

Transformation of the Legality of the Marriage Culture of the Samin Sambongrejo Community, Blora Regency

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ABSTRACT

Marriage is a sacred thing both in religion and culture when a woman and a man become legally husband and wife after carrying out the marriage contract and fulfilling the requirements and pillars of religious marriage, but the Samin people have a single rule, one man and one woman can be declared as legal partners when they become husband and wife when they first have intercourse, this is known as the pasuwitan tradition. This wedding tradition is part of the Samin people's wedding customs, but over time, many Samin people have legalized their marital status through the KUA. The procedure for the traditional Samin wedding is carried out with the stages of *nakokke*, *mbalesi gunem*, *ngendek*, *nyuwito*, *ngeger*, *paseksen* and *tingkepan*. Along with the development and influence of the awareness of the government and Indonesian citizens regarding the registration of marriages in Blimbing Sambongrejo Village, most of the Samin natives have legally registered their marriages and have made changes to the procedure for marriage through summons and registration of marriages at the KUA in accordance with the law as citizens. Indonesia is responsible for carrying out the obligations of the Samin people

KEYWORDS

Community
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1. Introduction

Marriage is a sacred thing both culturally and religiously. In the tradition of Indonesian society, marriage can be regarded as a ritual that is performed solemnly and sacredly because it must comply with certain rules and conditions in carrying it out. According to Victor Turner (1966) ritual is defined as formal behavior at a certain time or periodically, not just as a technical routine that leads to religious belief in power or mystical forces, Beni (2008) explains the purpose of men and married women are learning to intend to build a household that is sakinah, peaceful, and filled with love and affection. One of the interesting things about marriage is when the culture continues to be passed down from generation to generation to the next generation, such as the marriage culture of the Samin people. The Samin community or known as Sedulur Sikep is a community known as (Saminism). Samin can be said to be the teachings of mysticism taught by the elder Samin Surosentiko or known as Raden Kohar (Soekawo 1968; Hutomo 1996). Lestari (2013) explains that the teachings of Samin have noble values regarding morals, identity, showing character in accordance with the teachings of Saminism which they nurtured from several generations before. related to the teachings of kebatinan or known as Sangkan paraning dumadi or more commonly known as the teachings of Manunggaling Kawulo Gusti (Hutomo 1996). (Benda & Castel 1969; King 1973) explains that Manunggaling kawulo Gusti is defined as a keris that is immersed in a sheath or a keris holder (skeleton curigo umanjing), which they prefer to call the teachings of samin the religion of Adam, this is also reinforced by the book of samin teachings which known as Tapel Adam. In the Samin teachings it is also related to procedures for having children through a marriage process, because marriage is a part of human nature that cannot be

avoided by preserving biological offspring. In any society, it is certain that they have marriage procedures that are unique and adapted to their respective cultures, which are part of Indonesia's cultural wealth, one of which is Samin.

Samina as a society has very long cultural and historical roots and is still firmly rooted in the community. So until now the samina community as a unit still exists to maintain, care for and preserve the culture and teachings it believes in. This ability has become a magnet for many parties who concentrate on the field of sociology and cultural studies. So that almost every aspect of culture in the Samina community is very interesting to study, including the aspect of marriage. The existence of a marriage culture that is still maintained today certainly requires a lot of struggle. Various efforts to undermine these cultural results will certainly continue to be carried out by various parties who are not happy with the Samina community. One of the uniqueness of the Samina people that is different from other communities is in their marriage culture. Stefanus (2010) revealed that the Samina community adheres to the principle of monogamy, divorce is not recognized in marriage, except for copying clothing (passing away). The Samina people do not want or prohibit marriages with outsiders from their group, if there are outsiders marrying Samina people, they must submit and follow the customs of the Samina people. Conversely, if the Samina people marry outside their group, they must leave the group.

