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DOI: 10.46924/jihk.v5i1.214

## Kei Traditional Marriages within Indonesia's Legal Framework

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### How to cite

Jeujan, Grasela Natalia., & Toatubun, Hamza. 2023. "Kei Traditional Marriages within Indonesia's Legal Framework". *Jurnal Ilmu Hukum Kyadiren* 5 (1), 24-35.  
<https://doi.org/10.46924/jihk.v5i1.214>

*Original Article*

### Abstract

This study examines the implementation of traditional *Kei* marriages in Indonesia and their interaction with the national legal system. The research employs a sociological juridical approach, utilizing library studies, structured interviews, and questionnaires for data collection. *Kei* traditional marriages, characterized by elaborate processions and rituals, reflect deeply-rooted cultural values such as reverence for ancestors, unity, and mutual cooperation. The patrilineal structure of *Kei* marriages aligns with recognized forms of customary marriage in Indonesia. Despite their distinctiveness, *Kei* marriages fundamentally uphold principles enshrined in national marriage law, including mutual consent and community involvement. The concept of *pela gandong* adds a unique dimension, emphasizing broader social cohesion. While *Kei* marriages effectively incorporate elements mandated by national law, ongoing dialogue is essential to address potential conflicts with evolving universal values like gender equality. This study demonstrates how indigenous traditions can enrich Indonesia's cultural heritage while reinforcing the national legal framework, providing deeper context to the institution of marriage.

**Keywords:** *Marriage, Tradition, Legal Framework.*

### Abstrak

Penelitian ini mengkaji pelaksanaan pernikahan tradisional Kei di Indonesia dan interaksinya dengan sistem hukum nasional. Penelitian ini menggunakan pendekatan yuridis sosiologis, memanfaatkan studi pustaka, wawancara terstruktur, dan kuesioner untuk pengumpulan data. Pernikahan tradisional Kei, yang dicirikan oleh prosesi dan ritual yang rumit, mencerminkan nilai-nilai budaya yang mengakar kuat seperti penghormatan terhadap leluhur, persatuan, dan gotong royong. Struktur patrilineal pernikahan Kei sejalan dengan bentuk-bentuk pernikahan adat yang diakui di Indonesia. Meskipun memiliki kekhasan, pernikahan Kei pada dasarnya menjunjung tinggi prinsip-prinsip yang termaktub dalam hukum perkawinan nasional, termasuk persetujuan bersama dan keterlibatan masyarakat. Konsep *pela gandong* menambahkan dimensi unik, menekankan kohesi sosial yang lebih luas. Meskipun pernikahan Kei secara efektif memasukkan unsur-unsur yang diamanatkan oleh hukum nasional, dialog berkelanjutan sangat penting untuk mengatasi potensi konflik dengan nilai-nilai universal yang berkembang seperti kesetaraan gender. Studi ini menunjukkan bagaimana tradisi adat dapat memperkaya warisan budaya Indonesia sekaligus memperkuat kerangka hukum nasional, memberikan konteks yang lebih dalam terhadap institusi perkawinan.

**Kata kunci:** *Pernikahan, Tradisi, Kerangka Hukum.*

## 1. INTRODUCTION

*Kei* traditional marriage is a legally recognized act in which the parties involved are bound by law, initiating a legal process that affects both individuals. This legal act creates rights and obligations for the husband and wife, who pledge to unite in the marriage bond, resulting in legal consequences for both parties. This is outlined in Articles 1 and 2 of the Marriage Law No. 16 of 2019. According to Article 28B paragraph (1) of the 1945 Constitution, that every person continues to legally marry to obtain the desired legal offspring, meaning a marriage that is legally sanctioned by the state and recognized by religion.

Marriages in Indonesia are characterized by a diverse range of cultural and ethnic traditions. One such tradition is the *Kei* traditional marriage practiced by the *Kei* people of the Maluku Islands. *Kei* traditional marriages possess distinct values compared to other traditional marriages among different ethnic groups in Indonesia. The norms and values inherent in *Kei* traditional marriages reflect the rich history, culture, and identity of the *Kei* people. However, *Kei* traditional marriages also interact with the national marriage legal system, which seeks to harmonize national law with local cultural diversity.

