

The Role of MSU-Sulu for Public Information of the Republic Act 11596 in Muslim Community Particularly in the Province of Sulu: A Step to Holistic Understanding

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Abstract: The aim of this article is to initiate public information dissemination of the RA 11596, a Law that prohibits child marriage and impose fines for those who violate it. The subject of the Law seems to bring critical consequences in the Muslim community like the people in the province of Sulu. The content of the RA 11596 could have been alarming since the Muslims are following their customary law in Islam states that a girl can decide to marry at the age of puberty during the first menstrual period. The RA 11596 is an age-based law pointing out that a girl below 18 years old is not allowed to marry and even impose fines for those who are connected with the marriage. Alternatively, MSU-Sulu offers the service to disseminate the information for holistic understanding of the Tausug about the content of the RA 11596. The role of MSU-Sulu is very essential to initiate strategies in coordination with OPAPP, Provincial and Barangay LGUs to sustain the needs, resources and manpower to make the dissemination successful.

Keywords: Role of MSU-Sulu, Public information, Republic Act 11596, Muslim community, Province of Sulu, Holistic understanding.

1. Introduction

Republic Act 11596 is a law that prohibits child marriage and imposes fines for those who violate it. President Rodrigo Roa Duterte signed it on December 10, 2021. Duterte recognized the need of abolishing all traditional and cultural practices and systems that promote discrimination, abuse, and exploitation of children, such as child marriage, by signing the bill. Any marriage entered into when one or both of the parties are minors and solemnized in legal or ecclesiastical processes, or in any recognized traditional, cultural, or customary method, is referred to as child marriage. It includes an unofficial relationship or cohabitation between an adult and a kid, or between children, that occurs outside of marriage.

One of the purposes of child marriage is that for parents with several children or families living in extreme poverty, child marriage is simply a way to help alleviate the desperate economic conditions they find themselves in, "it's one less mouth to feed and one less education to fund".

The meaning of child marriage refers to any formal marriage

or informal union between a child under the age of 18 and an adult or another child. Child marriage is often the result of entrenched gender inequality, making girls disproportionately affected by the practice. The subject of the Republic Act 11596 sometimes way back in early years, is against the Muslim Customary Law where the law specifies whenever the woman has reached the age of Puberty (at least at the time of her first menstruation) she is in the condition of allowable to marry with the consent of both parties between the parents of the woman and man. With this concern the need to disseminate the information of the subject of this RA 11596 is strongly recommendatory. Since this Law is new to the Muslim Ummah. What is the strategic action to allow the content of this Law to reach the Muslim Ummah in countryside or rural setting? Who are the persons that can take charge of the action in the different areas of concern? Who are the specific agency that can carry out the Information Campaign? In this article, presents the role of MSU-Sulu to carry out the information campaign of this Law.

A study conducted in Zambia states in its findings that the main causes of child marriage are Cultural factors such as; cultural beliefs and fear of a girl child remaining unmarried, Economical factors (Poverty) and social factors which include: Peer pressure, Environment, too much freedom and ignorance. The study also found that the consequences of child marriage are increase in school dropout which brings about lack of self-reliance. Early marriages also lead to increase in gender-based violence (Cultural Implications) as well as increase in divorce levels due to lack of maturity by the girl child. The health of a girl child and their off-springs is also at risk because early marriages brings about maternal mortality, Malnutrition and sexually transmitted diseases. The study also indicated the strategies that need to be put in place in order to end child marriages and these include empowering girls with information, skills, and support networks, providing economic support and incentives to girls and their families, educating and rallying parents and community members, enhancing a girls' access to a high-quality education and encouraging supportive

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laws and policies to end child marriage.

Hence, the need to information drive to the students in the Colleges and University are vital movement to relay the information about, in the first place, the cause of child marriage, the effect of child marriage in the society, and the Law prohibiting the child marriage. This article will help to establish the knowledge so that the Muslim children Ummah will be aware of the consequences of the early marriage as provided in the statements of the RA 11596.

Early marriage, or child marriage, is defined as the marriage or union between two people in which one or both parties are younger than 18 years of age. The Universal Declaration of Human Rights recognizes the right to “free and full” consent to a marriage, acknowledging that consent cannot be “free and full” when one of the individuals involved is not sufficiently mature to make an informed decision about a life partner. Nonetheless, in many low- and middle-income countries, particularly in poorer rural areas, girls are often committed to an arranged marriage without their knowledge or consent. Such an arrangement can occur as early as infancy. Parents see marriage as a cultural rite that protects their daughter from sexual assault and offers the care of a male guardian. Parents often feel that a young girl is an economic burden and therefore wish to marry off their young daughters before they become an economic liability (Early Marriage Tool Kit).

