



A Human Rights-Based Approach Study to Address Child Marriage in the Dayak Kanayat'n Indigenous Community in Mempawah Regency

Norvirta Dewi

University of Muhammadiyah Pontianak, Indonesia
email: 221710001@unmuh.pnk.ac.id

Selsa Rizki Agustin Sakila

University of Muhammadiyah Pontianak, Indonesia
email: 221710033@unmuh.pnk.ac.id

Cremona Swartikarin

University of Muhammadiyah Pontianak, Indonesia
email: 231710016@unmuh.pnk.ac.id

Hazilina

University of Muhammadiyah Pontianak, Indonesia
email: hazilina.@unmuh.pnk.ac.id

Abstract

Child marriage constitutes a persistent violation of children's rights, often sustained by the interaction of customary norms, economic pressures, and limited access to education. This research examines the practice of child marriage in Toho Subdistrict, Mempawah Regency, with particular attention to the influence of Dayak Kanayat'n customary norms. The study aims to analyze how customary law shapes child marriage practices, assess the extent to which human rights principles can be integrated into these norms, and formulate strategies to harmonize a human rights-based approach with respect for cultural values. This research employs an empirical legal research method with a socio-legal approach. The findings reveal that child marriage is commonly justified through customary interpretations related to family honor, social harmony, and economic considerations. Nevertheless, the study finds that human rights principles, especially those concerning children's rights, are not fundamentally incompatible with customary norms but are often insufficiently understood and institutionalized within local practices. The research identifies the potential for harmonization through culturally sensitive advocacy, reinterpretation of customary values, and the active involvement of customary leaders as key agents of change. this study proposes a collaborative model involving customary institutions,

local government, and civil society to promote gradual cultural transformation while ensuring effective protection of children's rights.

Keywords: Child Marriage; Customary Law; Human Rights; Children's Rights

INTRODUCTION

One of the persistent social issues across various regions in Indonesia is child marriage. This phenomenon is not only a legal matter but also deeply intertwined with cultural traditions and the community's economic conditions. From a human rights perspective, this practice violates children's rights to enjoy their childhood and to receive a proper education (Hamzah, 2024). This practice also violates children's rights to survival, growth, and development, as well as their right to protection from violence and discrimination, as stipulated in Article 28B paragraph (2) of the 1945 Constitution of the Republic of Indonesia (Antonio & Suryaningsi, 2022).

The birth of a child into this world is a blessing bestowed by God Almighty. From the moment a child is born, they are inherently granted the right to life. Additionally, children also have the right to make their own life choices, including the right to marry. However, many parents still engage in actions that undermine their own children's rights, either for their own interests or simply because they view children as entirely under their authority (Kadek Devi Regina Melati, 2022). Child protection must be viewed comprehensively, not only through formal legal regulations but also through family education, social policies, and community-based advocacy. This book highlights the critical role of parents as the primary safeguard against child marriage and emphasizes the need for collaboration among customary leaders, religious figures, and educational institutions (Sirait, 2018). Child marriage is part of a social phenomenon closely tied to a community's value system and social structure. It explains that deeply rooted social practices within a community are difficult to change through formal legal interventions alone, as people tend to adhere more strongly to norms derived from their own culture (Soekanto, 2017).

The prevalence of child marriage in Indonesia indicates that levels of education and legal awareness in the country remain inadequate. Child marriage can occur either with the consent of both parties or due to coercive circumstances, supported by various factors such as educational background, economic conditions, sociocultural norms, religion, and others (Mumek, 2020). Human rights are basically the most fundamental rights enjoyed by every human being in their personal capacity. If these rights do not interfere with the rights of others, they cannot be violated by anyone, and the state must protect them. This right arises to protect human beings as whole individuals. (Imran Siswadi, 2023).

