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**JURIDICAL REVIEW OF THE MARRIAGE BAN OF
INDIGENOUS PEOPLES OF MIRAH VILLAGE AND GOLAN
VILLAGE, SUKOREJO DISTRICT, PONOROGO REGENCY IS
REVIEWED FROM LAW NUMBER 1 OF 1974 CONCERNING
MARRIAGE**

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Abstrack: *The existence of customary law is a source of law in Indonesia, to be precise in Mirah Village and Golan Village, Sukerojo District, Ponorogo District. There is a customary rule that prohibits the two villages from carrying out a marriage. the worst is death. This can be seen from the discrepancy that exists between the customary law of the Mirah people and the Golanese people and the national law, whereas in the national law there is nothing that regulates the prohibition of inter-regional marriages. This research contains identification of the problem of how in the villages of Mirah and Golan there was a prohibition on inter-regional marriages and how to analyze the juridical prohibition on marriages of the Mirah and Golan Indigenous Peoples when viewed from Law Number 1 of 1974 concerning Marriage. This research aims to determine the prohibition on marriage between Mirah village and Golan village and to find out the juridical analysis of the prohibition on marriage between Mirah village and Golan village when viewed from Law Number 1 of 1974 concerning Marriage. This research method uses the Normative Juridical research type. Research Results The prohibition on marriage between Mirah and Golan villages occurs because there is an oath from the ancestors which is still adhered to today and has become a legal rule for both communities and that in Law Number 1 of 1974 Article 6 and Article 8 letter F includes the rules related to the ban on marriage that occurred in the villages of Mirah and Golan.*

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1. Introduction

People from different cultures view marriage as a transitional step between adolescence and family life. Marriage is considered a transitional stage from adolescence to family life.¹ Culture is the result of human effort and undergoes changes due to shifts in the value system in society that are replaced by new value systems.² To declare a marriage valid, it must comply with religious and religious laws and be registered in accordance with applicable regulations. Adat is a habit in a society or group that slowly becomes a common habit for all members of society.³ According to Soerojo Wignjodipoero, Every country has unique customs that distinguish it from other countries, because customs can shape the essence of a country and reflect its characteristics.

Indonesian society is a plural society, meaning that Indonesia has various ethnicities, races, cultures and beliefs. This diversity is inseparable from the community's recognition of customary law that is still ongoing. In Indonesia, one of the sources of law is the existence of customary law. Customary law is recognized by the state as valid law and is part of the law recognized by the community and is still valid today. The factors that influence customary law itself are the existence of one's behavior that is carried out continuously, regular and systematic behavior, the

¹ B Setiawan, *Encyclopedia Nasional Indonesia*, Cipta Adi Pustaka, Jakarta, 1991 p, 239.

² Darmansyah, M, et al, *Basic Social Sciences: Kumpulan Essei* , Usaha Nasional, Surabaya, 1986 pp, 61.

³ Hilman Hadikusuma, *Introduction to Indonesian Customary Law*, Mandar Maju, Bandung, 1992, p.1.

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behavior has sacred value, there are decisions taken by traditional heads, there are sanctions/legal consequences, there is a time dimension, followed by others.

Some of the above requirements must be met in order to qualify as customary law otherwise it cannot be called that. There are no exceptions when it comes to marriage. It seems that customary law has had a significant impact on this problem. In one area, namely Mirah Village and Golan Village, there is customary law which creates a legal vacuum in relation to national law. In the national law of marriage regulated in Law Number 1 of 1974 which is a set of legal rules in the form of laws that regulate anything related to marital matters. Marriage according to Law Number 1 of 1974 is "an inner birth bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family (household) based on the One and Only Godhead".⁴ As stated in Law Number 1 of 1974 concerning Marriage in Chapter II Articles 6 to 12, there are other conditions that must be met before marriage.

