

The Conflict Between the Sebambangan Marriage Tradition of the Indigenous Lampung Community and the Implementation of Premarital Course Regulations

*Nabil Nizam¹, Fitri Maulina Alviani², Sadida Nizam³

^{1,2} Faculty of Sharia and Law Sunan Kalijaga State Islamic University
Yogyakarta Indonesia

³ Al-Azhar University Cairo Egypt

*Email: nabilnizam@gmail.com

Submitted: 26-02-2025

Accepted: 10-05-2025

Published: 12-05-2025

Abstract

The premarital course is a government-initiated program aimed at preparing prospective couples to establish harmonious, loving, and compassionate families (sakinah, mawaddah, warahmah), and to reduce divorce rates in Indonesia. Regulated by the Decree of the Director General of Islamic Community Guidance No. DJ.II/542 of 2013, the Office of Religious Affairs (KUA) is mandated to provide a 16-hour premarital course before the marriage contract. However, implementation in areas with strong local traditions presents specific challenges. This study investigates the implementation of the premarital course within the indigenous Lampung community in Marga Tiga District, where the traditional practice of sebambangan—a secretive elopement of the bride to the groom's house—still occurs. This tradition prohibits the bride from leaving her home before the wedding, hindering in-person participation in the course. Employing an empirical normative legal research method with a qualitative approach, data were gathered through field observations and interviews with KUA officials, traditional leaders, and prospective couples. The findings reveal that the implementation of the premarital course remains suboptimal due to cultural constraints, limited access, and a lack of alternative dissemination methods tailored to local conditions. The study suggests the need for innovative solutions, such as online platforms or home-accessible media, to enhance the accessibility and effectiveness of premarital education among indigenous communities.

Keywords: Regulation on Premarital Courses; Sebambangan Marriage; Lampung Community Tradition.

Abstrak

Kursus pranikah merupakan program yang diinisiasi oleh pemerintah dengan tujuan mempersiapkan calon pasangan suami istri dalam membentuk keluarga yang harmonis, penuh kasih sayang, dan berwelas asih (*sakinah, mawaddah, warahmah*), serta untuk menurunkan angka perceraian di Indonesia. Program ini diatur dalam Peraturan Direktur Jenderal Bimbingan Masyarakat Islam No. DJ.II/542 Tahun 2013, yang mewajibkan Kantor Urusan Agama (KUA) untuk menyelenggarakan kursus pranikah selama 16 jam sebelum pelaksanaan akad nikah. Namun, implementasi program ini di wilayah yang masih kuat dengan tradisi lokal menghadapi tantangan tersendiri. Penelitian ini mengkaji pelaksanaan kursus pranikah di kalangan masyarakat adat

Lampung di Kecamatan Marga Tiga, yang masih mempertahankan praktik tradisional *sebambangan*—yakni membawa lari mempelai wanita secara diam-diam ke rumah mempelai pria. Tradisi ini melarang mempelai wanita untuk keluar rumah sebelum akad nikah, sehingga menghambat partisipasi langsung dalam kursus pranikah. Penelitian ini menggunakan metode penelitian hukum normatif empiris dengan pendekatan kualitatif. Data dikumpulkan melalui observasi lapangan dan wawancara dengan pihak KUA, tokoh adat, serta calon pengantin. Hasil penelitian menunjukkan bahwa pelaksanaan kursus pranikah masih belum optimal akibat kendala budaya, keterbatasan akses, dan belum tersedianya metode penyuluhan alternatif yang sesuai dengan kondisi lokal. Studi ini merekomendasikan perlunya solusi inovatif, seperti pemanfaatan platform daring atau media yang dapat diakses dari rumah, untuk meningkatkan aksesibilitas dan efektivitas edukasi pranikah di komunitas adat.

Kata Kunci: Peraturan Kursus Pranikah; Perkawinan Sebambangan; Tradisi Masyarakat Lampung.

INTRODUCTION

Divorce remains one of the most complex and controversial social issues in Indonesia, drawing attention from various sectors of society. This social phenomenon has broad and profound implications not only affecting the divorcing couples but also significantly impacting their children, extended families, and surrounding communities. Divorce can lead to emotional and psychological disturbances in children, alter extended family dynamics, and create instability within communities. Awareness of these negative consequences has prompted various stakeholders, including the government, to undertake concerted efforts to address the issue. Strategic measures and preventive programs have been implemented to tackle the diverse causes of divorce, including economic hardship, personal incompatibility, and domestic violence. These efforts reflect a strong commitment to preserving the integrity and stability of the family institution, which is regarded as the fundamental pillar for building a just and harmonious society.

One of the government's preventive initiatives is the mandatory premarital course policy for prospective couples prior to their marriage contract. This policy is outlined in Circular Letter No. 02 of 2024 issued by the Directorate General of Islamic Community Guidance, concerning Marriage Guidance for Prospective Brides and Grooms. Its implementation was previously regulated under the Decree of the Director General of Islamic Community Guidance No. DJ.II/542 of 2013. The objectives of the premarital course are detailed in Chapter II, Article 2, which states that "this regulation is intended to enhance understanding and knowledge of household/family life in order to realize families that are *sakinah*, *mawaddah*, and *warahmah*, and to reduce the

rates of conflict, divorce, and domestic violence."¹ This initiative reflects an effort to strengthen the social and cultural values of marriage while also responding to the growing challenge of divorce in Indonesia. In the context of modern life, the increasing divorce rate remains a pressing issue in several regions across the country, driven by various underlying factors.

