

The Legal Consequences Of The Traditional Marriage Of Batak Simalungun *Marhajabuan* Are Not Carried Out Nagok Customs In Nagori Dolok Village Kabupaten Simalungun

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ABSTRACT

The traditional marriage of Batak Simalungun Marhajabuan does not carry out the Nagok custom in Nagori Dolok Village, Simalungun Regency is a marriage ceremony that does not carry out full customs, the marriage only carries out a part of the series of traditional ceremonies so that it cannot complete all applicable customary procedures. This research method is an empirical legal research with a qualitative approach. The results of the study show that the factors that cause Marhajabuan not to carry out the Nagok custom according to the Batak Simalungun customary law in Nagori Dolok Village, Simalungun Regency are divided into two, namely internal factors consisting of six, namely parents who are less able to afford the cost of the party or regarding the cost of partadingan (honest money), the parents of the woman did not approve of the marriage of the married couple, the bride and groom had committed a violation of customs, the man and the woman were of the same clan, the man and woman were matched by both parents and the lack of understanding of the bride and groom or parents of the custom. Meanwhile, there are two external factors, namely social change and modernization and inter-tribal marriage and efforts to inaugurate Marhajabuan only through mangadati. Meanwhile, as a result of the law against Marhajabuan, the Nagok custom is not carried out according to Batak Simalungun customary law, namely the marriage that has been carried out is not recognized customarily, subject to customary sanctions or fines, the children of the couple cannot carry out the marriage using the custom, and if one of these married couples dies, the first procession that must be carried out is the ceremony Stuart.

Keywords: Marriage; Customs; Marhajabuan; Snoop Dogg, Snoopy.

INTRODUCTION

The constitutional basis of marriage in Indonesia has been regulated in Article 28B Paragraph (1) of the 1945 Constitution of the Republic of Indonesia which stipulates that: "Everyone has the right to form a family and continue offspring through legal marriage". In addition, it is also regulated in Law No. 1 of 1974 concerning Marriage, Law No. 16 of 2019 concerning Amendments to Law No. 1 of 1974 concerning Marriage and Government Regulation No. 9 of 1975 concerning the

Implementation of Law No. 1 of 1974 concerning Marriage, as well as the customary marriage laws of each region.¹ With the enactment of the marriage regulation in a unified manner, all marriages carried out in Indonesian territory must submit and obey the regulations in the regulations.²

The concept of marriage has different points of view, in terms of Article 1 of Law No. 16 of 2019 concerning Amendments to Law No. 1 of 1974 concerning Marriage states that:

Marriage is an innate bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family or household based on the One Godhead.

In addition to being juridically regulated by law, it is also implemented based on religious law and customary law. One of the customary laws is the Simalungun Batak Custom. Marriage is often seen as an important event in a society in Indonesia and the marriage model is very varied and also very rich in tradition in holding the wedding party. Each tribe usually has its own traditions that are unique, proud and valuable for their tribal groups. The practice then becomes a tradition that will be maintained and developed, the tradition here is as a hereditary habit that is still carried out by a group of people who become customary law.³

The law of customary marriage is an innate bond between a man and a woman who become husband and wife to form a household that is carried out customarily by involving the families of both parties, brothers and relatives.⁴ In marriage (*Marhajabuan*) according to Batak Simalungun culture, it is not only an innate bond between a man and a woman as husband and wife with the intention of forming a happy and prosperous family, but it concerns the relationship between families from both parties, and brings a wide impact on the social system and customs in the midst of the family and society in general.⁵ Therefore, Batak Simalungun traditional marriage does not only ask for the consent of the bride-to-be and the parents of both parties in carrying out the marriage but also asks for the consent of the relatives of the bride-to-be and the family of their respective parents who will carry out the marriage. The result of the union of husband and wife and two large families has direct implications for the formation of the kinship system.⁶

¹ J. Prins, *On Marriage Law in Indonesia*, Jakarta: Ghalia Indonesia, 1982, p. 31.

² K. Wantjik Saleh, *Indonesian Marriage Law*, Jakarta: Ghalia Indonesia, 1980, p. 14.

³ Hilman Hadikusuma, *Introduction to Indonesian Customary Law*, Bandung: Mandar Maju, 2014, p. 105.

⁴ Soerojo Wignjodipoero, *Regulating the Principles of Customary Law*, Jakarta: Gunung Agung, 1995, p. 122.

⁵ Kenan Purba, *Adat Istiadat Simalungun*, Pematang Siantar: Bina Budaya Simalungun, 1997, p. 54.

⁶ Erond L. Damanik, *three hundred and five saurors; Structure and Function of Triangular and Pentagonal Kinship of Simalungun*, Medan: Simentri Institute, 2023, p. 14.

The kinship system is a custom and tradition in various tribes in Indonesia to determine the lineage and the role of family members in customary law.⁷ The kinship system is divided into three, namely first, the parental kinship system, where the child connects himself with his parents. Second, the patrilineal kinship system, where children connect with their fathers or based on male lineages. Third, the matrilineal kinship system, where children connect with their mothers based on female lineages, in a society where matrilineal lineage according to the maternal line is considered very important.⁸

The Batak indigenous people adhere to the patrilineal kinship system, which is to follow the lineage from the father's side. In the patrilineal kinship system, the position of men is considered higher than that of women. By applying lineage, the Batak people can find out the position of kinship in traditional activities.⁹ Marriage in the Batak Simalungun language is called *Marhajabuan* which is carried out based on the principle of *tolu sahundulan* (three positions) and *five saodoran* (five in tandem). *Tolu sahundulan* means the arrangement of seating in three groups of relatives, consisting of *tondong* (family group of wives), *sanina* (relatives of one lineage/clan), *anak boru/boru* (female family group of son-in-law). While *five saodoran* means extended family relatives which are a combination of all traditional institutions, namely *tondong*, *sanina*, *boru/boru children*, *tondong ni tondong* (wife's family group from the previous wife's family group), *boru mintori* child (brother-in-law group from the previous sister-in-law group).¹⁰

The group or relatives have different duties or roles in traditional ceremonies. If this group of relatives is incomplete, then the marriage cannot go well and the marriage is considered invalid because all the series of marriage customs are not held.¹¹

Marhajabuan according to Batak Simalungun customary law regulates the validity of marriage, the form of marriage, and the implementation of Batak Simalungun traditional marriage starting from the marriage ceremony, proposal, to the validity of the marriage, and regulates the legal consequences arising from Batak Simalungun marriage. In marriage law, there are three marriage systems, namely endogamous, exogamous, and eteutherogami. The endogamous marriage system is marriage that is only carried out within one's own kinship (*clan*). The exogamous marriage system is a marriage that is carried out with a party outside the relative, and it is forbidden to carry out marriage within one relative. Eteutherogami marriage

⁷ Riri Saputri, (et al), "The Batak Kinship System and Its Influence on Gender Equality, *Scientific Journal of Sociology of Religion*, Volume 4, Number 1, 2021, p. 29.

