



Marriage of the Lampung community (*Mak Dijek Siang* tradition from the perspective of Law Number 16 of 2019)

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Abstract: This study aims to analyze the marriage customs of the indigenous Lampung community, particularly regarding the traditional prohibition (*Mak Dijuk Siang*) against divorce during one's lifetime, from the perspective of the Marriage Law. *Mak Dijuk Cerai* is part of the Lampung customary traditions that govern marriage and uphold high moral values and norms. This research employs both legal and social research methods, adopting an empirical approach. Primary data were obtained through interviews and field findings, which were then analyzed using theories relevant to the issues being studied, including classical texts, books, journals, articles, legal dictionaries, encyclopedias, and previous related research, to draw conclusions. The results of this study indicate that the *Mak Dijuk Siang* custom (prohibition of divorce) in the Lampung ethnic community does not conflict with the Marriage Law No. 1 of 1974, as amended by Law No. 16 of 2019 concerning Marriage. The *Mak Dijuk Siang* custom can be categorized as part of customary law that remains valid and respected in the Lampung community. Moreover, no provision in the Marriage Law explicitly prohibits or regulates this custom. The *Mak Dijuk Siang* tradition can thus be regarded as part of Indonesia's cultural and customary legal heritage that remains relevant and applicable within the Lampung community.

Keywords: *Lampung Tribe; Mak Dijuk Siang; Traditional*

I. INTRODUCTION

The people of Lampung are one of the communities in Indonesia that are rich in culture and tradition. In general, the Lampung people can be divided into two major ethnic groups: the Saibatin and Pepadun Lampung tribes. These two groups have distinct customs, languages, and traditions that distinguish them from one another.¹

The Saibatin and Pepadun Lampung tribes have distinct social and cultural systems, including their marriage practices. These differences reflect the rich culture and traditions of the Lampung people, demonstrating how they maintain their identity in various contexts. Marriage is an essential aspect of life in Lampung society. In Lampung tradition, there are two highly respected forms of marriage: *semanda* and *bujukh*. *Semanda* is a more formal and structured form of marriage, in which the bride's family typically "takes" the groom to live in the bride's home after the marriage contract (*ijab kabul*) is completed. In contrast, *bujukh* is a more straightforward and more flexible form of marriage.

In the marriage process, there is a practice known as *Rasan Tuha*, which involves the giving of *jujukh* (a traditional bride price) by the groom's family to the bride's family as a formal proposal. This money is intended to be used for purchasing household necessities (*seseheran*), which are usually brought during the wedding ceremony and later given to the groom. Traditional wedding ceremonies can be held in the form of *gawi balak* (a grand conventional ceremony) or *gawi lunik* (a smaller traditional ceremony).²

Sebambangan marriage (elopement) is a type of marriage in which a girl is taken away by a young man to be married, either with her consent or without it, often due to parental disapproval or to avoid obstacles such as traditional customs or requirements that involve high costs. Both forms of marriage carry deep values and meanings within Lampung society, especially when connected to the traditional customs that are strongly upheld and passed down through generations. One such philosophy is *Mak di Juk Siang* (must not divorce). This philosophy holds profound significance for the Lampung people and plays a crucial role in regulating social and

¹ Idham, et al., 2021. *The Marriage Practices of Indigenous Peoples of Lampung Sebatin from the Perspective of Islamic Family Law in Indonesia*. SMART: Journal of Sharia, Tradition, and Modernity 1, no. 1, p. 65-80.

² Ahmad Isnaeni and Kiki Muhamad Hakiki, 2016. *Simbol Islam dan Adat dalam Perkawinan Adat Lampung Pepadun*. Kalam 10, no. 1, p. 209.

family relationships. The tradition also reflects the values and norms that are highly respected within Lampung society.³ This tradition embodies the life philosophy of *Pi'il Pesenggikhi*, a form of local wisdom that guides and shapes the way of life of the Lampung people. In the case of divorce, the *Pi'il Pesenggikhi* of the couple involved is considered to be damaged or dishonored.⁴ *Mak Dijuk Siang* is a strong marital principle in Lampung society, which means "marrying once in a lifetime." This principle is a respected part of Lampung customs and culture. Although the Lampung community has undergone social and cultural changes, the principle of lifelong marriage remains relevant and is still highly upheld. It serves as a moral guide for married couples to maintain a harmonious, happy, and prosperous marriage.

On the other hand, Indonesia's Marriage Law contains explicit provisions regarding divorce. While marriage is considered a sacred bond that is ideally meant to last a lifetime, the law acknowledges that in certain situations, divorce may be a necessary option. Divorce is not prohibited if it is truly unavoidable, but it must be carried out appropriately before a court of law. This legal approach to divorce is relatively new in Indonesian society, where previously the right to divorce was solely in the hands of the husband, and could be executed at his discretion. Such practices were often detrimental to the wife, as the husband, after divorcing her, typically paid no attention to the rights and welfare of his former wife and children.⁵

The family is the smallest social unit, consisting of individuals bound by ties of blood, marriage, or adoption. Similarly, Duval and Logan, as cited by Ahmad Hasan Basri, define a family as a group of people connected through marriage, birth, or adoption. They interact with one another and have specific roles in preserving culture and promoting the physical, mental, emotional, and social development of each family member.⁶

³ Doddy Pratama, 2022. *Eksistensi Larangan Perceraian dalam Adat Lampung Pepadun Perspektif Hukum Islam (Studi Kasus di Kec. Gunung Labuhan Kab. Way Kanan)*. "Thesis" Lampung: Institut Agama Islam Negeri Metro.