Through research, this interaction between *Kei* traditional marriage and the Indonesian legal system can be better understood, including its impact on both *Kei* society and the national legal system. Similar to *Kei* traditional marriage, other ethnic groups in Indonesia, such as the Balinese, also have unique and distinctive marriage customs. However, according to Law Number 16 of 2019, which amends Law Number 1 of 1974, there are specific regulations regarding types of marriages in Indonesia.<sup>1</sup> Article 8 outlines prohibitions on marriages between individuals who are related by blood in a direct lineage (either descending or ascending), are related by blood in a collateral lineage, such as between siblings, between an individual and their parent's sibling, or between an individual and their grandparent's sibling, have a marital relationship, such as between parents-in-law and stepchildren-in-law, or between stepparents, are related through foster care, including foster parents, foster children, foster siblings, and foster aunts/uncles, are relatives of the wife or are an aunt or niece of the wife, in cases where the husband has more than one wife, and have a relationship where marriage is prohibited by their religion or other applicable regulations

In addition to marriages governed by national marriage laws, traditional marriages also play a crucial role in preserving the culture and customs of each region in Indonesia, ensuring they are passed down to future generations. Specific regulations regarding *Kei* traditional marriages, which are part of Indonesian culture, also exist. The *Kei* tribe, located in Southeast Maluku, has its own customs, beliefs, and cultural practices, including music, language, dance, and other forms of cultural expression. A notable aspect of Southeast Maluku culture is the term "Pela," which is a distinctive feature of the Maluku people, especially in the *Kei* Islands.

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<sup>1</sup> J. P. Rahail, *Larvul Ngabal: Hukum Adat Kei Bertahan Menghadapi Arus Perubahan* (Jakarta: Yayasan Sejati, 1993).

According to Articles 1 and 2 of Law Number 16 of 2019 and Article 28B Paragraph 1 of the 1945 Constitution, marriage in Indonesia is a legal act that confers rights and obligations on married couples, who must understand and accept the legal consequences of their union. Marriage is a legal act that, as determined by law, has legal consequences for both parties involved. Husband and wife, who have committed themselves to each other physically and mentally, will acquire rights and obligations as a result of this legal union. As outlined in Articles 1 and 2 of Marriage Law Number 16 of 2019 and Article 28B, Paragraph (1) of the 1945 Constitution, that every person has the right to form a family and continue their lineage by entering into a legal marriage. Marriages recognized by law, religion, and the state are considered valid.

Marriage rules and regulations have existed since the earliest societies, maintained by community members, traditional leaders, and religious authorities. These rules and regulations have continued to evolve within societies possessing governmental structures. In Indonesia, marriage regulations have been in place since ancient times, spanning from the *Sriwijaya* and *Majapahit* eras, through the Dutch colonial period, and into the present day.

In local community customs, these marriage regulations have long existed, starting from ancient times through to Indonesia's independence. Customary laws and traditions play a significant role in the marriage process. In Kei society, lineage is patrilineal, and marriages are typically conducted through three types: formal marriage (Vel Luv Len Fid—Vel Luv Lenan Fid), elopement (Ded Mat Ket), and pregnancy (La Ur—Kanew). Consequently, daughters traditionally only had “eating rights” in inheritance matters because a woman would “marry out” and join her husband's clan. The dowry provided by the man's family to the woman's family is viewed as compensation.

The subject of this research is the caste system. The term “caste” originates from the Latin word “caustus,” which means primary, holy, immaculate, pure, polite, and honorable. In Portuguese, this term evolved to “casta,” meaning descent, race, or ancient, and has undergone numerous changes in meaning over time. Historically, the term was used by ancient Roman rulers to categorize taxpayers, dividing the Roman people into two groups: “assidui,” meaning the wealthy, and “proletariat,” meaning the poor.<sup>2</sup>

In Kei society, individuals from different castes are expected to marry within their own caste. In the Kei language, the expression “mel mel caste must marry with mel mel caste, and ren ren caste must marry with ren ren caste, likewise ri ri caste must marry with ri ri caste” indicates that inter-caste marriages are not permitted and have significant consequences. Historically, couples who married outside their caste faced severe punishment, such as being drowned in the sea or cast away. At that time, customs were strictly enforced, and the local community would ostracize anyone who violated these norms.

