

# **NORMS OF *MERARIK***

## **BY THE SASAK CUSTOMARY LAW**

## **Acknowledgement**

Words are powerless to express gratitude to:

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Share-net International

For their contribution in the success of the physical creation to completion of this guideline.

Published by:

Rutgers WPF Indonesia

Extension Building ALDEVCO-OCTAGON

Jl. Warung Jati Barat No. 75 , Jakarta 12740, Indonesia

## I. The Philosophy of *Merarik*

In Sasak custom, each phase in the *Merarik* tradition aims to protect, respect and uphold women's rights. Women have the full authority to determine when to and whom they want to marry.

In principle, *Merarik* in the Sasak customary law has provisions, including: “The customary law shall not conflict with higher laws including religious and state regulations, and both parties are not in any disagreement. If the man or the woman does not want to get married, then the customary law protects them” (Raden M. Rais- Sasak Customary Council Paer Bat; 2018).

## II. *Merarik* Procedure

3 different methods in the *Merarik* tradition: *Melakoq/Proposal*; *Selarian/Memaling/Memulang/Melaiang*; and *Serah Hukum*. Each method consists unique phases. *Selarian/Memaling/Memulang/Melaiang* is better known as bride kidnapping and therefore consists more phases than other *Merarik* methods.

### 1. *Melakoq/Proposal*

Man and woman who already bond, like each other (*berayean*) and plan to get married, should inform their families. The announcement happens after a few phases until both families meet to make a joint decision. The phases are as follows:

#### a. *Memadik*

*Memadik* is a meeting between the families of the man and woman who like each other (*Nenari*) to ensure that the couple who are in like get approval from their families to continue to a more serious level (married). Immediate family members and witnesses including traditional leaders, religious leaders, as well as relatives and other family members attend this process.

Note:

- *Nenari*: the man and the woman like each other, but there is no guarantee they can get married.
- *Meruput (Matchmaking)*: Discussion between parents who agree to marry off their children on the condition that the man and woman like each other.

In *Memadik* process, the following items should be available to symbolize approval:

- *Dulang Pembugi*, is a decorative tray containing various local snacks, fruits that the man's family bring to the woman's family residence during *Memadik*. *Dulang* means a container or tray laden with food and *Pembugi* means introduction to opening up, to bring happiness.
- *Sedah Lanjar* is a tray with six required items: *likok*/beetle, *buaq*/areca nut, *gambir*, *apuh*/lime, *mako*/tobacco and cigarettes that are presented by the woman's family.

- ***Two pieces of fabric, black and white***

Both parties prepare one piece each. The groom brings a piece of black fabric and the bride brings a piece of white fabric. In the process, if the man or woman and their families agree to move forward to the next phase, then the families place two pieces of fabric together to symbolize an agreement.

During *Memadik* process, if the families and/or parents of the man and woman accept every decision, then the status of the man and woman will be “*Lakar Pengantin*” (bride and groom-to-be). Another item to agree during the *Memadik* process is the proposal day.

**b. *Proposal***

In this phase, the man’s and woman’s families meet, the man’s immediate family members will bring *Pernik*, a complete set of clothes (sandals and accessories) and *tali arte*. In this phase, the man will get an answer whether the woman and her family accept his proposal to build a family.

In this phase the families will clarify whether the man and woman are eligible according to the prevailing rules and regulations, especially age (religious, state and customary law<sup>1</sup>). When there are no violations to the rules and regulations, the families will discuss the time and place of the religious wedding ceremony. If the ceremony shall take place in the groom’s family home, then the man’s family will pick up the woman and bring her to the man’s house. The woman’s family comes on the day of the ceremony. When the religious wedding ceremony takes place in the bride’s family residence, the groom and his family will come to the bride’s house on the day of the ceremony.

\*Note:

<sup>1</sup>Women in Sasak tradition come of age when they have weaved/finished at least 144 pieces of *Sesekan* fabric with various motifs. By calculation, the total number of years since they started using *Sesek*/weaving equipment to produce the fabrics is approximately 22. In Sasak tradition women come of age and can get married when they are self-reliant and have working skills.

**c. *Proposal***

The man visits the woman before the *Nuntut Janji* day to convince the man’s and woman’s intention.