Field observations indicate that child marriage still occurs, particularly in areas where customary traditions remain strong. This phenomenon persists despite the

existence of clear state regulations regarding the minimum age for marriage. In the context of the Dayak Kanayat'n indigenous community in Toho Subdistrict, Mempawah Regency, the practice of child marriage is influenced by a combination of factors, but customary norms tend to play a more dominant role than purely economic considerations. Although economic hardship and limited access to education can contribute to the persistence of child marriage, field findings suggest that social expectations and adherence to customary norms often place pressure on families to approve early marriages, particularly when they are perceived as a means of preserving social harmony or avoiding social stigma. This situation shows that child marriage in the local context cannot be understood solely as an economic problem, but must also be examined as a manifestation of normative compliance with customary law within the Dayak Kanayat'n community. This condition persists even though the minimum legal age for marriage has been stipulated in Law No. 16 of 2019 (Sela Rahmadana Sari and Nuri Hidayati, 2024). In West Kalimantan, the number of child marriage cases remains among the highest in Indonesia, with more than 10,000 recorded cases (Harmanta, 2025).

According to 2023 BPS data, West Kalimantan has a child marriage prevalence rate of 11.29%, the third highest in Indonesia, while nationally, 6.92% of women aged 20–24 years married before the age of 18 (Fatika, 2024). This leads to a decline in children's education levels and a rise in poverty rates. Child marriage does not result in mature family bonds; instead, it creates new problems. In a study conducted by (Ridho & Mukdin, 2024) that young couples who marry before the age of 19 are vulnerable to emotional instability and divorce due to their lack of physical and psychological maturity. This unpreparedness triggers various new social problems, including domestic violence, poverty, and family disharmony (Apriliani & Nurwati, 2020).

Public health research shows substantial medical consequences when marriage occurs at a young age: increased risk of pregnancy complications, low utilization of antenatal care (ANC), prematurity, and higher maternal and neonatal mortality rates compared to mothers who marry after reaching adulthood. Moreover, children born to mothers who married early show poorer health and cognitive outcomes – demonstrating that the effects of child marriage extend across generations and are not merely a social issue. (Adola, 2024) strengthens this argument with data showing that preventing child marriage is a critical public health intervention. In a legal context, the LEGAL STANDING study by Purwinarto et al. (2022) emphasizes that although legal regulations set a minimum age for marriage, the mental, psychological, and social readiness of young prospective spouses is often overlooked. Legal implications include the likelihood of divorce and marital breakdown due to insufficient maturity in decision-making and in fulfilling the responsibilities of being

a husband or wife (Meilinda, 2024). In addition, underage marriage also affects a child's psychological well-being; children who are not yet mature are more vulnerable to mental health issues. (Rahma, 2023)

This practice threatens child protection as mandated in the Convention on the Rights of the Child (CRC), which Indonesia ratified through Presidential Decree No. 36 of 1990 (Setiawan et al., 2024). From a human rights perspective, child marriage violates children's rights to education, health, and development. Although gaps exist between customary norms and human rights, research shows that a transformative approach integrating human rights principles with local cultural values, such as in the Dayak Kanayat'n community, has the potential to create more contextual and effective child protection (Syofyan and Nazmi, 2023).

In 2016, a study found that Indonesia ranked 37th among countries with a high percentage of child marriage and was the second highest in ASEAN after Cambodia (Gender Studies Program School of Strategic and Global Studies, Universitas Indonesia, 2016). According to UNICEF (2021) data, Indonesia ranks eighth globally in child marriage cases. A study by Wahyuni & Darmawan (2022) shows that limited access to legal information leads communities to rely more on customary rules when making decisions about early marriage. As a result, formal state policies are often seen merely as supplementary, not as the primary guide in social practice. This reinforces the position of customary norms as a basis of legitimacy that is difficult to challenge, even when they frequently conflict with human rights principles (Wahyuni, 2024)

