

## The Impact of the *Sesan* Customary Practice on the Traditional Marriage of the Lampung *Pepadun* Society in Instilling *Sharia* Social Values

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### Abstract

This study aims to determine the impact of the traditional practice of *sesan* on the indigenous people of Lampung *Pepadun* Negara Aji Baru Lampung, which is intended to inculcate social values in *sharia* or Islamic law. A qualitative research design was used to guide the research. The main data sources came from interviews conducted with *Penyimbang Adat* (*Penyimbang* custom), religious leaders, and the indigenous people of Lampung *Pepadun* Bumi Aji. The research findings reveal that the traditional practice of *sesan* is a form of local wisdom of the indigenous people of Lampung *Pepadun*, which must be implemented in the marriage contract. Social values in *sharia* provide an understanding of the position of *sesan* property in marriage seen from the wisdom and benefits it obtains. *Sesan* treasure aims to glorify a wife like a queen in a household who needs various household facilities. This is intended to reduce the fear of getting married because they do not have the facilities for their household needs. *Sesan* property is not allowed if in practice it conflicts with social values in the Lampung *Pepadun* custom which places the male party as an object imposed by self-interest, not based on mutual help. The novelty of this study states that the theoretical concepts used have succeeded in finding the understanding gaps that occur in the indigenous people of Lampung *Pepadun*. The findings also reveal that the inculcation of social values is through mutual cooperation between relatives or because of the services provided by relatives in customary community marriages. It should be understood that the *sesan* custom in marriage is intended to be the basic capital in fostering a household. The traditional practice of *sesan* which raises property issues in indigenous peoples is expected to contribute to the cultivation of Islamic law and social values and local wisdom and become a source of knowledge as a form of self-actualization and alternative moral education.

**Keywords:** *Marriage Property, Traditional Marriage, Social Values, Sharia.*

### Introduction

The inculcation of social values through literacy of local wisdom, historical and the traditional customs of the community is very valuable. This is part of efforts to protect self-identity (Habibi, 2018; Sulaiman & Maksum, 2017), anticipate radicalism (Rahmawati et al., 2019), instill moral education (Nurzakiyah, 2018) and build social bonds (Sumarni, 2018). The literature states that individuals and communities must be given the best possible education to maintain the meaning contained in these dimensions (Widiya et al., 2021). Looking at literacy about the history of

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civilization and *sharia* values, it can be seen from various relics, Islamic symbols, and historical records. Likewise with Islamic culture, local communities are widely adopted, considering that some Islamic travelers and traders stop by and settle in various countries. This makes Islam included in socio-economic activities through local wisdom so that it has become a tradition of the world's Islamic community starting from marriage, art-culture, and trade. Previous studies have researched a lot of local wisdom of indigenous peoples as a form of value dynamics, *Sharia* social values, and social teaching in the global era (Rahayu, et al., 2020; Rochaeti & Pujiyono, 2020; Winaja et al., 2019).

In Indonesia, the Lampung indigenous people are one of the tribes that have adopted Islamic culture. Islamic culture that is clearly visible is the marriage tradition. As a result of acculturation of Islamic culture and religion, in the tradition of marriage using Islamic symbols and customary law. In its development, acculturation of Islamic culture and ancestral traditions in indigenous peoples often leads to different views. The Lampung indigenous people know the term *Sesan* (innate property), which is a series that is mandatory in the Lampung *Pepadun* traditional marriage. This tradition applies if you ask for a woman who comes from the Lampung traditional community. But in fact, not all men are economically capable of fulfilling the obligations of *Sesan* property or *sesan* customs (Juliansyahzen, 2019). In addition, many other tribes from outside Lampung currently propose to the natives of Lampung who do not understand the *Sesan* property. Previous findings show that conflicts often arise because of misunderstandings about *Sesan's* assets and the laws that apply in the community; often, when divorce or *talak* cases, the men claim that the *sesan* property are the property of the men, while the women ask for the *sesan* property to be returned to women (Danarta, 2019).