⁸ Laksanto Utomo, *Customary Law*, Depok: PT. Raja Grafindo Persada, 2019, p. 81.

⁹ Riri Saputri, (et al), *Op.Cit.*, p. 29.

¹⁰ Roni Sasmaita Saragih, "Juridical Study of Marriage According to Batak Simalungun Customary Law in Pematang Siantar Regency", Thesis, Faculty of Law, University of Jember, Jember, 2015, p. 20.

¹¹ Interview with Damman Sipayung *Raja Parhata* (Traditional Elder) of Nagori Dolok Village, in Simalungun, on October 10, 2024.

is a system that has no necessity or prohibition such as the endogamous and exogamous systems, so that marriage can be carried out in a group of relatives or outside the group of relatives.¹²

The Batak people to maintain the kinship system use the exogamous marriage system, namely the marriage system from outside the relatives (*clan*), because the Batak people consider that people born from the same clan are people born from the same mother's womb and that is a principle that is held until now, so that when Batak people who marry with the same clan, The person is considered to have committed incest.¹³

In Indonesia, there are three forms of traditional marriage, namely honest, semendo, and free marriage. This form of honest marriage is a form of marriage in which the man gives honesty to the woman, this honest marriage usually exists in a society that adheres to the patrilineal kinship system which is exogamous.¹⁴ The form of semendo marriage is a marriage that is essentially matrilineal and exogamous. Matrilineal means that the wife is not obliged to reside in her husband's residence.¹⁵ The form of free marriage is a marriage that does not specify explicitly where the husband and wife will live, this depends on the wishes of each party, this form of free marriage is endogamous.¹⁶

Batak Simalungun carries out a form of honest marriage, namely the man will give honest money to the woman, it can be in the form of money, property, which has been agreed upon by both parties of the bride-to-be. The giving of honest money must be paid off and cannot be owed, because this honest money will be distributed to the female relatives according to the predetermined value.¹⁷

Batak Simalungun traditional marriage has a long procedure and must be in accordance with the *Marhjabuan* law of Batak Simalungun custom that has existed for a long time and continues to be carried out until now. The procession in *the traditional Batak Simalungun Marhjabuan* is divided into three stages, namely *the Marhjabuan preparation stage*, the *Marhjabuan ceremony stage* and *the post-Marhjabuan stage*.¹⁸ The entire *Marhjabuan* process does not only apply to fellow Batak Simalungun who carry out *Marhjabuan* but also applies to couples whose one of the parties is not a member of the Batak Simalungun indigenous people,

¹² Andry Harijanto Hartiman, *Teaching Materials of Customary Law*, Bengkulu: KBMJ FH UNIB Press, 2019, p. 83.

¹³ Actor Primadona, "The Validity of Blood Marriage of the Batak Toba Indigenous People According to Customary Law", *Journal of Adigima Law*, Volume 2, Number 2, 2019, p. 13.

¹⁴ Soerojo Wignjodipoero, *Op.Cit.*, p. 128.

¹⁵ *Ibid*, p. 129.

¹⁶ Soerjono Soekanto, *Intisari Hukum Keluarga* Bandung: Citra Aditya Bakti, 1989, p. 25.

¹⁷ Interview with Damman Sipayung *Raja Parhata* (Traditional Elder) of Nagori Dolok Village, in Simalungun, on October 10, 2024.

¹⁸ Ermina Waruwu, (*et al*), "Analysis of the Process and Value of Hata-Hata Mambere Podah in Simalungun Traditional Marriage", *Journal of Indonesian Language and Literature Education*, Volume 2, Number 2, 2019, p. 142.

because even though one of them does not have a surname, a surname ceremony will be held before the *Marhajabuan* process implemented so that it has become part of the Batak Simalungun indigenous people. However, there are still Batak Simalungun people whose *Marhajabuan* does not carry out the *Nagok* custom (full) which results in their marriage being invalid according to customary law, the *Marhajabuan* is only valid religiously and statelily.¹⁹

Marhajabuan does not carry out the *Nagok* custom is a *Marhajabuan* ceremony that does not carry out the full custom, *Marhajabuan* only carries out part of the series of traditional ceremonies so that it cannot complete all applicable customary procedures. *Marhajabuan* does not carry out *Nagok* customs, in the future, must confirm marriage in Batak Simalungun tradition so that *Marhajabuan* can be legally valid and *Marhajabuan* can be accepted by indigenous people. The cause of *Marhajabuan* not carrying out the *Nagok* custom can occur due to several factors such as not getting the approval of one of the parties, namely the woman's family, pregnancy out of wedlock, and matchmaking.

The inauguration of *Marhajabuan* does not carry out the *Nagok* custom in a traditional way called *mangadati* (paying customary debts) which is carried out by the husband and family of the male side to the parents and the family of the female side. The *mangadati* ceremony is carried out when there is a *Marhajabuan* who is taken by elopement, becomes pregnant out of wedlock, or only performs blessings at the church, civil records, receptions, and that results in not being able to carry out the traditional ceremony in full. The *mangadati* ceremony should be carried out so that the *Marhajabuan* is considered valid under customary law as has been done by the previous Batak people to avoid the imposition of customary sanctions in community life. The implementation of the *mangadati* ceremony (paying customary debts) is not much different from the traditional implementation of *Marhajabuan* *Nagok* (full customary marriage).²⁰ However, there are still those who do not perform the *mangadati* ceremony even though they have been holding *Marhajabuan* for a long time and until they have children until their children want to perform the traditional marriage ceremony. Many are not able to do so because they do not have enough capital and the right time to unite the families of both parties (*tolu saodoran* and *five sahundulan*).