Previous research findings indeed indicate obstacles in addressing child marriage practices, commonly caused by tensions between customary norms and human rights principles. A study by Sudarnta and Laksana (2019) highlights social pressure, tradition, and customary practices such as "kawin tangkap" as forms of human rights violations. However, their focus was primarily on the conflict between state law and customary law in specific regions, rather than on efforts to harmonize the two (Sudantra, I.K. and Laksana, 2019). Meanwhile, the research by Beta and Marwa (2023) focuses more on parental responsibility in biological, economic, and psychological aspects, without specifically addressing the customary dimension (Beta, H.U.T. dan Marwa, 2023). This study fills that gap by introducing a new approach through cultural dialogue and community advocacy. Research by Ichrom et al. (2023) found that vocational high school (SMK) students are more vulnerable to becoming parties in child marriage due to a combination of social and economic factors, as well as limited access to legal information regarding the minimum age for marriage (muhammad ichrom, 2023). Its novelty lies in a locality-based integrative model that combines respect for customary authority with the need for child protection. Unlike previous studies that tended to focus on the tension between state law and customary law, this research offers a culturally grounded dialogical approach that not only bridges understanding between the two legal systems but also creates

opportunities for more harmonious practical integration. In addition, this research proposes a culturally grounded advocacy approach that enables indigenous communities to understand and apply human rights while preserving their cultural identity. This is expected to foster more contextual and effective child protection and provide long-term solutions to reduce child marriage practices in indigenous communities.

In the context of the Dayak Kanayat'n indigenous community in Toho Subdistrict, Mempawah Regency, child marriage remains part of the social dynamics shaped by inherited value systems and traditions. Embedded customary norms are often used as the basis for legitimizing this practice, even though they may conflict with human rights principles that emphasize the protection and best interests of the child. Responding to this situation, this study proposes a locality-based integrative approach that seeks to harmonize human rights principles with the values of Dayak Kanayat'n customary law in addressing child marriage. Conceptually, this approach involves several key actors, including customary leaders, local government authorities, community leaders, families, and educational institutions, who interact through dialogue, normative reinterpretation of customary values, and community-based awareness programs.(Pratama, 2024) Through this mechanism, human rights principles are not positioned as external norms that negate local traditions, but rather as values that can be contextualized within the existing customary framework. By structuring the interaction between these actors and processes, the proposed approach aims to produce practical outcomes in the form of strengthened child protection norms within the community while maintaining respect for local cultural identity. In this way, the study does not merely discuss cultural dialogue in general terms, but offers a more structured analytical framework that can be used to understand and potentially replicate efforts to reconcile human rights protection with customary legal systems in local contexts.

METHODS

This study uses an empirical legal research method, which refers to the definition put forward by Ronny Hanitijo Soemitro that empirical legal research is research that obtains data from primary sources, namely data collected directly from the community.(Ahmad, 2010) This empirical method involves direct interaction with the community through fieldwork to gain a deeper understanding of how legal norms operate in social practice. Through this approach, researchers not only examine written legal rules but also analyze how these rules interact with customary norms that continue to influence social behavior within indigenous communities.

The type of research used is empirical legal research with a descriptive qualitative approach. The qualitative approach was chosen because it allows

researchers to understand complex social and cultural phenomena more deeply, particularly those occurring within indigenous communities. This study focuses on examining the relationship between Dayak Kanayat'n customary norms and the practice of child marriage in Toho Subdistrict, Mempawah Regency. In this context, the research does not only analyze the perspective of positive law but also explores how customary norms that have long existed within the community interact with legal norms regulated by the state. The legal basis of this research refers to Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 on Marriage, which regulates the minimum age for marriage. In addition, this study also reviews the relevance of Dayak Kanayat'n customary law norms that may conflict with or complement national legal provisions. Thus, this research aims to contribute to understanding the gap between positive law and customary law, as well as to formulate recommendations for strengthening the protection of children's rights in indigenous communities.

The research was conducted in Toho Subdistrict, Mempawah Regency, which is inhabited by the Dayak Kanayat'n indigenous community. This location was selected because the community still strongly upholds customary traditions, including norms related to marriage practices. Therefore, the research setting provides a relevant context for examining the interaction between customary law and national legal norms in everyday social practice. (Marzuki, 2016) Data collection techniques included in-depth interviews, non-participant observation, and document analysis. Interviews were conducted with customary leaders, families involved in child marriage practices, and community members who understand and implement customary norms. In addition, non-participant observation was carried out to observe how customary norms are practiced in daily social interactions within the community, particularly those related to marriage practices. Document analysis was also conducted on relevant materials such as customary records, village regulations, and government policies related to marriage.

