharia-based approach began to be adopted by progressive religious leaders who actively provided gender justice education and advocated for victims through lectures, counseling, and community mediation. However, these steps are still incidental and highly dependent on personal commitment, not an integrated system.

The principle of caring for offspring (*Hifz al-Nasl*) in Maqasid Sharia also has strong relevance in the issue of child marriage (Ulya, 2021). Maqasid Sharia emphasizes ensuring children's physical, psychological, and future well-being in every family and community policy. In an interview with a religious leader in Manado, he said:

"Religion teaches protection to children and women. If there is violence, it is no longer a household that God is pleased with. We must have the courage to reprimand, even help the victim to get protection, because that is also part of religious teachings." (Interview, Manado, 2023)

This statement affirms that a progressive interpretation of Maqasid Sharia can be a motor of social change, provided there is room for discussion, moral courage, and adequate institutional support.

The potential for Maqasid Sharia's transformation in the protection of victims of domestic violence in child marriage is huge if implemented consistently and systematically. The principles can be a normative basis for strengthening legal advocacy, improving the quality of religious education, and encouraging policy revisions that are more victim-friendly. Maqasid Sharia can also bridge spiritual values and human rights principles so

society is no longer trapped in a dichotomy between religious and state law. In the hands of progressive religious leaders, law enforcement officials, and educators, Maqasid Sharia can be a liberating force—eroding the legitimacy of a violent culture and building a just, equal, and loving family civilization.

However, it needs to be recognized that this integration process requires time, strategy, and cross-sector synergy. Without efforts to empower religious leaders, train the apparatus, and the massive literacy of Maqasid Sharia, it will be challenging to integrate these noble values through the walls of tradition and conservative resistance. Therefore, the reform agenda for the legal protection of victims of domestic violence in child marriage in North Sulawesi urgently needs the role of Maqasid Sharia, not only as a moral narrative but as a concrete framework in policy, education, and social advocacy (Adventy & Son, 2024).

The principles of Maqasid Sharia have long been an ethical and normative reference in the development of Islamic law and have recently also become a significant concern of progressive Islamic thinkers who have pushed for the reform of family law. If traced further, Maqasid Sharia does not only stop at five classical main goals—preserving religion, soul, intellect, heredity, and property but has evolved towards more contextual protection of human rights and welfare, as affirmed by Auda (2007) in the framework *Systems Approach*. In the context of the protection of victims of domestic violence in child marriage, the implementation of Maqasid Sharia means placing the interests, safety, and dignity of children and women above any form of tradition or rule that has the potential to harm or degrade them (Hamdiyah, 2025; Judiasih & Kusmayanti, 2024).

One of the main obstacles to integrating Maqasid Sharia in North Sulawesi lies in the lack of literacy and dialogue about the true meaning of these principles among religious leaders, officials, and the wider community. Many religious forums still focus on formal aspects of ritual and fiqh instead of discussing the urgency of protecting children and women from violence as a substantial Sharia demand. This is in line with the findings of Mutakin et al. (2023), who stated that fatwa and religious education in Indonesia still tend to be dominated by textual approaches. In contrast, the maqasid approach which emphasizes the essence of justice, benefit, and protection is more relevant to modern social challenges, including the issue of child marriage and domestic violence.

The application of Maqasid Sharia can also be seen in how the state and communities develop victim-friendly religious-based policies or interventions. In some regions in Indonesia, fatwas or decrees of the ulama assembly have begun to voice the need to protect children from early marriage, even encouraging the prevention of violence as part of *amar ma'ruf nahi munkar* (inviting good and preventing evil). However, in North Sulawesi, similar initiatives are still minimal and have not been widely institutionalized. Maqasid Sharia integration efforts are still often individual, for example, progressive religious leaders who refuse to marry minors or actively advocate for victims of domestic violence, but without systemic support from mass organizations, religious institutions, or local governments.

In addition, the strength of Maqasid Sharia lies in its flexibility in interpreting religious law contextually. When the principle of preserving the soul (Hifz al-Nafs) is translated into regional policies, then the main priority should be the physical and psychological safety of the victim (Dafizki, 2024), including providing safe housing, counseling services, and quick legal access. Suppose the principle of keeping the offspring (Hifz al-Nasl) is actualized. In that case, the prevention of child marriage and the breaking of the cycle of violence must be part of an integrated religious and social education program in schools, madrasas, and tackle councils. The value of maintaining honor (Hifz al-'ird) encourages communities to build a culture of shame not to the victim but to the perpetrators of violence and anyone who allows violence to take place.