The majority of Javanese people know the existence of Kejawen customary law which is often still used as a guideline in conducting marriage ceremonies believed by Javanese indigenous people.⁵ Kejawen customary law itself is an unwritten law but is strictly obeyed by the local community, especially in the Java region.⁶ Because there is an element of culture, Kejawen customary law can also be called customary law.⁷ Kejawen customary law itself comes from ancestors who have been passed down from generation to generation, including in the Ponorogo regency, Sukerjo district, Mirah village community and Golan village which have customs in the form of words containing mystical punishments.

⁴ CHAPTER I Article 1 of Law No. 1 of 1974 concerning Marriage
⁵ Andi Asmara, *Natural Dimensions of Life and Manunggaling KawulaGusti in Jatimurti Fiber Journal of Atavism*, Vol.16 No.2 (2013)
⁶ Sumiarti Sumiarti Sumiarti, *Moral Education in Javanese Teachings*, INSANIA Journal (2006)
⁷ Sunaryadi Maharsiwara, *Moslem in the Javanese Culture Pluralis'*, Journal of Humanities, Vol.18 No.3 (2006)

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According to *detiknews*⁸, a legend of the story of the people of Mirah village and Golan village, that Mirah villagers are not allowed to marry Golan villagers and vice versa, Golan villagers are not allowed to marry Mirah villagers. This can happen because it has been forbidden for generations from previous parents and this story has developed into customary law that is highly obeyed in Mirah and Golan villages. If the marriage ban between Mirah and Golan villages is violated, the sanctions that arise for people who violate it are in the form of a catastrophe until death. With this story, it became a custom adopted by the people of Mirah village and the people of Golan village so as not to hold a wedding because of the existing customary prohibition.

As we know, in Indonesia in planning a wedding, of course, national and religious laws must be in harmony to realize the desired marriage. What Ki Honggolono said has become the Law in Mirah and Golan villages and is strictly obeyed by the people of the two villages. Although it is not written, it is only conveyed orally, but it has become a custom that seems to have been deeply rooted in the hearts of the people of the two villages. In the national law where marriage is regulated in Law number 1 of 1974 concerning marriage it is said that to celebrate marriage must meet certain conditions and none of these requirements prohibit Mirah and Golan villagers from marrying, Mirah village and Golan village are still included in the territory of the Indonesian state, meaning that they still have to apply national law there, in this case in the context of marriage. This is where there is a legal gap between customary law and national law that confuses the people today, especially the Ponorogo community about legal problems that still arise today.

⁸ detikcom Team, *The Tragic Story Behind the Unity Abstinance of Golan and Mirah Residents in Ponorogo* <https://news.detik.com/berita/d-5910566/kisah-tragis-di-balik-pantangan-bersatu-warga-golan-dan-mirah-di-ponorogo>. (accessed March 05, 2023, at 11:00 PM)

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In this case, it can be seen that there is a gap between the Mirah village community and the Golan village community who respect the marriage ban because of customs handed down by the ancestors of the two regions, while in Law Number 1 of 1974 concerning marriage there is no explanation of the prohibition of inter-regional marriage. Therefore, the author is interested in examining whether the ban on marriage between the people of Mirah village and Golan village already exists in the laws and regulations in Indonesia or is just a verbal and hereditary ban.

Based on the above background, the author draws conclusions to conduct research with the title "**JURIDICAL REVIEW OF THE PROHIBITION OF MARRIAGE OF THE INDIGENOUS PEOPLES OF MIRAH AND GOLAN IN TERMS OF LAW NUMBER 1 OF 1974 CONCERNING MARRIAGE**"

2. Method

The problem of this research activity is taken through the method of Legislative Approach (*analytical Approach*), namely Law Number 1 of 1974 concerning Marriage, Conceptual Approach (*conceptual Approach*) An approach that departs from the views and theories developed in legal sciences by studying views and theories that will reveal insights that give rise to insights, concepts, and principles of laws and regulations related to current problems, *Comparative Approach* A comparative approach to a legal system here is a comparison between national law and customary law.