Previous studies on divorce have predominantly focused on economic aspects, leading many to assume that financial issues are the primary cause of marital breakdown. However, from a sociocultural perspective, the causes of divorce are far more complex. The diversity of cultures and traditions within Indonesian society plays a significant role in shaping domestic life and can influence marital stability. One such community that continues to uphold ancestral customs in marriage is the indigenous Lampung community. A traditional marriage practice that is still preserved among the Lampung people is the *sebambangan* marriage.² The traditional marriage process of *sebambangan*, also known as elopement, involves a *mekhanai* (prospective groom) secretly taking a *muli* (prospective bride) to his parents' home. Once the *muli* arrives at the groom's house, she is not allowed to leave until the marriage contract (*akad*) is performed. This practice is traditionally carried out as a means to avoid the high *mahar* (bridal dowry) commonly associated with marriage in the indigenous Lampung community.³ Therefore, the *sebambangan* marriage tradition poses a significant challenge to the implementation of the premarital course mandated by the Office of Religious Affairs (KUA). The course, which requires a minimum of 16 hours of instruction as stipulated in the Regulation of the Directorate General of Islamic Community Guidance No. DJ.II/542 of 2013, is hindered by cultural restrictions that prevent the bride-to-be from leaving the house before the marriage contract is performed. This study focuses

¹ "Peraturan Direktorat Jenderal Bimbingan Masyarakat Islam Nomor DJ.II/542 Tahun 2013," Bing, diakses 8 Juni 2024, <https://www.bing.com/search?q=peraturan+direktorat+jenderal+bimbingan+masyarakat+at+Islam+nomor+DJ.II%2F542+tahun+2013&form=ANNTH1&refig=53B39D6D0CA14FD291190D285F610F91&pc=ASTS>.

² Rahma Zakia Al Erza, Agus Pahrudin, dan Chairul Anwar, "Wedding Customs of the Lampung Pepadun Community in the Perspective of Islamic Education," *Bulletin of Science Education* 4, no. 1 (2024): 71–76.

³ Ulfa Islamiyah Nuryatsar Putri, "Tradisi perkawinan Sembambangan dalam perspektif teori konstruksi sosial: Studi di Kelurahan Kahuripan Kecamatan Teluk Betung Barat Kota Bandar Lampung" (undergraduate, Universitas Islam Negeri Maulana Malik Ibrahim, 2019), <http://etheses.uin-malang.ac.id/17648/>.

on the indigenous Lampung community residing in Marga Tiga District, East Lampung Regency. The selection of this location is based not only on the community's continued observance of the sebambangan marriage tradition but also on the fact that East Lampung recorded a relatively high divorce rate, reaching 2,580 cases in 2023.⁴ According to divorce data obtained from the Sukadana Religious Court, which serves the East Lampung region, the divorce rate reaches thousands annually. This is noteworthy considering that this court, which is a relatively new religious court, was only established at the end of 2018.⁵ This issue of divorce undoubtedly requires measures to reduce the high divorce rate. One such measure is the implementation of the government's premarital course policy conducted by the Office of Religious Affairs (KUA) in Marga Tiga District. This study aims to examine the implementation of the premarital course policy within the indigenous Lampung community, which still upholds the sebambangan marriage tradition. The goal is to assess the effectiveness of the premarital course policy in this context.

Several previous studies have addressed the sebambangan marriage tradition of the Lampung indigenous community. The first study conducted by Habibi et al. argues that the pepadun customary marriage in Lampung cannot be abandoned, as it has become a local wisdom passed down through generations.⁶ The second study conducted by Yuda et al. differs from the previous research. This study highlights a shift in the *sebambangan* marriage tradition within the community of Menggala District, Tulang Bawang Regency, which has been influenced by the increasing level of education and changes in the social conditions of the community.⁷ The third study conducted by Erza et al. examined

⁴ Tampan Fernando, "Lampung Masuk 10 Besar Provinsi Dengan Tingkat Perceraian Tertinggi Di Indonesia," 2024, <https://lampung.rilis.id/Ragam/Berita/Lampung-Masuk-10-Besar-Provinsi-dengan-Tingkat-Perceraian-Terbanyak-di-Indonesia-WBLIy1q>.

⁵ "Berita Terkini," Pengadilan Agama Sukadana || Kabupaten Lampung Timur || Provinsi Lampung, 30 Juli 2024, <https://www.pa-sukadana.go.id/>.

⁶ Roy Kembar Habibi dan Eny Kusdarini, "Kearifan Lokal Masyarakat dalam Melestarikan Tradisi Pernikahan Pepadun di Lampung Utara," *Jurnal Antropologi: Isu-Isu Sosial Budaya* 22, no. 1 (31 Mei 2020): 60–69, <https://doi.org/10.25077/jantro.v22.n1.p60-69.2020>.