To strengthen the validity of the findings, this study applied data triangulation by comparing information obtained from different sources. The results of interviews with customary leaders and community members were cross-checked with official data from the Office of Religious Affairs (KUA) and the Religious Court regarding marriage dispensation cases in the region. These institutional data were then compared with the results of field observations concerning how customary norms are practiced within the Dayak Kanayat'n community. Through this triangulation process, the research seeks to ensure the reliability of the findings and to provide a more comprehensive understanding of the interaction between customary norms, legal regulations, and the practice of child marriage in the research location. The data obtained were analyzed using thematic analysis within a descriptive qualitative framework. Data from interviews, observations, and documents were systematically

categorized to identify patterns related to the relationship between customary norms and child marriage practices within the Dayak Kanayat'n community. This analysis enabled the researchers to understand how the community interprets and applies customary norms and how these norms interact with applicable national legal provisions.

DISCUSSION AND RESULT

Prevalence and Socio-Cultural Drivers of Child Marriage in the Dayak Kanayat'n Community

Findings from the analysis of all interviews with respondents indicate that the practice of child marriage in the Dayak Kanayat'n indigenous community in Toho Subdistrict remains relatively high and is strongly influenced by customary norms and social pressure. Early marriage is often regarded as a way to preserve family honor, avoid social shame, and strengthen kinship ties within the community. However, this practice contradicts human rights principles, particularly children's rights to education, health, and protection from exploitation. Customary norms tend to prioritize family harmony and collective reputation, so marriage decisions are frequently determined by extended family members and customary leaders rather than based on the child's individual interests and consent. In this context, customary law functions not only as a mechanism of social control but also as a source of legitimacy for the continuation of early marriage practices. (Ruslan, 2018)

The analysis also indicates that customary values within the Dayak Kanayat'n tradition do not fundamentally conflict with human rights principles. Several customary values can be reinterpreted to support the prevention of child marriage. For instance, the customary principle that emphasizes the protection of family dignity and the safeguarding of women's honor can be understood as a moral obligation to ensure that girls grow and develop properly before entering marriage. Similarly, the communal value of maintaining social harmony can be interpreted as encouraging collective responsibility to protect children's well-being, including their rights to education and healthy development. Through such reinterpretation, customary norms may serve not as a justification for early marriage but rather as a cultural foundation for strengthening child protection within indigenous communities. This perspective aligns with international human rights frameworks, including reports by UNICEF, which affirm that child marriage constitutes a violation of children's rights because it prevents children from fully enjoying their childhood and limits their opportunities for development (Widuri et al., 2023).

Legal analysis of the practice of marriage dispensation following Law No. 16 of 2019, which amended Law No. 1 of 1974 by raising the minimum marriage age to 19 years for both men and women, reveals a significant tension between formal legal regulation and social practices within indigenous communities. In the Dayak

Kanayat'n community in Toho Subdistrict, this regulatory change has not fully altered the existing social norms surrounding marriage. Field findings show that although community members are generally aware of the new legal provisions, the increase in the minimum marriage age is often perceived as a formal administrative rule rather than a binding social norm that must be strictly followed. (Wafiq, 2024) As a result, when early marriage becomes socially necessary such as in cases of premarital pregnancy, economic pressure, or strong encouragement from extended family members tend to pursue legal dispensation through the Religious Court as a procedural solution. In practice, the dispensation mechanism becomes a legal pathway that indirectly accommodates the continuation of early marriage. Although procedurally valid, many court decisions granting dispensation focus primarily on formal legal requirements and urgent circumstances, while insufficiently considering the broader and long-term impacts on the child's physical, psychological, and educational development.