The specifics of this study are descriptive of analysis. The reason for choosing this specification is that it is intended to provide a complete picture (description) of the state of law in force at a certain time or in a particular region and also about a particular region, and also about existing juridical symptoms or certain legal events that occur.

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3. Analysis or Discussion

3.1. Main Heading of the First Analysis or Discussion

The traditional tradition of prohibiting marriage between Golan and Mirah villages originated from folklore about Ki Hoggolon's son, Joko Lancur who came from Golan village with Putri Ki Ageng Mirah from Mirah village, Mirah Putri Ayu, was the woman Joko Lancur wanted to marry. However, Ki Ageng Mirah did not approve of the arranged marriage, due to differences in political ideology and religion of his parents.

Ki Ageng Mirah provides a number of conditions beyond human reason that subtly challenge Joko Lancur's proposal. Ki Ageng Mirah requested, among others, the construction of a dam to irrigate rice fields in Mirah village within one night. He also asked for offerings of rice and granaries, whose granaries had to travel alone from the Golan to Mirah.

Ki Honggolono agreed to the request, in order to fulfill the conditions proposed, Ki Honggolono cheated using supernatural powers. Knowing that, Ki Ageng Mirah was angry and the marriage was finally annulled, Joko glide and Putri Mirah who knew about it decided to commit suicide.

Upon learning that his son had died, Ki Honggolono was angry and vowed to the people of Golan village and Mirah village that: "(1) Wong Golan and wong Mirah are hereditary" (Golan and Mirah people and their descendants should not be betrothed); (2) "Isen-isene ndonyo soko Golan kang forme kayu, watu, water and sapanunggalane not biso digowo to Mirah" (All things from Golan cannot be brought to Mirah); (3) "The goods of the Golan and Mirah people are not biso diwor into one" (All goods of the Golan and Mirah cannot be put together); (4) "Wong Golan ora by gawe iyup-iyup soko kawul" (Golan people may not make roofs out of rice stalks); (5) Wong Mirah is

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not by nandur, nyimpen, and make soko dele food" (Mirah people are prohibited from growing, storing, and making food from soybeans).⁹

The word Ki Hanggolono, namely "wong Mirah and wong Golan ora by hereditary jejodhohan," was eventually used guidelines prohibiting marriage of the people of the two villages. Taking into account the customary law, absolutely the people of Mirah Village and Golan Village are not allowed to establish marriage ties. This understanding is obtained from the word "ora by" which means absolutely not allowed, because the word "cannot" is a word that cannot be disobeyed.

Marriages between residents of the Mirah and Golan regions are prohibited because of Ki Hanggolono's vows, and this will result in sanctions, The sanctions still frighten the two indigenous peoples. Although mysterious and unimaginable, people's beliefs continue to grow until they become their beliefs as customs adhered to.

Ki Hanggolono establishes a clear prohibition with the phrase "ora by", where the meaning should not be. Violations of the word have occurred. The sanctions obtained do have mystical aspects beyond human understanding and are experienced by them. Over time, these events became part of the historical story of the ancients. Therefore, this sanction is considered binding and prevents the Mirah and Golan Village Communities from violating.

The customary rule that has been clearly conveyed by Ki Honggolono is "ora oleh" which means prohibiting the marriage of the Mirah people with Golan. Then, in his words, Ki Honggolono also stated that various goods from Golan Village were not allowed to be brought to Mirah Village, and vice versa. Ki Hanggolono also stated that he forbade the Golan people to use straw as a roof. Meanwhile, Mirah people are prohibited from growing, storing, and processing soybean-based foods. People from

⁹ Yudiaryani, *World Theatre Stage Development and Change of Conventions*, Pustaka Gondho sulis, 2002

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both villages obey these customary rules, because it reflects the respect and appreciation for their ancestors.

The discussion about the prohibition of customary law in Mirah and Golan villages has become a hot topic in the midst of modernization. The majority of modern people tend to lack confidence in the prevailing customary law, but some communities still hold fast and preserve the tradition until now. In modern society, many reject the enforceability of customary law that prohibits the marriage of Mirah Village people with Golan Village people.

