

A Perspective Regulation Of Maturity

Zahrah Nabila Azka
Universitas Pasundan

Nhan Nguyen¹
FPT University

Cuong Ngyuen²
Industrial Univesity of Ho Chi Minh City

Phat Kbuu³
HT Trading and Production Company Limited

Kha Nguyen⁴
Kantar Worldpanel

Correspondence : Zahrah Nabila Azka (Zahrahnabila@unpas.ac)

Abstract

The amount of maturity indicates a person's ability to carry out a marriage. Facts from the field demonstrate that divorces are being carried out by spouses who have met the age restrictions. Reaching the minimal age of marriage maturity is not sufficient to determine that a person is mature. Only the minimum age limit for marriage is explained in Marriage Law Number 16 of 2019, alternatively it can be specifically stated that a person is an adult if they are 19 years old. Meanwhile, you should examine the person's emotional development. As a result, it is vital to clarify the concept of maturity in Indonesian marriage law. The purpose of this study is to look into maturity regulations in Indonesia based on the Marriage Law. This research is normative legal research with philosophical, statutory, and conceptual approaches. Survey, query, read, recite/recall, and review using deductive reasoning are the procedures used to analyse legal texts. According to the findings of the study, maturity has a significant impact in the success or failure of a relationship. Maturity determines a person's ability to really commit to a lifelong relationship and comprehend that commitment entails giving up all other partner possibilities. Maturity affects a person's capacity to comprehend concepts and use the skills required to establish and maintain healthy relationships. This can be taken into account in legal reform to build responsive and progressive legal standards.

Keywords: Maturity, Marriage, Benefits, Law

Introduction

Marriage is a spiritual and physical relationship formed by a man and a woman as husband and wife in order to build a joyful and eternal family (home) based on faith in the Almighty God. This means that persons who married must confront their duties and rights (Badi, 2014).

A person's maturity refers to a scenario in which a person is or is not yet mature enough under the law to act within the restrictions set by age. As a result, legal maturity is required for a person to be declared competent to act in carrying out all legal acts. The state of adulthood that satisfies the standards of this statute is referred to as "adulthood." An adult or mature individual is competent or capable of carrying out all legal actions, such as entering into contracts, marrying, and making wills (Abdulkadir, 2010).

Only the minimum age limit for marriage is explained in Marriage Law Number 16 of 2019, or it can be specifically stated that a person is an adult, which is 19 years old. Meanwhile, you should examine the person's emotional development. As a result, it is vital to clarify the idea of maturity in Indonesian marriage law. It is intended that the concept of maturity in marriage law will lower divorce rates in Indonesia and ensure that the benefits of marriage are realised rather than being worthless or destructive.

The degree of maturity is a reference to a person's ability to carry out marriage, and all cultural conceptions in general make age a measure of a person's level of maturity, even though age is not a measure of a person's level of maturity (Pitrotussadaah & Mintarsih, 2020).

In Indonesia, the minimum marriage age does not indicate if a person has acquired maturity. The large frequency of divorce cases in Indonesia demonstrates this.

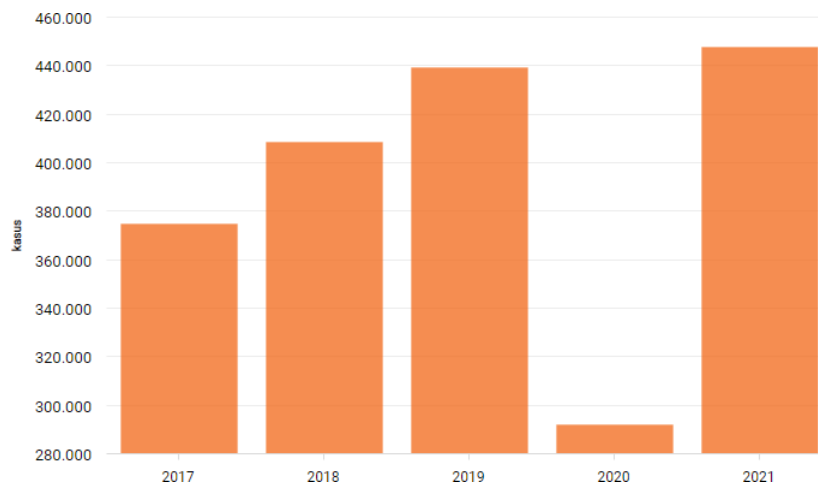


Chart 1. 1 Divorce Rates in Indonesia

Source: Databox (2022)

According to Chart 1.1, the number of divorce cases in Indonesia reached 447,743 in 2021, a 53.50% increase over the previous year's total of 291,677 instances. According to this study, more wives than husbands petition for divorce. A total of 337,343 divorces, or 75.34% of all divorces, were contested, meaning the wife filed a lawsuit and the court resolved the matter.

