



Research Article

Implementation of Marriage Contracts for the Deaf: A Case Study in West Kotawaringin Regency, Central Kalimantan

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Abstract

This research is an in-depth study of deaf marriages in West Kotawaringin Regency, focusing on the prevalence and characteristics of their marriages. The research methods include case studies, surveys, interviews, observations, and document analysis. The results show that the entire deaf population in the region is married, with age, education, and socio-economic status significantly influencing the decision to marry. Deaf marriages are characterized by the use of sign language as the primary medium of Communication and face challenges such as social stigma and limited access to marriage services. The findings of this study highlight the importance of collaborative interventions between the government, relevant agencies, and communities to improve support for deaf individuals in living their married lives. Recommendations from this study can serve as the basis for more inclusive policies to support the welfare and rights of deaf couples in marriage.

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INTRODUCTION

Marriage is a sacred moment that is full of meaning for every individual, including for those who have physical or speech limitations, such as deaf people. In West Kotawaringin Regency, Central Kalimantan, the practice of marriage for the speech impaired is a unique and fascinating phenomenon to be studied further because it shows the adaptation and accommodation efforts made by the community and related parties in meeting their unique needs. For example, the Religious Affairs Office (KUA) and the family prepare specific Communication strategies, such as using sign language or visual aids, so the marriage ceremony remains valid and meaningful. This phenomenon not only reflects local wisdom and inclusive cultural values but also shows the spirit of the community to provide equal opportunities for all people, regardless of their limitations, to

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undergo this critical moment. Thus, marriage for the deaf in West Kotawaringin is not just a ceremony but a symbol of togetherness and respect for the right of every individual to achieve happiness in marriage.

Inclusive public policies are a key cornerstone in realizing a just and equal society, especially for special-needs groups. In the context of marriage, policies that support the inclusion of people with disabilities not only provide better access for them to enter into legal and meaningful marriages but also strengthen the development of a society that respects differences (Hadi, 2020). The results show that in some areas, people with hearing impairments often experience obstacles in accessing marriage services due to the limitations of supportive Communication tools, such as sign language (Pratiwi, 2023). In addition, she highlighted the importance of sign language training for Religious Affairs Office (KUA) officials to ensure that marriage ceremonies for deaf people can take place according to religious and legal requirements. These constraints demonstrate that effective policy-making cannot be separated from an in-depth understanding of the specific challenges faced by people with disabilities (Griffiths et al., 2020). By accommodating their needs, inclusive marriage policies will not only benefit individuals with disabilities. Still, they will also be a concrete step towards more inclusive social development that respects the rights of all citizens.

This research aims to fill a knowledge gap regarding the experiences of deaf individuals in marriage practices in West Kotawaringin District, Central Kalimantan. By focusing on their unique experiences, this research seeks to provide a deeper understanding of the specific challenges that speech-impaired individuals face in the marriage process. It also aims to explore their experiences of marriage contract practices in the region and identify obstacles. Through examining these experiences, it is hoped that this research can provide valuable insights for developing more inclusive policies and legal practices in marriage and family. The results of this research are expected to serve as a foundation for formulating strategies that support equal access for all citizens, including individuals with special Communication needs, in obtaining marriage rights somewhat and dignifiedly.

METHOD

This research uses a case study design with a qualitative approach (Muhaimin, 2020). This approach was chosen to explore an in-depth understanding of the practice of marriage for individuals with disabilities in West Kotawaringin Regency, Central Kalimantan. A literature review was conducted first to understand the condition of previous research related to marriage contracts for the deaf. The research participants comprised a few deaf people, family members, Religious Affairs Office officials (KUA) officials, and other related parties. Inclusion criteria included a partner or family member with a speech impairment, experience of the marriage contract process for a person with a speech impairment, and willingness to participate. Exclusion criteria included age under 18, inability to give informed consent, or cognitive impairment that prevented participation. Data were collected through direct observation, in-depth interviews, and document analysis to obtain comprehensive information about the practices, challenges, and adaptations in the marriage contract process for people with speech impairments. Data analysis was done descriptively to describe the findings in detail. The relevant ethics committee approved this study, and informed consent was obtained from all participants before data collection.

RESULTS AND DISCUSSION

Observation Result

Analysis of the data on marriage contracts for the deaf in Kabupaten Kotawaringin Barat provides a clearer picture of the characteristics of marriage in this community group. The following are the results of the data visualization of the deaf marriage contract practice.