Interestingly, currently there is a case in Nagori Dolok Village, Silau Kahean District, Simalungun Regency, there are more than 10 (ten) couples who carry out *Marhajabuan* not through all the customs that apply in Nagori Dolok Village due to several factors, one of which is the lack of family consent from the women. The *marhajabuan* must be inaugurated customarily in the *mangadati* ceremony (paying customary debts). Seeing this reality, it is imperative that if the existence of the family

¹⁹ Interview with Damman Sipayung *Raja Parhata* (Traditional Elder) of Nagori Dolok Village, in Simalungun, October 10, 2024

²⁰ Risdayanti Situngkir and Herlina, "The *Marhajabuan* Traditional Manggalar Ceremony in the Simalungun Ethnicity: An Oral Tradition Study", *Journal of Competence of the University of Balikpapan*, Volume 15, Number 2, 2022, p. 139.

is recognized for *Marhajabuan* not fully implementing the customs in the indigenous people, the husband and the male family must pay customary debts to the parents and the wife's family that has not been done when they got married. *Mangadati* can be done before and after having children, and some are almost over 50 years old and above.

This then attracts attention, how to see the case of a married couple who hold *Marhajabuan* but do not carry out all Batak Simalungun customs so that *the Marhajabuan* that is carried out has not been fully confirmed customarily and one day the custom must be fulfilled to be done, while *Marhajabuan* what is held is legal under religious and state law but not completely legal according to customary law.

From the results of the research conducted by interviewing Daman Sipayung as *the King of Parhata* in Nagori Dolok Village, *Marhajabuan* did not carry out the full custom in the future, causing problems for the children of this married couple, they could not carry out *Marhajabuan* using the custom before their parents *told* the parents and the wife's family (the child's mother who will carry out the custom). *Marhajabuan* and this must be resolved according to the consensus deliberation of both parties. Then the husband and wife received sanctions from *the tondong*, namely not getting the part that should have been given, namely grants in the form of gold rings, gold necklaces, and *Marhajabuan* Batak Simalungun attributes, and *podah* (advice) by the parents and the woman's family who gave blessings in the form of advice to live a good household. If one of these married couples dies, the first procession that must be carried out is the *mangadati* ceremony even though in a grieving situation after that it can be continued buried customarily and religiously.²¹

Based on this, there are two focus problems that will be researched, namely the factors that cause the occurrence of *Marhajabuan* not being implemented by *Nagok customs* according to Batak Simalungun customary law in Nagori Dolok Village, Simalungun Regency and what are the consequences of the law and solutions to *Marhajabuan* not implementing *Nagok customs* according to Batak Simalungun customary law in Nagori Dolok Village, Simalungun Regency.

RESEARCH METHODS

The research method used by the author is empirical legal research as a legal research method that seeks to see law in a real sense or can be said to see, researching how law works in society.²² This approach also emphasizes a qualitative approach with data collection methods, namely document studies and interviews.

²¹ Interview with Damman Sipayung *Raja Parhata* (Traditional Elder) of Nagori Dolok Village, in Simalungun, on October 10, 2024.

²² Jonaedi Efendi and Johnny Ibrahim, *Normative and Empirical Legal Research Methods*, Bandung: Prenadamedia Group, 2016, p. 150.

RESULTS AND DISCUSSION**Factors Causing *Marhajabuan* Not Carrying Out *Nagok* Customs According to Batak Simalungun Customary Law in Nagori Dolok Village, Simalungun Regency****1. Customary Law**

According to Mochtar Kusumaatmadja in the book "Introduction to Indonesian Law" quoted by Ratna Artha Windari that the law is the overall principle and rules that govern human life in society, as well as the institutions and processes that realize these rules in society.²³

The basis for the enactment of customary law according to Dewi Sulastrri in her book *Introduction to Customary Law* is a philosophical basis, a sociological basis and a juridical basis.²⁴ The philosophical basis of customary law is values, and the nature of customary law is very identical, even contained in the points of Pancasila. For example, magical religion, mutual cooperation, consensus deliberation, and justice. Thus, Pancasila is a crystallization of customary law.²⁵ While the sociological basis is that the law that applies in a country is a system or order, meaning that it is a complete unit consisting of parts or elements that are interrelated with each other.²⁶ In other words, the legal system is a unit consisting of elements that interact with each other and work together to achieve goals.

The current juridical legal basis, namely the legal basis for the application of customary law during the independence period of Indonesia, is first of all in the Transitional Rule of the 1945 Constitution Article II which essentially emphasizes that all existing state bodies and regulations are still in effect, as long as a new one has not been held according to this Constitution. The Article II Transitional Rule is the legal basis for the enactment of customary law as long as it does not conflict with the 1945 Constitution of the Republic of Indonesia.²⁷ It is also amended in the amendment to II of the 1945 Constitution of the Republic of Indonesia in Article 18B Paragraph 2 of the 1945 Constitution of the Republic of Indonesia which states that:

The State recognizes and respects the unity of customary law communities and their traditional rights as long as they are alive and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia, as regulated in law.

²³ Ratna Artha Windari, *Introduction to Indonesian Law*, Depok: PT. Raja Grafindo Persada, 2018, p. 3.

²⁴ Dewi Sulastrri, *Introduction to Customary Law*, Bandung: Pustaka Setia, 2015, p. 72.

²⁵ *Ibid.*

²⁶ Erwin Owan Hermansyah Soetoto, Zulkifli Ismail and Melanie Pita Lestari, *Textbook of Customary Law*, Malang: Madza Media, 2021, p. 41.

²⁷ Warmiyana Zairi Absi, Rusniati and Kurniati, *Customary Law*, Central Java: Eureka Media Aksara, 2022, p. 21.

Likewise, the Batak Simalungun community has its own customary law to regulate social order according to its characteristics. The specificity is related to social interaction, social structure, social system and social order to regulate social order in society. Social order is related to kinship, *term of address*, social interaction, *Marhajabuan*, death, land, inheritance, both regarding the relationship between the constitution, civil and criminal.²⁸ This law has been born and formed since its ancestral period which began from the formation of a community unit called 'Batak Simalungun' to its traditional monarchical government. Thus, Simalungun customary law is a *living law* that was born and formed and functions to create social order for the Simalungun people. Batak Simalungun customary law, in the context of inheritance law, *Marhajabuan*, death, kinship using the concept of *tolu sahundulan* and *five saodoran* is the main basis for the implementation of Batak Simalungun customary law in all customary events in the Batak Simalungun indigenous people.

a) Traditional Marriage

Traditional marriage is a marriage ceremony that is carried out based on traditions, customs, and norms that apply in a certain tribe, ethnicity, or community.²⁹ The legality of marriage according to customary law for customary law communities in Indonesia in general for religious adherents depends on the religion adhered to by the indigenous people concerned. This means that if it has been carried out according to the rules of religious law, then the marriage is valid according to customary law. Except for those who have not adhered to a religion recognized by the government, such as the '*sipelebegu*' (spirit worshippers) among the Batak.³⁰ Currently, the forms of marriage that apply are also different, including; honest marriage, sesame marriage, free marriage, mixed marriage and runaway marriage.³¹

Some of the principles of traditional marriage are:³²

- 1) Marriage aims to form a harmonious and peaceful, happy and eternal household and kinship bond
- 2) Marriage must not only be legally carried out from religious law and or belief, but also must be recognized by family members

²⁸ *Ibid.*, pp. xx-xxi.