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<sup>2</sup> A. A. G. N. Ari Dwipayana, *Kelas Dan Kasta Pergulatan Kelas Menengah Bali*, 1st ed. (Yogyakarta: Laper Pustaka Utama, 2001).

The caste system was integrated into *Kei* society as the *Majapahit* kingdom expanded across the archipelago to the *Kei* islands, according to oral tradition and local historical records. This is evidenced by the establishment of the *Larvul Ngabal* law, which remains in use today. “Renren” denotes a middle caste, while “Mel-mel” signifies a noble caste. Two philosophies emphasize cooperation between these two castes:

- a) “Kesil buffalo bo, tatotnam hoar yarut test,” which means that Mel-mel and Renren must work together to complete tasks.
- b) “Melmel ni sus, intub fo Renren ni sus, and Renren ni sus, intub fo Melmel in sus,” which signifies that Mel-mel and Renren share both work and difficulties.<sup>3</sup>

These philosophies underscore the need for collaboration and mutual support between the castes, extending to marriage and other aspects of life. The aim of this research is to examine the implementation of traditional marriages within the *Kei* community and to analyze the relationship between *Kei* tribal traditional marriages and the contemporary Indonesian marriage legal system.

## 2. RESEARCH METHODOLOGY

This research employs a sociological juridical approach, examining the legal perceptions and behaviors of individuals (both humans and legal entities) and society, as well as the effectiveness of the application of customary law and Indonesian law within the community. This socio-legal research studies legal phenomena as variable consequences that arise in society due to various social processes. Data collection for this research was conducted through library studies, which involved gathering secondary data from statutory regulations, legal books, documents, and related research findings. Structured interviews were conducted with sources, using prepared research instruments in the form of written questions. To ensure comprehensive and thorough recording of the interviews, a recording device was used. Additionally, questionnaires were administered as a data collection method, providing respondents with a set of written questions or statements to answer. The questionnaire used was a closed type, offering predefined answer choices for the respondents to select. The research data was analyzed qualitatively.

## 3. RESEARCH RESULTS AND DISCUSSION

### 3.1. Implementation of Traditional Marriages in *Kei* Communities

The *Kei* people reside on the *Kei* Islands, which are administratively part of the Southeast Maluku district in Maluku province. The *Kei* people have numerous traditions and customs, including distinct practices for marriage. Traditional *Kei* weddings encompass many processions and rules that must be adhered to by the bridal couple and their families.

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<sup>3</sup> Yong Ohoitmur, *Hukum Adat Dan Sikap Hidup Orang Kei* (Manado: Seri Mitra, 1996).

### 3.1.1. Proposal Process<sup>4</sup>

The proposal process is the initial step before marriage. In *Kei* tradition, the man proposes to his prospective wife through her family. The male delegation brings traditional items such as sandalwood, woven cloth, and traditional jewelry. If the proposal is accepted, the woman will signal her acceptance by keeping the traditional items. Conversely, if the proposal is rejected, the items will be returned to the man.<sup>5</sup>

### 3.1.2. Traditional Procession<sup>6</sup>

Upon acceptance, the marriage proceeds according to custom, consisting of several stages:

- a) Fen Baren (Taking of the Prospective Bride): In this stage, the male party takes the prospective bride from her house to the male's house. This procession is accompanied by the giving of a dowry (*belis*) to the female's family.
- b) Fen Halu (Welcoming of the Bride and Groom): The woman is welcomed with a traditional ceremony at the man's house, where both bride and groom don traditional *Kei* attire.
- c) Fen Yalom (Wedding Ceremony): The wedding ceremony is conducted in accordance with the religion of the bride and groom. Following the religious ceremony, a traditional ceremony led by the local traditional head takes place.
- d) Fen Fai (Communal Eating Ceremony): After the wedding ceremony, both families partake in a communal eating ceremony, symbolizing the unification of the two large families.