Empirical observations also indicate that customary leaders in the Dayak Kanayat'n community rarely perceive the increase in the statutory marriage age as conflicting with their customary values. Instead, customary norms continue to emphasize the restoration of family honor, social harmony, and communal responsibility when situations such as premarital pregnancy occur. Consequently, the state's effort to prevent child marriage through legal reform has not yet been fully internalized at the community level. This situation reflects the persistence of "living law," where customary norms continue to hold strong legitimacy and influence social behavior alongside formal state law (Rahardjo, 2009). Therefore, strengthening the implementation of Law No. 16 of 2019 requires not only stricter judicial scrutiny in granting marriage dispensations but also culturally sensitive legal approaches that involve customary leaders, community education, and collaboration with social institutions to ensure that the principle of the best interests of the child is effectively upheld.

Human Rights Perspective on Child Marriage in Indigenous Contexts

A human rights-based approach to addressing child marriage emphasizes that every child has the right to be protected from harmful traditional practices. Indonesia has ratified the Convention on the Rights of the Child (CRC) through Presidential Decree No. 36 of 1990, which obligates the state to ensure the best interests of the child (Kurniawan, 2017). However, in the context of indigenous communities, law enforcement cannot be applied rigidly, as it would provoke resistance from the community. Therefore, a transformative approach is needed by integrating human rights values into customary practices. It is essential to involve local customary leaders as intermediaries to convey understanding to the community. In the context of child marriage, Dayak Kanayat'n customary law places greater emphasis on family honor

and social harmony, even though this may conflict with child protection principles guaranteed by national law and international human rights instruments. Therefore, efforts to harmonize customary law and national law must be pursued through persuasive means to avoid resistance from indigenous communities (Hadikusuma, 2015).

Interview results from Ibu Eny, Ibu Sakinah, and Pak Dewan clearly reveal a tension between customary values and human rights (HR) principles. Customary norms view issues collectively, emphasizing family harmony and dignity, whereas human rights focus on the individual rights of the child, particularly the rights to education, health, and a future. Respondents stated that although there is awareness of human rights, on-the-ground practices show that customary norms remain dominant. This discrepancy gives rise to a paradigmatic gap, meaning that despite the influence of formal regulations and human rights discourse, customary norms continue to serve as the primary reference in everyday practice.

Almost all respondents emphasized the importance of culturally based strategies to address child marriage. They stressed that dialogue among multiple actors, including customary leaders, parents, religious figures, and government, is more effective than formal state interventions alone. This aligns with (Sumarto, 2019), who emphasizes that culture is a product of human intellect that cannot be separated from society, and that understanding cultural elements is essential to grasping the value systems that exist within communities, whether simple or complex. Cross-actor dialogue is seen as a more grounded approach because it directly engages the social structures present in indigenous communities. Customary leaders hold strong moral and social authority, so their views can significantly influence community mindsets. When customary leaders collaborate with religious figures, parents, and the government, messages about the dangers of child marriage do not come from a single source but are reinforced through multiple channels of social legitimacy. This cultural dialogue helps bridge the gap between customary law and human rights concepts. Indigenous communities may reject interventions if carried out unilaterally by the state without involving community leaders. Such actions are perceived as threatening their identity and local wisdom. Conversely, human rights can be gradually implemented using values and language that align with local culture through cultural exchange.

In addition to cultural dialogue, respondents frequently proposed culturally based education initiatives, both in the form of educational outreach and awareness-raising about children's rights. However, this approach must be implemented in a manner sensitive to local values to avoid being perceived as a threat to cultural identity. Contextual education can help communities understand the risks of child marriage while also creating space for traditions to transform positively. (Nur