⁴ Fathu Sururi, 2016. *Mak Di Juk Siang pada Masyarakat Adat Lampung Pepadun Megou Pak*. *Al-Hukama': The Indonesian Journal of Islamic Family Law* 6, no. 1, p. 13.

⁵ Dahwadin, et al., 2020. *Hakikat Perceraian Berdasarkan Ketentuan Hukum Islam di Indonesia*. *Yudisia: Jurnal Pemikiran Hukum dan Hukum Islam* 11, no. 1, p. 87-103.

⁶ Thoriq Ali, et al., 2022. *Ketahanan Keluarga Petani di Masa Pandemi COVID-19 (Studi Kasus di Desa Jleper Kecamatan Mijen Kabupaten Demak)*. *Nusantara: Jurnal Ilmu Pengetahuan Sosial* 9, no. 4, p. 1366-1367.

The Marriage Law is one of the most significant legal regulations in society, as it governs the rights and responsibilities of spouses, as well as family relationships. It also outlines the purpose of marriage, which is to form a happy and lasting family (household), to improve the quality of life of both the family and society, and to provide legal certainty for married couples. This means that marriage is not considered temporary or planned for a specific period, but is intended to be lifelong and cannot be ended arbitrarily.⁷

The term "purpose" here refers to an activity or action that every human being aims to achieve. Every human action naturally has a purpose, and similarly, Islam has established a clear direction for marriage, going beyond that by assigning specific rights and responsibilities to both the husband and the wife.⁸ Following the enactment of the law, legal integration in matters of marriage in Indonesia occurred, acknowledging the close connection between marriage and religion. The provisions of the Marriage Law in Indonesia now apply equally to all citizens. As such, every citizen is required to comply with the regulations set by the state, including the Marriage Law, which serves as the foundation for providing legal certainty, particularly in terms of family law, property, and the legal consequences of a marriage.⁹

A household that is no longer harmonious often leads to situations where a husband chooses to abandon his wife rather than divorce her, which can destroy her dignity. In many cases, the wife prefers being neglected or even subjected to domestic violence (DV) rather than seeking a divorce. From the perspective of preserving the household, this tradition has a positive impact in helping to avoid or reduce divorce. Moreover, it aligns with the purpose of marriage as prescribed by both positive law and Islamic law, which is to preserve the marriage. The tradition of *Mak Dijuk Siang* plays a crucial role in preventing or reducing divorce rates in the province of Lampung, particularly among the Lampung ethnic community. However, with the advancement of science and technology accompanied by cultural assimilation, this tradition is gradually being eroded, leading to instances of divorce among them. This was observed during preliminary research at the Tanjung Karang Religious Court and the Pesawaran Religious Court - courts with relative authority over divorce

⁷ Riduan Syahrani, 2000. *Seluk-Beluk dan Asas-Asas Hukum Perdata*. Bandung: Alumni, p. 67.

⁸ Juniarso Ridwan and Achmad Sodik Sudrajat, 2020. *Hukum Administrasi Negara dan Kebijakan Pelayanan Publik*. Bandung: Nuansa Cendekia.

⁹ K. Wantjik Saleh, 1982. *Hukum Perkawinan Indonesia*. Jakarta: Ghalia Indonesia, p. 3.

cases among the Lampung people. When a Lampung couple files for divorce, several lingering questions arise: What are the causes of the divorce? What about the *Mak Dijuk Siang* tradition they uphold? Is there a shift occurring in this tradition within Lampung society?

Marriage is one of the most important social institutions in Lampung society. However, in recent years, the community has experienced significant socio-cultural changes, including in the realm of marriage. *Mak Dijuk Siang* is part of the traditional customs of Lampung. Yet, with the implementation of the national marriage law, there is potential for conflict between customary practices and positive (state) law. In this context, this study aims to analyze marriage among the Lampung people from the perspective of *Mak Dijuk Siang* and explore how this tradition influences marriage. It also seeks to explore how the Lampung community perceives and implements both customary law and positive law in their daily lives. Thus, this research is expected to contribute to a deeper understanding of marriage in Lampung society, as well as how customary traditions and state law interact in the regulation of marriage.

II. RESEARCH METHODS

This research is a type of field research that focuses on the Lampung indigenous community. Data was collected using interview techniques, targeting members of the Lampung indigenous community, particularly customary leaders, religious leaders, and community leaders, supported by document studies. The collected data was then analyzed using descriptive analytical techniques with a deductive approach. This analysis first systematically describes the tradition of *Mak Dijuk Siang* (the prohibition of divorce) within the Lampung tribe, and then examines it through the lens of divorce laws in the Marriage Law. The study aims to conclude the Marriage Law's perspective on this tradition.

