



# Customary Law "Merariq" Marriage in the Sasak Ethnic Society in Lombok Eastern Indonesia

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**Abstract.** Marriage is commonplace between men and women on the basis of consensual and then mutual betrothed. Areca nut culture in Indonesia varies, generally applications are made by parties male families. however, it is different from the Sasak ethnic group kidnapping women at night without informing their parents (Merariq). Based on the positive law it is not justified, but customary law allows it. This study analyzes the customary law "merariq" which is still being implemented by the Sasak ethnic community in Lombok, Indonesia. Sasak ethnic community as a unit of analysis in qualitative research with a case study approach. After processing the data obtained from the field findings through observation, in-depth interviews, and documentation, they were analyzed using Max Weber's social action theory. The results of the study show that there are two models of the Merariq tradition based on customary law, first traditional and affective actions that this tradition is carried out from generation to generation and based on the emotional ties of the Sasak ethnic community which are still strong in implementing customary law. Second, instrumental rationality and values for the Sasak ethnic community carrying out the Merariq tradition practically in accordance with customary law by following the times based on values and norms in "Merariq" customary law. The social actions of the Sasak ethnic community in carrying out the Merariq tradition are spontaneous, hereditary, and keep up with the times and do not depart from the values and norms of Merariq customary law.

**Keywords:** Customary Law, Merariq, Social Action, Sasak Ethnic.

## 1 Introduction

Since their birth, humans have been introduced to religion, culture and law. Culture is a local or distinctive wisdom that is owned by each region with a diversity of religions, cultures, customary laws. Culture emerges as a habit in which values, norms, language, politics and customary law are a distinctive culture owned by a region. Customary law plays a role in regulating all human actions in terms of religious

practices, local economy, and culture, as well as the issue of family relations "marriage."

According to Law of the Republic of Indonesia (UU RI) Number 1 of 1974 article 1 on marriage states that marriage is: "The physical and mental bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family (household) based on God Almighty". Marriage is performed by a man and a woman legally under positive law. Marriage arises with a sense of love and affection between men and women occurs naturally due to sexual instincts to fulfill biological needs. Marriage is a basic essential issue in human life to build a bond between two women and men by forming a happy family [15]). This instinct can be channeled through marriage which has rules, values, customs, laws and habits.

Tradition is a habit traditionally carried out and preserved by local communities such as thoughts, understandings, habits, attitudes, actions of each individual or group [8]. This is important for the community to develop and shape individual identity in society in aspects of human life. Tradition as a distinctive identity and balance of community life [3].

In the interaction of society, it gives rise to a rule or norm, a value in culture that can influence the surrounding environment and has functions and system components that are abstract through thoughts, ideas, and concepts [1]. People's belief in culture is a human product with different characters and characteristics [10]. This is an asset of the State that must be protected and preserved to regeneration, as a symbol or identity of the region or country. Such is the case with the culture that exists in the Lombok area, located in West Nusa Tenggara Province with a majority Muslim population known as the island of a thousand mosques [13].

Lombok Island has a very unique marriage tradition "merariq." The customary law of Merariq is one of the traditions that is still practiced by the Sasak ethnic group on the island of Lombok [18]. In addition to the preservation of the culture and tradition of Merariq carried out by the Sasak community, especially the people of Banyu Urip Village, West Praya Subdistrict, Central Lombok Regency, West Nusa Tenggara (NTB) Province, eastern Indonesia [7]. The people of Banyu Urip village still apply the culture and customs inherited from their ancestors in carrying out marriages [14].

There are two different views on the Merariq tradition, first, the emergence of the Merariq (elopement) tradition in the Sasak ethnic community on Lombok Island is considered a local product culture and is an original and ancestral ritual of the Sasak people since long practiced by the community before the arrival of colonization from the Netherlands and Bali (Boon, 1977). Second, the Merariq tradition is the result of acculturation between the culture of the Sasak and Balinese ethnic communities when the colonization of King Karang Asem from Bali came to Lombok (Singla, 2007)). Because some religious leaders think that "Merariq" is a manifestation of Balinese Hinduism and is not in accordance with the teachings of Islam adopted by the ethnic Sasak people of Lombok (Geertz, 1975, 1973).

In Sasak ethnic customary law the word Merariq comes from the Sasak language etymologically meaning to run. The word Merariqan means running away a virgin girl from her home or family. This escape is a real action as a tradition of the Sasak peo-

ple. Merariq is the customary law of marriage still applied to the Sasak ethnic community in Lombok.