So far, studies that discuss Lampung's traditional traditions tend to only focus on three aspects. First, a study analyzes the diversity of procedures for implementing marriage and balance in the Lampung *Pepadun* custom (Isnaeni & Hakiki, 2017). Second, studies that investigate the positive legal position of the implementation of a series of traditional traditions of Lampung *Pepadun* and *Saibatin* (Angkupi, 2015; Ismail et al., 2019; Rohaini et al., 2020). Third, the *Piil Pesenggiri* conception (Ariyani et al., 2015; Fakhrurozi & Puspita, 2021) and the local wisdom of the Lampung indigenous people. Recent studies on *sharia* reveal the implementation of *sharia maqasid* on marriage agreements of indigenous peoples of Lampung (Lestari, 2020). These three tendencies have not been found in studies that pay special attention to the customary practice of

sesan property belonging to the indigenous people of Lampung *Pepadun* as a form of inculcating social values in sharia. At the same time, both have an important role in the individual's ability to process information, knowledge and assess the position of *sesan* property in the social life of the Lampung indigenous people. The reason is, if you look at history, the ancestors of the Lampung indigenous people have adopted the social values of society and Islamic symbols into the traditional traditions of the Lampung people. The study of the instilling social values in *sharia* is an integral part of the debate over customary law and Islamic law, which is feared to trigger conflict in indigenous peoples (Lukito, 1997).

This study can encourage various sciences within the scope of social science education and *sharia* towards the cultivation of social values through the cultural traditions of the Indonesian nation. Interestingly, the views of instilling social values in *sharia* are expected to be able to realize self-actualization and offer an understanding of new social values that give birth to solutions in solving traditional problems of indigenous peoples. New social values give birth to solutions, especially in the practice of implementing traditional *Sesan* on the Lampung indigenous people. Previous research revealed that building a culture of religious literacy is expected to preserve instilling social values in *sharia* as an alternative to moral education and traditions of the Muslim community (Muhammad, 2019; Nurzakiah, 2018). The literacy of *sharia* figures continues to be studied today because of their benefits for the advancement of human civilization, such as the works of Imam Shafi'i, Imam Hanafi, Imam Hambali, Imam Ghazali, Zayd bin Thabit, and many more.

This study aims to investigate in-depth the study of the impact of the traditional practice of *sesan* in the marriage of the indigenous people of Lampung *Pepadun* for instilling social values in sharia. This study specifically describes the impact of the traditional practice of *sesan* from the perspective of the Lampung indigenous people.

### **Research Questions**

This research is based on the assumption that the giving of *sesan* property can conflict with instilling social values in sharia if it is coercive and crosses the line of fairness, so that it becomes a burden for women's families. In other words, *sesan* property becomes a materialistic object in the marriage contract. In line with the stated objectives, two research questions can be formulated:

1. How is the literacy of the indigenous people of Lampung about the traditional *sesan* tradition in the marriage of the Indigenous people of Lampung *Pepadun*?

2. How are social values in *sharia* on seeing the position of *Sesan* in the Lampung *Pepadun* Indigenous community?

### **Literature Review**

#### **Indigenous Marriage Property**

Marriage property are assumed to be property controlled by husband and wife when bound in marital bonds (Sandvik, 2005). Marriage assets according to customary law are defined as all assets controlled by husband and wife as long as they are bound in the marriage bond, both assets originating from individuals, assets originating from an inheritance, grants, individuals, joint income of husband and wife as well as gift items (Cammack & Feener, 2008). In marital property, there are marriage property rights in the transition period. Marital property rights is a term that includes the various rights and obligations granted by law to people who occupy the status of a married couple (Waggoner, 1994).

Customary marriage assets are usually obtained through a prospective husband's dowry which is given in the form of money or household goods. In some indigenous peoples, this innate property is usually also given by relatives or relatives such as aunts or uncles. This is a form of affection, help, and reciprocation from them. The social values that are instilled through the attitude of mutual cooperation at the time of traditional weddings have largely become a hereditary tradition from their ancestors (Juliansyahzen, 2019).