The problem of early marriage seems to be universal that needs a participative action of the legal agencies that are concern for social advocacy of which the Mindanao State University-Sulu is directly concern in the rural areas in the province of Sulu. The question that can be asked is “What is the role of Mindanao State University-Sulu as a prominent knowledge transmitter?” This is the only University in the province of Sulu as the right institution to carry out the information drive of the problems of young Muslims in Sulu to understand and directly involved in the consent of RA 11596. Hence, it is strongly recommended in this article to tap the Mindanao State University-Sulu to carry out the task and activities concerning the dissemination of the Law. Thus the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) and the National Government should support this institution for the financial requirements to pay the transportation, foods and other basic needs in the information drive.

2. R.A. No. 11596 – Girls Not Bride Act

Article II, Section 13 of the 1987 Constitution recognizes the vital role of the youth in nation-building and promotes and protects their physical, moral, spiritual, intellectual, and social well-being. In the pursuit of this policy, the State shall abolish all traditional and cultural practices and structures that perpetrate discrimination, abuse, and exploitation of children such as practice of child marriage.

The State affirms that marriage shall be entered into only with the free and full consent of capacitated parties, and child betrothal and marriage shall have no legal effect. (Sec. 1, RA No. 11596)

Who is a “child”?

A child refers to a person under 18 years of age, or any person 18 years of age or over but who is unable to fully take care and protect oneself from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition. (Sec. 3(a), R.A. No. 11596).

What is child marriage?

This refers to any marriage entered into where one or both parties are children, and solemnized in civil or church proceedings, or in any recognized traditional, cultural or customary manner. It shall include an informal union or cohabitation outside of wedlock between an adult and a child, or between children. (Sec. 3(b), R.A. No. 11596).

What are considered unlawful and prohibited acts under this Act?

Section 4 of R.A. No. 11596 provides that the unlawful acts are as follows:

Facilitation of Child Marriage:

Any person who causes, fixes, facilitates, or arranges a child marriage shall suffer the penalty of prison mayor in its medium period and a fine of not less than ₱40,000. If done by an ascendant, parent, adoptive parent, step parent, or guardian of the child, the penalty shall be prison mayor in its maximum period, a fine of not less than ₱50,000, and perpetual loss of parental authority. Any person who produces, prints, issues and/or distributes fraudulent or tampered documents such as birth certificates, affidavits of delayed registration of birth and/or founding certificates for the purpose of misrepresenting the age of the child to facilitate child marriage or evade liability under this Act shall be liable under this section, without prejudice to liability under other laws. If he a public officer, such person shall be dismissed from the service and may be perpetually disqualified from holding office.

Solemnization of Child Marriage:

Any person who performs or officiates a child marriage shall suffer the penalty of prison mayor in its maximum period, and a fine of not less than ₱50,000.

If he is a public officer, he shall be dismissed from the service and may be disqualified from holding office.

Cohabitation of an Adult with Child Outside Wedlock:

An adult partner who cohabits with a child outside wedlock shall suffer the penalty of prison mayor in its maximum period, and a fine of not less than ₱50,000. If he is a public officer, he shall be dismissed from service and he may be disqualified from holding office.

The Role of Mindanao State University-Sulu:

As one of the prominent universities in the province of Sulu. The university has to execute full facilitation to help the advocacy of the consequences and effect of the implementation of the law in Tausug people at large. The MSU-Sulu in its programs specifically in the “extension program activities” under the Research and Extension department. The people should not be left innocent and ignorant about the negative effect of this law in their lives. The MSU-Sulu, in the process of supporting the peace and development campaign in the province of Sulu should be involved in the facilitation of advocating the RA 11596, or else the people of Sulu should not

remain uninformed of the Law. In its extension activities in the extension programs headed by its director can blow strongly the block of ignorance into educated Tausug individual concerning the law on early marriage. The implementation of the law hardly carried out unless basic education may be acquired by the people. The MSU-Sulu mediate the process for information dissemination, and implementation of the law. The mayor as head of the municipal government and the barangay chairman as head of the barangay government may be informed of the active participation of the MSU-Sulu in the process of advocating and implementing the law. These three are the basic officials to connect each other. That must be initiated by the MSU-Sulu through its extension services program.