Values in *Kei* Traditional Marriages include:

- a) Respect for Ancestors and Customs: The series of traditional processions in *Kei* community weddings is a form of respect for ancestors and customs passed down through generations.
- b) Unity and Harmony: *Kei* traditional marriage symbolizes the unity and harmony between two different large families. Through marriage, familial bonds become closer and more harmonious.

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<sup>4</sup> Telaubun Amalia, Suryantoro Suryantoro, and Soedjijono Soedjijono, "Tata Cara Upacara Perkawinan Adat Masyarakat Kei Kabupaten Maluku Tenggara" (Universitas PGRI Kanjuruhan Malang, 2019).

<sup>5</sup> Helena Jalnuhuubun, Fricean Tutuarima, and Ridwan Hatala, "Adat Perkawinan Beda Kasta Dalam Perspektif Hak Asasi Manusi Di Kei, Maluku Tenggara," *Ideas: Jurnal Pendidikan, Sosial, Dan Budaya* 8, no. 2 (2022): 589–94, <https://jurnal.ideaspublishing.co.id/index.php/ideas/article/view/770>.

<sup>6</sup> Yuli Marlen Tallaut, Edi Widayat, and Sumartono Sumartono, "Eksplorasi Etnomatematika Tradisi Mas Kawin Pada Masuk Minta Masyarakat Desa Taar - Kei Maluku Tenggara," *PHI: Jurnal Pendidikan Matematika* 7, no. 2 (2023): 187–93, <https://doi.org/10.33087/phi.v7i2.315>.

- c) Mutual Cooperation and Community Involvement: Implementing Kei traditional marriages involves all community members, demonstrating a high spirit of mutual cooperation and collaboration.<sup>7</sup>
- d) Togetherness and Sharing: The communal eating ceremony (*fen fai*) reflects values of togetherness and sharing within the community, as food is shared as a symbol of unity and solidarity.

Marriage is commonly defined as a union, both emotional and legal, between a man and a woman as husband and wife, aimed at mutual support and protection. According to customary law, marriage holds significant importance for the living individuals involved, with ancestors from both parties paying close attention to the event. However, such marriages are governed by local laws and customs. There are three main types of marriage systems recognized in customary law:

- a) Endogamous System: This system permits marriage only within one's own family. According to Van Vollenhoven, the *Toraja* area is known to practically observe this endogamous system.
- b) Exogamy System: In contrast, this system requires individuals to marry outside their ethnic group. Initially strict, over time it has softened to only prohibit marriages within very close family circles.
- c) Eleuthero gamy System: Unlike the previous two systems, eleuthero gamy involves prohibitions and obligations concerning familial relationships, such as marrying a biological parent, grandparent, child, grandchild, or siblings' parents. This system is widespread in Indonesia.

In Indonesia, traditional marriages take various forms, including honest marriage form, *sumendo* marriage form, and free marriage form. In patrilineal societies, marriage serves to uphold the father's lineage. Accordingly, the eldest son typically marries a wife by providing a dowry, after which the wife integrates into the husband's kinship and relinquishes her traditional position within her maternal kinship structure.

Traditional marriage encompasses the objectives of procreation, family happiness, and preservation of cultural values. Central to this is the *pela gandong* custom, fostering brotherhood bonds between villages or communities. The *pela* and *gandong* agreements establish norms regarding both prohibitions and recommendations for the parties involved.<sup>8</sup> In *Kei* society, marriage ceremonies involve elaborate traditional processions that engage the entire family, featuring rituals and symbols deeply significant to Kei societal life.

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<sup>7</sup> Elly Esra Kudubun, "Ain Ni Ain: Kajian Sosio-Kultural Masyarakat Kei Tentang Konsep Hidup Bersama Dalam Perbedaan," *Cakrawala Jurnal Penelitian Sosial* 5, no. 2 (2016): 163–90, <https://ejournal.uksw.edu/cakrawala/article/view/665>.

<sup>8</sup> Ema Rahma Yuni Amalia, "Proses Pengambilan Keputusan Menikah Dengan Pela: Studi Kasus Pada Etnis Kei Di Kota Langgur, Kabupaten Maluku Tenggara" (Universitas Islam Negeri Sunan Kalijaga Yogyakarta, 2019), [https://digilib.uin-suka.ac.id/id/eprint/37293/1/13710100\\_BAB-I\\_BAB-V\\_DAFTAR-PUSTAKA.pdf](https://digilib.uin-suka.ac.id/id/eprint/37293/1/13710100_BAB-I_BAB-V_DAFTAR-PUSTAKA.pdf).