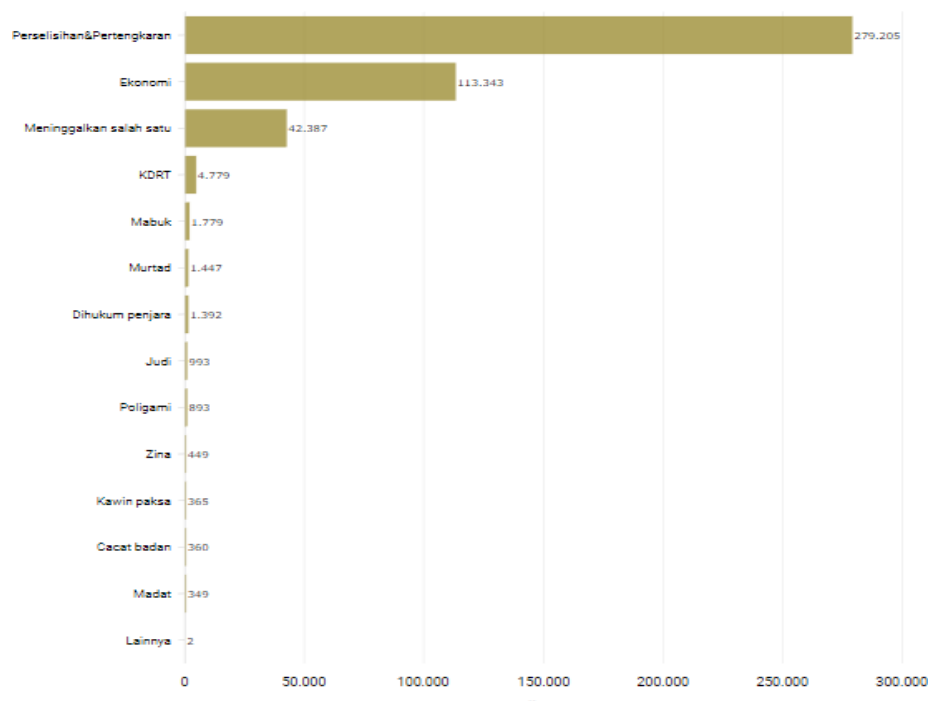


Chart 1. 2 Causes of Divorce in Indonesia According to Data from the Religious Courts Agency

Source: Databox (2022)

According to Grafik 1.2, continual arguments and quarrels are the most common cause of divorce in 2021, accounting for 279,205 occurrences. Based on this data, it is possible to conclude that simply meeting the minimum marriage age requirement does not guarantee maturity. Divorce cases can arise at any age, not just when the person is young. As is the case in one of the divorce petition decisions received by researchers, Decision Number:

The Petitioner in 4296/Pdt.G/2021/PA.JS was 20 years old, and the Respondent was 21 years old. Where the ages of the applicant and respondent fall within the range where marriage is legal, but they have already requested a divorce. This could also be attributed to a lack of religious awareness.

In contrast, a person may be legally deemed an adult but lack the maturity and responsibility that characterises adulthood. Maturity can be defined as taking complete responsibility for oneself, for one's own fate, and for one's own formation (Kartini & Kartono, 2006). Maturity is more than just reaching a certain age; the mind and mentality are the most vital aspects of maintaining a household. Between husband and wife, maturity brings a sense of duty and respect. A rich family will generate bright and noble children who will be the nation's successors.

We are required to conduct interdisciplinary studies because maturity is employed by practically all branches of social science, including sociology, political science, economics, and even physics, when considering maturity. Religion is also a matter of maturity, which is a determining factor. Maturity can determine the legitimacy of a legal act in the realm of legal science itself. A person who is not yet an adult is regarded as a subject who is not competent/capable of acting independently before the law, requiring his/her parent/guardian to represent him/her in legal proceedings. The lack of a benchmark that can be utilised accurately to define the age limit for human development contributes to the variability in identifying the age limit for maturity.

Physically, an adult has a flawless profile in the sense that physiological growth and development have achieved their apex. They have endurance and excellent health, allowing them to appear initiative, creative, energetic, swift, and proactive when participating in various activities. Adults are considered to be at the top of their health, strength, vitality, and endurance, as well as sensory and motor function. Physical strength grows from the late twenties to the early thirties. Body movement and coordination, as well as sensory faculties like vision and hearing, peak in early adulthood.