Many people in Mirah and Golan villages still uphold the ban on marriage between Mirah people and Golan because they follow hereditary customs. The high trust in the story by the community is a major factor. Some sayings from Ki Ageng Honggolono are also highly believed, although not completely. Even officials at the surrounding sub-district level believe in the existence of this story, and not a few pilgrims visit the location of the Golan Mirah story.¹⁰

An incident narrated by Sudirman, an art and history practitioner who added evidence that customs in both villages were still obeyed by the community, Sudirman told that when his wife worked as a bride makeup in Golan village. The bride was married to her husband. During the wedding procession, various rituals are performed. The two got married. But after the procession, they actually divorced. "It turns out that the groom has descendants of Mirah, both of them had to separate because of the risk of life," added Dirman¹¹

The story of the prohibition of the marriage of the Mirahs with the Golan was conveyed by the community to their descendants by oral intermediaries, so much so

¹⁰ Sumani, S. Pd, *Golan and Mirah Forbidden Love Story Phenomenon*, Golan and Mirah Forbidden Love Story Phenomenon – Sastra-Indonesia.com (accessed June 24, 2023, at 00:02)

¹¹ *The Mystery of Two Golan-Mirah Villages in Ponorogo That Can't Be Unified*, [The Mystery of Two Golan-Mirah Villages in Ponorogo That Can't Be Unified \(detik.com\)](http://The Mystery of Two Golan-Mirah Villages in Ponorogo That Can't Be Unified (detik.com)) (accessed June 24, 2023, at 00:14)

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that it is called oral tradition. This can be strengthened by the concept of oral tradition that oral tradition is a habit that is passed down from generation to generation over a long period of time so that it becomes part of the life of the community and its delivery is carried out orally. In line with the reference above, until now the tradition of customary prohibition involving the people of Golan village and Mirah village is still believed and maintained as an effort to avoid bad luck or disaster. This form of traditional prohibition tradition between Golan village and Mirah village is an effort to appreciate and maintain the heritage of their ancestors.¹²

People assume that by sticking to the myths that arise in society and protecting themselves from taboos, they can avoid the negative impacts that may arise from violating these taboos. The introduction of this customary prohibition tradition has been carried out early, parents, relatives, and the surrounding environment all played a role in introducing this customary prohibition tradition. One of them is through expressions of vigilance and threats. For example, the expressions *ojok dolan nang Mirah, engkok gak isa muleh, you know (don't play Mirah, later you can't go home)*,¹³ These expressions are a way for parents to communicate customary prohibitions to their children. With this expression, the child's personality and mindset are formed early.

According to anthropolinguistic studies described by Sibarani, oral tradition is a performance that always depends on its environment, both cultural context, situation context, social context, and ideological context. Cultural context refers to the purpose of a culture in the use of oral tradition. The cultural context in the tradition of

¹² Robert Sibarani, *Anthropolinguistic Approaches to the Study of Oral Tradition*, RHETORIC Journal of Linguistics, Vol 1 No. 1 (2015)

¹³ Muhammad Agus Prasetyo, Awik Tamara, Syahrul Hindarto, and Millatuz Zakiyah, *The Tradition of Customary Prohibition in Mirah and Golan Village Folklore*, Journal of Cultural Science SINTESIS, Vol.14 No.2 (2020)

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customary prohibition in the tradition of customary prohibition in Golan and Mirah folklore in Ponorogo is the belief that the Golan and Mirah people will prevent catastrophe by upholding the customary prohibition. The people of Golan village and Mirah village agree that this customary abstinence is an important component of family customs that should be preserved and respected. The prohibition tradition in Golan and Mirah Ponorogo folklore is in the form of the belief that by still believing in the prohibition tradition, the people of Golan and Mirah will avoid disaster. Residents of Golan Village and Mirah Village also believe that the forbidden custom is part of an ancestral story that deserves protection and respect.

