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Martha Nussbaum's Feminist Philosophy on Body Autonomy and Its Relationship to the Experiences of Women Survivors of Child Marriage: A Case Study in Sukamara, Central Kalimantan.

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Abstract

This paper traces the journey of women who survived child marriage in Sukamara, Central Kalimantan. Sukamara is the district in Central Kalimantan with the highest child marriage rate. Central Kalimantan is one of the provinces with the highest child marriage rate in Indonesia. The purpose of this research how to analyze experiences of survivors of child marriage victims regarding bodily autonomy. Then, the writer connects the autonomy of the body with the moral problematic phenomenon of objectivity as a power relation according to Martha Nussbaum's understanding. Researchers used interview research methods. The research instrument uses a detailed list and then is classified into factual solids, categories and theme questions. The results of the study, the research subjects experienced bitter experiences which were illustrated by acts of sexual violence, neglect from husbands and in-laws, and the lack of reproductive health due to women's responsibilities from power relations in survivors of child marriage. In addition, this study also confirmed Martha Nussbaum's theory that objectification is present in the absence of approval, pride and independence which is something negative.

Keywords: Objectivity in understanding Martha Nussbaum, Survivors of Child Marriage, Power Relations, Moral Problems

CHILD marriage is a form of discrimination for the vulnerable, women themselves. Violence against human rights hinders the realization of sustainable peace. The Sustainable Development Goals (SDGs) have targets, one of which, if I'm not mistaken, is to eliminate violence, especially violence against women. Smaller space, catch up in child marriage. Indonesia in the UN space, participates in implementing the realization of the SDGs goals that have been published through Presidential Regulation Number

59 of 2017. This means that Indonesia, fully through all policies and reviewing the SDGs sustainable development process with the resolution Transforming Our World: The 2030 Agenda for Development Sustainable (Judiasih et al., 2020:141). Sonny D. Judiasih et al., tracing through a research entitled, "Efforts to Eradicate Child Marriage in Indonesia: Towards Sustainable Development Goals" illustrates that Indonesia always repeats child marriage. This fact is supported by the legitimacy of religious practices and customary law even though as a member of the PPB, they have ratified the SDGs themselves. (Judiasih et al., 2020: 138). Marriage, especially in Indonesia, always presents a positive aura, both from the couple's family, neighbors and for the two couples themselves. Marriage that leads to mutuality. Complement each other, fulfill each other and share roles. However, when you enter the marriage book, there are various obstacles and obstacles. Child marriage does not rule out the possibility of taking part in these obstacles and obstacles.

Mari Stenlund in the context of mental health through the title, "Promoting the freedom of thought of mental health service users: Nussbaum's capabilities approach" meets values-based practice" argues through his search that health care users with psychotic disorders can exercise their human rights with the concept of freedom of thought. (Stenlund, 2017:180). Stenlund-who comes from the University of Helsinki, Finland-in Nussbaum argues, the freedom of thought for the vulnerable can protect their ability to believe, feel and think. Stenlund shows Nussbaum's approach that has a practical value lens. This freedom of thought (capability), brings the vulnerable (service users) into good decision making (Stenlund, 2017: 181).

Gottfried Schweiger in his search entitled, "What Kind of Functionings Matter for Global Justice for Children? Gottfried Schweiger" uses the term 'kindergoods' when describing some valuable functions in children, which adults do not all have. This role is the child's capability in building, understanding things related to global justice (Schweiger, 2020:1).

We would like to talking about children's rights, the participatory research conducted by Pearson Nkhoma and Helen Charnley on one of the poorest economic countries in the world entitled, "Child Protection and Social Inequality: Understanding Child Prostitution in Malawi" sees that the involvement of women in prostitution is a means of survive (Nkhoma & Charnley, 2018:5-15). I see Malawian women's means of survival as a woman's capability through interpreting visual images as representatives of their experiences. Nussbaum saw that the experience was an experience of self-reflection as a form of fully female capability.

Research Methods

The author conducted a qualitative research through interviews with two female survivors of child marriage victims in one of the districts of Central Kalimantan. The research subjects consisted of two people who represented female survivors. The

criteria for women are to enter marriage institutions under the age of 19 years in accordance with the latest legislation. The author did a voice recording via a smartphone, then did a verbatim transcription by classifying the interview topics into themes, which were then included in this paper. The author has difficulty because the distance of the research subject is far from the Palangka Raya area or urban area, but the author is a Sukamara resident who has lived since childhood in Sukamara Regency, Palangka Raya. The author has also lived side by side with the surrounding community, enabling the author to explore the lives of survivors of child marriage victims.