Adulthood, on the other hand, is a developmental stage that begins in the late teens or early twenties (20 years). This is a time for achieving personal and economic independence, job advancement, and for many people, choosing a spouse, learning to live intimately with someone, creating a family, and raising children. Maturity is examined not only from the standpoints of jurisprudence and law, but also from the standpoint of psychology.

Psychology is a study that investigates the human psyche, both physically and psychologically, therefore it is strongly tied to the issue of maturity, which covers human development from childhood to adulthood, according to academics. Maturity in psychology is demonstrated by a person's ability to view other people as part of himself, to see himself objectively (Self Objectification), to be an adult who knows the rules, does not act as he pleases, or acts solely for fleeting enjoyment. According to Marc and Angel, a person's maturity is determined not just by their age, but also by the depth of their emotional maturity. The following are his ideas on the traits or features of a person's maturity that can be seen in his emotional maturity. Growing knowledge that maturity is a process and a continuous endeavour to improve and better oneself, rather than a condition. Have the capacity to control your sentiments of jealousy and envy. It is more about self-development, both cognitively and emotionally, and establishing attitudes in social relationships, so that when someone reaches adulthood, they must improve themselves and others. (Marc & Angel, 2014).

In the meantime, according to the 2018 Indonesian Doctors Association (IDI) Working Meeting agreement, the minimum age for marriage is 18 (eighteen) years, and the minimum age for pregnancy is 20 (twenty) years. Physical and mental preparation are required for women of childbearing age.

Maturity in terms of hormones. The minimum marriage age is also based on statistics showing that pregnancy in girls aged 10-14 years has a fivefold risk of death compared to women aged 20-24 years. Female cervical maturity occurs between the ages of 19 and 21, hence the best age for marriage and pregnancy is between the ages of 20 and 35.

Adulthood in Islamic jurisprudence involves reaching the age of mukallaf and being perfect in mind, mature in feeling, and mature in character (personality). According to the ulama, a child matures

when he reaches the age of fifteen or produces sperm in his dreams. According to Anwar Harjono, the time of maturity is between the ages of 15 (fifteen) years, with men reaching adulthood at the age of 12 (twelve) years and women reaching maturity at the age of 9 (nine) years. In fiqh, the bounds of adulthood are puberty and the conscious ability to regulate oneself to begin standing on one's own feet.

Maturity is not just judged based on age but also on a variety of other factors. In this scenario, obtaining the minimal age of marriage maturity is not sufficient to determine that a person is mature. Maturity is a state or situation that indicates that someone is mature. Domestic violence that leads to divorce is also common in married couples above the age of 19 (nineteen) since they are adults in age but lack maturity in their behaviour. As a result, age cannot be used to determine whether a person is mature.

According to the foregoing reasoning, maturity in marriage law has not been regulated because marriage law only governs maturity in terms of age. The law should be able to provide benefits since without them, a legal norm will not function properly. One of the most important aspects of legal aims is to reap rewards. This goal must be returned to the foundation upon which the legal norms were founded, not only for legal purposes, but also for philosophical and sociological ones. Thus, the purpose of this study is to investigate the regulation of maturity based on the Marriage Law in Indonesia from the standpoint of legal benefits.

Methods

The legal resources that form the basis of policies on marriage concerns are generally formulated in statutory regulations and expert opinions, which are formulated in numerous references, journals, and research results. The investigation then employs a philosophical, legislative, and conceptual approach. Legal texts are analysed using a variety of interpretation methodologies, including grammatical, systematic, historical, and futuristic interpretation. Deductive reasoning is used by scholars while analysing legal texts. In carrying out this interpretation, the researcher used the SQ-3 technique of analysing legal texts, which consisted of survey, question, read, recite/recall, and review..

Results and Discussion

Sociological Perspective on Maturity

Indigenous peoples consider someone to be an adult if they can look after their own interests. Several customary law experts have proposed this definition, including: Ter Haar, adults are capable (volwassen), married, and living separately from their parents; Soepomo, an adult who is strong, capable of caring for his own property; and Djojodigono, adulthood is by birth, mental, and physical (Sungkuwula, 2009).

According to Wayan P. Windia, a specialist on Balinese customary law from the Faculty of Law, Unud, if someone is capable of *negen* (*nyuun*) according to the burden evaluated, they are deemed *loba* as an adult. For example, if a citizen can hold eight or six coconuts, he is instantly declared to have reached adulthood (Jusuf, 2004).