The context of the situation in this customary prohibition tradition is in the form of the historical context of the formation of Golan and Mirah folklore from the beginning of its establishment to the present. However, unlike what some people believe, people's trust is not shaken by the developments that occur. The situation concerning the location of the performance of this customary prohibition tradition is Golan village and Mirah village. In addition, the situation concerned with the way the tradition of customary prohibition is designated, namely by conveying the folklore as a whole to future generations using implied terms that flow naturally.

Social context refers to the social factors that influence the use of oral tradition. An influencing factor in the traditional prohibition traditions of the Golan and Mirah people is the main characters of folklore, Ki Honggolono and Ki Ageng Mirah, both of whom are community leaders in their respective villages, who are endowed with enormous powers.

Ideological context refers to the intensity or influence that dominates and controls oral tradition. The ideological context in this customary prohibition tradition is related to the dominating aspects in folklore in the form of religion and politics. The conflict due to religious and political divisions between Ki Honggolono and Ki Ageng

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Mirah gave birth to a ban on customs in Golan and Mirah Villages. In Ponorogo at that time, Ki Ageng Mirah was a Muslim who supported the new government, while Ki Honggolono, a Shiva Buddhist, supported the old government. In the folklore, Ki Honggolono is described as an antagonist so that it can be stated that the people who tell and disseminate this folklore are people from those involved in the victory of the new government in Ponorogo at that time. The role of context in oral tradition needs to be supported by an understanding of meaning and function According to Nababan, each language has four classes of functions, including cultural, social, individual, and educational functions.¹⁴

The significance of the traditional prohibition tradition in Golan and Mirah villages is as a way to resolve conflicts between the two villages due to differences of opinion regarding religion and politics between Ki Ageng Mirah and Ki Honggolono, two highly respected people in each village. The function of the traditional prohibition tradition of Golan Village and Mirah Village is as a reminder to the wider community to uphold and respect these forbidden traditions and as a way to maintain peace between Golan Village and Mirah Village.

According to the author's thoughts, the values embodied in the customary prohibition traditions of Golan village and Mirah village include:

1. The value of affection, for the benefit of his son, Ki Honggolono negotiates with others who have different religious and political views;
2. The tolerance value, shown by Ki Ageng Mirah, was polite enough to reject the proposal so as not to disappoint Joko Lancur by giving a condition;

¹⁴ Robert Sibarani, *Anthropolinguistics: Linguistic Anthropology Anthropology*, Poda, 2004, p. 55

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3. The value of obedience, shown by the people of Golan village and Mirah village in obeying customary prohibitions passed down from generation to generation.

The norms contained in the customary prohibition traditions of Golan village and Mirah village include;

1. Religious norms, This can be seen from the treatment of Ki Ageng Mirah who rejected Joko Lancur's proposal because it was contrary to Islamic teachings if married to someone of a different religion;
2. The norm of politeness, can be seen from the actions of Ki Ageng Mirah who did not flatly refuse Joko Lancur's request;
3. Legal norms, this can be seen from the actions of the people of Mirah and Golan villages who stick to the prohibition set by Ki Honggolono between the two villages.

The villagers of Golan and Mirah follow this long-standing customary ban to organize social life in society. Public relations in Golan village and Mirah village are now relatively harmonious. Although on the other hand there are social restrictions due to past ancestral conflicts that are resolved by the existence of these forbidden traditions. Therefore, the customary ban in Golan village and Mirah village is essentially local wisdom that must be respected, according to residents in both villages, They view this phenomenon as an ancestral heritage that must be protected and preserved.

Local wisdom in the form of traditional prohibition traditions is a norm and cultural value that guides how Mirah and Golan villagers think and act. The villagers of Golan and Mirah villages revived this long-standing forbidden custom in ways such as:

1. Revived or activated stories about the bad luck, myths and misfortunes of people when they do not obey customary prohibitions;

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2. managed by a widespread fusion of folklore and customary prohibition customs into a whole folklore;
3. Passed down by direct word-of-mouth storytelling by parents, classmates, local government, and the local environment. All of these revitalization techniques aim to uphold the legacy of customary prohibitions in Golan village and Mirah village so that they continue to be maintained, developed, and beneficial to the surrounding environment.

