

Pengaruh berlakunya Undang-Undang No. 1 tahun 1974 tentang perkawinan terhadap pola perkawinan adat MERARI pada suku sasak di Lombok / Nia Nuswantari

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Abstrak

ABSTRACT

Indonesia is a unified country consisting of various tribes and cultures, the one of which is the Sasak tribe living in the island of Lombok, the part of Nusa Tenggara Barat (West Nusa Tenggara) Province. The traditional people inhabit this island possessing a distinguished form of marriage compared to the ones in other areas. The difference can be seen on the form of the marital institution. This people acknowledge a traditional form of marriage named “Merari”, which has been deeply rooted in their life, while at the same time also considered as a legal requirement that should be filled in a marriage within their society. The tremendous variation of the traditional forms of marriage in Indonesia has imposed a challenge to the government to provide a national law which is able to accommodate it. In this case, the situation prevails in Lombok concerning to marriage is that traditionally, it is expected that the bride should “kidnap” and “run” the groom (the literal meaning of Merari), without telling anyone before hand, nor even the groom’s family. Contrary, the government law demands that any plan for marriage should be informed to the concerning parties at least 10 days (working days) before the ceremony is held. From this contrast, the researcher would analyze several things, comprising the influence of the law towards the traditional marriage pattern, the effectiveness rate of the law implementation in the society, as well as the changes occur on the “Merari” marriage pattern in Lombok after the Government Law No. 1 Year 1974 Concerning Marriage is applied. This research applies the normative and empirical research method, with the data sourced from the relevant literature as well as direct in-depth interview with the traditional and religious leaders, as well as the society itself and the legal practitioners in the realm of Religious Court. From the research it is discovered that the influence of the law is still of the low rate, the effectiveness is not maximum, and the changes occur only on the urban people, take form in registration, the conformity on the determined minimum age for marriage, on polygamy and divorce.