**d. *Asking to Make Good on a Promise (Nuntut Janji)***

The asking to make good on the promise is when the man asks the woman “I intentionally come to ask you to keep your promise to marry me ...” (the woman’s statements in the form of a promise, willingness, readiness to get married is usually said during proposal and asking for her hand in marriage). During the making good on the promise, the woman has the right to say whether her heart is set on the man or is really ready to marry the man who asks her hands in marriage. Or, if the woman is still doubtful or hesitant to marry the man who proposed to her. The religious marriage ceremony will take place after the woman makes a decision to marry the man.

Note \*\* local perceptions. If all the processes and signs of the man's and woman's family meetings have finished and both families agree; they only have to wait for the day of the religious marriage ceremony, the witnesses include both family members and customary, community and religious leaders.

However, if the man's and woman's families still have disagreement or one of the families does not feel content or objects to the agreement during the *memadik* process, proposal, and/or for example the woman prefers to marry the man of her choice and not with the man who proposed to her; usually in this case the woman is welcome to discuss it with her parents. Then the *Selarian* process will take place.

## 2. Selarian/Memulang/Memaling/Melaiang

The legal basis for *Selarian* is when the guardian (the woman's parents) said "Bring/abduct my daughter with the condition that nobody in "this humble village" (the village residents) know."

In the word "bring/abduct," parents convey the message that their daughter should be guarded, protected by the right man that she truly loves. In other words, the *Selarian/Memaling/Memulang/Melaiang* is the same as hiding from the woman's parents and that the woman chooses her own partners.

The phases to go through during this process include the following:

### 1) *Nyenyebok*

In *Selarian*, the man will hide (*Nyeboq*) his loved one in his family's home. During *Nyeboq*, one family member from each of the two families should accompany the woman so the latter will know the man's family members. The man will inform both families that he abducted the woman that he will marry (*Merariq*). The man has a maximum of 3 (three) days to do *Nyeboq* before he has to report to the customary leaders in his hamlet (the neighborhood where the man lives).

### 2) *Mensejati/Mejati*

*Mensejati/Mejati* is a series of processes by the head of the hamlet\* where the man lives to the head of the hamlet where the woman lives no later than 3 days after the *Nyeboq*. (*Head of Hamlet\* is the community/traditional leaders who are usually called Pengemban Krama*).

Based on the customary law, at least 2 people witness the process to confirm that the man actually married the woman. One witness should serve as a spokesperson (*Pembayun*) and wears traditional costumes; the person should not wear pants and bring *Sesirah Aji* (white and black fabric and *Sedah lanjar*). The spokesperson (*Pembayun*) during the process should be the same person. If s/he is replaced, the *Mesejati* process should be repeated from the beginning and subject to sanction.

In this process the families will clarify the *Selarian* with the man and woman who did it. The clarification covers the background of the man and woman including age, education

status, how they did Selarian, etc, and the result is subject to the prevailing law (religious, state and customary laws<sup>1</sup>). Then, the head of the hamlet will inform the results of *Mesejati* to the woman's family; any violations against the law allow the head of hamlet to refuse the next process.

Note:

There are 2 terms for *Mesejadi* based on where the event takes place:

*Pengemong Krama*: The process takes place at the village office

*Pengemban Krama*: The head of hamlet where the women live conduct the process.

### **3) *Nyelabar/Selabar***

*Nyelabar* or known as torch/lighting. The process is called *Selabar*, a verb. *Nyelabar* takes place in the woman's house. The man's family members go to the woman's family to inform them that the process of *Selari* and *Mensejati* had taken place.

The man's family who come for *nyelabar* include the following: head of the hamlet, head of the neighborhood, religious leader, community leader, and the man's family members. In this process, the man's family brings *Sesirah Aji* and *Sedah Lanjar*. In addition, they are required to bring a family genealogy (family tree) and the spokesperson (*Pembayun*) from the man's family reads it. The genealogy is important because it is related to inheritance.

**\* *In other words, Selabar is a process to strengthen information or the outcome of an agreement during Mensejati as well as to ask for approval from both families (lakar).***

The outcome of this process is an agreement between the two families to follow up on the religious wedding ceremony. The spokesperson (*Pembayun*) will ask about the time for the *nuntut wali nikah*.