III. ANALYSIS AND DISCUSSION

a. Mak Dijuk Siang Tradition (Prohibition of Divorce)

The indigenous Lampung community has a rich and diverse culture, as well as unique traditions. One interesting aspect of Lampung culture is its marriage traditions. Regarding marriage, the Lampung indigenous people do not have a tradition that forbids marriage with members of other tribes (endogamy). On the

contrary, marriages within the Lampung tribe are often governed by strong customary norms. For example, if someone marries outside the Lampung tribe, they must first be accepted as part of the Lampung customary family (called *diangkön*).

In the Lampung indigenous community, marriage is an important event that involves not only the immediate family but also the wider community.¹⁰ As regulated by several norms, for example:

- 1) Marriage according to social strata: Marriage in the Lampung tribe often considers social strata and family status.
- 2) Marriage according to custom: Marriage in the Lampung tribe must be in accordance with applicable customs and traditions.
- 3) Marriage involves family: Marriage in the Lampung tribe often involves close family and the larger community.

Although in fact, the marriage of the Lampung indigenous people does not have a tradition that prohibits marriage with the same tribe, however, the traditional leaders/balancers in order to maintain the legitimacy of descendants are encouraged to marry within the Lampung tribe. Marriage with people outside Lampung is not prohibited, but there are recommendations that are only appeals, there is no coercion from the traditional leaders. Therefore, the Lampung indigenous people in terms of their marriage system follow the *eleutherogamy* system (a marriage system where a person is allowed to marry people from within and outside their tribe).¹¹ The goal is to maintain the integrity and continuity of culture. However, the decision to marry someone outside Lampung or a Lampung person remains with the individual and the family concerned. The Lampung indigenous community understands that marriage is considered a sacred and very important bond. This bond is a strong bond that must be maintained until death. The Lampung tribe in holding a wedding ceremony requires a long time and a lot of money.¹²

¹⁰ Idham, et al., 2021. *The Marriage Practices of Indigenous Peoples of Lampung Sebatin from the Perspective of Islamic Family Law in Indonesia*. SMART: Journal of Sharia, Tradition, and Modernity 1, no. 1, p. 65-80.

¹¹ Wawancara dengan Mustika Bahrum, SE, MM adok Suntan Pengayom Makhga tanggal 28 Mei 2025, sebagai pengikhan makhga kebandakhan Way Lima.

¹² Diah Ayu Lestari, 2020. *Tinjauan Maqoshid Al-Syari'ah Terhadap Perjanjian Perkawinan Masyarakat Adat Lampung (Studi di Kecamatan Anak Tuha Kabupaten Lampung Tengah)*. Al-Maqashidi: Jurnal Hukum Islam Nusantara 3, no. 2, p. 37-49.

This long time has a philosophical value intended so that in building a household, one really gets mature physical and mental readiness. Marriage is not just a relationship between two people, but also involves family and community, for example a group called tingkok (tribe) in the Lampung saibatin traditional community. Marriage in the Lampung traditional community is built on a family in a customary marriage bond, not only involving husband or wife if there is a problem that can no longer be resolved by the husband and wife.¹³ However, the families of both the bride and groom, as well as their supporters, also share responsibility if any problems arise. This is because issues between husband and wife can affect the honor of the families and their supporters. This means that marriage is not only considered a personal matter but also a community affair that requires the participation and involvement of all parties.

The indigenous Lampung community holds customary values in very high regard and places great emphasis on the importance of family harmony. Since ancient times, it has been believed that divorce within a family is a disgrace and has significant consequences for both the family and the community. Divorce can destroy relationships and cause prolonged conflict, damage the family's reputation, and result in the loss of honor. Sometimes, it even leads to larger conflicts between families and the wider community. Therefore, for the indigenous Lampung people, divorce is not permitted in order to preserve the honor of the individual, family, and customary supporters.

The Lampung indigenous community recognizes honor through the concept of *pi'il pesenggikhi*. According to M. Tabrani, SH, from Adok Adok Sutan Pusaka Agung Sutan Makhga Way Khatai, Pesawaran Regency, the teaching to obey *pi'il* has become a core identity. *Pi'il pesenggikhi* is a very important tradition with deep meaning and plays a crucial role in the social and cultural life of the Lampung people. It symbolizes the personality of the community. Violating *pi'il* is taboo, and maintaining it is a deeply ingrained commitment. *Pi'il pesenggikhi* is a way to honor the customs and traditions of the Lampung community as well as to preserve the cultural values of their traditions.¹⁴

¹³ Muhammad Syaifuddin, Sri Turatmiyah, and Annalisa Yahanan, 2022. *Hukum Perceraian*. Jakarta: Sinar Grafika.

¹⁴ Wawancara dengan M. Tabrani, SH, Adok Sutan Pusaka Agung pangikhan makhga Way Khatai, pada tanggal 25 Mei 2025

The tradition of not divorcing in the Lampung community only applies to marriages that occur between Lampung tribes. If the bride and groom's families are from native Lampung tribes or from outside Lampung, they must first undergo a traditional ceremony to gain recognition as part of the Lampung tribe. If there is a marriage between tribes outside Lampung, for example, a Lampung bachelor marrying a Javanese, Sundanese, or Batak woman, then the custom of not divorcing after marriage does not apply. According to customary rules, the tradition of *mak di juk siang* (prohibition of divorce) has been observed by the Lampung indigenous community for generations. It has become an integral part of the social and cultural life of the Lampung community. The factor that causes the Lampung indigenous community to obey this rule is to maintain their self-esteem in the eyes of society.