⁷ Agam Kesuma Yuda, Putut Wisnu Kurniawan, dan Aurora Nandia Febrianti, "PERGESERAN ADAT KAWIN LARI ATAU SEBAMBANGAN DI KELURAHAN MENGGALA KOTA KECEMATAN MENGGALA KABUPATEN TULANG BAWANG," *Palapa: Jurnal Ilmiah Mahasiswa Pendidikan Sejarah* 4, no. 1 (24 Juni 2022): 1–13.

the Pepadun customary marriage in Marga Sungkai Mayang, which includes the *sebambangan* marriage, from the perspective of Islamic education. The findings of this study suggest that *sebambangan* marriages help avoid the practice of high *mahar* (dowry), which is considered inconsistent with Islamic principles. Therefore, this type of marriage is assumed to align with the principles of marriage in Islam.⁸ None of the previous studies have addressed the impact of the interaction between the *sebambangan* marriage tradition and the implementation of the premarital course policy, particularly within the indigenous Lampung community in Marga Tiga District, East Lampung Regency. This is especially significant considering that this region has a relatively high divorce rate.

RESEARCH METHODS

This study is a field research that employs a normative-empirical research model. The object of study in normative-empirical research is the behavior of the community that arises as a result of interaction with the existing normative system.⁹ Therefore, the focus of this study is on the application or implementation of normative legal provisions (in abstracto) to specific events.¹⁰ The aim of this study is to examine the implementation of the premarital course regulation in relation to the *sebambangan* marriage tradition of the indigenous Lampung community in Marga Tiga District, East Lampung Regency. This research uses a qualitative approach, which is a research procedure that produces descriptive data that can be observed directly from the individuals (subjects) themselves.¹¹

Data collection in this study utilizes observation, interviews, and documentation. The purpose of the interviews is to reflect on a phenomenon through interaction with the informants.¹² The individuals interviewed in this study include judges from the Sukadana Religious

⁸ Rahma Zakia Al Erza, Agus Pahrudin, dan Chairul Anwar, "Pernikahan Adat Pepadun Perspektif Pendidikan Islam," *Kamaya: Jurnal Ilmu Agama* 7, no. 1 (22 Februari 2024): 85–91, <https://doi.org/10.37329/kamaya.v7i1.3087>.

⁹ Jonaedi Efendi dan Ibrahim Johnny, *Metode Penelitian Hukum Normatif dan Empiris* (Jakarta: Kencana, 2018).

¹⁰ Ani Purwanti, *METODE PENELITIAN HUKUM TEORI DAN PRAKTEK* (Jakad Media Publishing, 2020).

¹¹ Yudin Citriadin, *Metode Penelitian Kualitatif Suatu Pendekatan dasar* (Mataram: Sanabil, 2020).

¹² Sholahuddin Al-Fatih, *Perkembangan Metode Penelitian Hukum di Indonesia* (UMMPress, 2023).

Court, the Vice Chairman of the Marga Tiga Office of Religious Affairs (KUA), and the indigenous Lampung community in Marga Tiga District, East Lampung Regency, who continue to practice the *sebambangan* marriage tradition. Additionally, two types of data sources are used in this research: primary and secondary data. Primary data is obtained directly through observation and interviews, while secondary data is gathered from literature sources such as books and journal articles related to the research topic.¹³ Descriptive-analytical is the analytical technique used in this study.

This study began with an observation phase conducted directly at the Office of Religious Affairs (KUA) in Marga Tiga District and the indigenous Lampung community in Marga Tiga District. Following this, interviews were conducted with relevant parties, and documents related to the *sebambangan* marriage tradition were collected. The researcher then gathered secondary data sources, such as books and relevant journal articles, which were subsequently presented in the form of data. This data was then analyzed and written up in this journal, leading to the conclusion.

RESULTS AND DISCUSSION

Divorce Rate in East Lampung Regency

Humans are social beings created in pairs. In this context, marriage serves as an important means to unite two individuals in a legitimate, sacred, and responsible bond. Marriage holds not only social and legal value but also spiritual significance, as it is part of worship and an effort to seek the pleasure of Allah SWT. Through marriage, a family is formed as the smallest unit of society, which plays a significant role in shaping the character of future generations.¹⁴ However, married life is not without challenges. Conflicts between spouses are natural, but if not resolved properly, they can lead to divorce. Islam does not prohibit divorce but strongly encourages it to be the last resort after all efforts for resolution have been made wisely and with full understanding. This demonstrates that Islam highly values the integrity and harmony of the household.

Divorce has a significant impact, especially on children. According to research, children of divorced parents tend to experience a decline in academic performance, exhibit withdrawn behavior, shyness, and a lack

¹³ Zainuddin Ali, *Metode Penelitian Hukum* (Sinar Grafika, 2021).