To strengthen this argument, the modern Maqasid Sharia literature, for example, by Auda (2015) asserts that the public interest (maslahah 'ammah) in Islamic law requires the protection of vulnerable groups, including children and women, from all forms of oppression. Therefore, the task of the state and religious leaders is to educate and reform interpretation, formulate policies, and build a responsive and inclusive legal ecosystem. Collaboration between local governments, religious education institutions, Islamic organizations, and civil society institutions is essential to realize this integration realistically.

At the level of praxis practice, there is a need for Sharia Maqasid training for officials, educators, and religious leaders to be able to interpret Islamic teachings progressively and with gender justice. School curricula and religious education must begin to teach that protection from violence is part of spiritual teaching and that

defending victims is worship. On the other hand, religious institutions at the local level can initiate family dialogue forums, provide education on the rights of children and women, and assist victims to obtain justice through formal and non-formal legal channels. The integration of Maqasid Sharia can also be strengthened by developing modules or guidelines for handling domestic violence cases based on Maqasid justice so that every handling process is genuinely on the side of the safety and dignity of the victim (Ulya, 2021).

Thus, Maqasid Sharia has enormous potential to become a transformative foundation for building a practical, humane, and relevant legal protection system for local challenges in North Sulawesi. However, the success of this integration requires cross-actor synergy, paradigm change at the level of religious institutions, regional policy reform, and community capacity building. If this agenda is carried out consistently, the protection of victims of domestic violence in child marriage is no longer just a hope. Still, it can become a new reality for the next generation of young women in North Sulawesi.

Strengthening Protection and Policy Models

The findings of this study not only reveal the complexity of the problems faced by victims of domestic violence in child marriage in North Sulawesi but also mark the importance of transforming protection systems that are biased and adaptive to the local social, cultural, and religious context. An effective protection model cannot rely solely on formal legal instruments or repressive approaches but requires integration between the state legal system, the values of Maqasid Sharia, and the progressive power of civil society. The practical implications of the results of this study are the urgent need to build a more holistic model of protection, ranging from prevention, early detection, and crisis response to long-term assistance for victims.

First, the study's results emphasized the importance of strengthening legal education and literacy at the family, school, and community levels. Local governments, educational institutions, and religious organizations must integrate child protection and gender justice curricula in formal and non-formal education. Legal literacy does not only stop at knowledge of rights and procedures but also the cultivation of courage against stigma and the ability to recognize signs of violence from an early age.

Second, strengthening the capacity of law enforcement officials is key. Periodic and cross-sectoral training with a gender-sensitive approach based on Maqasid Sharia must be a mandatory agenda in all lines of institutions that are in direct contact with victims of domestic violence and child marriage. The apparatus is equipped with technical knowledge and the ethical courage to make fair decisions, side with the victims, and face cultural resistance or pressure from the community. Regional policies can require certification of child and women's protection training for officials, accompanied by transparent performance evaluations based on indicators of victim rights protection (Adventy & Son, 2024).

Third, establishing and strengthening community-based integrated service systems is essential to accelerate access and quality of victim protection. Provincial and district/city governments must ensure the presence of P2TIP2A, safe houses, counseling services, and easily accessible reporting channels, including in rural and island areas. The synergy between institutions ranging from the police, the Health Office, and the Education Office to civil society institutions must be regulated through clear SOPs, with a one-stop referral mechanism and integrated monitoring. Community-based service models have proven effective in many countries as a long-term victim recovery and empowerment strategy (Adventy & Putra, 2024; Dafizki, 2024).

Fourth, integrating Maqasid Sharia principles needs to be mainstreamed in all stages of protection, ranging from advocacy and education to formulating regional policies. Values such as protecting life, honor, and heredity can be implemented in counseling programs, religious fatwas, religious education curricula, and apparatus training modules. Local governments and religious institutions must establish regular dialogue forums that bring together officials, scholars, companions, and victims to discuss cases, formulate solutions, and strengthen solidarity in victim protection. Thus, change is not only happening on paper but is being felt in the daily lives of victims and communities.

Fifth, another important recommendation is the need for systemic monitoring and evaluation of all policies and services to protect children and women. The government and civil society institutions must build an integrated, transparent, and accountable data collection system. Every case of domestic violence and child marriage handled should be recorded, monitored, and analyzed periodically to assess the effectiveness of the

policy, as well as identify any new gaps or challenges that arise. Effective monitoring will encourage public accountability, open up space for community participation, and strengthen victims' trust in the protection system.