The meaning of this rule is to maintain harmony and social balance in Lampung society. This rule governs the way of life that is good and right, emphasizing the importance of politeness and courtesy in interactions with others. The tradition of *Mak di juk siang* (prohibition of divorce) is a very important tradition because it not only functions as a rule of life but also maintains self-esteem and the dignity of the extended family and its balance. In Lampung society, this extended family not only consists of living families but also encompasses generations who have passed away, including the ancestors who are the origin of the clan's lineage. This concept emphasizes the significance of strong and enduring family relationships, as well as the importance of respecting ancestors. This will also have an impact on descendants; the shame of not honoring dignity will be passed down from generation to generation as a result of parents who cannot maintain self-esteem (*pi'il pesenggikhi*).¹⁵

Maintaining self-esteem or dignity in society is known to the Lampung traditional community as *pi'il pesenggikhi*. Maintaining *pi'il pesenggikhi* has become a cultural practice in the Lampung conventional community, prevalent among both upper and lower levels of society, as well as among figures and ordinary traditional communities. The rules of *Mak Dijuk Siang* are implemented in various aspects of the lives of the Lampung community, including in terms of:¹⁶

- 1) Social interaction:

¹⁵ *Wawancara* dengan Hi. Muadin Yusuf, SH. Ketua Majelis Penimbang Adat Lampung. (MPAL) Kabupaten Pesawaran, 28 Mei 2025

¹⁶ Muhammad Syaifuddin, Sri Turatmiyah, and Annalisa Yahanan, 2022. *Hukum Perceraian*. Jakarta: Sinar Grafika.

Regulates how to interact with others, including in terms of speaking, behaving, and doing.

2) Family life:

Regulates family life, including the roles and responsibilities of each family member.

3) Community life:

Regulates community life in terms of cooperation, social activities, and other related aspects.

In the lower-class Lampung indigenous society, pi'il is more familiar as part of daily life. Pi'il in language means self-esteem. Pi'il is a value inherent in every individual of the native Lampung tribe. In context, married women are expected to maintain household harmony and build good relationships with their husbands and families, so that they will be valuable and their status recognized in society if they maintain pi'il (self-esteem) as a housewife. P'il pesenggikhi is an essential aspect of the self-esteem and identity of married Lampung women, helping them fulfill their roles as good wives and mothers in the Lampung indigenous society. In the Lampung indigenous society, divorce can be considered something that is not desired because it can damage the "Pi'il" or self-esteem of the family and society. If a married Lampung woman wants a divorce, then the p'il that she has will be damaged, so that it will result in:

1) Family self-esteem is threatened:

Divorce can be seen as a failure in carrying out the role of a wife and mother, which can damage the family's self-esteem.

2) Pi'il is damaged:

Divorce can be seen as something shameful and can damage the "Pi'il" or self-esteem of the Lampung indigenous people.

3) Social conflict:

Divorce can cause social conflict among the Lampung indigenous people, especially if there is no fair and peaceful resolution.

In the Lampung traditional society, divorce is often avoided and is resolved through customary deliberation and mediation. If divorce cannot be avoided, then the divorce process must be carried out politely and respectfully, and by considering the dignity and interests of all parties involved. In the Lampung traditional society, divorce can have a significant impact on the family's dignity and reputation,

especially if the husband initiates the divorce. As a husband, if he divorces his wife, the husband's pi'il is destroyed, and the Lampung traditional society will label the husband as a husband who cannot control his wife. Therefore, the husband will never say the word divorce to the wife. In the Lampung traditional society, divorce is often avoided and is resolved through customary deliberation and mediation. If divorce cannot be avoided, then the divorce process must be carried out politely and respectfully, and by considering the dignity and interests of all parties involved.

The Lampung traditional society considers divorce something taboo and undesirable. Many wives prefer to maintain their marriages and resolve conflicts with their husbands through deliberation and compromise, rather than seeking a divorce. This is due to several factors, such as:¹⁷

1) Customary values:

In the Lampung traditional society, marriage is considered a sacred bond and is essential for maintaining family and community harmony.

2) Self-esteem:

Divorce can damage the self-esteem of the wife and family, and can cause social conflict in society.

3) Family honor:

A harmonious marriage is considered an honor for the family, so many wives prefer to maintain their marriage rather than ask for a divorce.

Thus, many wives in the Lampung traditional community prefer to resolve conflicts with their husbands through deliberation and compromise, rather than seeking divorce. Wives who fight with their husbands will not ask for a divorce, because divorce is already a very taboo thing. It is better to separate and not be supported than to separate the bonds of marriage. If the husband wants to have more wives, then the first wife is not able to ask for a divorce and is willing to be polygamous rather than having to divorce. Even though after being polygamous, she is not supported, this is better than having to break the bonds of marriage. Because divorce is not known in the Lampung tribe, dating back to the time of their ancestors, pi'il pesenggikhi is maintained as a guideline for life.