Marriage is viewed not merely as a union between two individuals but also between their extended families.

*Kei* tribal society operates within a patrilineal structure, tracing lineage through the male line. Upon marriage, a woman traditionally relocates to join her husband and adopts his clan along with any children born. Hence, it is customary for women to have limited inheritance rights, as they typically “marry out” and assimilate into their husband’s lineage. The ceremonies conducted by the *Kei* community represent the culmination of marriage customs, involving the full participation of the marrying couple’s families. The man receiving the woman is referred to as *yanur*, while the woman’s representative is known as *mangohoi*.

According to Ahmad Rengur<sup>9</sup>, a member of the *Kei* community, respectability in *Kei* customs is articulated through terms such as *dudung ngail* (respectful request), *hab solvel taan* (honorable proposal), *lenan reet fid* (honorable proposal involving entrance through stairs and doors). These terms are frequently used in the *Kei* traditional marriage process, reflecting the community’s adherence to established norms and practices.

Furthermore, the customs of the *Kei* community involve several stages: a) *hab sol vel taan/lenan reet fid/dudung ngait* or proposal process, b) *sawe kot* or traditional *kei* betrothal ceremony involving the exchange of betrothal assets, c) *sawee laai* or comprehensive discussion regarding traditional marriage assets, and d) bride pick-up or ceremony where the bride is formally collected. A significant traditional symbol among the *Kei* people includes: betel which symbolizes humility and respect towards others, requiring support for its growth without damage, areca nut which symbolizes fertility and the expectation of producing good offspring, represented by its growth upwards, and lime and tobacco which symbolize strong lineage and a heart willing to sacrifice for others.

Following these rituals, the bride and groom are ceremonially bound together (*Eak si yawah welan*) using a long piece of cloth, symbolizing their inseparable union as husband and wife under customary law. In *Kei* community marriages, the union is not solely a personal matter for the bride and groom but a collective affair facilitated through the roles of *yan ur* and *mangohoi*. This ensures that every *Kei* traditional marriage fosters camaraderie and brotherhood within the community, underscoring the significant social bonds formed through these customs. The close kinship observed in *Kei* traditional marriages, particularly through the concept of *Pela Gandong*, is a notable aspect of these ceremonies.

In general, *Kei* traditional marriages adhere to a patrilineal structure, often termed “servant marriage” within local customs. This designation reflects *navdu vat villin* which means obligation of lordship due to customary dowry, marrying into the wife’s clan, *al uba/endir ai warar ratan* which means succession of descendants, symbolized through traditional rituals involving wood. These elements underscore the cultural significance and structured roles within *Kei* traditional marriage customs.<sup>10</sup>

<sup>9</sup> Ahmad Rengur, “Interview on *Kei* Wedding Customs” (2023).

<sup>10</sup> Weldemina Yudit Tiwery, “Larvul Ngabal and Ain Ni Ain as a Unifying Pluralism in the Islands *Kei* Southeast Maluku,” *Sodality: Jurnal Sosiologi Pedesaan* 6, no. 1 (2018): 8–15, <https://doi.org/10.22500/sodality.v6i1.21200>.

### 3.2. The Correlation Between Traditional Kei Tribal Marriages and The Indonesian Legal System Governing Marriage

The traditional marriage practices of the *Kei* tribe provide a compelling example of Indonesia's diverse marital cultures. These traditions reflect deeply-rooted values and norms within the *Kei* community, illustrating how local customs interact with Indonesia's national marriage laws. Within Indonesia's legal framework, marriage is governed by the Marriage Law, which acknowledges the role of customary and religious laws alongside national provisions.<sup>11</sup> This framework allows indigenous communities like the *Kei* tribe to preserve their marital traditions while complying with national legal standards.

*Kei* traditional marriages follow a patrilineal structure, emphasizing lineage through the male line. This aligns with one form of marriage recognized in Indonesian customary law, known as honest marriage, where the wife integrates into the husband's kinship and relinquishes her traditional position within her parental kinship.<sup>12</sup> This harmony between *Kei* customs and broader Indonesian customary law underscores cultural continuity within legal frameworks.