Studies show that it is essential to protect women's property rights in a marriage. Because most women, after divorce from customary marriages, do not get justice in the distribution of marital property (Moore & Himonga, 2015). The literature also reveals that widows have more autonomy in their legal actions. Still, they are no more than spouses in legal heirs to marital property, especially if it is a customary law tradition. Marriage property has a function as wealth that husband and wife can use to meet their daily needs. Previous studies on the marital property can be divided into four categories, namely: 1) Inherited assets obtained by husband and wife before marriage in the form of gifts or inheritance; 2) Livelihood is obtained from the income of husband and wife jointly during the marriage; 3) Income assets obtained from husband and wife individually obtained before and after the marriage is carried out; 4) gifts are obtained from husband and wife together when the marriage is carried out in the form of gifts, grants, and others (Van Der Meide, 1999; Brien et al., 2010; Djuniarti, 2017).

### **Social Values in Sharia**

Social values in religion can see and analyze the intersection between religion and life, social, political, and cultural (Nurzakiyah, 2018). Meanwhile, *sharia* is a system of rules based on the revelation of Allah SWT and the Prophet's Hadith regarding the behavior of the *mukallaf* (people who can already be burdened with obligations as a Muslim), which are recognized and believed to be binding on their adherents (Gleave, 2001). *Shari'a* means the law that Allah has ordered to His people, both related to *aqidah* and *amaliyah*. *Sharia* aims to regulate human relations with each other and humans with their God (Melchert, 2001). Instilling Social Values in needs to be taught to the community to live and adapt to the times. In addition to fostering interest in reading, this literacy also trains individuals to understand why instilling social values in needs to be taught to the community to live and adapt to the times values are important. This also trains individuals and communities to criticize sources of knowledge related to religion or the values they get in the form of text, oral, visual, and digital (Nurzakiyah, 2018). Even in *muamalah*, *shariah* values must be implemented properly (Syihabudin & Gumelar, 2019). The purpose of sharia is *maqasid ash sharia* (Kamali, 1999).

There are four sources of *sharia*. First, the Qur'an is the main basis for establishing *sharia*. The Qur'an is the holy book of Muslims which contains contents containing commands, prohibitions, suggestions, stories, provisions, wisdom, and so on. The Qur'an explains in detail the rules and how humans live life to become human beings with noble character. Second, Al-Hadith is everything that is based on the Messenger of Allah, both in the form of his words, behavior, and actions. The word hadith has expanded its meaning and is often synonymous with *Sunnah*, which means the words, deeds, and provisions of the Prophet Muhammad made into sharia provisions. Third, *Ijma* 'is the agreement of all *mujtahid* scholars after the Prophet Muhammad's time. *Ijma* 'that can be accounted for is what happened at the companions' time, *tabiin* (after the companions of the Prophet Muhammad), and *tabi'uttabiin* (after *tabiin*). The fourth is *Qiyas* which means explaining something that has no textual evidence in the Qur'an and Hadith (Chapra et al., 2008; Dutton, 2013).

There are four types of sharia. First, it is obligatory, which is an act in which you will get a reward if you do it, and if you leave it, you will get a sin. Second, the Sunnah is an act that you will get a reward if you do it, and if you don't do it, you will not get in. Third, *haram* is an act which, if done, earns a sin, and if left, it gets a reward or goodness from Allah SWT. Fourth, *makruh* is an act

which, if left behind, is better than doing it. Fifth *Mubah* is an act that can be done or may also be abandoned (Al-Raysuni, 2006). The purpose of *sharia* consists of six kinds, namely 1) preserving the offspring, 2) preserving the human mind, 3) preserving the glory, 4) preserving the soul, 5) maintaining the property, and 6) preserving the religion (Abdal-Haqq, 2002).