One of the sociological reasons related to not allowing divorce according to a Lampung traditional figure named H. Muadin Yusuf, is the existence of "Jujur" or

¹⁷ Aris Tristanto, 2020. *Perceraian di Masa Pandemi Covid-19 dalam Perspektif Ilmu Sosial*. Sosio Informa 6, no. 3, p. 292-304.

"Uang Jujur" given by the husband to the wife's family as a sign of commitment to marriage as money requested to the bachelor as a sign of approval of marriage. This honest request is usually adjusted to the social status of the girl or bachelor. If the girl is the daughter of a traditional figure/highly educated woman, then the price will be high or vice versa, if the bachelor is the daughter of a conventional figure or has a high education, then the girl will ask for a price that is appropriate and appropriate for her social status.¹⁸

Honesty has a very important meaning in the Lampung traditional community, because:

- 1) Marriage commitment:
Honesty is a symbol of marriage commitment and the husband's seriousness in marrying his wife.
- 2) Responsibility:
Honesty is also a sign of the husband's responsibility towards his wife and family.
- 3) Self-esteem:
Honesty can impact the self-esteem of the wife's family, making divorce seem like a failure in marriage.

b. Mak Dijuk Siang (Prohibition of Divorce) Perspective on Marriage Law

The bond of marriage for the Lampung community is considered a very sacred and strong bond. This bond is considered unbreakable by anything except death. This view reflects the strong cultural and religious values of the Lampung indigenous community, where marriage is regarded as a spiritual bond that connects husband and wife in a lifelong commitment. This strong bond cannot be easily changed or canceled, thereby fostering family harmony, which in turn promotes community harmony. This bond, once declared in a marriage contract, can no longer be broken except by death. Problems that hinder a household must be resolved, and a final settlement of peace must be reached. This is in line with the analysis of divorce based on Law (UU) No. 16 of 2019, in conjunction with Law No. 1 of 1974 concerning Marriage, which indicates that divorce can only occur in court after the court has attempted and failed to reconcile the two parties. The legitimate cause of divorce, according to Article 39, paragraph 2 of the Marriage Law, is the inability of the

¹⁸ Wawancara dengan Hi. Muadin Yusuf, SH. Ketua Majelis Penimbang Adat Lampung. (MPAL) Kabupaten Pesawaran, 28 Mei 2025

husband and wife to live in harmony as a couple. Additionally, Law No. 16 of 2019 amended Law No. 1 of 1974, providing more flexibility in filing for divorce, even without the consent of one of the parties, for legitimate reasons.

Marriage, according to the Marriage Law in Indonesia, is not just a social contract between two people who bind themselves to live together. Marriage has a deeper and more complex meaning, namely as a physical and spiritual bond between a man and a woman as husband and wife to form a happy and eternal family based on the One Almighty God. Marriage is not just an agreement that can be easily canceled, but is a strong and ongoing commitment between two people who love and respect each other. Marriage also has a broad impact on the lives of individuals, families, and society.

In the Marriage Law, marriage is regulated as a sacred institution, possessing high spiritual, moral, and social values. Therefore, marriage cannot be considered merely a contract that can be easily canceled, but rather a strong and ongoing commitment that requires awareness, responsibility, and loyalty from both parties. Thus, marriage, as defined by the Marriage Law in Indonesia, has a deeper and more complex meaning than just a social contract, and is an essential institution in forming a happy and enduring family, as stated in Article 1 of Law No. 16 of 2019, in conjunction with Other Relevant Laws. No. 1 of 1974 provides an understanding of marriage, namely: A physical and spiritual bond between a man and a woman as husband and wife to form a happy and eternal family (household) based on the One Almighty God.

From the definition above, it can be seen that marriage is not just an agreement that can be easily canceled, but is a strong and ongoing commitment between two people who love and respect each other. Marriage also has a broad impact on the lives of individuals, families, and society. Law No. 16 of 2019, concerning Amendments to Law No. 1 of 1974 regarding marriage, is indeed aimed at forming a happy and harmonious family. The concept of "Sakinah, Mawaddah, and Rahmah" represents the ideal goal in Islamic marriage and serves as a crucial foundation for building a harmonious household.

- 1) Love and compassion between husband and wife can help Sakinah: Peace and tranquility in the household, which can be achieved through good communication, mutual respect, and understanding each other.

- 2) Mawaddah: Love and affection between husband and wife, which can strengthen the relationship and build trust.
- 3) Rahmah: overcoming difficulties and challenges in the household.

By understanding and practicing the concept of "Sakinah, Mawaddah, and Rahmah", a husband and wife can build a harmonious, happy, and loving household. This can also help improve the quality of family and community relationships. A family built on love and affection will be calm and peaceful. The emergence of problems in the family is inevitable, but responding to issues in a positive and non-emotional manner will allow them to be appropriately resolved. The Lampung indigenous community, which adheres to the tradition of eleutherogamy, has distinct characteristics. However, it should be clarified that the term "eleu-therogamy" is not commonly used in the context of Lampung traditional marriage. The provision of "Mak DiJuk Siang" (prohibition of divorce) is indeed reflected in some indigenous communities, which have rules or norms that prohibit or limit divorce. However, this provision typically applies in the context of certain traditional marriages and may not be applicable universally. The provision of mak di juk siang (prohibition of divorce) only applies to marriages between fellow Lampung tribes. This is because Lampung customary law is not binding on other tribes. The reasons are that the historical, sociological, cultural, and psychological backgrounds of the Lampung tribe and those outside the Lampung tribe are different.