The *Kei* traditional wedding ceremony involves intricate and meaningful processions, reflecting local wisdom passed down through generations. These ceremonies begin with the proposal stage, referred to as "hab sol vel taan," "lenan reet fid," or "dudung ngait," which is more than a formality—it is ritual rich in symbolism that honors the prospective bride's family.

Following the proposal, the ceremony progresses to the traditional *Kei* engagement ceremony, or "sawe kot," where both parties exchange engagement treasures. This is followed by "sawee laai," a comprehensive discussion concerning traditional marital assets. This discussion serves not only to address material aspects but also to strengthen familial bonds and ensure mutual readiness for married life.

The culmination of this series of processions is the bride pick-up ceremony, during which the bride is formally retrieved from her family home. This ceremony encompasses various traditional rituals symbolizing the transition of the bride's status from her original family to her husband's family. While deeply rooted in *Kei* customs, these practices align harmoniously with Indonesian marriage law and often reinforce its principles.<sup>13</sup>

A notable example is the emphasis on mutual consent in marriage. In *Kei* tradition, this is exemplified through a meticulous application and acceptance process. The man presents traditional items like sandalwood, woven cloth, and traditional jewelry as a proposal gesture, allowing the woman the autonomy to accept or decline. Acceptance is

<sup>11</sup> Vonny Kristanti Kusumo, "The Relationship Between Adat Law & National Law on Marriage in Indonesia," *Veteran Law Review* 6, no. 2 (2023): 252–265, <https://doi.org/10.35586/velrev.v6i2.6553>.

<sup>12</sup> Amalia, Suryantoro, and Soedjiono, "Tata Cara Upacara Perkawinan Adat Masyarakat Kei Kabupaten Maluku Tenggara."

<sup>13</sup> Herni Widanarti and Kornelius Benuf, "Development of Rules Concerning Indonesian Marriage Agreements," *Politik Indonesia: Indonesian Political Science Review* 7, no. 2 (2022): 179–93, <https://doi.org/10.15294/ipsr.v7i2.34640>; Nurul Miqat et al., "The Development of Indonesian Marriage Law in Contemporary Era," *De Jure: Jurnal Hukum Dan Syar'iah* 15, no. 1 (2023): 54–66, <https://doi.org/10.18860/j-fsh.v15i1.17461>.

signified by her retention of these items, while refusal involves their return. This process mirrors the principle of voluntary consent in Indonesian marriage law, which stipulates that marriage must be entered into freely by both parties.

Moreover, the stages of a *Kei* traditional marriage reflect other principles upheld in national marriage law. For instance, the active involvement of extended family and community members in wedding processions underscores the societal nature of marriage. This aligns with Indonesian legal perspectives that view marriage not solely as a private contract but also as a broader social institution.<sup>14</sup>

Furthermore, rituals such as “Fen Baren” (taking of the bride and groom), “Fen Halu” (welcoming the bride and groom), and “Fen Fai” (together eating ceremony) exemplify reverence for familial, communal, and cohesive values. These values are also reflected in the ethos of Indonesian marriage law, which seeks to establish enduring and joyful families based on the belief in One Almighty God. Despite the unique intricacies of *Kei* traditional marriage, it fundamentally aligns with, and often enhances, the principles upheld in Indonesia’s national marriage legal framework. This illustrates how indigenous wisdom can coexist harmoniously with modern legal systems, fostering a symbiotic relationship between tradition and modernity within the context of marriage in Indonesia.

A significant aspect of *Kei* traditional marriages is the community’s role in the wedding processions. The concepts of *yan ur* (men’s side) and “mangohoi” (women’s representatives) underscore that marriage extends beyond the individual couple, involving the extended family and community. This principle resonates with Indonesian marriage law, which emphasizes marriage as a societal bond rather than merely a private contract between two individuals.