## Method

### Design

This study uses a qualitative research design. According to Patton (2005), qualitative research aims to find out the world from the point of view of research subjects who experience a particular experience or event directly. Research focuses on what participants say contextually and structural analysis in which the researcher collects and explores more from participants' experiences. The researcher uses a qualitative approach from Patton (2005) with theme categories including (1) Social values in the traditional practice of *sesan*; (2) *Sharia* on the position of *sesan* custom. The research is located in Lampung, *Pepadun, Bumi Aji*, Indonesia. The researcher chose this location because the implementation of the *Sesan* property in a wedding reception is a characteristic of the Lampung indigenous people. The time of the study was carried out in 2020, namely January to March 2020.

### Participants

This study involved 16 participants consisting of 4 traditional balancers, 2 Islamic religious leaders, and 10 indigenous people. The traditional balancer is the eldest male from the oldest descendants highly respected in the *Pepadun* tradition because he is the determinant in the decision-making process. Meanwhile, the indigenous people are the Lampung *Pepadun* indigenous people who carry out the *Sesan* traditional tradition. The majority of indigenous peoples come from the Abung, Way Kanan, and Way Seputih (Pubian) areas.

The criteria for participants in this study are; (a) Balancing adat and indigenous Muslim communities from Lampung *Pepadun*, (b) Islamic religious leaders native to the Lampung tribe, (c) in the adult age category, (d) Balancing adat and Islamic religious leaders having extensive knowledge of *Sesan* custom; (e) the indigenous peoples have practiced the *Sesan* property; and (f) participants are willing to be the subject of this study with an anonymized name. This criterion aims to ensure that the participants actually have the same experience and sufficient views on the

*Sesan* customs and instilling social values in *sharia*. Based on predetermined criteria, participants were obtained as shown in Table 1.

**Table 1**

*Participant Description*

Variable	Characteristica	Frequency	Percentage (%)
Gender	Male	12	75%
	Female	4	25%
Age group	17-25 years old	2	13%
	26-35 years old	4	25%
	36-50 years old	3	19%
	51 years old & above	7	43%
Participant	<i>Penyimbang adat</i> ( <i>Penyimbang</i> custom)	4	25%
	Religious leaders	2	13%
	Indigenous peoples	10	62%

**Data and Sources of Data**

Research data in the form of primary data and secondary data. Primary data sources are the results of field observations and interviews with participants (*Penyimbang* custom, religious leaders, and indigenous peoples). Field observations were carried out to obtain data in the form of a description of the implementation of the traditional *sesan* at a traditional Lampung wedding party. The description of the implementation of the traditional *sesan* focuses on the various property of the *sesan* and the procedures for its implementation. Interviews were conducted with participants focused on the research theme.

Secondary data sources are data obtained from documents belonging to customary balancers and indigenous peoples related to the implementation of the *Sesan* custom. Documents also come from the Fatwa of the Indonesian Ulema Council, the Holy Quran, and Hadith on Marriage and the position of marital property (*Mahar*). In addition, the documents come from positive laws that apply in Indonesia and scientific articles that are relevant to research.

**Table 2***Types of data based on research themes*

Theme	Data Focus	Primary Data	Secondary data
Social values in the traditional practice of <i>sesan</i>	Implementation of <i>Sesan's</i> customary law related to <i>Sesan's</i> property	Participants' knowledge related to the implementation of <i>Sesan's</i> customs and <i>Sesan's</i> property	<ol style="list-style-type: none"> <li>1. Documents in the form of photos, recordings, and notes related to the implementation of the traditional <i>sesan</i></li> <li>2. Books and journals</li> </ol>
<i>Sharia</i> on the position of <i>Sesan's</i> property	The study of <i>shariaon</i> provision of property, dowry (dowry), in marriage and its position	Participants' knowledge of <i>sharia</i> in relation to the position of <i>Sesan's</i> property	<ol style="list-style-type: none"> <li>1. Al Quran and Hadith</li> <li>2. Scientific articles</li> </ol>