Michaela Haug explores environmental change in the name of development from a gender perspective through her article entitled, "Men, Women, and Environmental Change in Indonesia: The Gendered Face of Development Among the Dayak Benuaq." Haug (2017) sees a shift in gender relations that used to be balanced among the Dayak tribes, however, recently a new phenomenon has emerged that is asymmetrical between men and women. This change appears when the economic system and inclusion itself take a distance, leading to gaps leading to deforestation and environmental degradation (Haug, 2017:29).

The influence of child marriage in Indonesia through the research of Wulansari Dyah Rahayu and Heni Wahyuni sees the phenomenon of the contribution of poverty, especially financially as a family economic burden, although in conclusion, this fact does not have a significant effect. The next contribution is harassment between families, the emergence of divorce. The Indonesian Family Life Survey (IFLS) research method with a sample of women under 18 (that age in Indonesia is classified as child marriage or child marriage age) that year found the absence of a health insurance card, not finishing school for 9 years (Rahayu and Wahyuni, 2020 :30).

In addition to health factors, researchers conducted a search through previous research by Dian Latifiani entitled, "The Darkest Phase for Family: Child Marriage Prevention And Its Complexity in Indonesia." Latifiani, who is from the Faculty of Law, State University of Semarang, traces the process, the complexity of child marriage (the role of education, economy, psychology and local culture) to the impact of this role. The research, which is located in Munding Village, Semarang Regency, shows that local culture is the main factor contributing to the number of child marriages. The interview and observation research data shows that there are preventive efforts from the government regarding complaints and are followed up by the relevant agencies (Latifiani, 2019:255).

Survivors' Experiences on the Impact of Child Marriage: Objectivity in Understanding Martha Nussbaum.

Women in their relationship with their partners often get the number two position. This understanding the authors see through various studies. The researcher saw through the survivors of child marriage victims, Mawar (pseudonym) argued,

"kalau masalah itu sih kalau menurut saya sendiri yaitu kewajiban, kalau suami kan tanggung jawabnya mencari nafkah kalau istri mengurus suami kalau menurut saya sih seperti itu."

(Mawar/wwcr/objektivasiperempuan/09112021)

The author sees a stigma wrapped in women's objectification that women are destined to be caretakers of their husbands. Meanwhile, men are the breadwinners of the household. Female survivor as a survivor of child marriage, Melati (pseudonym) also has the same opinion,

"iya, namanya jadi ibu rumah tangga ya pasti harus menyelesaikan pekerjaan rumah pak, itu sudah tanggung jawab, kadang masak nyuci baju"

(Melati/wwcr/objektivasiperempuan/09112021)

Based on the experiences of the two women survivors above, the understanding that women must be in the kitchen and do housework can be said to be a social construction that almost applies to women, especially understanding in Indonesia.

Child Marriage Survivor Capability

According to Mawar, the 22-year-old woman's capability is described as her participation in determining the time to have sex with husband and wife and the purpose of the couple's relationship in the institution of marriage.

"ada juga yang seperti itu cuman kan kalau kami prioritasnyakan kalau mau mendapatkan momongan tuh bukan hanya map ngomong ya bukan karena untuk kesenangan, kebutuhan atau gimana itu enggak."

(Mawar/wwcr/objektivasiperempuan/09112021)

This capability was also shown by Mawar when dealing with the doctor's opinion. Mawar freely followed the doctor's advice by eliminating the feeling of pressure from outside herself.

"ehemmm ya kalau masalah kayak gitu sih kami tuh ngikut prosedur dari dokter sih pada dasarnya karena anjuran dari dokter itu berhubungan saya pun sudah pernah hamil biar pun cuman sebentar ya ibarat kata cuman kan waktu itu-tuh masih selama saya selesai keguguran 3 bulan sekali kami tuh pasti cek ya namanya kita masih usaha terus setahun kemudian berlanjut 6 bulan sekali kami cek ke dokter terus kata dokter kalau masalah berhubungan intim karena pada dasarnya kan ibu posisi sekarang tuh eee gemukan jadi jangan terlalu sering takutnya hormon ibu tuh enggak ke kontrol ya enggak bakalan jadi-jadi dong nah terus kalau bisa tuh hitung masa subur jangan seenaknya dimana mau gitu."

(Mawar/wwcr/objektivasiperempuan/25112021)

This understanding of the reproductive system brought Mawar to a level where she was able to see the good on the advice of her trusted doctor.

Moral Problems According to Martha Nussbaum as a Common Good

Women have the initiative in continuing their lives, even though there are challenges to their decisions. This decision contains logical consequences to the worst consequences. However, the author sees the participation of women survivors of child marriages when faced with the institution of marriage. The woman born in Tayan, West Kalimantan argued,

".. pernah itu pintas di benak saya sendiri itu pernah ingin menyambung pendidikan lagi, ingin kuliah lagi cuman permasalahannya itu waktu itu pernah ditawarkan untuk kerja, nah pada saat itu saya kerja terus kerja dan saya merasa nyaman nah pada saat itu saya gak melanjutkan pendidikan, nah selesai itu saya dilamar oleh suami saya untuk menikah, jadi saya pikir toh nantinya pun saya akan menikah dan suami saya pun sudah mapan, sudah bekerja."