¹⁴ Sakban Lubis, Muhammad Yunan Harahap, dan Rustam Ependi, *FIQIH MUNAKAHAT : Hukum Pernikahan Dalam Islam* (PT. Sonpedia Publishing Indonesia, 2023).

of cheerfulness, which in turn affects their interest in learning.¹⁵ This negative impact should be a consideration for couples before deciding to divorce. Unfortunately, the divorce rate in Indonesia remains high and is a matter of concern for many parties. Various factors contribute to divorce, one of which is economic reasons, a factor that is also commonly found in divorce data from Lampung. Lampung is one of the provinces in Indonesia where its people live side by side with other ethnic groups. The main reasons for divorce in this province are often related to employment, particularly when the husband is unemployed or the wife works abroad as a migrant worker (TKW).¹⁶ The area with a significant number of migrant workers is East Lampung Regency. A study shows that in several villages within East Lampung, 80% of the population works as migrant workers (TKW).¹⁷ Sukadana Religious Court is the court responsible for handling divorce cases in the East Lampung Regency. The following is the divorce case data handled by this court:

Table 1. Divorce Case Data

Incoming Cases	Jumlah
2021	2.689
2022	2.776
2023	2.600

Source: https://sipp.pa-sukadana.go.id/statistik_perkara

The main factor contributing to divorce is economic reasons, which correlate with the high number of people in East Lampung working as migrant workers (TKW). This profession is also one of the causes of divorce due to long-distance relationships over extended periods. Based on the data presented above, it shows that the divorce rate in East Lampung is quite high, exceeding 2,000 cases per year, even though this religious court was only established at the end of 2018. This

¹⁵ Muhammad Putra Dinata Saragi dan Desmy Suhartika, "Dampak Perceraian Orang Tua Terhadap Anak," *JURNAL EDUKASI NONFORMAL* 3, no. 2 (1 September 2022): 400–412.

¹⁶ Nana Apriana, "TINJAUAN YURIDIS MENINGKATNYA JUMLAH PERCERAIAN DALAM MASYARAKAT," *Muhammadiyah Law Review* 3, no. 1 (23 Desember 2020), <https://doi.org/10.24127/lr.v3i1.1437>.

¹⁷ Nurhidayati, Satria Nugraha, dan Pitrianti, "Legal Assistance (Social Advocacy) on The Civil Rights of Indonesian Migrant Workers in The Sumber Gede Community," *Indonesian Journal of Community Services Cel (IJCSC)*, 14 Februari 2023.

was stated by one of the judges who adjudicate cases at the court. Here is an interview excerpt with one of the judges at the Sukadana Religious Court: *“This Sukadana Religious Court is a relatively new court established at the end of 2018, and the divorce rate here is quite high, even though the court is new. You can see the data”*.¹⁸ From the interview and data above, it shows that the divorce rate in East Lampung Regency is quite high.

The Interaction of Sebambangan Marriage Tradition with the Implementation of Premarital Course Regulations

Indonesia is a developing country with a multicultural society, living amidst a diverse range of cultures. This diversity is a wealth that should be interpreted positively through the maintenance of unity and integrity within the framework of multiculturalism.¹⁹ Many communities in Indonesia still maintain their cultural practices and traditions. One of the indigenous communities that continue to preserve their traditions, especially in the context of marriage, is the Lampungese community in Marga Tiga District, East Lampung Regency. The Lampung community is divided into two subgroups: the Lampung Pesisir and the Lampung Pepadun.²⁰ The Lampung Pesisir community typically resides along the coast of Lampung, while the Lampung Pepadun community, which is the focus of this study, lives in the central or inland regions, often in mountainous areas. The Lampungese community in Marga Tiga District, East Lampung Regency, is part of the Lampung Pepadun subgroup, which still adheres to a patrilineal kinship system. In this system, children are linked to their fathers through the male lineage, and inheritance of property is passed down patrilineally, meaning that male descendants hold a higher position and greater rights.²¹

The Lampung Pepadun community practices two methods of marriage: the first is through formal engagement (*meminang*), and the

¹⁸ Siti Sena Arafiah, Wawancara dengan Hakim Pengadilan Agama Sukadana, 2023.

¹⁹ Ardhana Januar Mahardhani dan Hadi Cahyono, “HARMONI MASYARAKAT TRADISI DALAM KERANGKA MULTIKULURALISME,” *Asketik: Jurnal Agama Dan Perubahan Sosial* 1, no. 1 (2017), <https://jurnalfuda.iainkediri.ac.id/index.php/asketik/article/view/1099>.

²⁰ lintanganun, “Lampung, Provinsi Dengan Dua Suku Masyarakat Yang Berbeda,” *Direktorat Jenderal Kebudayaan* (blog), 18 Juli 2018, <https://kebudayaan.kemdikbud.go.id/lampung-sai-bumi-ruwa-jurai/>.