Rosyid (2010) in the Samina community marriages do not use legalization from the KUA/civil registration. Marriage in the Samina community is considered valid if the parents of both parties have agreed and given their blessing to the couple to live as a household. Then carry out a series of traditional wedding traditions following the customs that apply to the Samina community. The Samina people call the marriage itself the word "pasuwitan", and they do not register their marriage at the Office of Religious Affairs, not following Law number 1 of 1974, but their marriage is carried out jointly with the consent of the two prospective brides and groom. This of course will cause problems administratively, in their status as adherents, their marriage is not recognized by the state. Couples who are married to the belief system try to have their marriage registered at the Population and Civil Registry Office (BKCS). However, there are still government bureaucrats who have not accepted the registration of marriages for groups of faith groups. the refusal to register marriages for belief groups also applies to adherents of Saminism in the Blora Regency. With this traditional marriage, most of the Samina people who are married do not have a marriage certificate and are not registered at the KUA/civil registry, because in carrying out a traditional marriage they also do not need to register at the KUA/civil registry. So, most of the Samina people, especially the older generation, do not have a marriage certificate, and their marriage is not recorded at the KUA/civil registry and is not recognized by the state. Whereas normatively the flow of belief has been recognized by the state. With the existence of Law Number 24 of 2013 concerning Amendments to Law Number 23 of 2006 concerning Population Administration, it is very clear that it discusses the rules and procedures for recording population administration for beliefs, including matters of marriage. Where in Article 58 number 2 letter V that individual data includes ownership of birth certificates/marriage books.

As the government's mindset and policies changed, the Samina people began to realize that they needed legal ownership of a marriage certificate for their marriage. Without a marriage certificate, people experience several obstacles with various kinds of matters related to the possession of a marriage certificate. Like the management of a child's birth certificate. Even though a birth certificate is needed for the benefit of the child's future. In addition to facilitating the recognition of their children, this is done so that there is no confusion or misunderstanding in social life and to obtain recognition from the state for marriages that are carried out. The participation of the Samina community in legalizing marital status is not only carried out by newly married couples, but also by couples who have been married for a long time and already have children. The Samina community's participation in the legalization of marital status certainly did not arise by itself but was influenced by various driving factors, both factors that came from within the community itself (internal factors) and driving factors that came from outside the Samina community (external factors). Therefore, researchers are interested in researching the "pushing factors that caused the Samina

community to legalize their marital status", both internal and external factors. The dynamics of marriage experienced by Samin residents has been studied by researchers. Asiah (2013) examined Samin's marriage in Klopoduwur Village, Blora. The community was original of the Adamist religion but changed to Islam after the G30 September 1965. The trigger was that Samin youths lived mingling with local Muslims. A study conducted by Radendra and Masykur (2015) in Klopoduwur found that the Samin people they met still consistently adhered to Samin teachings. According to him, this is the provision of anyone's life. Intan and Mukodi Afid (2016) researched in Blora, found that Samin residents are consistent in the midst of modern life until now. Even able to live side by side with local Muslims who are abangan. Setyaningrum's study (2017) in Bombong Pati shows that Samin residents still exist based on religious values, live a simple life, prioritize decency and honesty, help each other, help, have a humanist attitude, solidarity, and harmony. It's just that, shifting in terms of respect for nature as a result of prioritizing economic value. Fauzia and Fauzia, A., & Kahija, Y. F. L. (2019) argue that Samin residents prioritize living in harmony and maintaining their teachings.

2. Method

The research was conducted in Sambongrejo Village, Sambong District, which is the location of the Samin Blora community. The research method used is qualitative to determine the location of the Sambongrejo community's residence, and to find out information about the Samin community related to the culture of marriage / Pasuwitasn in the Sambongrejo community, Blora Regency.

3. Results and Discussion

3.1. The Samin Society an the Marriage Culture of the Samin Society

The Samin community is part of local wisdom and Indonesian culture with values of community kindness, which can be used as a guide for life and regeneration from one generation to the next (Sartini, 2009), the emergence of the Samin community cannot be separated. from the historical aspect of Hutomo (1996) and Santoso Hery (2004) the emergence of the Geger Samin or Samin movement began on February 7 1889 when Samin Surosentiko first spoke in front of his followers in the village of Oro-oro Bapangan, Blora district. At night, lit by torches, Samin Surosentiko gathered his followers around Papangan and campaigned for the founding movement of the Javanese kingdom. Basically, when compared to society in general, the Samin people are not much different. The Samin people live their lives as society in general. It's just that the truth and strong belief of the Samin people in the Samin teachings they have is used as a guide for life in their lives. Samin's teachings are implied in the words and actions of his followers.