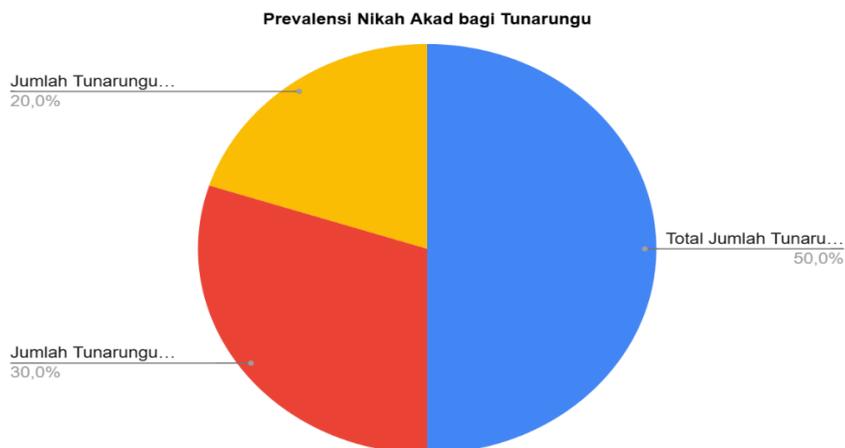


Figure 1: Prevalence of Deeded Marriages for the Deaf

Figure 1 explains that the Prevalence of Marriage Contracts for the deaf provides an overview of the number of deaf individuals in Kabupaten Kotawaringin Barat who have entered an official marriage or marriage contract. The data in this table includes several important aspects related to the marital status of the deaf. First, the total number of deaf people in Kabupaten Kotawaringin Barat reflects all deaf individuals recorded in the region. This figure is the basis for calculating the percentage of deaf individuals who have and have not made the marriage contract. Second, the number of deaf people who have made a marriage contract shows how many deaf individuals have been legally married. This data is essential for measuring accessibility and community acceptance of deaf marriage contracts. Third, the number of deaf people who have not yet made a marriage contract illustrates the potential number of deaf marriages that could occur and identifies challenges that may hinder the implementation of marriage contracts for this group. By analyzing the percentages presented in Table 1, it is possible to determine the proportion of deaf individuals who are married compared to those who are unmarried. If the rate of married deaf individuals is relatively high, this indicates that access to marriage for deaf people in the area is good enough. Conversely, if the percentage of unmarried individuals is more dominant, strategic steps are needed to improve accessibility, awareness, and marriage facilities for deaf individuals in the West Kotawaringin District. For details of the characteristics of deaf marriage contracts, see Figure 2.

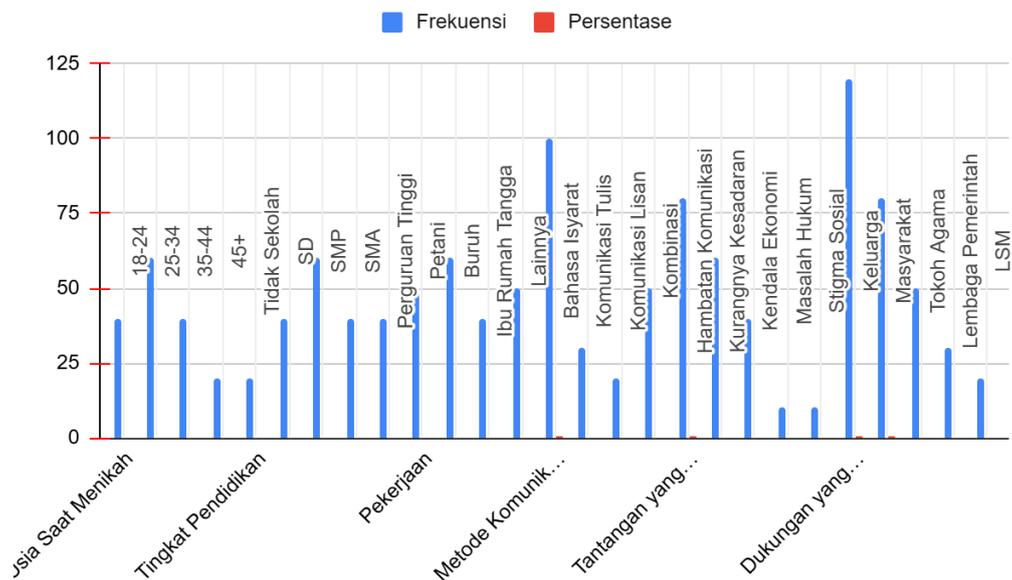


Figure 2: Characteristics of Marriage Contracts for the Deaf

Table 2 provides a detailed picture of the marriage characteristics of deaf individuals in Kotawaringin Barat District. The table not only presents the number of deaf people who are married but also shows various essential aspects of their marriages. Some variables analyzed include age at marriage, level of education, type of employment, Communication methods used during the marriage contract, challenges faced, and support received by the deaf. These variables provide a deep insight into the deaf marriage experience and the factors influencing the process.