For the strategy to strengthen the protection of victims of domestic violence in child marriage to be implemented effectively, concrete steps are needed based on cross-sectoral collaboration and prioritizing the value of justice and victim-partisanship. Based on the findings and analysis of the research, the following policies and strategies can be summarized as relevant practical recommendations adopted by local governments, civil society institutions, and local communities in North Sulawesi. The table below presents a summary of strategic aspects, key actors, and success indicators as a reference for strengthening the protection system:

Table 1. Concrete Strategies for Strengthening the Protection of Victims of Domestic Violence in Child Marriage

Strategic Aspects	Policy/Strategy Description	Main Actors	Success Indicators
Legal Education & Literacy	Integration of children's rights and gender education in the school curriculum; Legal Literacy Campaign in Communities & Houses of Worship	Department of Education, Mass Organizations, Schools	Increased knowledge and reporting of cases by victims and families
Apparatus Training	Periodic training for the police, DP3A, and village officials on domestic violence, gender, and children based on Maqasid Sharia	Local Government, Police, DP3A, NGOs	A more empathetic and proportionate response of the authorities; Reduced mediation harms victims
Integrated Service	Strengthening P2TP2A, safe houses, counseling, health, and legal services in every district/city to village	Regional Government, Health Office, DP3A, NGOs	The number of services increased, the reach was broad to remote areas, and victims were quickly handled
Cross-Sector Synergy	Establishment of a regional women's and child protection coordination team; Integrated case referral & monitoring SOPs	Local Government, Police, Courts, NGOs	The coordination mechanism is effective, data is integrated, and cases are thoroughly monitored
Religious & Cultural Dialogue	A regular dialogue forum between scholars, traditional leaders, officials, and women activists to discuss Maqasid Sharia & protection	Islamic Organizations, Religious Leaders, Customs	Narrative of victim protection strengthens in religious forums, progressive fatwas issued
Monitoring & Evaluation	Strengthening of data systems, periodic evaluation of policies/services, public involvement in supervision	Local Government, NGOs, Academics, Media	Transparent annual reports, data-driven policies, increased community participation

Source: Compiled by the author based on field research analysis and results from the literature studies.

The table above emphasizes that the success of protection for victims of domestic violence in child marriage does not only rely on formal legal policies but also the integration of educational actions, training, integrated services, and cultural and religious paradigm changes. Close collaboration between local governments, law enforcement officials, academic institutions, religious organizations, and civil society is the key to a protection transformation that is inclusive, sustainable, and relevant to local challenges. By implementing these strategies consistently, it is hoped that the quality of protection and recovery of victims can be improved, and efforts to prevent child marriage and gender-based violence can run more effectively throughout North Sulawesi.

These strategies will only succeed if they are supported by strong political commitment, adequate budget allocation, and a spirit of cross-sectoral collaboration. A responsive, inclusive, and equitable model of legal protection is not the result of a one-way policy but rather the fruit of synergy between states, religions, civil

society, and local communities. The findings and recommendations of this study are expected to be a reference for efforts to reform the protection system for victims of domestic violence in child marriage, not only in North Sulawesi but also in various other regions that face similar challenges.

Conclusion

Family economic empowerment in Gangga II Village holds significant potential to improve the material and social welfare of the local community. The utilization of natural resources, particularly in the fisheries sector, along with enhancing family capacity in financial management and income diversification, are strategic steps that can strengthen the local economy. Value-added processed marine products, the existence of the Likupang Special Economic Zone (KEK), and community support through groups such as PKK and BumDes open substantial opportunities to develop sustainable agribusiness and tourism ventures. However, the primary challenges include limited infrastructure, lack of access to skill and technology education, and heavy dependence on the fisheries sector. Therefore, family economic empowerment must focus on increasing individual capacity, particularly through practical skills training and financial literacy education, which will equip them with the tools to manage resources wisely and efficiently.

From a Maqashid Shariah perspective, family economic empowerment is oriented toward increasing material welfare and strengthening spiritual well-being, with principles of fair and efficient financial management. Maqashid Shariah emphasizes the importance of balancing the fulfillment of material needs with strengthening social commitments that fortify community solidarity. This empowerment must maintain harmony between meeting family needs and social responsibilities toward others, resulting in holistic success. Therefore, family economic empowerment in Gangga II Village requires an integrated approach that enhances individual and community capacities and sustainable natural resource management. Close collaboration between the government, community, and the private sector will be essential to optimize the village's economic potential and achieve sustainable welfare. The application of Maqashid Shariah principles in this empowerment strategy is expected to create success that is not only material but also spiritual, providing long-term benefits for families and the community as a whole.

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