The phenomenon of Merariq in the Sasak ethnic community is local wisdom in which there is a belief to Merariq (kawi lari) in the social actions of adolescents (men) as proof of courage towards women. The customary law of Merariq (elopement) is very attached to the Sasak community and should not be ignored in its implementation. Therefore, the customary law of merarik is interesting to be studied in depth related to how the role of customary law in the marriage process of the Sasak people in the current era of modernization.

Traditional action is a form of action carried out by the previous community and then rooted so that it becomes a habit carried out for generations. Value-oriented action is based on the element of goodness with a goal related to the value believed personally without taking into account the results. According to Max Weber, the achievement of goals is rational and is taken into account by personal factors. Meanwhile, affective action is determined by conditions and emotional ties. In this study, the theory of social action is associated and analysed with the merariq tradition as a concept of customary law in the Sasak ethnic community.

## 2 Methodology

The research was conducted on the Sasak ethnic community in Banyu Urip Village, West Praya Sub-district, Central Lombok Regency, West Nusa Tenggara (NTB), Eastern Indonesia, using qualitative methods with a case study approach [19]. The informants in this study consisted of traditional leaders (AR and JK), religious leaders (RD), and the Sasak ethnic community (ST, ER, LP, MN, LK, SB and RY) as the unit of analysis. Data were collected through observation, in-depth interviews and documentation [12]. Then the technique was analyzed with an interactive model, namely reducing data, presenting and verifying or drawing conclusions [9].

## 3 Result and Discussion

Banyu Urip Village is one of 10 villages in West Praya sub-district, Central Lombok district, West Nusa Tenggara. The name Banyu Urip comes from the word "banyu" which means "water" and "urip" which means "life". The word banyu urip can mean water that stays alive and flows. The Sasak ethnic community of Banyu Urip village is very thick with the understanding of customary law, until now it is still carried out from generation to generation, especially in the Merariq marriage process.

Merariq customary law consists of three stages, namely pre-Merariq, Merariq customary law process and post-Merariq. First, Pre-Merariq begins with the process of Midang (visiting a woman's home) where the man comes to the woman's house at 18:30 until 22:00 (flexible), which is important at night to visit and get acquainted. Over time, get to know each other and like each other then promise to run away with the girl at night (kawin lari) [6]. Midang according to the view of the Sasak community is a direct visit by the male party to the woman's house in order to get to know

each other. After the process of bekemelean and midang activities takes place, it continues to the next process, namely Merariq.

Second, the Merariq Customary Law Process after eloping by men against women. Memaling is the process of running away or taking away the woman you want to marry which is carried out by men who have held an agreement or mutual agreement between the two of them. Memaling is carried out in accordance with the agreement or time they agreed together. Sometimes the determination after the determination is made a few days later the girl is willing and agrees to be rushed (memaling).

After the memaling, the bride and groom are then bathed in flowers and young coconuts by traditional leaders at the bridegroom's house. Here the customary law takes place, the bride and groom are not allowed to leave the village until the Merariq customary law process is complete. Then the next process is called mesejatik and nyelabar. Mesejati is a notification made by the groom's family to the customary leader, the head of the hamlet and the head of the village where the bride-to-be comes from. The implementation of this pesejati is the beginning of the customary journey, it can be done once or more depending on the implementation process of both parties (the male and female parties). While Nyelabar is bringing the news directly given to the parents of the bride-to-be and her extended family that her child has been rushed (Merariq), this news is given by a delegation of the male family consisting of community, traditional and religious leaders coming to the family home of the bride-to-be.

This Nyelabar has been determined to be carried out 3 (three) days after Mesejati. After the nyelabaran process is carried out, then sorong serah is a special ceremony to pay the ajikrama that has been agreed upon at the time of nyelabar. This ceremony is usually held after 5 (five) days of nyelabar and the time is used by the groom's family. Sorong serah is a deliberation on marriage customs and discusses customs that have been violated by the groom. In addition, it also discusses the number of ajigama and ajikrama as an effort to be able to carry out the marriage contract. Ajikrama is important before the marriage contract. The conditions fulfilled in Mesejati and nyelabar are bringing a set of traditional trinkets such as traditional cloth (songket), broom, keris, complete with traditional costumes without using sandals.

