

Counseling on Elopement Customary Law for Women of Recitation

Penyuluhan tentang Hukum Adat Kawin Lari pada Ibu-Ibu Pengajian

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Abstract:

Counseling on elopement customary law to women in Sungai Piul, Bangko Hamlet Village aims to increase public understanding of marriage arrangements in customary law and its legal implications. Elopement, as a growing tradition in some communities, is often faced with legal challenges, both state and customary law. This counseling targeted women because they play an important role in disseminating information to their families and the surrounding community. This counseling program includes an explanation of the basis of customary law, social impacts, and how to solve elopement problems from the perspective of Islamic law and state law. With an approach based on interactive dialogue, participants are given the opportunity to ask questions and discuss, thereby creating a deeper understanding of the importance of respect for applicable laws. The results of this activity are expected to be able to contribute positively to increasing legal awareness among the local community and can reduce the potential for abuse of elopement traditions.

Abstrak:

Penyuluhan mengenai hukum adat kawin lari kepada ibu-ibu pengajian di Sungai Piul Kelurahan Dusun Bangko bertujuan untuk meningkatkan pemahaman masyarakat tentang pengaturan perkawinan dalam hukum adat dan implikasi hukumnya. Kawin lari, sebagai tradisi yang berkembang dalam beberapa komunitas, sering kali dihadapkan pada tantangan hukum, baik itu hukum negara maupun hukum adat. Penyuluhan ini menyoroti ibu-ibu pengajian karena mereka memegang peran penting dalam menyebarkan informasi kepada keluarga dan masyarakat sekitar. Program penyuluhan ini mencakup penjelasan mengenai dasar hukum adat, dampak sosial, serta cara penyelesaian masalah kawin lari dalam perspektif hukum Islam dan hukum negara. Dengan pendekatan yang berbasis pada dialog interaktif, peserta diberikan kesempatan untuk bertanya dan berdiskusi, sehingga tercipta pemahaman yang lebih dalam tentang pentingnya penghormatan terhadap hukum yang berlaku. Hasil dari kegiatan ini diharapkan mampu memberi kontribusi positif terhadap peningkatan kesadaran hukum di kalangan

masyarakat setempat dan dapat mengurangi potensi penyalahgunaan tradisi kawin lari.



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INTRODUCTION

Marriage is a social institution that involves two individuals who are bound in an official relationship, both according to religion and law. However, in Indonesian society, there is a tradition of elopement or what is often called "elopement" which is still practiced in several communities. Elopement is a phenomenon in which two individuals decide to get married without following procedures or ordinances that are in accordance with the provisions of state or religious law. In certain areas, this practice is often caused by cultural, social, or even a desire to avoid prohibitions or pressure from family and society. In this context, counseling on elopement customary law is important so that the community, especially women in Sungai Piul, Bangko Hamlet Village, can understand the legal impact of this practice, both from the perspective of customary law and Islamic family law.

Elopement is a phenomenon that develops in many regions in Indonesia, including in certain tribal areas. As explained by Abdullah (2023), elopement is often followed by various negative impacts, both socially and legally. In many cases, individuals involved in elopements will face problems related to the legality of the marriage, the rights of the children resulting from the marriage, and other legal issues that arise as a result of their marriage not being registered in a legal institution. Customs that allow this practice often do not take into account aspects of the country's law that require more formal procedures to ensure the validity of a marriage. Therefore, it is important to educate the public about the legal implications of elopement, so that they understand the consequences in the context of customary law and positive law in Indonesia.

Elopement can have various negative impacts on social and legal life. From a social perspective, elopement often causes negative stigma for the couples involved, especially for women. As stated by Fadhilah (2023), in some cases, women involved in elopement can experience social isolation and discrimination from the surrounding community. These social impacts can be detrimental to individuals and families, as well as create instability in domestic life. In addition, from a legal perspective, elopement can cause problems in terms of inheritance rights, children's rights, and marriage problems that are not legally registered by the state. Therefore, education about the importance of marriage legality and correct procedures is important to prevent problems in the future.

In the context of Islamic family law, elopement is considered invalid if it does not follow the established procedures, such as the presence of legal witnesses and the recording of the marriage at the religious affairs office. Aini (2019) explained that a valid marriage in Islam must be carried out by fulfilling the principles and conditions set, which include the presence of a guardian, two valid witnesses, and *ijab* and *kabul* in accordance with Islamic law. Elopement, which does not go

through the procedure, can cause various problems related to the legal status of the spouse and the child born. Therefore, counseling on the importance of correct procedures in marriage before religious law is very necessary to avoid bigger legal problems in the future.