²⁹ Aprilianti and Kasmawati, *Customary Law in Indonesia*, Bandar Lampung: Pusaka Media, 2022, p. 42.

³⁰ Efriyanti Simanjuntak, "The Legality of a Marriage: Law, Customs & Religion", downloaded on February 15, 2025 from https://www.academia.edu/34846940/Syarat_Sahnya_Suatu_Perkawinan_UU_Adat_and_Agama

³¹ Hilman Hadikusuma, *Introduction to Indonesian Customary Law*, Op.Cit., p. 176.

³² Hilman Hadikusuma, *Customary Marriage Law*, Bandung: Alumni, 1983, p. 22.

- 3) Marriage can be performed by a man with several women as wives whose roles are determined according to local customary law
- 4) Compulsory marriage is based on the consent of parents and family members
- 5) Marriage can be performed by a man and a woman who are not yet of age
- 6) Some divorces are allowed and some are not allowed
- 7) Balance of position between husband and wife based on the provisions of applicable customary law

b) Traditional Marriage of Batak Simalungun

Marhajabuan in Simalungun customary law is the starting point of the thought, namely continuing or passing on descendants, in the context of blood relations, as a link of familial relations in the framework of the family, both between the Simalungun ethnicities and between the ethnicities of the Indonesian nation, not between nations in the world.³³

There is a very strong understanding of the beliefs of our ancestors Batak Simalungun, that God is Almighty, All-Just, and All-Righteous. Humans are also required to be right and everything must be based on the right thing. That is the basic principle of the philosophy of *habonaron do bona* which is also the basis of Simalungun culture.³⁴

The social structure of the Batak Simalungun community is in the form of a triangle (pentagon) so it is called the 'pentagon social structure', namely *tolu sahundulan* and *five saodoran* consisting of *suhut*, *sanina*, *tondong*, *anakboru jabu*, and *anakboru mintori*.³⁵

The validity of the *Marhajabuan* of the Simalungun tribe must be carried out based on the laws of each religion and the customary law of Simalungun. The following are the conditions for the validity of the *Batak Simalungun* traditional *Marhajabuan* which is carried out in *Nagok customary* manner has a process consisting of:³⁶

- a) *Parpadanan ni namaposo* (promise by a couple of lovers).
- b) *Mambere goloman* (giving a sign of promise).
- c) *Marhori-hori wall/marhusip* (whispering).
- d) *Patambej parsahapan/pajabu parsahapan*.
- e) *Mamboban indahan paralop/mangalop boru* (bring food to pick up women).

³³ *Ibid.*

³⁴ Interview with Jonrab Saragih *Raja Parhata* (Traditional Elder) of Nagori Dolok Village, in Simalungun, December 24, 2024.

³⁵ Djahutar Damanik, *The Course of Simalungun Customary Law*, Medan: Simetri Institute, 2019, pp. 124-125.

³⁶ Interview with Jonrab Saragih *Raja Parhata* (Traditional Elder) of Nagori Dolok Village, in Simalungun, December 24, 2024.

- f) *Marhata partadingan* (talking about honest money).
- g) *Pudun Saud* (tie it up).
- h) *Martuppol* (marriage agreement procession in the church).
- i) *The Crown Jewel of the Royal Family*.
- j) *Marhajabuan Party*.
- k) *Mangihut in Ampang* (dialog sell).
- l) *Asked to sell* (given to sell).
- m) *Daulat ni sipanganon dan Paulak unea*.
- n) *Manjahea* (mandiri)
- o) *Down the stairs*.

2. Factors Causing Marhajabuan Not Carrying Out Nagok Customs According to Simalungun Batak Customary Law

a. Internal Factors

Internal factors are factors that come from within a person or individual. Internal factors can affect various aspects of life.³⁷ There are 6 internal factors of *Marhajabuan* not carrying out *Nagok customs* based on the results of interviews with Jonrab Saragih and Damman Sipayung, *Raja Parhata* of Nagori Dolok Village and 5 couples Husband and wife who *Marhajabuan* do not carry out *Nagok customs*, namely:³⁸

1) Parents Are Less Fortunate in Party Costs or Regarding Partadingan Costs (Honest Money)

In the Batak Simalungun custom, *partadingan* (honest money) is an important aspect in the implementation of marriage. *The party* functions as a symbol of seriousness and appreciation from the male side towards the woman and her family. The *party* paid for is usually in the form of money or valuables such as gold, jewelry, or livestock. The value of this *party* is not small, and it is often a source of great economic pressure on the part of men.³⁹ One of the main reasons why *the implementation of Marhajabuan* is not carried out with *the Nagok custom* is the economic limitations of the male parents for the cost of the party. As well as the marriage carried out by one of the respondents, namely Rudiaman Sitanggang and Nurhayati Sipayung as a married couple who

³⁷ Varlord, "Understanding Internal and External Factors", downloaded On February 22, 2025 from <https://Brainly.Co.Id/Tugas/2520902>

³⁸ Interview with Jonrab Saragih and Damman Sipayung *Raja Parhata* (Traditional Elder) of Nagori Dolok Village, in Simalungun, on December 24 and 28, 2024 as well as 5 married couples who *Marhajabuan* did not carry out *the Nagok custom*.

³⁹ Puspasari Setyaningrum, "Sinamot or Dowry Money in the Batak Wedding Tradition, How Expensive?", downloaded on February 22, 2025 from <https://medan.kompas.com/read/2023/03/08/230030478/sinamot-atau-uang-mahar-dalam-tradisi-pernikahan-suku-batak-seberapa-mahal?page=all>

were *Marhajabuan* who did not carry out *Nagok* customs, in Nagori Dolok Village, Simalungun Regency.⁴⁰

2) The Parents of the Woman Initially Didn't Approve of the Marriage of a Married Couple

There are various reasons why the parents of the woman's side may not approve of the marriage, including:

- 1) The girl's parents may feel that the partner chosen by her child does not live up to their expectations. As well as the marriage carried out by one of the respondents, namely Johansen Damanik and Mariannan Sipayung as a married couple who *were Marhajabuan* who were not carried out *by Nagok* customs, in Nagori Dolok Village, Simalungun Regency.⁴¹
- 2) Parents of the female feel that the male side does not can provide sufficient economic or social guarantees. As well as the marriage carried out by one of the respondents, namely Agus Suganda Bakti Banten and Sri Yunelfa Manik as a married couple who *Marhajabuan* did not carry out *Nagok* customs, in Nagori Dolok Village, Simalungun Regency.⁴²
- 3) Sometimes, the disapproval of the woman's parents is also influenced by the view of the extended family or the surrounding community that the male partner does not meet the desired standards, the parents of the woman's side may feel pressured not to give consent.
- 4) Religious differences between men and women can also be is a factor that causes parental disapproval.