In the Official Gazette of MSU-Sulu Hablun Quarterly page 13 (April-December 2021) issue, Chancellor Nagder J. Abdurahman in an interview of Allen Talikan said “in the history of our university campus where all of us are contributing to the mandate of our school in responding to the needs of our community through research and development, and through the extension programs that we have.” This assures that the MSU-Sulu have the capacity to disseminate the information about the very important law for the good of the masses. In this version Dr. Kadafi A. Basaluddin in-charge of research development program of the university in the same Gazette and the same page disclosed that “each college is encouraged to submit at least three short-term research proposals which will be funded by the campus. He also said that the formulated research agenda of the colleges will become the basis of research of the faculty researchers. The dissemination of the RA 11596 is part of this research works. Hence, MSU-Sulu is task with the role of public information of the RA 11596 to inform the public of the law in early marriage.

The sincere information driven activities of the MSU-Sulu is a move towards holistic understanding of the signed law to make the Tausug aware of the promising law. RA 11596 create greater dual impacts on the masses when properly disseminated by the holistic people who are well verse in disseminating information may result to a positive impact otherwise when the task is given to wrong person may result to a negative impact. This may create danger consequences if not balance well in its dissemination. It is for this time therefore, MSU-Sulu and its personnel may be the right one.

3. Techniques and Strategies

Public dissemination of the RA 11596 involves large amount of money, efforts, and coordination. MSU-Sulu as an institution carrying out the information has to be supported by the Office of the Presidential Adviser on Peace Process (OPAPP) in the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) and Provincial and Barangay LGUs in the province of Sulu. The chancellor of MSU-Sulu upon knowing the content and coverage of the RA 11596 firmly reacted the need to provide funding for the extension programs to carry out the main goal of providing information for the Tausugs about the content and information stated in RA 11596.

The MSU-Sulu proposes a program to partly involve the OPAPP for financial support. This program will be presented to

the provincial and barangay LGUs. The LGUs in the barangay are in-charge to gather the youth and the parents to attend the presentation program. The MSU-Sulu professors can go so far as to present the content of the Law or the RA 11596. The program lasted for a day in each barangay. The man power will be contributed from among the barangay officials and MSU-Sulu extension programs personnel.

4. Key Areas for Policy Action on Early Marriage

Enforce existing laws and policies: Although laws against child marriage exist in many countries, the implementation and enforcement of such laws is often weak. Technical assistance is needed to increase the number of in-country professionals who can appropriately monitor and evaluate programs to better implement, review, and update laws and policies intended to prevent child marriage. A committed multi-sectoral approach that integrates action plans from the health, education, legal, economic, and labor sectors can help reduce the incidence of early marriage and pregnancy.

Provide economic incentives for delayed marriage: In certain settings and cultures, addressing the economic factors associated with early marriage, such as dowry practices, is essential to developing successful programs that delay the age of marriage among girls.

Implement community-based mobilization programs:

Advocating for changes in social attitudes and norms through multi-sectoral and integrated community-based programs—such as through religious institutions and associations, health institutions, other local civic organizations, and schools—are the best channels for raising awareness of the negative consequences of early marriage and the many economic, social, and health benefits of delaying marriage.

Create safe spaces for girls: Social networks and civil society organizations play a critical role in developing sustainable safe spaces for girls to meet to share information and ideas and obtain support and guidance. Using public facilities, such as schools after hours or places of worship during non-worship hours can offer catch-up education, financial literacy instruction, savings clubs, and health services either directly or on referral.

Support education beyond primary school: Investments must be made to support girls’ education. Evidence suggests that educated girls are less likely to agree to marry at a young age. Development programs need to be creative in implementing programs that support a girl through the critical drop-out period, along with secondary and vocational opportunities that are acceptable to the girls’ families.

Provide safe and non-exploitative means of livelihood outside the home: Education and professional training that build the capacity of girls and young women to generate income can enable them to postpone marriage. When education is not a feasible option, income-generation programs can empower women and girls with the skills and tools to reduce their dependency on family members and gain some autonomy.

Gender-Based Violence:

Gender-based violence (GBV) is violence involving men and women in which the female is usually the victim. GBV often

stems from unequal power relationships and includes physical, sexual, and psychological harm. Various forms of GBV include intimate partner violence (including marital rape, sexual violence, and dowry-related violence), female infanticide, femicide, sexual abuse of female children in the household, early marriage, forced marriage, female genital cutting (FGC) and other harmful traditional practices, sexual harassment in schools and workplaces, commercial sexual exploitation, trafficking of girls and women, and violence against domestic workers. GBV also encompasses violence which is perpetuated or condoned by the state (Gender Based Violence Toolkits).

Although the global community has focused greater attention on GBV in recent years, levels of violence against women remain high. Eliminating GBV is a political challenge because it necessitates challenging the social, political, and economic inequalities between men and women (Gender-Based Violence Toolkits).