²¹ Annisa, “3 Sistem Kekerabatan Masyarakat di Indonesia,” *Fakultas Hukum Terbaik di Medan Sumut* (blog), 2023, <https://fahum.umsu.ac.id/3-sistem-kekerabatan-masyarakat-di-indonesia/>.

second is through sebambangan (elopement). The high mahar demands by the family of the bride have made sebambangan a preferred choice for some, as it helps avoid the financial burden of high mahar expectations. This practice allows couples to marry without the formal negotiations and financial constraints imposed by the traditional mahar system.²² The author conducted direct observation at the research location, namely at the Office of Religious Affairs (KUA) in Margatiga and among the Lampung adat community in Margatiga, East Lampung. The observation revealed that the Lampung adat community in this area still upholds the tradition of sebambangan (elopement) as a form of marriage. To further validate this finding, the author also conducted interviews with several members of the Lampung adat community in Margatiga, East Lampung. Below is an excerpt from an interview with a respondent who chose to marry through the sebambangan tradition.

First respondent's statement: *"I chose to marry using the sebambangan (elopement) tradition, not only because it is a Lampung tradition, but also to avoid the high mahar, because if I were to go through the formal engagement process, the mahar would be quite high."*²³ Second respondent's statement: *"I got married using the sebambangan (elopement) tradition because it's already part of our tradition. Also, with sebambangan, there's no request for a high mahar; instead, there's a 'penepik' (a symbolic gift) which is not as large as the usual mahar. The woman herself decides the amount of the nepenik."* Third respondent's statement: *"I used the sebambangan tradition because it's simply how our tradition works."*²⁴

Based on the interviews with the indigenous Lampung community members who practice the sebambangan marriage tradition, it can be concluded that the Lampung people in the Margatiga District, East Lampung, continue to preserve the sebambangan marriage tradition because it is an ancestral custom passed down through generations. This tradition has become an integral part of their culture and is still practiced today. Moreover, this research also aims to explore how the

²² Ali Fauzi, "Standar Pemberian Mahar Minimal Pada Perkawinan Dalam Tinjauan Hukum Islam:(Studi Pada Masyarakat Adat Ogan Kecamatan Bumiratu Nuban Lampung Tengah)," *Al Maqashidi: Jurnal Hukum Islam Nusantara* 3, no. 2 (2020): 1–15.

²³ Ratu, Wawancara dengan masyarakat adat Lampung yang memilih menikah dengan tradisi sebambangan, Juni 2023.

²⁴ Novi, Wawancara dengan masyarakat adat Lampung yang memilih menikah dengan tradisi sebambangan, Juni 2023.

sebambangan marriage tradition interacts with the implementation of the premarital course regulations held by the Office of Religious Affairs (KUA) in Margatiga District, East Lampung. Furthermore, the result of the interview with a local Lampung resident who still practices the sebambangan marriage tradition and their experience with premarital courses is presented as follows: *“Back when I got married, I didn't take the premarital course because it seemed like premarital courses didn't exist back then.”*²⁵

Based on the interview, the respondent continued: *“I was called by the Office of Religious Affairs (KUA) the day after I got married, and they just asked me what I knew about marriage, then gave me some advice. It lasted for about an hour.”*²⁶

The respondent further explained: *“I didn't attend the pre-marriage course, because during the 'larian' (running away), I stayed at my fiancé's house, so I didn't participate in the course.”*²⁷

The interview with the Vice Head of the KUA Marga Tiga Subdistrict, Lampung Timur, further revealed: *“Pre-marriage courses have indeed been part of our program and have been conducted for many years. I think the implementation is quite effective, usually on Wednesdays, with a duration from 9:00 AM to 12:00 PM. The material focuses on advice about married life. However, we face a challenge with the indigenous Lampung community, which practices the 'larian' (running away) tradition, which doesn't allow the bride to leave the house. As a solution, we provide marriage counseling at the location before the wedding ceremony.”*²⁸ Based on the interviews above, it can be concluded that there is a conflict between the tradition of sebambangan marriage and the implementation of the pre-marriage course regulation. The indigenous Lampung community that still practices the sebambangan tradition argues that it is a long-established tradition passed down through generations and serves to avoid high mahr demands.

²⁵ Ratu, Wawancara dengan masyarakat adat Lampung yang memilih menikah dengan tradisi sebambangan.

²⁶ Nisa, Wawancara dengan masyarakat adat Lampung yang memilih menikah dengan tradisi sebambangan, Juni 2023.

²⁷ Novi, Wawancara dengan masyarakat adat Lampung yang memilih menikah dengan tradisi sebambangan.

²⁸ Bahrudin, Wawancara dengan Wakil Ketua KUA Kecamatan Margatiga, Juni 2023.

The data analysis used to address the research questions consists of two main aspects. First, this analysis explores how the sebambangan marriage tradition interacts with the application of pre-marriage course regulations. Second, it examines the effectiveness of the pre-marriage course regulation in the indigenous Lampung community. To analyze this, the legal effectiveness theory by Lawrence M. Friedman is used as a framework. In his book *The Legal System: A Social Perspective on How Law Works in Society*, Friedman presents three main components that form the basis of how law functions in society:²⁹

- 1) Legal substance, the output of the legal system in the form of regulations and decisions used by both the regulated and the regulators.
- 2) Legal structure, the institutions created by the legal system.
- 3) Legal cultur, the values and attitudes that influence how law operates in society. According to Friedman, legal culture serves as a bridge between legal rules and behavior in society.