In the Lampung indigenous community, marriage often has a broader meaning than just a relationship between two individuals. Marriage can involve families, clans, or even wider communities. Therefore, the rules or norms related to marriage and divorce can have a significant impact on the social and cultural life of the Lampung indigenous community. The Lampung tribe is renowned for its vibrant culture and highly respected values. The concept of "Pi'il Pesenggikhi" is a significant aspect of Lampung culture, which can be interpreted as embodying self-esteem, dignity, or honor. In Lampung culture, self-esteem and dignity are highly valued and greatly respected. The Lampung people believe that self-esteem and dignity must be maintained and appropriately guarded, both in everyday life and in special situations.

This concept of "Pi'il Pesenggikhi" can be reflected in various aspects of the lives of the Lampung people, such as:¹⁹

1) Manners and etiquette.

Lampung society has a rigorous etiquette that aims to maintain the self-esteem and dignity of individuals and families.

2) Respect for ancestors.

Lampung society has a tradition of respecting ancestors and forefathers, who are believed to be sources of self-esteem and dignity.

3) Self-defense and family.

The Lampung community has a tradition of protecting themselves and their families from threats or insults that could harm their self-esteem and dignity.

By maintaining and preserving their self-respect and dignity, the Lampung community can uphold their unique and rich identity and culture. The indigenous Lampung tribe indeed has a strong cultural tradition of upholding self-respect (*pi'il*) as a core aspect of their identity. In Lampung culture, self-respect is not only related to the individual but also to the family, clan, and community. Preserving one's honor (*pi'il*) is carried on until death. Therefore, it is not burdensome to obey the binding rules that the Lampung indigenous community has towards other tribes outside Lampung. The same applies to the prohibition of divorce (*mak di juk siang*). They believe that self-respect must be maintained and well-protected because it is related to the dignity and honor of the family and community.

In a sociological context, preserving self-respect can help the Lampung community to:

1) Maintaining cultural identity.

By preserving self-respect, the Lampung community can maintain its unique and rich cultural identity.

2) Building trust.

A strong sense of self-respect can help build trust between individuals and the community, as well as strengthen social relationships.

3) Avoiding conflict.

By upholding self-respect, the Lampung community can avoid conflicts and maintain social harmony within the community.

¹⁹ Firnando, 2019. *Muatan Nilai-Nilai Islam dalam Adat Perkawinan Masyarakat Lampung Saibatin Desa Suka Negeri Jaya Kecamatan Talamg Padang Kabupaten Tanggamus*. "Thesis" Lampung: Universitas Islam Negeri Raden Intan Lampung.

In the cultural context, self-respect is also related to the values and norms that are highly upheld in the Lampung community, such as:²⁰

1) Courtesy and etiquette.

The Lampung community upholds strict standards of etiquette and politeness, aimed at preserving the self-respect and dignity of both individuals and families.

2) Respect for ancestors

The Lampung people have a tradition of honoring their ancestors, who are believed to be the source of self-respect and dignity.

Thus, maintaining self-respect (*pi'il*) is an essential part of the social and cultural life of the indigenous Lampung community. Customary regulations regarding the prohibition of divorce (*Mak Dijuk Siang*) are not in conflict with Law No. 16 of 2019 in conjunction with Law No. 1 of 1974, nor with Islamic law. This is because the prohibition is not considered contradictory as long as it does not lead to harm (*maḍarat*) for the husband and wife, such as in cases of prolonged and unresolved *shiqāq* (serious conflict). The primary function of this prohibition is to act as a preventive measure against divorce without concrete and religiously acceptable reasons.

The *Mak Dijuk Siang* regulation has a preventive effect on divorce, which is viewed positively and is justified under Islamic principles, as *shari'ah* also emphasizes the formation of a lasting household. However, it is essential to note that this regulation may have negative consequences if not applied wisely and with flexibility. Therefore, it's critical to consider the social and cultural context of the Lampung indigenous community when implementing this regulation. As an unwritten rule, *Mak Dijuk Siang* (prohibition of divorce) aims to reduce the ease of divorce. Consequently, this tradition has a positive impact on maintaining family unity and social welfare. The Lampung customary community seeks to curb the frequency of divorce through the following means:²¹

²⁰ Rina Martiara, 2012. *Nilai dan Norma Budaya Lampung: Dalam Sudut Pandang Strukturalisme*. Yogyakarta: BP ISI Yogyakarta.

²¹ Styia Wiwik Lestari, 2022. *Strategi Istri dalam Mempertahankan Keutuhan Rumah Tangga Pasca Perselingkuhan Perspektif Hukum Islam dan Undang-Undang (Studi Kasus di Muara Baru Kelurahan Penjaringan Kecamatan Penjaringan)*. "Skripsi" Jakarta: Universitas Nadhlatul Ulama Indonesia.