3) Bride-to-be (the Man and the Woman) Have Committed Customary Violations, Such as Getting Pregnant Out of Wedlock

Customary violations, such as pregnancy out of wedlock, are considered as acts that violate the norms and values that have been agreed upon in the Batak community as a serious violation of customary norms in the Batak Simalungun community.⁴³ In this tradition, maintaining the honor of the family and descendants is very important and the marriage takes place after the agreement and

⁴⁰ Interview with Rudiaman Sitanggang and Nurhayati Sipayung as a married couple whose *Marhajabuan* (marriage) was not carried out in *Nagok* (full) customs, in Nagori Dolok Village, Simalungun, on December 29, 2024.

⁴¹ Interview with Johansen Damanik and Mariannan Sipayung as a married couple whose *Marhajabuan* (marriage) was not carried out in *Nagok* (full) custom, in Nagori Dolok Village, Simalungun, on January 2, 2025.

⁴² Interview with Agus Suganda Bakti Banten and Sri Yunelfa Manik as a married couple whose *Marhajabuan* (marriage) was not carried out in *Nagok* (full) customs, in Nagori Dolok Village, Simalungun, on January 4, 2025.

⁴³ Interview with Jonrab Saragih and Damman Sipayung *Raja Parhata* (Traditional Elders) of Nagori Dolok Village, in Simalungun, on December 24 and 28, 2024.

respect of both families through a full customary process.

4) Man and Woman of the same Clan, for example Damanik with Pasaribu

The clans in the Batak Simalungun community are an identity social issues that are very important. Every Batak Simalungun person is born with a surname that is a lineage from the father's side. Same-sex marriage is considered *incest* or marriage involving too close kinship, which can damage the social and moral stability of the family.⁴⁴

5) Man and Woman Matched by Their Parents

Usually in the Batak Simalungun community, in Arranged marriage, parents play an active role in choosing a partner for their children based on certain criteria, such as social status, clan, economic status, or even the suitability between the two parties in running a married life. However, although this arranged marriage is intended to maintain family and community harmony, it is not uncommon for this arranged marriage to cause various problems, which can hinder or cause the implementation of *Marhjabuan* not to take place with *the Nagok custom*.⁴⁵

6) Lack of Understanding of Customs

The younger generation, especially those exposed to modern culture and living in cities, may lack understanding or lack interest in carrying out customs in a way that is fully in accordance with tradition. They may prioritize the practical aspects or the simplicity of their marriage, without thinking too much about whether the custom is carried out perfectly. They think that the most important thing is that the marriage they perform is legal according to the law of the land.

b. External Factors

External factors are factors that come from outside a person, group, or organization. External factors can affect a person's life, both in their daily, social, and economic life.⁴⁶ There are 2 external factors of *Marhjabuan* not implementing *Nagok customs* based on the results of interviews with Jonrab Saragih and Damman Sipayung *Raja Parhata*

⁴⁴ Erond L., Damanik, *Rite of Transition of Simalungun Traditional Ceremonies Around Birth, Marriage and Respect for Parents and Death*, Medan: Simetri Institute, 2016, p. 93.

⁴⁵ Interview with Jonrab Saragih and Damman Sipayung *Raja Parhata* (Traditional Elders) of Nagori Dolok Village, in Simalungun, on December 24 and 28, 2024.

⁴⁶ Varlord, *Loc.Cit.*

Nagori Dolok Village and 5 married couples who *Marhajabuan* do not carry out *Nagok* customs, namely:⁴⁷

a. Social Change and Modernization

As in many other cultures, modernization and the development of the times affect people's perception of customs. Advances in technology, communication, and social media have influenced the younger generation's more open view of a more practical and efficient way of life. This often makes them feel that the long and complicated customary process in Batak Simalungun marriage is no longer relevant, so they prefer to simplify the marriage ceremony, including reducing or eliminating some parts of the custom that are considered unimportant. As well as the marriage carried out by one of the respondents, namely Simon Sihombing and Mastarida Sipayung as a married couple who *were Marhajabuan*, the *Nagok custom was not carried out* in Nagori Dolok Village, Simalungun Regency.⁴⁸

b. Inter-Ethnic Marriage

In the Simalungun community, inter-tribal marriages are increasingly common. In these situations, couples often choose to combine traditions from both parties or even omit some customary elements that are considered irrelevant. This can cause the implementation of the Simalungun custom not to be carried out in full. Because it is possible for the woman's family to not be able to come to the marriage, this married couple can be caused by distance and economic limitations.⁴⁹ So this absence is interpreted as not getting the blessing of the woman's family. As well as the marriage carried out by one of the respondents, namely Rahmadhani Margolang and Sariarmayanti Br Saragih as a married couple who *were married to Marhajabuan*, the *Nagok custom was not carried out*, in Nagori Dolok Village, Simalungun Regency.⁵⁰

So that the married couple carries out the marriage according to state law, namely carrying out the marriage according to the law of their respective religions and beliefs and then their marriage is registered at the civil

⁴⁷ Interview with Jonrab Saragih and Damman Sipayung *Raja Parhata* (Traditional Elder) of Nagori Dolok Village, in Simalungun, on December 24 and 28, 2024 as well as 5 married couples who *Marhajabuan* did not carry out the *Nagok* custom.

⁴⁸ Interview with Simon Sihombing and Mastarida Sipayung as a married couple whose *Marhajabuan* (marriage) did not carry out the *Nagok* (full) custom, in Nagori Dolok Village, Simalungun, on December 26, 2024.

⁴⁹ Interview with Rahmadhani Margolang and Sariarmayanti Br Saragih as a married couple whose *Marhajabuan* (marriage) did not carry out the *Nagok* (full) custom, in Nagori Dolok Village, Simalungun, on December 30, 2024.

⁵⁰ *Ibid.*

registration office for those who are not Muslims and in the KUA for those who are Muslim without involving traditional ceremonies that *are Nagok*.