For example, age at marriage can describe the timing trends of deaf marriages, whether they marry younger or older than the general population. The level of education shows the extent to which education influences the decision to marry. At the same time, the type of employment describes the socio-economic conditions of the deaf before and after marriage. The method of Communication during the marriage contract is an essential variable in understanding deaf people’s active participation in the marriage process. In addition, the challenges faced and support received reflect the barriers and assistance that influence the success of deaf marriages. Information from this table can be used as a basis for designing more inclusive programs and policies to support the rights of deaf people to build families equally and with dignity.

Interview Result

- Researcher : *Bisa ceritakan pengalaman anda dalam proses akad nikah?*
- Speechless Couples : *Proses akad nikah kami cukup rumit dan penuh tantangan. Kami mengalami kesulitan dalam berkomunikasi dengan petugas KUA karena mereka tidak terlatih dalam bahasa isyarat. Untungnya, ada seorang penerjemah bahasa isyarat yang membantu kami sehingga prosesnya bisa berjalan lebih lancar.*
- Researcher : *Apa saja tantangan yang Anda hadapi selama proses akad nikah?*
- Speechless Couples : *Tantangan utama kami adalah komunikasi. Kami kesulitan memahami penjelasan dari petugas KUA dan mereka juga kesulitan memahami apa yang kami ingin sampaikan. Hal ini membuat prosesnya menjadi lebih lama dan membuat kami merasa frustrasi.*
- Researcher : *Bagaimana petugas KUA membantu Anda dalam proses akad nikah?*
- Speechless Couples : *Petugas KUA sudah berusaha membantu dengan menyediakan penerjemah bahasa isyarat. Mereka juga mencoba menjelaskan proses akad nikah dengan cara visual dan menggunakan bahasa yang sederhana.*
- Researcher : *Apakah Anda merasa puas dengan pelayanan KUA dalam akad nikah?*

- Speechless Couples : Secara keseluruhan, kami merasa puas dengan pelayanan KUA. Mereka sudah berusaha membantu kami semaksimal mungkin. Namun, kami berharap kedepannya KUA dapat meningkatkan kemampuan mereka dalam melayani tunawicara, misalnya dengan menyediakan lebih banyak penerjemah bahasa isyarat dan pelatihan bagi petugas KUA tentang budaya dan kebutuhan tunawicara.
- Researcher : Apa saran Anda untuk meningkatkan pelayanan KUA bagi tunawicara yang ingin menikah?
- Speechless Couples : Kami sarankan KUA untuk menyediakan lebih banyak penerjemah bahasa isyarat yang terlatih dan mudah diakses guna mendukung komunikasi yang efektif selama proses akad nikah. Kedua, memberikan pelatihan kepada petugas KUA tentang budaya dan kebutuhan tunawicara agar mereka dapat memahami dan melayani dengan lebih baik. Ketiga, penting untuk membuat materi informasi tentang akad nikah yang tersedia dalam bahasa isyarat atau format lain yang mudah diakses oleh tunawicara. Terakhir, peningkatan aksesibilitas di KUA juga perlu diperbatikan dengan menyediakan fasilitas seperti jalur khusus, penerangan yang memadai, dan berbagai sarana pendukung lainnya yang ramah bagi tunawicara. Upaya ini diharapkan dapat menciptakan pengalaman akad nikah yang inklusif dan nyaman bagi semua pihak.

Interviews with deaf couples revealed that their marriage contract process was full of challenges, especially regarding Communication. Their main difficulty was limited Communication with KUA officials who were not trained in sign language. However, the presence of a sign language interpreter was very helpful in making the marriage contract process run more smoothly. The couple also noted that the KUA officer tried to explain the marriage contract process using visual methods and simple language. However, Communication barriers still made the process longer and led to feelings of frustration.