The values embedded in *Kei* traditional marriages—such as reverence for ancestors, unity, harmony, mutual cooperation, and togetherness—also align with the spirit of Indonesian marriage law, which aims to cultivate enduring and contented families grounded in faith in the Almighty God. These values reinforce the social function of marriage as recognized in Indonesia’s legal framework. However, certain aspects of *Kei* traditional marriages, such as the customary limitation on inheritance rights for married women who join their husband’s lineage, may warrant review within the context of principles promoting gender equality in Indonesia’s national legal system.<sup>15</sup>

The concept of *pela gandong* in *Kei* society, emphasizing fraternal ties between villages or communities, adds a unique dimension to traditional *Kei* marriages. This concept broadens the understanding of marriage beyond uniting two families, to strengthening

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<sup>14</sup> Asriadi Zainuddin, Abdul Jamil, and Dedi Sumanto, “Marriage Registration Law Reformulation in Indonesia: Studi of Law and Regulations on Marriage,” *Sasi* 28, no. 3 (2022): 492–505, <https://doi.org/10.47268/sasi.v28i3.1033>; Hasanudin Hasanudin et al., “Legality of Interfaith Marriages in Indonesia: Legal Review, Implementation Management, and Psychological Impact on Families,” *International Journal Of Business, Law, And Education* 5, no. 2 (2024): 1780–87, <https://doi.org/10.56442/ijble.v5i2.735>.

<sup>15</sup> Napsiah Napsiah, Muryanti Muryanti, and Yani Tri Wijayanti, “Inequality as a Construct of Customary Law: Access to Home Ownership Rights of Women in Lampung,” *El-Urah: Jurnal Hukum Keluarga* 7, no. 1 (2024): 184–203, <https://doi.org/10.22373/ujhk.v7i1.22456>; Novia Puspa Ayu Larasati, “Gender Inequality in Indonesia: Facts and Legal Analysis,” *Law Research Review Quarterly* 7, no. 4 (2021): 445–58, <https://doi.org/10.15294/lrrq.v7i4.48170>.

wider social cohesion. While not explicitly governed by national marriage law, *pela gandong* aligns with broader social development objectives recognized by the state. In practice, Kei traditional marriage integrates elements required by national law. Despite the presence of traditional rituals, marriages conform to the couple's religious beliefs, a legal prerequisite under Indonesian Marriage Law. This demonstrates alignment between customary, religious, and state laws in marriage practices within Kei society.

*Kei* tribal traditional marriages exemplify how local customs can harmonize with the national legal framework. The cultural richness manifested in the rituals and symbols of *Kei* traditional marriages not only enriches Indonesia's cultural heritage but also reinforces the national marriage legal system by providing deeper context and significance to the institution of marriage. However, ongoing dialogue and adjustments between local customs and developments in national law, including universal values such as gender equality and human rights, are crucial. This approach ensures the preservation of *Kei* traditional marriages while maintaining relevance and compliance with contemporary developments and Indonesia's national legal framework.

#### 4. CONCLUSION

This research investigates the implementation of traditional *Kei* marriages and their interaction with Indonesia's marriage legal system. The traditional wedding customs of the *Kei* tribe encompass a series of elaborate processions, from the initial application to the wedding ceremony, imbued with significant cultural meaning. These rituals underscore values such as reverence for ancestors, unity, harmony, and mutual cooperation. The *Kei* tribe follows a patrilineal marriage system, aligning with a recognized form of marriage under Indonesian customary law. Despite its distinctiveness, traditional *Kei* marriages fundamentally uphold principles enshrined in Indonesia's national marriage law. For instance, mutual consent between parties and the participation of extended family members in the wedding proceedings are observed. Additionally, the concept of *pela gandong* in *Kei* society, emphasizing communal bonds between villages or communities, adds a distinctive dimension to traditional *Kei* marriages, fostering broader social cohesion. *Kei* traditional marriages effectively incorporate elements mandated by national law, such as conducting ceremonies in accordance with the couple's religious beliefs. This study demonstrates that local customs can harmonize with the national legal framework, yet ongoing dialogue is essential to accommodate evolving universal values such as gender equality and human rights. Thus, traditional *Kei* marriages serve as an exemplar of how indigenous traditions can enrich Indonesia's cultural heritage while reinforcing the national marriage legal system with deeper contextual understanding and significance regarding the institution of marriage.

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