3.2. Main Heading of the Second Analysis or Discussion etc.

The legal basis of marriage in the Quran and hadith among them, QS. Ar. Ruum (30):21: And among the signs of his power is that he created for you wives of your own kind, that you might be inclined and at ease to them, and he made among you love and affection. Indeed, in such there are signs for the thinking. QS. Adz Dzariyaat (51):49: And all things We created in pairs so that you might remember the greatness of Allah. HR. Bukhari-Muslim: O young men, whoever among you has been able to marry, let him marry.

In this study, there is a legal basis that needs to be understood in order to facilitate the completion of this legal study. In the context of discussing research on marriage law, there are fundamental rules related to the context of juridical law.

First, the Constitution of the Republic of Indonesia Year 1945 that the Constitution of the Republic of Indonesia Year 1945 is the rule of law that has the highest hierarchy in Indonesia. In it there are rules of law that become the basis for the application or development of legal rules under it. No exception related to marriage. In the Constitution of the Republic of Indonesia Year 1945, which became the main basis in the development of the rule of marriage law is in Article 28B Paragraph 1 which regulates the right of every citizen to live in a family. The freedom of citizens in

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obtaining family life is one of the things written in the 1945 Constitution. Thus, when faced with a problem or legal problem or even legal development, the community has the main guidelines in its implementation so that it becomes a strong basis in the development of marriage law.

Second, Law Number 1 of 1974 concerning Marriage that this Law is a development of Article 28B Paragraph 1 of the 1945 Constitution. The basis for making this Law is to specifically discuss and explain related to marriage. In marriage itself there are also requirements that must be met before carrying out a marriage as stipulated in Law Number 1 of 1974 concerning marriage in Chapter II Articles 6 to 12.

Article 6 reads: (1) Marriage is based on the consent of the bride and groom; (2) To consummate a marriage a person who has not reached the age of 21 (twenty-one) years must obtain the consent of both parents; (3) In the event that one of the parents dies or is in a state of inability to express his will, the permission referred to in Paragraph 2 of this article shall be sufficiently obtained from the surviving parent or from the parent who is able to express his will; (4) In the event that both parents have died or are in a state of inability to express their will, permission shall be obtained from the guardian of the custodian or the family related by blood in a straight line upwards as long as they are alive and in a state of expressing their will; (5) In the event of any discrepancy between the persons referred to in Paragraphs 2, 3 and 4 of this article, or one or more of them does not express an opinion, the Court in the county of residence of the person who is to perform the marriage at the request of that person may give permission after first hearing the persons referred to in Paragraphs 2, 3 and 4 of this article, (6) The provisions of Paragraphs 1 to 5 of this

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article shall apply to the extent that the law of each religion and belief of the person concerned does not specify otherwise.

Article 7 reads: (1) Marriage is only permitted when the man reaches the age of 19 (nineteen) years and the woman has reached the age of 16 (sixteen) years; (2) In the event of a deviation under Paragraph 1 of this article, the Court or any other official may be requested by both parents of the male or female party; (3) The provisions regarding the circumstances of one or both parents in article 6, paragraphs 3 and 4 of this law, shall also apply in the case of a request for such dispensation, paragraph 2 of this article, without prejudice to those referred to in article 6, paragraph 6.

Article 8 reads: Marriage is prohibited between two persons who; a).related by blood in a straight down or upward lineage; b) blood relations in the sideways lineage i.e. between brothers; between one and a parent's brother and between one and his or her grandparents; c). related to semenda, namely in-laws, stepchildren, daughters-in-law and mother / stepfather, d) . related to susuan, susuan children, brothers and aunts / uncles susuan; e). related relatives to the wife or as aunts or nieces of the wife, in the case of a husband with more than one wife; f) who have a relationship in which by their religion or other applicable regulations it is forbidden to marry.