3. Simalungun Batak Customary Law Sanctions Against *Marhajabuan* Are Not Implemented *Nagok* Customs

Marhajabuan by not carrying out *the Nagok* custom, has apparently caused many problems that have an impact on the bride and groom who do not carry out *the Nagok* custom, on the women's side, on the men's side and in the midst of the Batak Simalungun community. Although in the future there will be a *mangadati* ceremony, which is a process of customary ceremonies to ratify *Marhajabuan* that does not carry out *Nagok* customs in *Marhajabuan* according to custom, does not mean that it immediately eliminates the problems that have existed.

From the results of the research conducted by interviewing Daman Sipayung and Jonrab Saragih as *the King of Parhata* in Nagori Dolok Village, there are 5 sanctions of Batak Simalungun customary law against *Marhajabuan* not implementing *Nagok* customs, namely:⁵¹

- a. The children of this married couple cannot carry out a marriage using customs.
- b. The husband and wife received sanctions from *the tondong* (women's side), namely not getting grants (gold rings, gold necklaces, and marital attributes) and not getting *podah* (advice) from the woman's parents and family
- c. If one of these married couples dies, the first procession that must be carried out is the *mangadati* ceremony
- d. The couple's marriage is not customarily recognized
- e. Pay customary fines

4. Efforts to Inaugurate *Marhajabuan* Are Not Carried Out by *Nagok* Customs According to Customary Law

Batak Simalungun in Nagori Dolok Village, Simalungun Regency In *Marhajabuan* customs, the ceremony of inaugurating marriages that do not carry out *Nagok* customs is traditionally called *traditional manggalar*. This traditional ceremony is carried out when there is a marriage that is taken by elopement, pregnancy out of wedlock, or only carrying out church blessings, civil records, receptions, and others. The *mangadati* ceremony should be carried out so that the marriage is considered fully customarily valid as has been done by previous indigenous peoples to avoid the imposition of customary sanctions in community life. The *mangadati* event is carried out in the form of a reception as a replacement and legitimation of the marriage that

⁵¹ Interview with Jonrab Saragih and Damman Sipayung *Raja Parhata* (Traditional Elders) of Nagori Dolok Village, in Simalungun, on December 24 and 28, 2024.

has been carried out in the past. The implementation of *the traditional manggalar* ceremony is not much different from the implementation of *Marhajabuan ialop* dear.

Carrying out *the mangadati* event there are 2 things that need to be considered:⁵²

- 1) The bride and groom who do not carry out *the Nagok* custom do not have children but decide to pay the customary debt in the *mangadati* ceremony. This form is only in the form of fulfilling customs because of mistakes made by the bride and groom and here they show self-remorse and ask for the blessing of their parents.
- 2) Bride and groom who do not carry out *the Nagok* custom have children who are new to be able to pay the customary debt in the *mangadati* ceremony. In this form, priority is given to the relationship between grandchildren and grandparents who have not been harmonious, the restoration of the relationship between children and parents, as well as the recognition of children born as their descendants with all their rights in the sense that Batak Simalungun is called *sulang-sulang-pahompu*.

The procedure for the ceremony to pay customary debts (*mangadati*) based on the results of interviews with Jonrab Saragih and Damman Sipayung *Raja Parhata* Nagori Dolok Village is as follows:⁵³

- a. *Pajabu parsahapan* and *maralop*, meaning to have a traditional conversation and pick up the bride.
- b. *Riah tengah* and *riah martonggo raja*, meaning a celebration or procession carried out by the bride's family (*ria tengah*) and the groom's family (*ria martonggo raja*). This ritual is an important part of the series of *Marhajabuan* ceremonies to communicate the preparations and responsibilities of each party.
- c. Traditional events, meaning a series of rituals and traditions that follow local customary laws in a wedding.

Legal Consequences and Solutions to *Marhajabuan* Not Implemented *Nagok* Customs According to Simalungun Batak Customary Law in Nagori Dolok Village, Simalungun Regency

1. Customary Marriage Legal Rules That Apply in Nagori Dolok Village, Simalungun Regency

a. The Rules of Traditional Marriage in Batak Simalungun

The rules of customary marriage law in Indonesia are different from each other, this is due to the development and progress of the times.⁵⁴

⁵² Risdayanti Situngkir and Herlina, *Op.Cit.*, p. 145.

⁵³ Interview with Jonrab Saragih and Damman Sipayung *Raja Parhata* (Traditional Elders) of Nagori Dolok Village, in Simalungun, on December 24 and 28, 2024.

⁵⁴ Dijk Van, *Introduction to Indonesian Customary Law*, Bandung: Mandar Maju, 2006, p. 25.

Likewise, *the traditional Batak Simalungun Marhajabuan* has rules that must be implemented in accordance with the laws of each religion and Batak Simalungun custom.

The traditional order of *Marhajabuan* Batak Simalungun adheres to a patrilineal kinship system that requires the withdrawal or arrangement of lineages from men. The patrilineal form in the Batak Simalungun community can be seen from the clan (clan) worn behind his name which was inherited from his father such as the Damanik, Saragih, Purba, Sinaga, Lingga, Haloho and others.⁵⁵ From the clans obtained from birth, it determines kinship in the Simalungun community which is referred to as *partuturan*. *Partuturan* is a greeting to others in daily social life, especially in Batak traditional events to determine the close or distant family relationship.⁵⁶ *Marhajabuan* committed against siblings or siblings of the same clan is considered as *Marhajabuan incest* or *mardawan begu*.⁵⁷

The act of *Marhajabuan mardawan begu* is not only a violation of the Simalungun customary law, but is a moral act that cannot be forgiven by the indigenous people. So every *Marhajabuan mardawan begu* in the history of the Batak Simalungun indigenous civilization has never been approved or ratified by both the family and the indigenous people.⁵⁸ If the Batak Simalungun customary law rules are applied, couples who carry out *Marhajabuan* will obtain the validity of *Marhajabuan* customarily. Because *the Marhajabuan rule* is a binding thing for the indigenous people of Batak Simalungun and has been accepted as something that must be respected and bring joy if implemented. *Marhajabuan* which is carried out according to the rules of Batak Simalungun customary law that apply, *Marhajabuan* is blessed by God and even blessed by many people so that his household life will be good.

Therefore, the validity of the Batak Simalungun custom is seen in during the blessing ceremony by the pastor held in the church. The Batak Simalungun community who are Muslim, the validity of *Marhajabuan* Batak Simalungun is seen at the time of the pronouncement of *ijab kabul*, before it is implemented legally in Batak Simalungun.