The Samin community is a community group that originates from the figure and thought of their leader named Samin Surosentiko or Samin Surontiko Purwasito (2003) The Samin community is a community that has guidelines and outlooks on life. One of the cultures of the Samin people is marriage which is still strong with the customs of their ancestors, namely ki Samin Surosentiko. According to Soerjanto (2003), the marriage process of the Samin people is very unique compared to marriage in general, first they try to live together under one roof (ngenger) and when the two (fiancés) feel suitable for each other. others, up to the level of marriage. This happens because the Sami people still adhere to the teachings of their ancestors, namely Sami Surosentiko, and the Sami people themselves adhere to the teachings or beliefs that have been prevalent in their lives since colonial times which are important in one's life navigating his new life in his life. Marriage in the Samin community is endogamous, namely marrying a community partner and observing the principle of monogamy. Because in the light of his life, one woman is only enough for siji langti selawase (one for ever).

Marriage in the Samin community does not use a dowry to carry out the marriage. The reason is that followers of the "Adamic Religion" deny the existence of a dowry. In addition to the fact that marriage in the Sami community knows no age limit, according to the Samin community, a young man gets married when he already has a candidate to marry or a girl to marry when he becomes an adult, a man or a woman who already has the desire to marry and is married after the woman the word Thukul kembange which means already has the will to marry a young man who both love

each other and from a physical point of view he is considered mature enough to marry. After the statement from the man to his parents that the man already has his eye on a girl, then in the process of marriage in the Samin community, the man's parents come to the house of the girl whose child wants to be *nakokake*, which means asking the girl who wanted to be his wife. In this case, the girl is still *legan* or has been proposed by someone else. With the *nakokake* process, the next process in the marriage of the Samin community is for the man to come to the woman's house where the *nakokake* process has previously taken place.

The man is responsible for the woman's parents to propose to their child in marriage which requires finding a partner in their environment (Yahya, 2009). in the Samin community, it will be continued with the process of *nyuwita* or *ngenger* which means devoting oneself to the family of the future wife. Marriage in the Samin community is a manifestation of both parties, both of which have an agreement or voluntary consent from the prospective husband and wife with the statement *padha dhene* which has the meaning of mutual liking from both parties. In the view of the Samin community, the agreement from both parties does not fulfill the requirements for marriage. This statement is realized by concrete evidence, namely by having a husband and wife relationship carried out by the man in the *nyuwita* or *ngenger* process at the prospective wife's parents' house. This tradition is a distinct characteristic in the culture of the Samin people. *Ngerukuni*, which means having a husband and wife relationship, is a must or obligation for the Samin people to get married. The obligation to have a husband and wife relationship is a voluntary statement that both of them have chosen the right candidate with a mature consideration so that there will be no regrets from both of them in the future. Therefore, after the prospective husband and wife have sexual relations and the prospective husband declares to the parents of his future wife that the two of them have had this relationship, the next day the marriage will be carried out immediately by holding a ceremony of *Keseksen* or *Seksenan* which is continued with the *Ijab Kabul*. The *Keseksen* or *Seksenan* ceremony is held at the house of the woman's parents witnessed by the families of both parties, the elders of the Samin community, the Samin community, non-Samin community members and village officials. After the stages of the *keseksen* ceremony, the prospective bride and groom are legally husband and wife. The Samin community has a principle in carrying out marriages, namely in carrying out the marriage without registering it at the Civil Registry Office because it follows the tradition of *Samin Surosentiko*. According to the Samin people, marriages do not have to be registered through the Civil Registry or the Office of Religious Affairs because in their view of life, marriage is very sacred, it is enough for the parents as the prince to marry off the Samin people.



Fig. 1. Samin Community Marriage Illustration

The marriage has stages that must be carried out by the Samin people and in this marriage there are also traditional expressions that are embodied in every marriage process from start to finish. In a Samin people's marriage there are several stages, namely:

- 1) *Nyumuk*, namely the arrival of the parents of the prospective son-in-law to the prospective daughter-in-law to inquire about the whereabouts of the future son-in-law, whether he already has a future husband or is he still a girl (legan).
- 2) *Ngendek*, which is a statement by the parents of the prospective male Kemanten to the male brokers of the female Kemanten, following up on the nyumk process. In this procession, usually the mother of the prospective son's wife gives a gold ring as a sign that she has been watasi.
- 3) *Nyuwito*, namely the day the marriage was held based on the intention of the son's kemanten to continue the lineage (true wiji, titine anak adam). Nyuwito's span of time is not limited, and is determined by the two kemanten if it is suitable. Compatibility is marked by both have intercourse.
- 4) *Pasaksen*, which is a forum for expressions of the bride and groom in front of the parents of the bride and groom, family and invited guests when the bride and groom feel love and promise to be loyal to their partner, this expression is carried out after the bride and groom have intercourse.
- 5) *Tingkep* After the bride becomes pregnant at the age of seven months of pregnancy, a procession is held to save the baby in the womb called brokohan. In the brokohan event, the Samin elder (botoh) representing the owner of the intention gives advice (nyondro)
- 6) *Accessories*, namely weddings, including invitations, location of pasuwitan, guests present, dishes served, kemanten clothing, and host's clothing.