Based on the data presented above, it will be analyzed using the three components of the legal effectiveness theory proposed by Lawrence M. Friedman. These components are as follows: first, legal substance: This refers to the output of the legal system. In the context of this research, the legal substance is the regulation regarding the obligation of pre-marriage courses, which is contained in the Circular Letter of the Directorate General of Islamic Community Guidance Number 02 of 2024 concerning Marriage Guidance for Prospective Brides and Grooms. Previously, the pre-marriage courses had been implemented by several authorized institutions in accordance with the Directorate General of Islamic Community Guidance Regulation Number DJ.II/542 of 2013 regarding guidelines for organizing pre-marriage courses. This regulation was established due to statistical data on marriages in Indonesia, which on average reaches two million couples per year. Such numbers could potentially bring about social changes in society. The quality of a society can be measured by the quality of its smallest unit, the family. The quality of a marriage is heavily influenced by the readiness and maturity of the couples getting married, making it necessary to introduce brief information about potential issues that may arise in marriage. By doing so, problems can be minimized, and the chances of divorce can be reduced.

Second, legal structure, this refers to the structures that support the implementation of the pre-marriage course regulation, in this case, the Ministry of Religious Affairs (KUA) office, which is entrusted with the

²⁹ Lawrence M. Friedman, *The Legal System: A Social Science Perspective* (Russell Sage Foundation, 1975).

responsibility to enforce the regulation. This component aims to see how the legal system provides services regarding legal materials. Referring to the data presented above, the Ministry of Religious Affairs (KUA) of Margatiga District, East Lampung Regency, has not been able to implement the pre-marriage courses effectively. This can be seen from the fact that the courses are only conducted for about three hours, which is far from meeting the minimum requirements. Additionally, the pre-marriage courses in the indigenous Lampung community of Margatiga are often not well executed due to the cultural clash with the sebambangan marriage tradition, which does not allow the bride to leave her house. As a result, the pre-marriage courses are often conducted just minutes before the marriage ceremony, which obviously does not meet the 16-hour minimum duration required by the Directorate General of Islamic Community Guidance Regulation Number DJ.II/542 of 2013, Chapter V, Article 8, which states that "pre-marriage course material should be delivered in at least 16 hours of lessons."

Third, legal culture, this component is important for assessing the attitudes that influence how law functions in society. According to Soerjano Soekanto's theory, there are four indicators to measure legal awareness in society: legal knowledge, legal understanding, legal attitude, and legal behavior. These indicators can help understand how well the legal system operates in practice, especially in the context of pre-marriage courses in the indigenous Lampung community in Margatiga, East Lampung. Legal knowledge here refers to the community's awareness of the existence and importance of pre-marriage courses, while legal understanding looks at how well they comprehend the benefits of such courses. Legal attitude involves the community's willingness to participate in the pre-marriage courses, and legal behavior examines whether they follow through with the courses and apply the knowledge gained.³⁰ The four indicators will be explained as follows:

- 1) Legal Knowledge: The first indicator looks at how the Lampung indigenous community in Margatiga District, East Lampung Regency, which still maintains the tradition of sebambangan marriage, understands the premarital course at the Religious Affairs Office (KUA). Based on the data obtained, it can be seen that the Lampung indigenous community is aware of the premarital course program, which

³⁰ Soekanto Soekanto, *Kesadaran hukum dan kepatuhan hukum* (Rajawali Press, 1982).

aims to prepare couples for various aspects of married life before marriage. Therefore, this program should be followed by the prospective bride and groom before their marriage, as organized by the local KUA.

- 2) Legal Understanding: The second indicator examines how the Lampung indigenous community in Margatiga District, East Lampung Regency, understands the premarital course organized by the local KUA. Based on the findings presented earlier, it can be concluded that the community does not fully understand the importance of attending the premarital course organized by the KUA. This is evident from the lack of enthusiasm among the community to attend the course.
- 3) Legal Attitude: The third indicator assesses how the Lampung indigenous community in Margatiga District, East Lampung Regency, responds when asked to attend the premarital course organized by the KUA. Based on the data above, it can be seen that when asked to attend the course, some people comply, although they often attend only after the marriage has been conducted.
- 4) Legal Behavior: The final indicator, as proposed by Soerjono Soekanto, examines legal behavior to determine how the community complies with the legal regulations in place. In the context of this research, it focuses on the enforcement of the premarital course regulations conducted by the KUA in Margatiga District, East Lampung Regency. Based on the data collected, the observed behavior shows that the community has not fully complied with the premarital course regulations that have been long established by the KUA.