- 1) Strengthening marital commitment – With this rule in place, married couples are expected to be more committed to maintaining their relationship and resolving issues that arise within the household.
- 2) Raising awareness of consequences – This regulation can increase awareness among spouses about the social and cultural consequences they may face if they divorce, making them more cautious in making such decisions.
- 3) Reducing impulsiveness – The existence of this rule encourages couples to think more carefully before deciding to divorce, thereby reducing the likelihood of impulsive separations.
- 4) Preserving family harmony – This rule can help maintain family and communal harmony within the Lampung indigenous society by minimizing the chances of divorce and the conflicts that may result from it.

Thus, *Mak Dijuk Siang*, as an unwritten rule, can play an essential role in curbing the ease of divorce and maintaining household stability within the traditional Lampung community. Although divorce is considered a less noble act in the eyes of Sharia, in situations where problems can no longer be resolved, divorce becomes a positive solution for the continuation of life. The Lampung ethnic community has a wise tradition in resolving household issues by involving traditional leaders as mediators (*penyimbang*). This informal mediation can help married couples resolve complex and unresolved issues.

One of the legal consequences of the divorce prohibition (*Mak Dijuk Siang*) is the neglect of the wife, which may occur if couples are forced to stay together despite their relationship being no longer harmonious, or even toxic. Due to the harshness of the rule forbidding divorce, some husbands end up abandoning their wives. The social sanction and legal consequences of divorcing a wife—such as the loss of *pi'il* (honor) and damage to the dignity of the wife's parents and traditional leaders—lead some husbands to prefer abandonment over divorce.

Wife neglect in this context can take the form of:

- 1) Emotional neglect, where the wife may experience emotional abandonment if the husband does not provide the attention, affection, or support she needs.
- 2) Physical neglect, meaning the wife may suffer physical neglect if the husband fails to meet her basic needs, such as food, clothing, or shelter.
- 3) Psychological neglect, in which the wife may experience psychological harm if the husband engages in abuse, insults, or intimidation toward her.

In some cases, the prohibition of divorce can worsen the situation of wife abandonment, as the wife may feel trapped in an unhealthy relationship and have no other choice but to stay with her husband. Therefore, it is essential to consider the impact of the divorce prohibition on the well-being of the wife and children in the family. This situation contradicts Law No. 16 of 2019, in conjunction with Law No. 1 of 1974, which provides a solution for married couples who can no longer continue their household life through a proper and dignified separation. Divorce (ṭalāq) is considered the final option when a family can no longer be sustained.

The solution of divorce between husband and wife must follow the provisions of Law No. 16 of 2019 in conjunction with Law No. 1 of 1974. If a husband wants to divorce his wife, it should be done amicably. In this case, *Mak Dijuk Siang* (the prohibition of divorce) that leads to wife abandonment contradicts the solution offered by Law No. 16 of 2019 in conjunction with Law No. 1 of 1974.²² By considering both the positive and negative impacts of *Mak Dijuk Siang* (the prohibition of divorce), it can be concluded that this rule provides more positive effects on family continuity. When weighing the benefits and drawbacks of *Mak Dijuk Siang*, it tends to contribute more positively toward maintaining family life. The *Mak Dijuk Siang* rule helps preserve family unity and minimizes the divorce rate, primarily when such divorces are often driven by emotional reactions rather than being the best solution.

In the Lampung community, the rule prohibiting divorce (*Mak Dijuk Siang*) is indeed very strong and respected. Married couples from the Lampung ethnic group generally understand and honor this rule, which motivates them to maintain their marriage as firmly as possible. As a result, cases of wife abandonment or failure to fulfill a wife's rights within marriage can be minimized, as couples are aware of the importance of sustaining their relationship. However, as previously mentioned, no rule is perfect, and each case is unique. Therefore, it is essential to continuously monitor and evaluate the impact of this divorce prohibition rule within the Lampung community.

²² Innaki Rahmah Salsabiela, 2024. *Implementasi Pemenuhan Hak Perempuan pada Perkara Perceraian di Mahkamah Syariah Banda Aceh*. "Skripsi" Aceh: Universitas Islam Negeri Ar-Raniry Banda Aceh.

c. Legal Consequences of *Mak Di Juk Siang* (Divorce Prohibition)

The indigenous Lampung community holds a strong understanding of the importance of maintaining family unity and avoiding divorce. The divorce prohibition (*Mak Di Juk Siang*) is not merely a restriction, but also involves an informal traditional institution that can assist families facing serious problems. With this conflict-resolution mechanism, the customary rule of *Mak Di Juk Siang* becomes more effective in preserving the integrity of households and the Lampung community. The customary prohibition against divorce (*Mak Di Juk Siang*) in the Lampung community is not isolated; traditional mechanisms for maintaining marital unity support it. These mechanisms make the rule more effective in preventing family breakdown and preserving community cohesion. In the Lampung community, when a marriage encounters serious family problems that cannot be resolved internally, parents and traditional leaders (*penyimbang*) play a significant role in mediating and reconciling the couple.