**Instrument**

The observation guide is determined by referring to aspects consisting of the location of the marriage, the physical environment for the implementation of the traditional *sesan* in general, the reception room, the property of the *sesan*, the atmosphere of the implementation, the traditional process of the *sesan*, and anyone who plays a role in the implementation of the *sesan* custom. The aim is to obtain information and data regarding the physical and non-physical conditions of the implementation of the traditional *sesan*. The interview guide aims to determine the extent of participants' knowledge and implementation of *sesan* customs. The guiding questions focus on the study of religious literacy, inculcation of social values in *sharia*, socio-culture, and research methods. The document analysis criteria focus on the themes, namely: 1) Social values in the traditional practice of *sesan*, and 2) *Sharia* on *Sesan* property.

To determine the focus of the research on the observation and interview guides, it comes from discussions with experts and participants before the researcher prepares the interview/observation guide items. The researcher cross-checked with the expert again after finishing detailing the research focus. The researcher uses the opinion of experts to assess the suitability of the research focus, the right types of questions, and the trials carried out to suit the research objectives. Expert validation was carried out using the discussion method. In discussions, researchers convey ideas and concepts as discussion material to experts. For the trial, researchers used anchors by applying

to 16 participants. Researchers conduct observations or interviews, record processes, transcript results, analyze themes and confirm with experts so that researchers can achieve real experiences. From this side, the researcher can find out whether the focus of the instrument is correct or not, the question words are meaningful or not. It is expected that participants understand clearly the questions that the researcher has prepared.

The interview instrument consisted of 9 question items. The material focuses on two categories of themes, namely (i) Social values in the traditional practice of *sesan*; (ii) Islamic legal literacy regarding the position of *Sesan's* property, see table 2.

**Table 3**

*Instrument Questions*

RQ1: How is the literacy of the Lampung indigenous people about the <i>sesan</i> tradition in the marriage of the Lampung Indigenous people of <i>Pepadun</i> ?	
Social values in the traditional practice of <i>sesan</i>	<ol style="list-style-type: none"> <li>1. Implementation of the delivery of <i>sesan</i> in marriage</li> <li>2. Ethics and norms for giving impressions in marriage</li> <li>3. Difficulty and ease of handing over messages in marriage</li> <li>4. Conditions of customary law in Lampung indigenous peoples</li> <li>5. Community factors: socio-cultural</li> <li>6. Balancing Factor (customary head): responsibility</li> </ol>
RQ2: How are social values in sharia in seeing the position of <i>sesan</i> in the Lampung <i>Pepadun</i> Indigenous community?	
<i>Sharia</i> on <i>Sesan</i> property	<ol style="list-style-type: none"> <li>1. <i>Sesan's</i> treasure in the view of Muslims</li> <li>2. Family responsibilities in marriage</li> <li>3. The benefits and wisdom that arise from the submission of <i>sesan</i> in marriage</li> </ol>

**Data Collection Procedures**

The steps of collecting qualitative data consist of: efforts to limit the research by focusing on the research theme, determine the type of data collection and design an effort to record the data that has been collected. Primary data to support the main data consists of participant observation and interviews. At the same time, the second supporting data is in the form of document review. The purpose of this data collection procedure is to help the research be more focused. In observation, the researcher went directly to the research location to observe the implementation of the *sesan* custom in the Lampung traditional wedding party.

The next stage is to conduct interviews with participants. Interviews were conducted to reveal the attitudes and knowledge of the participants. They focus on instilling social values in *sharia*, *Sesan's* treasures, and their views as Muslims. This topic is specifically carried out to collect primary data about the traditional *sesan* tradition and its position in *sharia*. All participant interviews were conducted independently by the researcher. The interview was conducted in coordination with the adat balancer; after that the time and place of the interview were conducted in *Nuwo Sesan*, which is the main place for the meeting of the *Purwatins* or balancers at the time of holding a adat pepung (consultation). The observed aspect was the participants' perceptions and discussed their experiences and thoughts about Islamic law related to the traditional *Sesan* tradition. Each participant was interviewed in-depth for a maximum of 20 minutes. The results of the interviews were then documented in voice recordings and research notes.