After outlining the four indicators above, it can be concluded that the Lampung indigenous community in Margatiga District, East Lampung Regency, which still practices the sebambangan marriage tradition, has not achieved a high level of legal awareness regarding the premarital course regulations conducted by the KUA. This assessment is based on the four indicators above, with indicators 2 and 4 showing that they have not been fully met by the community. After discussing the three components of Lawrence M. Friedman's theory of legal effectiveness, it is evident that the components of substance, legal structure, and culture are inseparable from one another. The regulation of premarital courses is one of the efforts made by the government to create a harmonious family as a preventive measure against the high

divorce rates in Indonesia. This regulation is grounded in laws such as the Marriage Law No. 1 of 1974, the Domestic Violence Law No. 23 of 2004, and the Child Protection Law No. 23 of 2002. However, the implementation of the premarital course, which has been a long-standing program by the KUA, has not been effectively or efficiently carried out by the responsible authorities. This is evident from the fact that the KUA has not been able to address the identified obstacles in the field. One of the main obstacles is the sebambangan marriage tradition, which forbids the bride-to-be from leaving her house. This cultural practice directly clashes with the premarital course requirement, which aims to provide training to prospective couples outside their home environment. The authorities seem to have not taken into account the deep-rooted cultural sensitivities and traditions in this case. Although the KUA considers the course to have been implemented effectively, the reality is that the effectiveness is heavily limited by the traditional barriers in place. As a result, the true purpose of premarital preparation, which is to provide comprehensive and practical training for couples before marriage, has not been fully achieved. Therefore, it is hoped that the KUA will develop an innovative approach in the future to bridge the cultural conflicts that exist in the community. One promising approach is to leverage current technological advancements by offering premarital courses online. By providing a digital platform for delivering this course, engaged couples in Lampung can access the necessary information and training without violating the sebambangan marriage tradition, which prohibits the bride from leaving her home. Online premarital courses offer the advantage of being flexible and easily accessible, allowing participants to engage with the course materials from their own homes. This approach not only breaks down cultural barriers but also enables broader community participation and acceptance. By adopting this technology-based solution, the Religious Affairs Office (KUA) can take significant steps toward harmoniously integrating modern education within the framework of traditional society. This strategy will not only ensure the effectiveness of the premarital course but also respect and preserve the cultural identity of the community. It is hoped that these innovative approaches will soon be implemented and thereby contribute to sustainable improvements in premarital preparation.

CONCLUSION

The premarital course mandated by the government is one of its efforts to reduce the still-high divorce rate in Indonesia. However, implementing this regulation is not without challenges, given Indonesia's

multicultural society. Cultural and traditional values continue to be upheld, including the traditional sebambangan marriage practiced by the indigenous Lampung community. This unique tradition involves the groom secretly taking the bride to live with his family before the wedding ceremony, during which the bride is not permitted to leave the house until the marriage is formalized. As a result, premarital courses often cannot be conducted due to this cultural constraint. This research, analyzed using Lawrence Friedman's theory of legal effectiveness, found that the legal structure in this case, the Office of Religious Affairs (KUA) in Margatiga Subdistrict has not optimally carried out its role. Furthermore, the community's legal culture, reflected in the indicators of legal awareness and compliance, remains low, resulting in less-than-optimal implementation of the premarital course regulation among the indigenous Lampung people of Margatiga. Innovation and reform are needed, particularly from the KUA, such as utilizing technological advancements to offer online premarital courses. This would be more effective for brides who are not permitted to leave their homes. In addition, cooperation between all parties especially the indigenous Lampung community of Margatiga, which continues to uphold the sebambangan marriage tradition, and the Office of Religious Affairs is crucial.

REFERENCES

- Al Erza, Rahma Zakia, Agus Pahrudin, dan Chairul Anwar. "Wedding Customs of the Lampung Pepadun Community in the Perspective of Islamic Education." *Bulletin of Science Education* 4, no. 1 (2024): 71–76.
- Al-Fatih, Sholahuddin. *Perkembangan Metode Penelitian Hukum di Indonesia*. UMMPress, 2023.
- Ali, Zainuddin. *Metode Penelitian Hukum*. Sinar Grafika, 2021.
- Annisa. "3 Sistem Kekerabatan Masyarakat di Indonesia." *Fakultas Hukum Terbaik di Medan Sumut* (blog), 2023.