3.2. Legalization of the Marital Status of the Samin Community

Samin's Marital Status when viewed from the perspective of legal legality of Law Number 1 of 1974 concerning marriage, there are crucial things, first, Article 2 (1) every marriage is recorded according to the applicable laws and regulations. The older generation of samin people do not recognize marriage registration because it was not inherited from their ancestors; secondly, Article 7 (1) marriage is only permitted if the man is 19 years old and the woman is 16 years old. Some Samin people think that the age of the prospective bride and groom does not have a minimum limit. The argument is based on humans who are born in a state of agelessness and the standard for marriage to take place when they are ready to marry. The age strata of the Samin community are divided into eastern adam, adam brahi, and wong sikep steadfast wali adam. East Adam is a generation of Samin who is immature, doesn't have a 'feel' with other types. Meanwhile, adam brahi is the generation of Samin who has grown up and has a 'feel' for the opposite sex. As for wong sikep, Adam's wali is a Samin who has a family. Third, Article 26 (1) a marriage held in front of an unauthorized marriage registrar can be annulled. Fourth, Article 28 (1) marriage cancellation after a court decision has permanent legal force. The Samin society version of a marriage is canceled if the bride and groom naturally separate due to various reasons, so that the (former) husband hands over his (former) wife to his (former) parents-in-law. Fifth, Article 29 (1) at the time or before the marriage takes place, the two parties with mutual consent can enter into a written agreement.

Changes in the era and the influence of the current government have triggered the Samin community to also keep up with the times, including this which is closely related to marriage, which is regulated in law.

In the Samin community marriages are carried out in a customary manner and without an administrative process, so there is no legal protection. According to state law, in marriages that are not registered, automatically the civil rights of the Samin people themselves cannot be fulfilled because they do not meet the requirements of existing and currently valid regulations. If viewed from the perspective of the Samin community's marriage, there are several factors that cause system changes in the Samin community to legalize their marital status, including those related to

the assumptions: 1). Uncertainty of the child's status, so that the child only has a civil relationship with his mother and his mother's family 2). It is difficult if there is a divorce related to joint property 3). There are no registration files that might be needed for population data if needed 4). The difficulty of dividing inheritance apart from not fulfilling civil rights will result in losses for the Samin people themselves, this is because the Samin people will not get equality or justice before the law for the loss of these rights. In the absence of legal certainty and justice caused by not recording marriages by the Samin community which has resulted in no legal protection, the legal structure is not fulfilled because there is no element of justice and legal certainty. Therefore, registration as a form of protection is actually mandatory for the Samin people so that their rights as Indonesian citizens can be fulfilled. The legalization carried out by the Samin people did not just appear, but was based on certain driving factors. In the standard Indonesian dictionary, the word factor can be defined as a condition that can cause something to happen. The driving factor is closely related to motivation. First, because of the need for civil rights, currently many Samin people have gone to school, so they need records or files that must be completed for administration, and this is the same for other needs, such as health care, agriculture, economics and others. The second is socialization from the government which always plays an active role in providing counseling to the public about the importance of civil registration.

Basically, the government, in this case officials from the Office of Religious Affairs and the Civil Registry Office, have made efforts to encourage efforts to register marriages in the Samin community itself. These efforts, such as counseling and other efforts, are a form of government effort to make the Samin people more aware of the importance of registering marriages. However, awareness of the Samin community's marriage registration is gradually improving. This is based on the increase in the registration of marriages at the local Religious Affairs Office. Most of the Samin people have registered their marriages at the Office of Religious Affairs because almost all of the Samin people are Muslim, so for the Samin people who will do the registration not at the Civil Registry Office. Office of Religious Affairs only.

4. Conclusion

With the legalization of marital status, it has had an impact on the lives of the Samin people, such as civil registration, management of husband and wife assets, child custody, health facilities and others, with this legalization, the civil rights of the Samin people are increasingly being recognized. In addition, the level of formal education has also increased because every child already has a birth certificate so they can go to school and parents' awareness of the importance of education has also increased.

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