Qorimah & Laksono, 2023) explain that culturally based education aims to instill cultural values in children through integrated learning, supportive activities, and school culture. Culturally based education can convey messages through symbols, language, and practices already familiar to indigenous communities, making it an effective means to achieve its objectives. Therefore, there is little resistance to receiving content related to reproductive health, the risks of early marriage, and children's rights. For example, folktales, proverbs, or oral traditions of the Dayak Kanayat'n can serve as more effective teaching methods than formal instruction. A contextual education approach can also foster critical awareness among young people, enabling them to independently question child marriage practices. If children understand that early marriage negatively affects their health, education, and future, they will be better empowered to resist social pressure. Moreover, gender inequality also emerges as a factor reinforcing child marriage practices. The study "Unequal gender relations in the practices of girl marriage in poor families in East Java" found that after marrying at a young age, adolescent girls experience imbalanced power dynamics within the family: limited autonomy in decision-making, pressure from parents and in-laws, and social stigma for not marrying by a certain age (Susanti, 2019).

Paradigmatic Gap Between Customary Norms and Human Rights Principles

The role of parents was also repeatedly emphasized by respondents, as highlighted by Pak Sukardi and Ibu Eny, who affirmed that the primary responsibility for preventing child marriage lies with the nuclear family. The family is regarded as the first line of defense in protecting children from early marriage practices. Therefore, the most realistic intervention strategy is to integrate a human rights approach with local wisdom through cultural dialogue, contextual education, and strengthening the family's role. Parental awareness of reproductive health education and open communication has proven effective in reducing adolescents' desire to marry young (Khairani, 2024). (Triantono et al., 2024) emphasize the importance of identifying child marriage prevention strategies through the empowerment of individuals, families, and community groups, as well as community commitment to advocate for and provide support to vulnerable families. Strengthening the family's role is crucial because parents are the closest parties to their children and have direct influence over their life decisions, including matters of marriage. Parents who understand the negative impacts of early marriage are better able to protect their children from social pressure and economic incentives that often drive child marriage. Families also play a role in building new values rooted in local traditions yet aligned with human rights principles. For example, the Dayak Kanayat'n customary teaching that emphasizes family honor can be reinterpreted to help uphold children's dignity by ensuring they receive proper education and fair opportunities to develop. Thus, traditional values are not abandoned; instead, they are transformed to better protect children's rights.

Community-based interventions and multi-sectoral approaches have proven effective in reducing child marriage cases in various contexts. This model is considered capable of improving knowledge, attitudes, and behaviors regarding the appropriate age for marriage through community dialogue, education, and local regulations (Azinar, 2025).

However, some aspects of child marriage are also partly rooted in customary traditions. As Pak Dewan, a representative of the indigenous community and a research respondent, stated, child marriage remains a complex issue often influenced by deeply entrenched customary norms. A clear example occurs when a 16-year-old girl becomes pregnant outside of marriage, and the matter is resolved through a customary marriage. The marriage is carried out to preserve the family's reputation and dignity, and this is often the primary consideration rather than compliance with formal state regulations. This was further emphasized by another respondent, Mr. Jalaher, who stated that customary norms remain strong in the Dayak Kanayat'n community. (Saputra, 2025) Sometimes, custom is used as a justification for marrying off children at a young age, for example due to family agreements or to protect the family's reputation.

This inevitably involves tension between customary norms and human rights principles. The conflict between customary values and human rights principles is a reality that cannot be ignored, particularly concerning children's rights to protection, education, and a decent future. In Dayak customary practice, important decisions, including those related to child marriage, are generally made through family deliberations that emphasize collective honor and the preservation of the community's reputation. (Rismayanti, 2016) states that the decision-making process involves the systematic selection of alternatives and functions as a form of communication that fulfills the social expectations of organization members, where individual values within the group significantly influence collective decisions. The values of honor and collective solidarity serve as the main foundation for decision-making, so individual interests are often subordinated to group interests. In contrast, from a human rights perspective, the primary focus is on the freedom and equality of every individual, including women and children, to determine their own life path without pressure or coercion. This principle emphasizes that every child has the right to proper education, optimal growth and development, and protection from discriminatory practices such as early marriage. Thus, the difference in orientation between customary norms and human rights creates a space for negotiation that must be managed wisely, so that local values can still be respected without undermining children's fundamental rights as individuals.