Article 9 reads: a person who is bound by marriage with another person cannot marry again, except in the cases mentioned in Article 3 Paragraph 2 and in Article 4 of this Law.

Article 10 reads: if a divorced husband and wife remarry each other and divorce a second time, then between them no marriage can be held again, so long as the law, each religion and belief of the person concerned does not specify otherwise.

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Article 11 reads: (1) For a person who breaks up his marriage, a waiting period shall apply; (2) The grace period of the waiting period in Paragraph (1) will be regulated in further Government Regulations.

Article 12 reads: Marriage procedures are regulated in separate laws and regulations.

Third, Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage that the birth of this Law has several grounds that cause it. The occurrence of the times does not rule out the possibility that the rule of law also needs to follow its development.

In front of indigenous peoples, the legal comparison between customary law and positive law has an equal position. Customary law is recognized as the law that lives in society and is obeyed while positive law is the law of the country that clearly has power and must be obeyed. In the eyes of indigenous peoples, these two laws are valid because they relate to laws governing marriage. It is said to be restricted due to Ki Honggolono's statement, which has now become customary law, that whatever the reason, arranged marriages between Mirah and Golan residents are not allowed so that the meaning of the word consent will not be fulfilled which results in a tendency to restrict rights. If analyzing related cases or problems that exist in Mirah and Golan where customary law prohibits marriage between people from the region,

According to the author's thoughts after analyzing Article 6 Paragraph (1) of Law Number 1 of 1974 concerning Marriage where the meaning of the Article is "marriage must be based on the consent or agreement of the two prospective brides who perform marriage". From the problems in the Mirah and Golan regions, from this Article it is clear that there is no agreement or understanding between the two sides. That being said, the people of Golan village and Mirah village cannot be arranged because of the customary law governing the two regions which states so.

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This means that if it does not meet the conditions of marriage specified in Article 6 paragraph (1) of Law Number 1 of 1974 concerning Marriage, then it is true that the marriage cannot continue. Behind this dynamic, there is actually a conflict that occurs when we refer to Article 28B Paragraph (1) of the 1945 Constitution which gives citizens the right to form their households.

In Article 8 letter f of Law Number 1 of 1974 concerning Marriage which reads "who has a relationship that by their religion or other applicable regulations is prohibited from marrying". What we can see in this article is the manifestation of other existing regulations. We can relate this to the customary law that applies in Mirah and Golan. Other provisions mentioned above can be understood as other regulations that govern society outside the law which can be referred to as customary law. The customary law prohibiting marriage in the Mirah and Golan regions can be interpreted to mean that this customary law also includes other rules. The relationship between these two rules is that they both prohibit marriage, as evidenced by Article 8 letter f of Law Number 1 of 1974 concerning Marriage with regulations prohibiting customary marriage in the Mirah and Golan regions, both of which contain the meaning of a marriage ban.

4. Conclusion

1. The customary law regarding the prohibition of marriage of the Mirah and Golan people is a customary tradition that has been carried out for generations by both regions to date. The development of an increasingly modern era has become a polemic in addressing these problems. Both communities believe customary law prohibits marriage between the two regions, if this is violated it will cause negative sanctions in the form of mystical events. The ban on marriage between communities in both Mirah and Golan regions has indeed

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occurred since the ancestors in the form of Sabda Ki Hanggolono which has become a customary law that is obeyed until now

2. Customary law in both regions does not conflict with national law, after analyzing Article 6 Paragraph (1) of Law Number 1 of 1974 concerning Marriage where the meaning of the Article is "marriage must be based on the consent or agreement of the two prospective brides who perform marriage". From the problems that exist in the Mirah and Golan regions, from this Article it is certain that there is no agreement or agreement because of the rules of customary law in both regions, when the conditions are not met, it is true that they will not be able to perform marriage.

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