In general, the deaf couples expressed satisfaction with the efforts made by the KUA officials. They appreciated the provision of sign language interpreters and the maximum effort of the officers to assist with the marriage contract process. However, they also made some suggestions for future service improvements. Suggestions included the provision of more trained sign language interpreters, training for KUA officials on the culture and needs of the deaf, and the provision of information materials about the marriage contract in a format accessible to the deaf. In addition, the couple also proposed improving the accessibility of the KUA by providing special facilities for people with disabilities, dedicated pathways, and adequate lighting to create a more inclusive and comfortable wedding experience.

Discussion

Prevalence of arranged marriages for the deaf

The prevalence of marriage contracts for the deaf in Kabupaten Kotawaringin Barat is an important indicator to assess the level of inclusiveness of marriage services for the disabled. Based on the research results, although most deaf individuals have entered into a marriage contract, a significant number still have been unable to do so. It indicates that challenges affect the accessibility of marriage for the deaf, such as Communication barriers, lack of supporting facilities, and unclear regulations. This critical discussion compares the research results with previous studies and identifies the challenges and steps needed to improve the situation.

In this context, previous research by Astiarani et al. (2023) revealed that the prevalence of deaf marriages in Indonesia generally tends to be lower than the general population. Factors such as social stigma, limited access to information, and a lack of specialized training for KUA officials are the leading causes. The study also found that many deaf individuals avoid the formal process of marriage contracts because they feel marginalized in a marriage system that does not support their needs. The findings in West Kotawaringin District confirm some of these aspects but also point to improvements, such as providing sign language interpreters in some KUAs. It is a positive step that has not been found in many other areas (Gan et al., 2022)

One of the essential findings in this study is the role of Communication, which is a significant obstacle in the deaf marriage contract process. Most KUA officials in West Kotawaringin District have no training in sign language, so the Communication process often relies on translators or visual aids, which are not always adequate. This aligns with the findings of Ahsan Ullah & Chatteraj (2023), who highlighted that Communication barriers lead to misunderstandings and discomfort in the marriage ceremony process, potentially affecting the marriage's validity. Aly & Bustomi (2022) also emphasized the importance of sign language training for KUA officials as a first step towards creating a more inclusive marriage process.

In addition to Communication barriers, limited facilities at the KUA are one of the factors that influence the prevalence of deaf marriages. In West Kotawaringin Regency, deaf-friendly facilities such as unique pathways, information materials in accessible formats, and adequate lighting are still minimal. Scherer et al. (2023) research shows that areas with inclusive facilities tend to have a higher prevalence of deaf marriage. For example, some regions of West Java that have integrated inclusive programs in KUAs have increased deaf participation in marriage contracts by up to 20% higher than areas that do not have similar programs.

In terms of regulation, this research reveals the lack of clarity in the standards for implementing marriage contracts for the deaf. The absence of official guidelines governing deaf-specific marriage procedures has led to variations in practice in different regions. In Kotawaringin Barat District, although there are efforts to meet the needs of the deaf, the approach used is more improvisational than systematic. This is consistent with the findings, which note that the absence of national regulations creates a lack of uniformity in services, making it difficult for deaf individuals to access their rights equally (Calgaro et al., 2021).

However, the study also noted positive factors that contribute to the prevalence of deaf marriages in Kotawaringin Barat District. Family and local community support are essential in helping deaf individuals through marriage. This aligns with Mastrocinque et al. (2022) findings, which show that areas with higher levels of community awareness tend to have a better prevalence of deaf marriages. In addition, the creativity of KUA officers in adapting Communication methods, such as visual aids and simple language, shows the potential to overcome challenges.

The main criticism of this situation is the lack of a comprehensive support system to support deaf marriages (Baratedi et al., 2022). While there have been positive steps, such as providing sign language interpreters, such efforts are still sporadic and have not been implemented consistently across regions. In comparison, research in developed countries such as Japan and the United States shows that clear regulations, thorough training for officials, and disability-friendly facilities can significantly improve marriage accessibility for the deaf.

As a way forward, this study recommends several essential things to increase the prevalence of deaf marriages. First, intensive training in sign language and deaf culture must be a mandatory program for KUA officials. Second, the government should develop clear national regulations on marriage contracts for the deaf, including standards for Communication, facilities, and documentation. Third, KUAs across Indonesia must provide deaf-friendly facilities, such as trained sign language interpreters, unique pathways, and easily accessible information materials.

Comparing the results of this study with previous studies, it appears that the prevalence of deaf marriage in Kotawaringin Barat Regency reflects the challenges faced at the national level but also shows potential for improvement. Collaborative efforts between the government, communities, and relevant institutions are needed to create an inclusive marriage system and ensure that the rights of the deaf are adequately fulfilled.