Respondents also proposed strategies to address the issue, with culturally based approaches considered the most effective because they directly engage the

social roots of the community. Cultural dialogue and customary deliberations serve as means to harmoniously align customary norms with human rights principles. In the context of the Dayak Kanayat'n community, deliberation still holds an important position in resolving social issues, so this channel is considered more acceptable than formal state intervention. (Agustang, 2021) analyzes that social interaction within polyethnic systems is influenced by the application of local community values and norms, where commitment to change is always accompanied by a desire to preserve traditional order. Therefore, involving customary leaders, religious figures, and the nuclear family in dialogue is a strategic step to open a space for negotiation between customary norms and human rights. The Community-Based Integrated Child Protection model, tested in several villages, combines cultural dialogue, contextual sexual and reproductive health education, and strengthening of service networks. Initial evaluations reported improved knowledge and attitudes, as well as a reduction in adolescents' intention to marry at an early age. Participatory approaches like this are more likely to be accepted by indigenous communities because they respect local authority structures while integrating child protection values. (Muhammad Azinar, 2025).

The success of this research offers a new strategy for addressing child marriage. It lies in successfully identifying and developing culturally based strategies that effectively integrate human rights (HR) values with the customary norms of the Dayak Kanayat'n community. A cultural dialogue approach involving customary leaders, religious figures, and the community directly creates space for a deeper understanding of the importance of protecting children's rights, without disregarding existing local wisdom. This research has also successfully created synergy between the value of family honor, which is highly upheld in customary traditions, and the principle of individual freedom recognized by human rights. Thus, this study not only introduces a relevant and contextual model of cultural transformation but also offers a practical and sustainable approach to preventing child marriage in indigenous communities. (Siregar et al., 2023) The novelty of this research lies in the development of a locality-based integrative model that enables indigenous communities to understand and implement human rights principles in a way that is not only harmonious with their traditions but also effectively protects children's fundamental rights. This approach offers a way to address the tension between customary norms and human rights principles while still respecting local cultural values within the framework of child protection.

CONCLUSION

This study highlights the persistent issue of child marriage within the Dayak Kanayat'n indigenous community in Toho Subdistrict, Mempawah Regency, and its connection to deeply rooted customary norms. Despite the Indonesian legal

framework, particularly Law No. 16 of 2019 which establishes the minimum legal age for marriage at 19 years, customary practices continue to legitimize child marriage, influenced by considerations of family honor, social expectations, and economic pressures. The findings demonstrate that although human rights principles especially those concerning children's rights, do not fundamentally contradict customary values, they are often not fully internalized within local social practices.

The study emphasizes the importance of developing a transformative and culturally sensitive approach to bridge the gap between customary law and human rights norms. Such an approach requires the active involvement of customary leaders, local government institutions, and civil society organizations in fostering constructive dialogue between legal norms and local traditions. Through this process, efforts to prevent child marriage can be integrated into the cultural framework of the community without undermining indigenous identity. Culturally based education, family empowerment, and the participation of customary leaders in community advocacy can serve as key strategies to gradually reshape social perceptions regarding the risks and consequences of child marriage. However, this study also acknowledges several limitations. Methodologically, the research relies on a qualitative empirical approach with a limited number of informants, primarily consisting of customary leaders, community members, and families involved in early marriage practices within a specific geographic area. As a result, the findings may not fully represent the broader dynamics of other Dayak Kanayat'n communities or indigenous communities in different regions. In addition, the research focuses primarily on socio-legal interactions between customary norms and state law, without conducting a longitudinal analysis that could capture long-term social change.

The implementation of the proposed culturally sensitive approach may face several practical challenges. These include potential resistance from segments of the indigenous community who perceive external legal interventions as threats to cultural autonomy, as well as the risk of "symbolic compliance" or tokenistic adoption of human rights discourse without substantive behavioral change. Therefore, future efforts to address child marriage in indigenous communities must carefully balance legal reform, cultural sensitivity, and participatory engagement with local actors to ensure that child protection initiatives are both socially accepted and sustainably implemented.

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