If conflict or quarrels arise between husband and wife, the following steps are typically taken:

- 1) Mediation meeting:
The husband and wife are brought together by both sets of parents or traditional elders to discuss the issue and seek a resolution.
- 2) Advice and solutions:
The elders or parents offer advice and work together to find solutions that are fair and satisfying for both parties.
- 3) Win-win solution:
The goal of the mediation process is to reach a mutually acceptable solution, allowing the couple to continue their relationship in harmony.²³

Thus, the role of parents and traditional elders (*penyimbang*) is very important in helping married couples resolve family issues and maintain household unity. In the Lampung community, if a *nusyuz* problem occurs (disobedience or conflict between husband and wife), the step that the husband must take is to return the wife to her parents' home. The purpose of this step is:

- 1) Reflect on mistakes – The wife is expected to reflect on her mistakes and recognize what needs to be improved.

²³ Wawancara dengan M. Tabrani, SH, Adok Sutan Pusaka Agung pangikhan makhga Way Khatai, pada tanggal 25 Mei 2025

- 2) Receive advice – The wife’s parents can offer guidance and advice to help resolve the issue.
- 3) Repair the relationship – Through reflection and receiving advice, the wife can work toward repairing the relationship with her husband and the family.²⁴

In this tradition, the husband sends the wife back to her parents’ home as an effort to resolve problems and repair the relationship, not as a form of rejection or expulsion. After the husband feels that the “punishment” of separation has been sufficient, either on his own initiative or at the wife’s request if she has recognized her mistakes, the wife is brought back home or accompanied by her family—depending on the husband’s wishes.

The customary rules regarding divorce are very strict and have special provisions for husband and wife. One such provision is that divorce can only occur due to the death of one spouse, known as “divorce by death” (*cerai mati*). In this context, the Lampung customary law emphasizes loyalty and commitment in marriage, while allowing the surviving spouse freedom to continue their life after the death of their partner.

The prohibition against divorce results in specific rules for husband and wife. According to custom, a widow or widower only recognizes divorce by death as a form of fidelity to their spouse. Divorce by death means the dissolution of marriage due to the death of one spouse. When one spouse dies, the marital bond ends. A widower may remarry any woman he loves without any conditions.

A widow whose husband has died must follow customary rules called *naik ranjang* and *turun ranjang* if she wishes to remarry:

- 1) *Naik ranjang* (literally “going up to the bed”): applies if the widow marries the older brother of her deceased husband.
- 2) *Turun ranjang* (“going down to the bed”): applies if the widow marries the younger brother of her deceased husband.
- 3) These customary rules aim to:

²⁴ Wawancara dengan Hi. Muadin Yusuf, SH. Ketua Majelis Penyimbang Adat Lampung. (MPAL) Kabupaten Pesawaran, 28 Mei 2025

Preserve the honor of the custom, by ensuring that the family's honor does not leave the husband's family line.

- 4) Continue the family lineage, by restricting the widow's remarriage to members of the husband's family so the lineage is maintained.

In this context, the *naik ranjang* and *turun ranjang* rules are ways to maintain social and cultural stability within the Lampung community.

Violations of customary provisions, especially the prohibition of divorce, can result in severe social sanctions, such as the damage of *pi'il pesenggikhi* (a person's dignity or reputation in the community). Since respecting honor and dignity is essential, social sanctions related to damaged dignity act as a strong deterrent to maintain compliance with customary rules. Being married is more respected than being a widow; widowhood is seen as a disgrace. Therefore, husbands often prefer not to divorce their wives even when the relationship is not harmonious.

The customary prohibition against divorce can have unfair consequences for wives, especially if they do not receive the financial support they deserve. Wives' willingness to be neglected by their husbands stems from the heavy burden of widowhood status, which is regarded as a great shame to be avoided. The Lampung customary prohibition of divorce may cause unjust outcomes for wives, especially when they endure neglect to protect the family's reputation and honor.

IV. CONCLUSION

Mak Dijuk Siang (divorce prohibition) is a tradition that forbids the Lampung ethnic community from divorcing. This prohibition applies only to marriages within the Lampung tribe. There are two main reasons for the existence of this divorce prohibition (Mak Dijuk Siang): first, to preserve *pi'il pesenggikhi* (dignity or self-respect), as the Lampung customary community believes that divorce can damage the family's honor; and second, because of *uang jujur* (honest money) given as a marriage requirement, which is a gift to the bride as a condition of marriage, making divorce seen as incompatible with customary values. The legal consequences of violating this tradition include damage to *pi'il* (dignity): the husband/wife, ancestors, and descendants will all experience a loss of dignity if divorce occurs. Additionally, wife neglect can happen, where if divorce does not take place, the wife may suffer neglect and thus not receive her rightful rights as a wife. In the Mak Dijuk Siang tradition, the Lampung community highly values family unity and dignity, so

divorce is considered a last resort. In the context of Indonesian law, Law No. 16 of 2019 in conjunction with Law No. 1 of 1974 concerning Marriage does not absolutely prohibit divorce. Divorce can be carried out through the applicable legal process. Divorce can be a solution in cases of continuous conflict; it may be the option to end a disharmonious relationship. The legal process of divorce must be conducted through the proper legal channels, either through religious courts or district courts, depending on the couple's religion and marital status. The divorce prohibition (Mak Dijuk Siang) in the Lampung customary tradition may differ from the legal provisions in Indonesia. However, it is important to understand that customary law and state law may have different perspectives in handling marriage and divorce matters.

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