The interview guide used was based on the focus data, each coded as follows: (1) Social values in the traditional practice of *sesan* (Q1); (2) *Sharia* regarding the position of *Sesan's* property (Q2). Next, manual coding is carried out according to the participant number: Participant 1 = PS1, Participant Number 2 = PS2, and so on. Finally, coding consistency was assessed to infer coded data.

Researchers used the tools used to collect data in obtaining data, namely research notebooks, sound recordings, and cameras. Next, the researcher conducted a document analysis. Documents in the form of books, journals, important documents needed by researchers to find data that support the validity of research data. The documents in question are documents related to the implementation of the traditional *sesan* tradition and the position of property in *sharia* in the marriage contract.

### **Data Analyses Technique**

Data analysis is systematically sorting data and organizing it into categories according to the theme to produce a working hypothesis that the researcher has determined. The data analysis used by the researcher refers to data analysis from Miles and Huberman (1994) which consists of data reduction, data presentation, and then draw conclusions. First, data reduction is a process of selecting, centralizing data, simplifying, and transforming rough data that emerges from field observation notes. Data reduction is done by sorting out the part of the coded data and separating data that is not related to the focus and research problem to make it easier for researchers to analyze and see which data is really needed and make it easier to make conclusions. Second, the

presentation of data in the form of a set of information that has been arranged to provide possible conclusions and taking action. Presentation of data in the form of narrative text. All of them are designed to combine structured information so that researchers can find out what happens in the implementation of the traditional *sesan*. The third is drawing conclusions. In drawing conclusions, researchers try to draw conclusions directly from data obtained from the field in the form of data, writing, and behavior. Related to these three conclusions are made by the actual situation of the implementation of the *sesan* custom at the marriage of the Lampung *Pepadun Bumi Aji* community.

### Discussion

#### **Literacy of *sesan* property in the marriage of the Indigenous people of Lampung *Pepadun***

The first findings on the literacy of indigenous peoples regarding the giving of *Sesan* property in the marriages of the indigenous people of Lampung *Pepadun* revealed that the giving of *sesan* property in the marriages of the indigenous people of Lampung is a hereditary tradition carried out by the indigenous people of Lampung. In practice, the delivery of *sesan* property is given at the wedding reception. The gift of this property is a form of love and help or because of the services rendered by female and male relatives. *Sesan* property given by relatives can be fixed assets, buildings, land, jewelry, and household furniture. According to participants, considering data 1.

- (1) The *Sesan* custom is implemented when a woman is about to get married. The tradition in Lampung indigenous peoples is that the women's relatives help provide household furniture for provisions in starting married life.”

As stated by the participants, *Sesan's* property do not depend on funds from the bachelor (male), but more emphasis is placed on the ability of the girl's parents, and from the start, *Sesan* has also been in the form of objects that the girl and her parents have prepared for example filter cloth, tools kitchen, and other household furniture. If it is from the male side, even though it is difficult, he will still give the inheritance according to the abilities and negotiations from the male side to the female side. If there is no *Sesan* in the marriage, it will be the talk of the community both from the male and female sides. In the Lampung *Pepadun* traditional strata, if the customary stages have been passed, the *sesan* property must exist without calculating the size of the *sesan* value. Recent studies reveal that the practice of indigenous peoples related to the payment of marital property is common because it is part of customary law (Scurlock, 2021). Even based on historical records,

the tradition of giving this kind of marriage property has been carried out since the Middle Ages (Klein, 2000).

When examined based on the ethics and norms of the submission of *Sesan* in a traditional marriage of Lampung *Pepadun*, considering data 2.