According to traditional beliefs, maturity is independent of age norms, hence there is no uniformity. When it comes to determining when someone is considered an adult, the measurement relies on the individual, however it still has a connection with the definition of adulthood as defined by Psychological Science. Maturity, according to psychology, is a stage in human existence that represents the accomplishment of mental balance and thinking patterns in every speech and deed. A person who can work (*kuwat gawe*) to earn a livelihood is able to think for himself and be responsible for his own requirements, even if the process of early development in society is not included in that category (Sugiyem, 2010). According to Nursadi, traditional concept maturity is founded on: 1. Community evaluation 2. Capacity to hunt and forage 3. Capability to lead others 4. Observing a person's bodily state (Sugiyem, 2010).

According to this explanation, both the considerations advanced and the customary aspects, which are also very likely to influence the existence of the Marriage Law (Article Number 1 of 1974), there are no specific, definitive provisions regarding maturity at the age of marriage. However, with the existence of an age limit in carrying out marriage, the purpose of this age limit is socially to ensure that

the parties/or the bride and groom fully understand social responsibility, namely the ability to guide the family to goodness and responsibility towards society at large by maintaining peace in the household.

In Philosophical Perspective, Maturity

Mature thinking is the foundation of life philosophy, because a mature person may learn from any situation in his life. Thinking maturely entails thinking logically. Rationality is the synchronisation of reason and reality. This indicates that mature people will accept or issue something not only because it makes sense, but also because it is in agreement with reality; there is no contradiction between theory and reality; and words and deeds are in harmony so that they are not confused and can be regarded as truth rather than a form. People would easily understand every word and piece of advice because someone who utilises logic not only speaks, but also practices it in real life."

The adult mindset consists of several important points, one of which is subjectivity. Subjectivity is a type of error in the maturation of thinking, defined as concluding a real truth from only one side. The error of subjectivity is not in the substance of the problem, but in the point of view of looking at the problem, so that the information obtained and released is only limited.

As a result, the view of subjectivity alone is insufficient to reveal mature truth; other perspectives, namely the view of objectivity, are required. Objectivity is a view that must be seen from multiple perspectives in order for the existing truth to be truly touched and solved.

Discussing maturity in marriage through philosophical aspects is intended to help the bride and groom become complete individuals in facing the challenges of life in the household, both apparent and real; additionally, it is hoped that the wisdom that emerges from maturity can help illuminate and make everything in life a lesson for every action that will be taken in the future.

Maturity in Biological Terms

Because both male and female sexual organs mature at the end of adolescence, around the age of 21 or 22 years, marriage in the teens is not a healthy reproductive period, because the sexual organs have not yet matured. Women in their teens are physiologically capable of getting pregnant and giving birth, but they are not yet medically and psychologically mature enough to care for children (Hurlock, 1999).

Maturity is classified into three stages, which include:

- a. adolescent
- b. late adolescence
- c. mature adult

The three stages of maturity cannot always be determined based on a certain age level, perhaps for some people, at the age of 17, they have started to enter the young adult phase, but for others this is not certain, so apart from age and the act of marriage, maturity It can also be seen from behaviour and biological physical growth. Maturity is always associated with mental maturity, personality, thought patterns and social behaviour, but on the other hand, maturity is also closely related to physical growth and age. Maturity is also sometimes associated with a person's sexual condition, although human reproductive ability is not always determined by age. Meanwhile, psychological maturity means that the parties have good mental health and have a sense of responsibility as husband and wife, especially in educating their children fairly and with respect. Maturity in psychological terms is the physical peak limit of a perfectly normal child. Boys around 21-24 years old, girls around 19-21 years old (Mappiare, 2012).

A person is said to be psychologically mature if he can direct himself, is not dependent on others, is responsible for all of his acts, is independent, and can make his own decisions (Sucipto, 2014).

The Characteristics of Marriage Maturity

Marriage can be thought of as a sacred contract and is the main pillar of forming a good family. Because this institution is so important, Islam establishes a number of rules and actions to strengthen the household that is formed. Some of these actions must be undertaken before the wedding, others must be maintained from the completion of the marriage contract in order to facilitate the way for husband and wife to build a household, and others must be attempted after the wedding.

Various things will arise due to the loss of free nature in the life together between two people of the opposite sex, which originally came from single individuals. Previously, bachelors were individuals

free to act as they pleased within the scope of customs or regulations in society. Meanwhile, after marriage, single individuals must sacrifice some of their individual freedom to follow the rules (binding) of marriage (Pratiknyo & Salam, 1986).