- <https://fahum.umsu.ac.id/3-sistem-kekerabatan-masyarakat-di-indonesia/>.
- Apriana, Nana. "TINJAUAN YURIDIS MENINGKATNYA JUMLAH PERCERAIAN DALAM MASYARAKAT." *Muhammadiyah Law Review* 3, no. 1 (23 Desember 2020). <https://doi.org/10.24127/lr.v3i1.1437>.
- Arafiah, Siti Sena. Wawancara dengan Hakim Pengadilan Agama Sukadana, 2023.
- Bahrudin. Wawancara dengan Wakil Ketua KUA Kecamatan Margatiga, Juni 2023.
- Bing. "Peraturan Direktorat Jenderal Bimbingan Masyarakat Islam Nomor DJ.II/542 Tahun 2013." Diakses 8 Juni 2024. <https://www.bing.com/search?q=peraturan+direktorat+jenderal+bimbingan+masyarakat+Islam+nomor+DJ.II%2F542+tahun+2013&form=ANNTTH1&refig=53B39D6D0CA14FD291190D285F610F91&pc=ASTS>.
- Citriadin, Yudin. *Metode Penelitian Kualitatif Suatu Pendekatan dasar*. Mataram: Sanabil, 2020.
- Efendi, Jonaedi, dan Ibrahim Johnny. *Metode Penelitian Hukum Normatif dan Empiris*. Jakarta: Kencana, 2018.
- Erza, Rahma Zakia Al, Agus Pahrudin, dan Chairul Anwar. "Pernikahan Adat Pepadun Perspektif Pendidikan Islam." *Kamaya: Jurnal Ilmu Agama* 7, no. 1 (22 Februari 2024): 85–91. <https://doi.org/10.37329/kamaya.v7i1.3087>.
- Fauzi, Ali. "Standar Pemberian Mahar Minimal Pada Perkawinan Dalam Tinjauan Hukum Islam:(Studi Pada Masyarakat Adat Ogan Kecamatan Bumiratu Nuban Lampung Tengah)." *Al Maqashidi: Jurnal Hukum Islam Nusantara* 3, no. 2 (2020): 1–15.
- Fernando, Tampan. "Lampung Masuk 10 Besar Provinsi Dengan Tingkat Perceraian Tertinggi Di Indonesia," 2024. <https://lampung.rilis.id/Ragam/Berita/Lampung-Masuk-10-Besar-Provinsi-dengan-Tingkat-Perceraian-Terbanyak-di-Indonesia-WBLIy1q>.
- Friedman, Lawrence M. *The Legal System: A Social Science Perspective*. Russell Sage Foundation, 1975.
- Habibi, Roy Kembar, dan Eny Kusdarini. "Kearifan Lokal Masyarakat dalam Melestarikan Tradisi Pernikahan Pepadun di Lampung Utara." *Jurnal Antropologi: Isu-Isu Sosial Budaya* 22, no. 1 (31 Mei 2020): 60–69. <https://doi.org/10.25077/jantro.v22.n1.p60-69.2020>.

- lintangbanun. "Lampung, Provinsi Dengan Dua Suku Masyarakat Yang Berbeda." *Direktorat Jenderal Kebudayaan* (blog), 18 Juli 2018. <https://kebudayaan.kemdikbud.go.id/lampung-sai-bumi-ruwa-jurai/>.
- Lubis, Sakban, Muhammad Yunan Harahap, dan Rustam Ependi. *FIQIH MUNAKAHAT: Hukum Pernikahan Dalam Islam*. PT. Sonpedia Publishing Indonesia, 2023.
- Mahardhani, Ardhana Januar, dan Hadi Cahyono. "HARMONI MASYARAKAT TRADISI DALAM KERANGKA MULTIKULURALISME." *Asketik: Jurnal Agama Dan Perubahan Sosial* 1, no. 1 (2017). <https://jurnalfuda.iainkediri.ac.id/index.php/asketik/article/view/1099>.
- Nisa. Wawancara dengan masyarakat adat Lampung yang memilih menikah dengan tradisi sebambangan, Juni 2023.
- Novi. Wawancara dengan masyarakat adat Lampung yang memilih menikah dengan tradisi sebambangan, Juni 2023.
- Nurhidayati, Satria Nugraha, dan Pitrianti. "Legal Assistance (Social Advocacy) on The Civil Rights of Indonesian Migrant Workers in The Sumber Gede Community." *Indonesian Journal of Community Services Cel (IJCSC)*, 14 Februari 2023.
- Pengadilan Agama Sukadana || Kabupaten Lampung Timur || Provinsi Lampung. "Berita Terkini," 30 Juli 2024. <https://www.pa-sukadana.go.id/>.
- Purwanti, Ani. *METODE PENELITIAN HUKUM TEORI DAN PRAKTEK*. Jakad Media Publishing, 2020.
- Putri, Ulfa Islamiyah Nuryatsar. "Tradisi perkawinan Sembambangan dalam perspektif teori konstruksi sosial: Studi di Kelurahan Kahuripan Kecamatan Teluk Betung Barat Kota Bandar Lampung." Undergraduate, Universitas Islam Negeri Maulana Malik Ibrahim, 2019. <http://etheses.uin-malang.ac.id/17648/>.
- Ratu. Wawancara dengan masyarakat adat Lampung yang memilih menikah dengan tradisi sebambangan, Juni 2023.
- Saragi, Muhammad Putra Dinata, dan Desmy Suhartika. "Dampak Perceraian Orang Tua Terhadap Anak." *JURNAL EDUKASI NONFORMAL* 3, no. 2 (1 September 2022): 400–412.
- Soekanto, Soekanto. *Kesadaran hukum dan kepatuhan hukum*. Rajawali Press, 1982.
- Yuda, Agam Kesuma, Putut Wisnu Kurniawan, dan Aurora Nandia Febrianti. "PERGESERAN ADAT KAWIN LARI ATAU

SEBAMBANGAN DI KELURAHAN MENGGALA KOTA
KECEMATAN MENGGALA KABUPATEN TULANG
BAWANG.” *Palapa: Jurnal Ilmiah Mahasiswa Pendidikan
Sejarah* 4, no. 1 (24 Juni 2022): 1–13.



This work is licensed under a [Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International License](https://creativecommons.org/licenses/by-nc-sa/4.0/).