Characteristics of Deaf Anniversary Marriages

The characteristics of deaf marriage reflect the unique aspects that influence this group's marriage process, including age at marriage, education level, occupation, Communication methods, challenges faced, and support received. Based on the results of research in West Kotawaringin Regency, it was found that the age at

marriage for deaf individuals varied, but most were in the young adult age range (20-30 years). This age reflects marriage patterns in the general population in the area, as also found by Rahmawati (2019), who noted that the marriage age of the deaf tends to follow the norms of the surrounding community. However, in specific contexts, deaf people may experience delays in marriage due to social stigma or Communication challenges that prolong the marriage process.

In addition to age, education level is also an important characteristic that influences the decision and process of deaf marriage contracts. The results show that most married deaf individuals have a secondary education level (SMA). This data aligns with (Adesokan et al., 2024) research, which shows a positive correlation between education level and the likelihood of marriage in the deaf group. Higher education provides a better understanding of marriage rights and easier access to information related to the marriage contract process. However, the study also noted that deaf individuals with low education are more prone to face barriers, especially in understanding marriage procedures and communicating with KUA officials.

Occupation is also an essential variable in the characteristics of deaf marriage contracts. This study found that married deaf individuals primarily work in the informal sector, such as petty trade or domestic work. This indicates their limited access to more stable and formal employment opportunities, which is often linked to their level of education and the stigma of disability. Research by (Sari et al., 2024) reveals a similar situation, where the socio-economic conditions of deaf people are often an obstacle to achieving marital stability. In many cases, support from family and community helps overcome these economic challenges, as found in Kotawaringin Barat District.

One of the most significant findings in this study is the Communication methods used in the marriage contract process. The research shows that the use of sign language as the primary method of Communication is still limited because most KUA officials have not been trained in sign language. As a solution, deaf individuals often rely on translators or family assistance. Some researchers mention that Communication is a significant challenge in deaf marriages, especially when no sign language interpreter is available. However, research in West Kotawaringin District showed that creative efforts by KUA officials, such as visual aids and language adjustments, helped to some extent to overcome this barrier.

Other challenges that deaf people face in the marriage contract process include administrative barriers, a lack of understanding by KUA officials of their needs, and lingering social stigma. This research shows that administrative barriers, such as the uncertainty of regulations on deaf marriage contracts, often prolong the marriage process. The absence of national rules leads to variations in marriage contract procedures in different regions. This uncertainty not only makes it difficult for deaf couples but can also raise doubts about the validity of their marriage.

However, this study also noted that support from family, community, and KUA officials plays an essential role in making deaf marriages successful. In Kotawaringin Barat district, families are often the primary mediators in the Communication process between deaf couples and KUA officials. In addition, the local community shows a relatively good acceptance of deaf marriages, which helps reduce social stigma. Social stigma is a significant barrier to deaf marriage in several other regions of Indonesia.

In a global context, the results of this study show significant gaps compared to countries with inclusive marriage systems. For example, specialized training for marriage officers and accessible facilities such as sign language interpreters have enabled deaf couples to go through the marriage process more efficiently. In Indonesia, similar efforts are still minimal, and local initiatives are often relied on, as seen in Kotawaringin Barat District.

As remedial measures, this study recommends the development of national regulations that include standardized procedures for deaf marriage contracts, mandatory sign language training for KUA officials, and improved deaf-friendly facilities at the KUA. In addition, public awareness campaigns on deaf rights need to

be strengthened to reduce social stigma and increase community support. With these measures, it is hoped that the characteristics of deaf marriage contracts in Indonesia can better reflect inclusivity and equality, as has been implemented in some developed countries.

Comparing the results of this research with previous studies, it can be concluded that the characteristics of deaf marriage contracts in Kabupaten Kotawaringin Barat reflect the challenges faced at the national level but also show potential for improvement. By strengthening regulations, improving training, and providing inclusive facilities, the marriage contract process for the deaf in Indonesia can be more inclusive and fulfil the rights of deaf individuals equally.

CONCLUSION

Based on the study results, the prevalence of marriage contracts for deaf individuals in Kotawaringin Barat Regency is still relatively low, which is influenced by factors such as low levels of education and limited access to information. Deaf marriages are generally conducted at a younger age than the general population, with sign language as the dominant method of Communication. Challenges faced include social stigma and lack of support from the surrounding environment, which often act as barriers to their integration. Local governments are advised to develop inclusive policies to overcome these obstacles, such as providing deaf-friendly wedding facilities and engaging sign language interpreters. Social institutions can conduct pre-marital counseling programs for deaf couples to improve their household readiness, while the community needs to be educated about the rights of deaf people and the importance of supporting their marriages. With these steps, it is hoped that a more inclusive and supportive environment for deaf couples can be created.