⁵⁵Erond L., Damanik, *Rite of Transition of Simalungun Traditional Ceremonies Around Birth, Marriage and Respect for Parents and Death*, Medan: Simetri Institute, 2016, p. 92.

⁵⁶ Felicia Gisela Br, "Getting to Know the 'Partuturan' Kinship System of the Toba Batak Tribe", downloaded on February 20, 2025 from the full <https://www.detik.com/sumut/berita/d-7201682/mengenal-sistem-kekerabatan-partuturan-suku-batak-toba>. Download Detikcom Apps Now <https://apps.detik.com/detik/>, <https://www.detik.com/sumut/berita/d-7201682/mengenal-sistem-kekerabatan-partuturan-suku-batak-toba>

⁵⁷ Erond L., Damanik, *Rite of Transition of Simalungun Traditional Ceremonies Around Birth, Marriage and Respect for Parents and Death*, *Op.Cit.*, p. 93.

⁵⁸ *Ibid.*

After *Marhajabuan* was held religiously, the validity of the *Marhajabuan* Batak Simalungun customary law was continued which had its own mechanism in regulating *Marhajabuan* for the realization of social order (social order).⁵⁹ The implementation of the *Batak Simalungun traditional Marhajabuan*, whether Muslim or non-Muslim, if the Batak Simalungun traditional *Marhajabuan* must go through several stages of *Marhajabuan*. However, there are still indigenous peoples who hold *Marhajabuan* only part of the traditional series or even without carrying out customary activities, but as long as they are still the Batak Simalungun indigenous people, the *Marhajabuan* will be bound by a debt called customary debt. This also applies in Nagori Dolok Village, Simalungun Regency which is still thick with Simalungun culture which is still carried out in community life.

Marhajabuan Batak Simalungun custom, contains sacred values that generally unite a man and a woman who aim to establish a household and are characterized by mutual rights and obligations.⁶⁰ The man must appreciate it by sacrificing/offering, namely slaughtering an animal (cow, buffalo, or pig), which becomes a meal (traditional food) in the *Marhajabuan* custom.⁶¹ The man must pay honest money as a form of sacrifice on the part of the man to the woman who has cared for, raised, and educated her daughter to carry out *Marhajabuan* with the man of her choice.⁶²

The amount of honest money was initially determined by female parents as a form of male respect for female parents. The male party can ask for a waiver or the ability to pay the party money to the female parent.⁶³ The party money must be paid off, because the girl Like a soul mate entrusted by God to his parents.

The provisions of Batak Simalungun customary law require that *Marhajabuan* be carried out ideally, namely the *Nagok/alop dear* custom (departed well) for *palahou boru* (marrying a woman) and the *parunjukon* custom (inaugurating a woman to become a wife) for *child show* (marrying a man).⁶⁴ Both the family of the *parboru* and the *paranak* have agreed to carry out the *Marhajabuan* of their sons and daughters in accordance with

⁵⁹ Djahutar Damanik, *The Course of Simalungun Customary Law*, Op.Cit., p. xxi.

⁶⁰ Budiawan A., "An Overview of Urf in the Process of Riau Malay Customary Marriage", *Jurnal An Nahl*, Volume 8, Number 2, 2021, p. 115.

⁶¹ Interview with Damman Sipayung *Raja Parhata* (Traditional Elder) of Nagori Dolok Village, in Simalungun, December 28, 2024.

⁶² Interview with Jonrab Saragih *Raja Parhata* (Traditional Elder) of Nagori Dolok Village, in Simalungun, December 24, 2024.

⁶³ *Ibid.*

⁶⁴ Mansen Purba, *Understanding Simalungun Marriage Customs: Pinaikkat, Nanasokan, & Marlualua and Their Social Implications*, Medan: Simetri Institute, 2019, p. xviii.

the provisions *Nagok/alop* is carrying out complete customary obligations.⁶⁵

b. The Traditional Marriage Process of Batak Simalungun

The traditional *Marhajabuan* of Batak Simalungun has a long procedure and has regularity in every series of traditional events that are carried out. In the *Marhajabuan* law, Batak Simalungun custom, there is a type of marriage that is divided into two elements, namely *Marhajabuan* carrying out the *Nagok/alop dear* (full custom) custom, and *Marhajabuan uhur-uhur* (marriage at will).⁶⁶ The first element, *Marhajabuan* implements *Nagok customs*, namely the occurrence of a traditional *Marhajabuan* that applies all the rules contained in customary law norms, for example, *Marhajabuan ibagas dear* (marriage properly and reasonably).⁶⁷ The second element is *Marhajabuan maruhur-uhur* (marriage at will and unnatural), *Marhajabuan* who does not implement all applicable customary rules due to mistakes or inability to carry out customs fully.

The types of *Marhajabuan* that are included in the first element are described as follows: *Nagok/alop dear's* traditional *Marhajabuan*. *Marhajabuan alop dear* in Indonesian is called *Marhajabuan* properly is a reasonable *Marhajabuan* whose process follows the applicable customary law norms.⁶⁸ This marriage originates from the will of two children (*riah ni dakdanak*) who will carry out the marriage that is approved by the parents of both parties (*riah ni namatua*) and on the other hand "*riah ni namatua*" is agreed by both young people "*riah ni namaposo*".⁶⁹

The following Batak Simalungun traditional marriage which is carried out in *Nagok* tradition has a process or sequence consisting of:⁷⁰

- a) *Parpadanan ni namaposo* (promise by a couple of lovers)
- b) *Mambere Goloman* (Giving of Promise Binding Signs)
- c) *Marhori-hori Wall/Marhusip* (Whisper)
- d) *Patambej Parsahapan/Pajabu Parsahapan*
- e) *Mamboban Indahan Paralop/Mangalop Boru* (Bringing Food to Pick Up Women)
- f) *Marhata Partadingan t* (Talking About Honest Money)
- g) *Pudun Saud* (Tied Up)
- h) *Martuppol* (Marriage Covenant Procession in the Church)
- i) *Martonggo Raja / Marria Raja*

⁶⁵ *Ibid.*

⁶⁶ Interview with Jonrab Saragih *Raja Parhata* (Traditional Elder) of Nagori Dolok Village, in Simalungun, December 24, 2024.

⁶⁷ *Ibid.*

⁶⁸ Djahutar Damanik, *Op.Cit.*, p. 159.

⁶⁹ *Ibid.*

⁷⁰ Interview with Jonrab Saragih and Damman Sipayung *Raja Parhata* (Traditional Elders) of Nagori Dolok Village, in Simalungun, on December 24 and 28, 2024.