(Mawar/wwcr/objektivasiperempuan/09112021)

Based on Mawar's experience above, Mawar has the capability to choose and decide her next life in the institution of marriage. In addition to the above conditions, Mawar also takes an important position according to the author when faced with her body's autonomy in the form of health insurance.

"Kami sebelum menikah kami kan cek kesehatan, untuk masalah anak kami serahkan kepada Tuhan dan keluarga juga, karena saya juga sudah pernah hamil tapi memang gak bertahan cuman sampai 1 bulan setengah, nah disitu kan berarti saya bukannya saya gak bisa punya anak ya."

(Mawar/wwcr/objektivasiperempuan/09112021)

Miscarriage is such a heartbreaking event. Everyone who experiences this, apart from the emergence of sadness in the family, according to the author's suspicion, there may be someone who is to blame or the condition is denied. However, based on Mawar's experience, the miscarriage experience was a valuable experience, until she was at the level of resignation, which is relying on God the Owner of Life. Rose's feelings are not absent. The participation of these feelings was welcomed by her husband.

Douglas G. Lawrie through his research entitled, "When Great Tao vanished, we got "Goodness and Morality" talks about student responses in the classroom and outside the classroom. The context Lawrie presents is the context of students at the University of the Western Cape when talking about students care. Immoral according to Martha Nussbaum is the existence of sexism in certain social settings (Lawrie, 2020: 3). According to him, morality is naive (Lawrie, 2020: 4). Naive according to Nussbaum if morals present views in the absence of feelings. These feelings are not feelings that are control over the situation, but the lack of control over the effects of the surrounding situation (Lawrie, 2020:4).

Feelings of sadness, perhaps angry with the wife and husband who are married at the age of 24, do not bring her to a state of blaming the surroundings, including not blaming her family.

Mark Berkson sees through his research entitled, "A Confucian Defense of Shame: Morality, Self-Cultivation, and the Dangers of Shamelessness" that shame has a negative definition according to Western philosophers through post-classical Western ethical thought. According to this thought, shame is the outer face when faced with other faces. Shame is synonymous with guilt. Thus, guilt is something negative because it is associated with conscience and soul (Berkson, 2021: 2). Meanwhile, according to Berkson, shame is not a negative trait. Negative according to Berkson when lowering or even destroying the image of others outside of himself. The author sees through Bergson's description of Nussbaum by describing shame as a repetitive task (Berkson, 2021, 16) by consistently engaging in sexism.

Eyad Elsarj in Mahmoud Daher's "Conflict Is Our Challenge—To Listen, to Engage, to Care" personally interviewed Martha Nussbaum. Nussbaum views, "Conflict is a challenge, calling us to engage with ourselves and with others. Our calling is to find ways or solutions that are not based on "right" or "wrong." Moreover, neither is it resolved by defeat or victory. . But with continuous conversation by listening and understanding all those involved (Daher, 2019:227). The author sees that based on the interview, a person's morality is not built on the basis of status inequality, but positioning oneself as equal to others. Truth according to Nussbaum is not right or wrong. wrong and/or black or white.

Joshua M. Brostoff's article entitled, "How Moral Enhancement Can Be Compatible with Individual Freedom" shares Nussbaum's opinion. Nussbaum argues that ethical frameworks are biologically innate. This virtue is always cross-cultural. Thus, virtue is not a non-relativity related to human experience or society (Brostoff, 2018: 698-700). Virtue based on Nussbaum's opinion according to the author is a cross-border ethical framework. The virtue that liberates the individual himself. The author sees that there is a relationship between virtue freedom and capability according to Nussbaum.

Autonomy over the Body

José María Muñoz Terrón in his writings, "Vulnerable Dignity, Dignified Vulnerability: Intertwining of Ethical Principles in End-of-Life Care" argues that rational autonomy is understood as presenting the dignity of the vulnerable, according to the author is women themselves, as participation in caring for life. Such participation includes thinking together, presenting oneself, appreciating expression (Terrón, 2021:1). Nussbaum in Terrón argues, "autonomy as rational agents refers to them being fragile or vulnerable when faced with an interdependent character, sustained by networks in the name of caring (Terrón, 2021:3)."

Conclusion

Based on the two experiences of women as survivors of child marriage victims above, there are experiences that are heartbreaking, as well as challenging so that

women's capabilities, even in the position of losing access to administration, schools and opinions, but both survivors are able to survive in tracing the footsteps of their lives. The search was also supported by his life partner as well as his family. Even so, there is a family of one of the survivors who does not agree with the marriage between the two partners.

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