The women of recitation in Sungai Piul, Bangko Hamlet Village are a community group that has a significant influence in the family and community. They are often central to information and understanding of various social issues, including marital issues. Therefore, counseling on elopement customary law to women is a strategic step to educate the community. By involving the mothers, it is hoped that they will be able to convey the information received to their families and the surrounding community, thereby expanding their understanding of the legal impact of elopement and the importance of legal marriage procedures.

In this counseling, the approach used is to provide a simple but comprehensive understanding of elopement customary law and its impact. The methods used are lectures, discussions, and questions and answers, which aim to explore understanding and overcome misunderstandings that may exist in society. In addition, this counseling is also equipped with case studies and simulations so that participants can more easily understand the existing conditions. Through this method, it is hoped that the public can receive better information and change their views regarding the practice of elopement, which is often considered an easy solution without thinking about the long-term impact.

Knowledge of customary law and state law related to elopement is very important to prevent bigger problems in the future. As expressed by Munir and Alwi (2021), public ignorance of legal regulations can lead to unknowingly violations, such as in elopement cases. Without a good understanding of legal procedures, couples who marry secretly or without officially registering their marriage can face difficulties in terms of their rights, be it inheritance rights, children's rights, or other rights related to marital status. Therefore, education about the law is urgently needed to ensure that people have a correct understanding of their rights and obligations in the context of marriage.

The counseling carried out to women in Sungai Piul, Bangko Hamlet Village is expected to increase the community's legal awareness of the importance of marriage legality. By providing a better understanding of marriage law, especially customary law and Islamic family law, it is hoped that the community can be wiser in making decisions related to marriage. This knowledge can also help them to avoid elopement practices that can bring problems later in life. As revealed by Is (2022), increasing legal awareness in society will help create a more orderly and harmonious life, by minimizing conflicts related to marital status.

By participating in counseling on elopement customary law, women in Sungai Piul, Bangko Hamlet Village, are expected to be able to disseminate this information to the surrounding community, especially their families. As exemplified in the Bagas (2022) study, counseling carried out with the right approach can have a positive impact in increasing public awareness about the importance of maintaining the legality of marriage and avoiding practices that can harm them in the future. Thus, this counseling not only benefits directly to the mothers, but also expands its impact to the community as a whole.

Although counseling on elopement customary law is very important, there are several challenges that must be faced in the education process in communities that still hold strong customary traditions. As stated by Sari et al. (2020), in a society that has a strong culture and tradition, changing views related to customary law and Islamic family law is not always easy. Some individuals may still have a view that elopement is legal and does not cause problems. Therefore, counseling must be carried out carefully and continuously so that the public can understand the importance of legal marriage procedures in the context of applicable law.

The role of customary stakeholders is also very important. Traditional stakeholders who have authority and influence in the community can help strengthen the message conveyed in counseling. As explained by Sulaiman et al. (2023), customary stakeholders can serve as a bridge between customary law and state law, as well as help communities to better understand and adopt applicable legal rules. Through the support of customary stakeholders, this counseling is expected to be better received by the community, so as to create a higher awareness of the importance of marriage legality in customary law and Islamic family law.

To ensure the effectiveness of counseling, it is necessary to conduct periodic evaluations of public understanding after counseling is carried out. This evaluation will help measure the extent of changes in public understanding of elopement customary law and its impact. Based on the evaluation conducted by Hadi (2022), counseling that is carried out continuously and involves various parties will be more effective in changing the mindset of the community. Thus, follow-up after counseling is important to ensure that the material presented can be applied in the daily life of the community.

Counseling on elopement customary law for women in Sungai Piul, Bangko Hamlet Village has an important role in increasing public legal awareness. This education not only provides an understanding of the impact of elopement law, but also provides knowledge about legal procedures in marriage, both from the perspective of customary law and Islamic family law. With the right approach and involving various elements of society, it is hoped that this counseling can help prevent the practice of elopement and create a more harmonious family life in accordance with the applicable legal provisions.

METHOD

The method used in this service is participatory-based counseling with an educational approach that prioritizes two-way interaction between extension workers and participants. This counseling aims to provide an understanding of the customary law of elopement and its impact in the community, especially for women in Sungai Piul, Bangko Hamlet Village.

In this counseling, the extension workers delivered material through lectures with a simple and easy-to-understand presentation. The lecture material consisted of the definition of elopement, social phenomena related to elopement, and legal impacts both according to customary law and state law. After the lecture, a discussion session was held to open a question and answer room between participants and extension workers. This is so that participants can more actively participate in understanding the material presented.