- j) Wedding Party (*Marhajabuan*)
- k) *Mangihut In Ampang* (*Sale Dialop*)
- l) *Asked to Sell* (Granted)
- m) *Daulat Ni Sipanganon*
- n) *Paula*
- o) *Manjahea* (Independent) and *Maningkir Tanja*.

2. *Marhajabuan* Is Not Carried Out *Nagok* Customs According to Simalungun Batak Customary Law

Marhajabuan does not carry out *Nagok* customs in the Batak Simalungun community, it can be divided into 2 types of *Marhajabuan*, namely:

a. *Marlua-lua Marriage*

Marlua-lua marriage cannot carry out *Nagok* customs, because at the time of holding the *rembuk* it was agreed that there was no agreement on the implementation of the custom so that only the male side and their relatives carried out *Marhajabuan*, while the women and their relatives for those who adhere to Christianity/Catholicism could only follow the *Marhajabuan* process only at the church where the blessing was held, for Muslims they could only follow the *Marhajabuan* process limited to the place where the *ijab kabul* (KUA) is held.⁷¹ Because it is not justified in accordance with the customary order before the man completes his customary responsibility to the woman, he cannot set foot or come to the man's house. The existence of this prohibition or taboo is called in the Batak Simalungun custom *tarsunggu robu* (subject to taboos) which means that there is a Batak Simalungun customary process, namely the male party has not completed the custom to the customary authorities.

b. *Naniasokan Marriage*

Naniasokan is a parent who dispatches his daughter to carry out *Marhajabuan*, only the custom has not been fully carried out, which means that it does not carry out the *Nagok* custom.⁷² Therefore, the *naniasokan* marriage model is a good *Marhajabuan* model, but it cannot be held like in the *napaingkat* model where the marriage is carried out properly by the parents and the customary provisions will be carried out in *Nagok* customs.⁷³ Therefore, the *Nagok* custom cannot be carried out and switch to the *naniasokan* custom. Usually, the *naniasokan* custom occurs for economic reasons that are lacking in supporting the *Nagok* custom in the

⁷¹ Interview with Jonrab Saragih *Raja Parhata* (Traditional Elder) of Nagori Dolok Village, in Simalungun, December 24, 2024.

⁷² Mansen Purba, *Op.Cit.*, p. xxiii.

⁷³ Interview with Jonrab Saragih *Raja Parhata* (Traditional Elder) of Nagori Dolok Village, in Simalungun, December 24, 2024.

napaingkat marriage model. Women were sent away well by their parents, but all their relatives could not be present at the *time of Marhajabuan* due to economic reasons and behind the absence of some families there was disagreement from one party to unite in the *Marhajabuan bond* that was carried out.

The following is the process of *Marhajabuan* not carrying out *Nagok* customs according to the Batak Simalungun customary law:⁷⁴

1. *Parpadanan ni namaposo* (promise by a couple of lovers)
2. *Mambere goloman* (giving of a promise seal)
3. *Marhori-hori wall/marhusip* (whispering)
4. *Patambej parsahapan/pajabu parsahapan*
5. *Martuppol* (marriage contract procession in the church)
6. Wedding Party (*Marhajabuan*)
 - a. *Mambulangi penganten i horbangan* (wearing traditional Simalungun traditional clothing) at the gate or in front of the yard.
 - b. *Mangalop tuah ni gondrang* (picking up the drum opener) by presenting betel nut to *panggual* (musicians) to start the drum (*mamukah gondrang*).
 - c. *Mangalop tondong ni paranak* (picking up uncle speech from the groom)
 - d. Before eating together (*mangan riap*), it is first conveyed *gori* (pieces of meat slaughtered) which are usually buffalo, cows, pigs and goats as well as *surduk-surduk* food is food that is handed over in the way of *manurduk* (worship) only *tondong pamupus ni anak* (uncle of the groom) which is the party who receives the golden head (*ulu ni omas*) handing over the *dayok binatur* to the bride.
 - e. Eating together (*boisterous manganese*)
 - f. The next event was that the paranak presented the *puran salosi mangan* (betel nut ready to eat) to *all tondong* which was carried out only by the men.
 - g. The handover of *hiou* is carried out only by the male side.
7. *Mangihut in Ampang* (dialog for sale)
8. *A man who eats at a man's house.*

As is currently happening in Nagori Dolok Village as part of the Batak Simalungun area, many couples do not carry out *Nagok* customs because the couple carries out *marlua-lua* marriage and *nantiasokan marriage*. In Batak Simalungun customary law, *Marhajabuan* is not only considered a bond between two individuals, but also as part of a social order involving extended families, clans, and customs. One of the important concepts in the Batak Simalungun custom is *Marhajabuan* which often involves customary rituals

⁷⁴ Interview with Jonrab Saragih and Damman Sipayung *Raja Parhata* (Traditional Elders) of Nagori Dolok Village, in Simalungun, on December 24 and 28, 2024.

that are quite complicated and the implementation of the custom is expected to run fully and according to customary rules.

CONCLUSION

The factors that caused the *occurrence of Marhajabuan* not being carried out by the *Nagok custom* according to the Batak Simalungun customary law in Nagori Dolok Village, Simalungun Regency were divided into two, namely internal factors consisting of six, namely the parents who were less able to pay the party (honest money), the parents of the woman from the beginning did not approve of *Marhajabuan*. The bride-to-be has committed a violation of customs, men and women of the same clan, men and women are matched and lack of understanding of customs. Meanwhile, there are two external factors, namely social change and modernization and *Marhajabuan* is different ethnicity. And as a result of the law against *Marhajabuan* not carrying out the *Nagok custom* according to the Batak Simalungun customary law, namely *Marhajabuan* which has been carried out is not customarily recognized by the indigenous people, subject to sanctions or customary fines that must be paid by the couple, the children of this married couple cannot hold *Marhajabuan* using customs in the future and if one of these married couples dies, the first procession that must be carried out is the *mangadati* ceremony. So the solution to *Marhajabuan* is not to carry out *Nagok customs* according to Batak Simalungun customary law, which is to have *mangadati* or carry out follow-up customary ceremonies to fulfill customary obligations that have not been implemented.

In the future, the traditional elders, parents and also couples who will carry out *Marhajabuan* to really prepare everything in carrying out *Marhajabuan* all necessary needs such as *partadingan* and other customary costs, should be adjusted based on the ability of each couple through the deliberation of both families and traditional elders so that in the implementation of the marriage they continue to use the custom *Snooping*.

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