- (2) Not only the procession, implementation procedures, rules, and requirements for Lampung traditional wedding rituals, especially the implementation of *Sesan* Treasures, are quite complicated. Starting from the implementation of *Nindai* or the process of assessing the prospective wife, *Nunang/proposing*, *Nyirok/Nyikat*, *Negotiating/Menjeu*, *Sesimburan/Bathed*, *Betanges/Steam Bathing*, *Hairdressing/Shaving*, Traditional Ceremonies to the Marriage Ceremony. It was during this marriage contract that *Sesan's* Treasure was handed over which was then followed by the *Ngurukken Majeu/Ngerukuk* ceremony and the *Talo Balak Tabuhan*.”

All processes for the arrangement of events and rituals, up to the Lampung traditional wedding procession, must be carried out according to customary law. In addition, the presence of the balancers is also a must in the implementation of the marriage tradition of the Lampung people. The balancers are also witnesses in the provision of *Sesan* property to the prospective wife. The literature explains that indigenous peoples highly respect the customary law of marriage both in terms of rights and obligations and the duties and responsibilities of both parties are respected even by extended families (Anyogu & Ibekwe, 2020). This is why the tradition of *Sesan* Treasure has been passed down from generation to generation until the modernization era as it is today.

Marriage in the indigenous people of Lampung *Pepadun* has two procedures, proposal (*rasan tuha*) by giving *jojokh* money and *larian (sembambangan)* leaving *tengepik* money. *Jojokh* money is determined based on an agreement between the two parties; *jojokh* money based on an agreement is often considered burdensome for the man based on the request of the woman's family. Based on previous research in East Lampung, marriages occurred by running away, both parties who wanted to marry used the run as an alternative way to avoid the customary process, which was considered long and burdensome for the men (Juliansyahzen, 2019)

In the implementation of *Sesan* property, they often experience various challenges. Especially if the road leading to the wedding reception is difficult for the bride and groom to cross, on the one hand, this tradition must be carried out, but on the other hand, it is sometimes difficult to carry out properly. As for the difficulty and ease of handing over *Sesan* in marriage, considering data 3.

- (3) “At the time of the marriage ceremony, the *sesan* property is brought by the entourage of the bride-to-be. Because there are quite a lot of them, sometimes it is difficult to bring all of *Sesan's* possessions to the wedding reception.”

Socio-economic changes do not seem to hinder the tradition of handing over *Sesan's* property. Until now, despite experiencing difficulties in bringing *Sesan's* property, this has not been carried out according to customary law. The study of literature found that the wedding ceremony adhered to the traditions and customs of indigenous peoples. Because marriage is a very sacred thing (Jotam et al., 2019). Therefore, whatever the challenges do not prevent them from carrying out the tradition as it should. Considering the condition of customary law in the Lampung indigenous people regarding the implementation of *Sesan's* property, considering data 4.

- (4) “Marriage according to customary law does not only mean a bond between husband and wife but also in obtaining offspring and being economically fulfilled. The principle of customary law marriage in Lampung *Pepadun* also requires husband and wife to form a *sakinah, mawadah, and warohmah* family as recommended in *sharia*.”

*Adat Sesan* is local wisdom of the indigenous people of Lampung which aims to ease the burden of newlyweds in starting life after marriage. This custom also aims to glorify a wife like a queen in the household who needs to be provided with various household facilities. This is intended to reduce the fear of getting married just because they do not have the facilities for their household needs. According to Manugeran et al. (2017), a marriage tradition is a form of local wisdom where there are cultural symbols, objects of ethnic marriage, and the process that should not be violated. Local wisdom in the marriage tradition of indigenous peoples also has distinctive character values and in the form of religious characters that are not shared by other ethnic groups (Agusman et al., 2018). In the classical *sharia* that developed earlier, it did not recognize *adat* as a source of law, Muslim jurists, especially the *anaf*, discussed the status of *adat* in the pre-classical period. *Adat* is incorporated into *sharia* in various ways, for example through local wisdom (Libson, 1997). From the socio-cultural point of view, considering data 5.