Then the peak event of the Merariq customary law of the Sasak ethnic community is the Begawe tradition (people's party), this tradition takes 2-3 days starting from making taring (tents), lensongan (traditional decorations), minak lokeng tupat (traditional food), begibung (eating together) events, music displays and traditional dances. This event is attended by invited guests, relatives and the groom's extended family. After the begawe process is carried out, the closing event of the begawe as the final process to show the success of the initial intention to marry off his life choice of a knight bridegroom is the nyongkolan tradition (accompanying the bride and groom with traditional music). Before nyongkolan is carried out, the bride and groom will first be decorated using traditional Sasak clothing. This ceremony also aims to show the bride and groom to the public, while providing an opportunity for friends and acquaintances to offer congratulations and wedding gifts.

The Nyongkolan tradition is to accompany and escort the bride and groom to the woman's house with complete traditional music and traditional costumes like kings and queens for the Sasak ethnic community. Nyongkolan is a ceremony of visiting the

bride's parents' house by the bride and groom accompanied by family and acquaintances in a festive atmosphere. With the aim of revealing himself officially in front of his parents and families even to the whole community while apologizing and respecting the parents of the bride-to-be [4].

Third, post-Merariq is called the *bales nae* tradition. This tradition is carried out by the groom's extended family and extended family visiting the woman's house bringing traditional snacks and food. This tradition is carried out in order to get to know each other and apologize for all the Merariq traditional ceremonies that have been carried out so that they are harmonious [11].

<b>Pre-Merariq</b>	<ul style="list-style-type: none"> <li>• <i>Midang</i> (getting to know each other)</li> </ul>
<b>The Merariq Customary Law Process</b>	<ul style="list-style-type: none"> <li>• <i>Merariq</i> customary law process - Escaping the girl at night</li> <li>• Bathing of the bride and groom</li> <li>• <i>Sejatic selabar</i> (dowry negotiation) Preparation of cloth and keris and clothing</li> </ul>
	<ul style="list-style-type: none"> <li>• Sorong serah</li> <li>• <i>Begawe</i> (community feast, making <i>Taring</i>, <i>Lensongan</i>, <i>Minak Lokeng Tupat</i>, <i>Begibung</i> (eating together), Display of traditional music and dance.</li> </ul>
	<ul style="list-style-type: none"> <li>• <i>Nyongkolan</i></li> </ul>
<b>Post-Merariq</b>	<ul style="list-style-type: none"> <li>• <i>Bales nae</i> (big family gathering)</li> </ul>

On the other hand, marriage activities are also felt to have a very important position in people's lives for certain tribes that still hold customs, including the Sasak Tribe. For the Sasak people, a new person is considered a full citizen of the community, if he has a family. Thus, he has obtained the rights and obligations both as a member of the kin group and as a citizen of the community. Marriage for the Sasak community is not only seen as a merger of two extended families, but rather the formation of a new household [5].

Merariq is a ritual to start the marriage. However, this Merariq ritual is a very unique phenomenon for the Sasak people. So ingrained is the tradition of Merariq for the Sasak people, that if anyone wants to know someone's marital status, it is enough to ask whether the person concerned has Merariq or not. Thus, the word Merariq, which is actually one part of the marriage ritual in the Sasak community, has gradually changed its meaning [2]. Where the word Merariq contains the same meaning or meaning as the word marriage itself.

Social action occurs within the scope of social relationships where individuals interact with others. These relationships include relationships with the community around where they live, family, school, friends or the wider community in general. In this case, individuals and society actually both have an impact on the Sasak ethnic community or society [17]. Individuals absorb various information, culture and customs, while the community (society) is enriched by the existence or work provided by individuals through the values and norms in the Merariq customary law [16].

This Merariq tradition is the most honorable way for every ethnic Sasak man to marry the girl of his heart, with the pretext that the Sasak community provides opportunities for young men who want to marry, to realize their chivalry. This act of chivalry symbolizes the figure of a husband who is responsible in all conditions for the sustainability of his family.

## 4 Conclusion

Merariq customary law in Sasak ethnic communities as a model of social action in conducting marriage processes in rationality actions through customary values and norms and irrationality actions towards ceremonies in the process of eloping or theft of women. Thus, the customary law of the Sasak community Merariq must go through various processes as a form of social action in respect and obedience to the legacy of previous ancestors who have become the spirit of life of the Sasak ethnic community. The customary law of Merariq upholds human values, customs and moral norms towards men and women in forming a family.

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