This counseling is also equipped with case studies to illustrate the concrete impact of elopement. Case studies are taken from examples of events that are relevant to social conditions in the surrounding community. By using case studies, participants can more easily understand the consequences of elopement in real life, both in terms of the legality of marriage and the rights that married couples must obtain without following legal procedures.

Simulations and role plays are used to describe the process and procedures of a valid marriage according to customary law and Islamic law. Participants are asked to play the role of a married couple and a witness in the marriage. This is so that they can better experience the stages needed in a legal marriage and understand the importance of legal procedures.

The counseling was carried out in several sessions attended by women in Sungai Piul, Bangko Hamlet Village. Each session is focused on a topic related to the customary law of elopement, ranging from an introduction to elopement, social and legal impacts, to the correct procedure for performing marriage according to customary law and Islamic law. This counseling session was carried out with full interaction between extension workers and participants, so that participants could ask questions and discuss further to deepen their understanding.

After the implementation of counseling, data analysis was carried out to evaluate the extent to which this counseling was effective in increasing public knowledge about elopement customary law. Data analysis was carried out qualitatively by comparing the results of observations and interviews before and after counseling was carried out.

The results of interviews and observations were analyzed to determine the participants' understanding of elopement customary law before and after counseling. If there is a significant change in understanding, this will show the success of counseling in providing legal education to the community. On the other hand, if the participant's understanding does not change, then it is necessary to evaluate the methods and approaches used.

In addition to the analysis of understanding, the social impact of counseling was also analyzed. This includes the extent to which women can communicate counseling materials to their families and communities, as well as their influence on their views on elopement. If counseling succeeds in changing the community's social view of elopement, this will have a positive impact in preventing the practice of elopement in the future.

The evaluation was carried out by comparing the purpose of counseling with the results obtained. If the goal of counseling to improve legal understanding and reduce the practice of elopement is achieved, then counseling can be considered successful. On the other hand, if the results are not in accordance with expectations, follow-up will be carried out in the form of further counseling or changes in methods to make them more effective.

After the analysis, the results of this service are expected to provide a conclusion about the effectiveness of elopement customary law counseling for women in Sungai Piul, Bangko Hamlet Village. This conclusion will be the basis for providing recommendations for relevant parties, be it local governments, religious

institutions, or the community itself, to continue to educate about the importance of legal marriage procedures in order to reduce the negative impact of elopement.

DISCUSSION

The discussion of elopement in the context of customary law and Islamic law contains various dimensions that are important to understand. One of them is the impact of the elopement tradition on the social and cultural life of the community. This tradition, although considered one of the ways to bind the relationship between two individuals, often has quite serious legal and social consequences. One of the main problems that arise is the legality of the marriage in the view of Islamic family law and customary law. Abdullah (2023) explained that elopements are often not recorded in civil records or religious courts, causing uncertainty about the legal status of the marriage, especially related to children's rights and inheritance.

Most people who carry out this tradition are not aware of the importance of marriage registration in the country's legal system. According to Aini (2019), this causes many couples who elopement do not receive adequate legal protection, especially in terms of the division of inheritance or the rights of spouses in the event of divorce. Ignorance of proper legal procedures often leads to difficulties for elopement couples, especially for women who are more vulnerable in this regard. In this context, the Office of Religious Affairs (KUA) has an important role in providing understanding and solutions to elopement cases that occur in the community.

A bigger problem arises when elopements are carried out without careful consideration from both parties. Fadhilah (2023) revealed that elopement in the Tolaki Tribe community in Lametono Village, for example, is often carried out without the consent of the family, which can trigger conflicts in extended families. Disapproval from extended family can lead to division or even domestic violence. In many cases, elopements also worsen women's social conditions, as they are more often marginalized after such marriages.

The practice of elopement often reflects the helplessness of women in determining their way of life, especially in the context of a society that is still patriarchal. Munir & Alwi (2021) explained that elopement can be the last option for women who feel pressured by family traditions or demands. This shows that the elopement tradition is not only seen from a cultural or religious perspective, but also as a reflection of gender inequality that still occurs in society. This further demonstrates the need for a change in the perspective of women's rights in marriage and family relationships.

Elopement also has implications for aspects of reproductive and mental health, especially for the women involved. Sari, Umami, and Darmawansyah (2020) in their research revealed that early marriage, which is often part of elopement, can have a negative impact on women's reproductive health, which ultimately affects their quality of life. In addition, the psychological impact of this illegal or legally unrecognized marriage is also considerable, such as shame, alienation, or even trauma for the women involved.