Key Areas for Policy Action on Gender-Based Violence:

Effective action involves addressing both the complex root causes of Gender-Based Violence (GBV), as well as its immediate and long-term effects on victims. Aside from the health sector, the education sector can play an important role in preventing and addressing GBV, particularly through health programs and policies in schools. The judicial sector and police can also play important roles by enforcing laws and policies aimed at GBV prevention and treatment. A comprehensive approach to addressing GBV as a youth reproductive health issue should include the following integrated and multi-sectoral policy actions:

Enact policies to empower women and girls: To reduce gender imbalances at the root of GBV, key legal and policy actions should advocate for delayed marriage, promote equitable divorce and property laws that allow women the chance to leave abusive relationships, and establish constitutional frameworks that guarantee equality for women.

Pass laws against sexual coercion and domestic violence. It is just as important to have a legal and justice system that enforces these laws effectively.

Demonstrate clear political commitment to ending GBV:

High-level government officials should consistently and publicly denounce GBV and support necessary changes in community norms that influence GBV-related behaviors of boys and young men.

Establish operational policies and guidelines to support program efforts: Public and private health facilities should institute policies and procedures to help providers recognize the signs of GBV and respond appropriately to meet the needs of GBV victims.

Ensure that national reproductive health, adolescent health, and maternal health policies and legislation specifically address the negative reproductive health consequences of GBV: Such policies should give clear guidance to health workers on their obligations in reporting and treating GBV. Policies should also address the provision of emergency contraception and post-exposure antiretroviral prophylaxis to rape victims to protect against pregnancy and HIV infection.

Ensure that school policies and guidelines directly address GBV: Schools may be a particularly unsafe place for young women. Policies should strengthen the ability of teachers and administrators to address GBV and also require them to report sexual violence against students.

5. Conclusion

The chances that the role of MSU-Sulu on information drive will obtain the public support necessary to undertake any of the roles outlined above. Some of the specific proposals discussed above may not arouse controversy and could probably be implemented. But any proposal that commits substantial resources to activities described as actively promoting marriage, or publicly campaigning for marriage, are likely to encounter skepticism and considerable resistance from several quarters. This is in spite of the fact that the Tausug public still holds marriage in high regard, and the large majority of Tausugs want to marry early and have their marriages last. While this basic public support for marriage is an important foundation to build upon, it is a giant step to assume that as a consequence the public is ready for the RA 11596 to get in the business of promoting marriage sometimes later in the age 18 years and above.

The possible government coercion and prescription of discouraging early marriage have a historical basis. Moreover, Muslims in the province of Sulu live in an era in which marriage has been widely regarded as a private and not a public concern. To reassert that there is a public interest in marriage, the law of Shari'a in the Muslim world has to take effect in the province of Sulu in many centuries before claiming that early marriage was allowed. Much more information and education needs to be made widely available about why it is in the interests of the government and society as a whole to discourage early marriage. The disagreement of the Law of Shari'a and the content of the RA 11596 recommends public ignorance. This is especially important to obtain support from those for whom marriage is not an option, or who have had bad experiences with marriage.

There will also need to be more education about what kinds of programs and services are available to help disseminate information about the content of RA 11596 on early marriages. And, in the absence of definitive studies about their success, people will need to develop some confidence that these programs are promising and worth trying. A bi-partisan political consensus will be needed to enact and successfully implement any major pro-marriage policy initiative or package of proposals. This support is more likely to be forthcoming if the national proponents of pro-marriage policy readily acknowledge that marriage is not always possible or desirable in individual cases, and they give states the flexibility they need to design initiatives to meet the needs of families in different stages and circumstances.

Options have been delivered the issues of early marriage may result to early divorce. Many single parents are not in a position to marry their child's other parent, some marriages should never begin, and others are better ended. The chances of young single parent hardly acquire works due to early marriage that results

to early dropout from the school. For those parents for whom marriage is not a realistic goal, the goal should be to help both parents fulfill their responsibilities and cooperate in raising their child whenever possible.

The role of MSU-Sulu to disseminate the content of the RA 11596 can also play a critical investment of sufficient monies in well-designed evaluations of at least some of the local initiatives in order to learn which strategies are most likely to be successful. Support of other agencies such as the OPAPP and the LGUs both the provincial and the barangay levels. The work related goals of welfare reform was obtained only after public discussion and numerous demonstration programs.

6. Recommendations

The critical role of MSU-Sulu in disseminating information of the content of RA 11596 is necessary concerning the free imposition of the early marriage experiences in the Islamic Shari'a. Indeed the participation of the OPAPP

providing the necessary funds to deliver the program of activities and the support of the provincial and barangay LGUs to negotiate the needed clientele during the dissemination process. The MSU-Sulu becomes the core-center of programs of activities and tackles all the speakers, resources, and other man power to make the programs sound and successful.

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