Because marriage is considered a sacred contract and the basic pillar of building a decent family, Islam establishes a number of regulations and acts to enhance the household that is formed (Syaltut, 2966).

The foundation of family life is the physical and mental maturity of prospective fathers and mothers. This is because a person's physical and psychological maturity will influence their attitude when sharp stones in a marriage begin to appear. The word maturity which means maturity comes from a biological term, other words are maturation which means the ripening of a child, and maturity means maturity. Adult here has the meaning of "process". Thus, maturity means a potential that exists within an individual that emerges and is united with his or her nature and helps regulate the development pattern of individual behaviour. However, maturity cannot be included as a hereditary or heredity factor. Because maturity is a characteristic that is generally possessed by every individual in the form of a certain period. This maturity is initially the result of certain changes and adjustments in the individual. These changes occur in biological and psychological aspects. Biological maturity is maturity that occurs in the body's tissues, nerves and glands. Meanwhile, psychological maturity occurs in changes in psychological aspects which include circumstances, desires, feelings, drives, interests and so on (Mudzakir & Sutrisno, 1997).

The Law's Utility in Regulating Maturity in Marriage Law

Legal utility is a principle that goes hand in hand with the principles of justice and legal certainty. When implementing the principles of legal certainty and justice, the principle of expediency should be considered. The benefits of the law must be considered because everyone hopes for benefits when law enforcement is implemented.

Marriage is a very important and even sacred event in human life, because it contains juridical elements in the form of rights and obligations of each party, regarding marriage.

So far, the Marriage Law has only focused on age, as stated in Article Number 16 of 2019 concerning Amendments to Article Number 1 of 1974 concerning Marriage. for women. The minimum age for marriage for women is the same as the minimum age for marriage for men, namely 19 (nineteen) years.

Maturity according to traditional views is indeed independent of age standards, so there is no uniformity regarding when someone can begin to be said to be an adult, the measure of maturity depends on each individual, although in fact it still has a connection with the definition of adulthood according to Psychological Science where maturity is a phase. in human life which describes the achievement of mental balance and thought patterns in every word and deed. A person who is able to work (kuwat gawe) to earn a living means that he is personally able to think and be responsible for his life's needs. The stages of maturity cannot always be determined based on a certain age level, perhaps for some people, at the age of 17, they have started to enter the young adult stage, but for others this is not certain, so apart from age and the act of marriage, maturity is also can be seen from behaviour and physical growth biologically. Maturity is always associated with mental maturity, personality, thought patterns and social behaviour, but on the other hand, maturity is also closely related to physical growth and age. Maturity is also sometimes associated with a person's sexual condition, although human reproductive ability is not always determined by age. Meanwhile, psychological maturity means that the parties have good mental health, have a sense of responsibility as husband and wife, especially in educating their children fairly and honorably (Sucipto, 2014).

Maturity is an important thing as preparation to assume responsibility in marriage (Ummah, 2012). Maturity plays a major role in the success or failure of a relationship. Therefore, it is critical for marriage and relationship practitioners to understand how maturity impacts a person's ability to understand the concepts and apply the skills necessary to form and maintain healthy relationships. Maturity impacts one's ability to truly commit to a lifelong relationship and understand that commitment means giving up all other partner options. This, in turn, determines the level of trust and dependency that exists in a relationship. Maturity plays a role in a person's ability to accept responsibility for his or her own thoughts, feelings, and behavior. It regulates a person's ability to monitor his thoughts and control the various emotions (anxiety, frustration, etc.) inherent in every intimate relationship. When tensions are

high in a relationship, it is common to deal with the pain by blaming the other partner. In an emotionally mature relationship, partners can have realistic expectations about the relationship. Because maturity affects emotional control and reasoning, it affects a couple's ability to successfully make decisions together, work together toward relationship goals, and resolve conflict effectively. Mature relationships offer space for individuals to be vulnerable and share ideas and feelings, not to dominate. Maturity paves the way for mutual communication and allows openness to others' perspectives, allowing conflicts to be understood and resolved with more respect (Joyce, 2012).

Conclusion

Based on the discussion, it can be concluded that the regulation of maturity needs to be regulated in the Marriage Law, given that a person's maturity is not only measured by age, especially in marriage, but also by a person's ability to understand concepts and apply the skills required to form and maintain healthy relationships. This can be used as a consideration in legal reform in order to create responsive and progressive legal rules.

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