In some areas, elopement is still seen as a solution to circumvent customary rules or even to avoid unwanted marriages. Sasmita, Ullatifa, and Sari (2023) in their study of the elopement tradition in Rantau Panjang Village, Tabir District,

Merangin Regency, showed that even though the local community has begun to understand the importance of marriage registration, most of them still carry out this tradition because of the strong traditional encouragement. Despite efforts to improve legal awareness, this tradition has survived because it is considered part of a cultural heritage that is not easily changed.

The importance of legal education in overcoming elopement practices is highly emphasized by several researchers. Bagas (2022) suggested that more counseling activities be held to increase public understanding of the importance of marriage legality and its consequences for the rights of couples and children born from marriage. This counseling not only targets individuals, but also involves community leaders and traditional stakeholders, which has a great influence on people's mindsets related to marriage and family.

The legal process in handling elopement cases requires a thoughtful approach and sensitivity to applicable local values. According to Karay, Dahri, and Sari (2023), religious courts and other legal institutions must be able to adapt to the socio-cultural conditions of the community, without ignoring applicable legal principles. Therefore, an approach that combines customary law and state law is urgently needed to resolve elopement cases that often cause legal uncertainty.

One solution that can be applied is to provide training to KUA officers or religious courts in handling elopement cases. This will help them to provide more appropriate solutions for couples involved in elopement, as well as to educate the public about the correct procedures for marriage. As explained by Sulaiman, Supusepa, and Makaruku (2023), legal counseling based on local cultural values can help strengthen public acceptance of the importance of legal marriage registration.

It is undeniable that one of the main reasons why elopements still occur is due to poverty and economic limitations. Hadi (2022) highlighted that in some cases, elopement is a way out for couples who are unable to carry out marriage in a legal way. Therefore, it is important to pay attention to the economic aspect in handling elopement cases. In addition, women's economic empowerment efforts can also be one of the steps to reduce the practice of elopement, by providing women with greater access to education and decent job opportunities.

Elopement not only affects the couple who does it, but can also have a negative impact on children born from the marriage, children born from elopement often face difficulties in obtaining their rights, especially inheritance rights and recognition of status as legal children. This shows how important it is for every marriage to have legal legalization, so that the children born can enjoy their full rights.

Although elopement is often viewed negatively by some circles, there are also those who see it as a form of rebellion against rules that are too strict in society. For example, in a society that adheres to customs and traditions, elopement can be considered a form of courage that shows courage to go against existing norms. This can be a material for further study to understand more deeply about the dynamics between law and culture in society, although there are positive sides that can be seen, the negative impact of elopement is much greater. One of them is the psychological impact that can be felt by the couples involved. Many couples who elopement end up feeling isolated from society, because they are not well received

by their extended family or the surrounding community. Munir and Alwi (2021) stated that this social isolation can continue until certain stages in their lives, thus adding to the psychological pressure they feel.

Tackling the problem of elopement requires an approach that is not only legal, but also social and cultural. Bagas (2022) emphasized the importance of collaboration between religious institutions, the community, and the government in handling elopement cases. Counseling conducted by these institutions must be able to provide a complete understanding to the community about the importance of legal marriage and the impact that can be caused by elopement.

CONCLUSION

The eloping tradition has a significant impact on individuals and society, both from a legal, social, and cultural perspective. Although in some cases, elopement is considered a form of rebellion against existing norms, the negative impact it has caused is more dominant. In the legal context, elopement often raises problems related to the legality of marriage and related rights, such as inheritance rights and the status of children born from the marriage, ignorance of the importance of marriage registration in state law causes many elopement couples to be unprotected by applicable laws. In a social context, elopement can lead to internal conflicts within extended families, which often adversely affect relationships between families and lead to division.

To address this problem, a holistic approach is needed, which not only prioritizes legal aspects, but also social and cultural. Legal counseling and education conducted by KUA and related institutions is very important to provide understanding to the public about legal procedures in marriage, as well as the impact of elopement. In addition, economic empowerment and education for women are also very important to reduce the practice of elopement, because it can give women more choices in determining their future. On the other hand, governments, religious institutions, and communities need to work together to create a more inclusive and supportive environment when it comes to legal, legally recognized marriages. It is crucial to ensure that every individual, both male and female, can enjoy their rights to the fullest without having to get caught up in harmful traditions. With collaboration between all parties, it is hoped that the practice of elopement can be minimized and replaced with a marriage that is legal and recognized by the state.

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CONFLICT INTEREST

The author states that there is no conflict of interest in the implementation and writing of this article.

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