### **4) *Demanding the Guardian to Keep the Promise (Nuntut Wali)***

In this process, the families will discuss about dowry (an absolute request from the woman) and agreement to determine the date for the religious wedding ceremony. The bride-to be and her family first agree upon the requested amount for the dowry.

Based on the provisions of the customary law that the dowry is at least giving "*cincin temberak*" (metal ring) as a gift from the groom to the bride.

### **5) *Religious Wedding Ceremony***

Religious leader conducts the religious wedding ceremony, provided that the marriage is legal and fulfills the obligation in the religious law of the bride and groom.

### **6) Bait Bande**

This phase is for the woman and her family to take the goods that the man gives for her or her family. Both families also discuss the *Pisuke* to be paid to the woman's family.

The goods include clothing, household furniture and staple food. In addition, the man's families calculate the number of goods/materials for the woman's family to complete the traditional *Begawe* (party) event/procession in the woman's family. Nowadays this tradition uses money as the standard; people calculate the amount of rice, sticky rice, coconut, oil, wood, cattle, spices and other materials to be given and convert it to a Rupiah amount with a reference to the standard prices of goods and basic needs. Both families should agree on the final amount.

### **7) Rebak Pucuk**

This is the time for the man's and woman's families to meet and agree on the time to do the *Gawe, Sorong Serah Aji Krame, Nyongkolan* and *Bales Lampak*.

The process to determine the time or day to do *Gawe, Nyongkolan* and *Bales Lampak* is called "*Rarak Kembang Waru*." The families will look for a good day using the *Warige* board. A good day refers to a good weather prediction, and good wind direction on the day when the process takes place.

In addition, the families also discuss how the *nyongkolan* procession will take place, for example how the woman's family welcomes the man's family. *Beumbak Mamas* means that the woman's family will have a group of people wearing full traditional costumes and carrying a spear. The families will decide how many people will take part in the *nyongkolan* convoy.

### **8) Sorong Serah Aji Krama**

*Sorong Serah Aji Krama* comes from the words : *Sorong Serah* and *Aji Kerama*. *Sorong Serah* means handover; *aji* means value, and *krama* means custom or community tradition. *Sorong serah aji karma* is handing over responsibility which has customary values and has become community tradition.

The manifestation of the process includes *Sesirah, Pudak Arum, Salin Dede, Ceraken, Olen, Nampak lemah, Pemegat, Pencanaan/Penjambeqan, rombong*. The objective is to handover the responsibility of the bride's parents to the groom; he is now responsible for his wife's life in the world to the hereafter. Community members (Religious and customary leaders, relatives, etc.) witness this process.

### **9) Nyongkolan**

The groom's family (with their spouses) convoys to visit the woman's family. Both families' relatives wear traditional costumes and beat *Gendang Beleq*. *Nyongkolan* takes

place in the afternoon to announce to everyone in the woman's family that the woman is now married and that there is no cause for slandering.

### **10) *Bejango/Nyombe/Bales Lampak***

*Bejango* or commonly known as *Balas Onos lampak nae* (set the feet back on the trail) or in other word is called tracing back the path. It usually takes place no later than three days after *nyongkolan*. *Bejango* is not as formal and busy as *nyongkolan*. The immediate family members of the bride and groom are involved in *bejango*. The tradition in *bejango* is for courtesy, to bring both families closer or it is often referred to as “*sambung rerasan*,” to continue *Silaturrahmi* (*hospitality*).

### **3. Serah hukum/serah adat**

*Serah Hukum* is one of the options in *Merarik* process for the groom who does not come from the same area (Sasak tribe) or from a different country. However, s/he will get married in *Merarik* custom and tradition. This is the cause to perform *Pengampuan*.

In addition, *Serah Hukum/Serah Adat* is selected for reasons of cost and time efficiency. The groom's family hands over *Serah Hukum/Serah Adat* to the bride-to be's family to complete the process until the religious wedding ceremony take place. The families will also agree on whether they will do *nyongkolan* and *bales lampak*.

Note:

\* *Pengampuan* is to surrender to the customary leader so that a person will be customarily accepted as a sasak tribe member. It is a requirement before a person can legally marry by tradition and religion under the *Merarik* tradition. This process applies to any brides and grooms-to be who are not from Sasak tribe.