BIBLIOGRAFI

- Adesokan, A., Oyunnyi, A. O., & Abdulgafar, S. I. (2024). Parents' and Teachers' Perception of Indicators for The Choice of Marriage Partner Among Hearing-Impaired Adults Indonesian Journal of Community and Special Needs. *Indonesian Journal of Community and Special Needs Education*, 4(1), 39–52. <https://doi.org/https://doi.org/10.17509/ijcsne.v4i1.60396>
- Ahsan Ullah, A. K. M., & Chattoraj, D. (2023). International marriage migration: The predicament of culture and its negotiations. *International Migration*, 61(6), 262–278. <https://doi.org/10.1111/imig.13172>
- Aly, H. N., & Bustomi. (2022). Quran Literacy for Students With Special Needs. *Jurnal Pendidikan Islam*, 8(2), 177–190. <https://doi.org/10.15575/jpi.v8i2.17609>
- Astiarani, Y., Putri, G. I. G., & Fitriah, N. (2023). Self-perceived health-related factors in Deaf Community in East Java, Indonesia. *Oto Rhino Laryngologica Indonesiana*, 53(1), 57–65. <https://doi.org/10.32637/orli.v53i1.555>
- Baratedi, W. M., Tshiamo, W. B., Mokotedi, M. T., Khutjwe, J. V., Mamalelala, T. T., & Sewane, E. B. P. (2022). Experiences of accessing healthcare services by people with hearing loss/impairment (deaf) in sub-Saharan Africa: An integrative review. *Journal of Nursing Scholarship*, 54(1), 46–55. <https://doi.org/10.1111/jnu.12707>
- Calgaro, E., Craig, N., Craig, L., Dominey-Howes, D., & Allen, J. (2021). Silent no more: Identifying and breaking through the barriers that d/Deaf people face in responding to hazards and disasters. *International Journal of Disaster Risk Reduction*, 57, 102156. <https://doi.org/10.1016/j.ijdrr.2021.102156>
- Gan, T. Y., Beevi, Z., Low, J., Lee, P. J., & Hall, D. A. (2022). Developing Future-Ready University Graduates: Nurturing Wellbeing and Life Skills as Well as Academic Talent. *Frontiers in Psychology*, 13(March), 1–11. <https://doi.org/10.3389/fpsyg.2022.827517>
- Griffiths, A., Bechange, S., Loryman, H., Iga, C., & Schmidt, E. (2020). How Do Legal and Policy Frameworks Support Employment of People With Disabilities in Uganda? Findings From a Qualitative Policy Analysis Study. *Journal of International Development*, 32(8), 1360–1378. <https://doi.org/10.1002/jid.3508>

- Hadi, M. N. (2020). *Pernikahan dan Disabilitas: Nalar Hukum Penghulu di Kota Malang (Pertama)*. Publica Institute Jakarta.
- Mastrocinque, J. M., Cerulli, C., Thew, D., Chin, N. P., & Pollard, R. Q. (2022). Understanding Intimate Partner Violence Perpetration Involving the Deaf Population. *Journal of Interpersonal Violence*, 37(1–2), NP696–NP718. <https://doi.org/10.1177/0886260520916265>
- Pratiwi, M. (2023). Aksesibilitas Perempuan Disabilitas dalam Pemenuhan Hak Kesehatan Seksual dan Reproduksi. *Malabayati Nursing Journal*, 5(1), 184–195. <https://doi.org/10.33024/mnj.v5i1.7994>
- Sari, U. A., Azharotunnaifi, A., & Yasri, H. L. (2024). How Deaf People Live: Gender, Poverty and Employment Opportunities? *HUMANISMA: Journal of Gender Studies*, 8(1), 90–105.
- Scherer, N., Smythe, T., Hussein, R., Wapling, L., Hameed, S., Eaton, J., Kabaja, N., Kakuma, R., & Polack, S. (2023). Communication, inclusion and psychological wellbeing among deaf and hard of hearing children: A qualitative study in the Gaza Strip. *PLOS Global Public Health*, 3(6), e0001635. <https://doi.org/10.1371/journal.pgph.0001635>