- (5) “The existence of *sesan* is a necessity in marriage. A need and requirements/stages that are passed in the process of carrying out the procession of traditional wedding ceremonies and from the perspective of the Lampung culture, *sesan* is a provision and basic capital for both in fostering a household. That's why *Sesan* is one of the vital needs that must still be carried out if the marriage is carried out traditionally.”

The source of funds from *sesan* depends on the amount, the money left by the woman, and the two people and the woman's sister work together to find funds according to their abilities. And from the male side will give one to close relatives and distant relatives and friends from the female family in the form of *uleman*/invitations. This *Uleman* is an invitation or notification that the girl from A's family will arrive at her wedding, usually in cigarettes for men and soap for girls. The amount of the gift can be seen in what cigarettes we receive. For the woman's uncles, money will usually be followed according to the ability of the men. This is one of the socio-cultural values of the indigenous people of Lampung *Pepadun*, which is generally carried out as a form of mutual cooperation among community members. In this case, it will be repaid when relatives and neighbors have daughters in the future. Previous findings revealed that the *gotong-royong* (mutual cooperation) is a tradition in every activity related to the traditional party of indigenous peoples (Sibarani, 2017; Kesuma & Rahman, 2020).

In the implementation of the marriage, especially in the handover of *Sesan's* property, the balancer must be present. Balancing Role (Customary Head), considering data 6.

- (6) "The tradition of handing over *sesan* property requires the presence and approval of the Balancers and family members. Marriage is considered invalid if it is only religious law and does not involve their presence."

In carrying out the *Sesan* tradition, the balancer is the main character whose decisions are considered. Balancing also listens to the opinions of his subordinates. The advice given by the Balancer is usually a consideration in the implementation of the marriage as well as in the case of *Sesan* property. The literature explains that the role of traditional elders/elders plays a big role in building peace for indigenous peoples (Nur Gedi, 2020). In the Igala proverb, traditional elders are referred to as signs of identity and social recognition, where the symbol of authority is in the hands of traditional elders (Sule et al., 2019). Therefore, the advice from the Balancers becomes a separate calculation for the parties of the extended family who will carry out the traditional wedding party.

### **Social Values in Sharia on the position of *Sesan* in the Indigenous people of Lampung *Pepadun***

The findings reveal that Social values in sharia based on the knowledge of the indigenous people of Lampung *Pepadun* views *Sesan's* property as permissible if it is by the provisions for benefit and does not contain elements of harm. The point is that the treasure has more wisdom and benefits.

The obligation to fulfill *sesan's* property should not burden both parties, both women and men. The granting of cesarean assets is prohibited if there is an element of compulsion to fulfill it and the element of benefit is less. This shows that the knowledge of indigenous peoples in understanding the values of *sharia* is quite good. Indigenous people obey customary law and Islamic law; only in practice, customary law becomes a binding rule in Lampung indigenous peoples. The literature reveals that Islamic law advocates marriage but is not intended to fulfill certain conditions that are difficult to fulfill (Kohar, 2016). Like the giving of dowry, *sadaqah*, and *nihlah* in the Al Qur'an, the term *Sesan* property is better known in the indigenous people of Lampung *Pepadun*. The resource person explained that,

- (7) "In *Sharia*, it is prescribed to pay a dowry only as a form of gift given by a prospective husband to a prospective wife, and as an acknowledgment from a man on the basis of the humanity, honor and honor of women."

This is clarified in the Qur'an Surah an Nisa verse 4 which reads, "Give a dowry to the woman you marry as a willing gift." Thus, it is clear that the gift of *Sesan's* property must be sincere and the intention of the giver is sincere, not out of compulsion.

Hadith narrated by Muttafaq'alah, Rasulullah SAW said, "Give (the dowry) even an iron ring." If it refers to the basis of *sharia*, the dowry becomes an obligation and is determined with the agreement of both parties. The dowry that must be paid at the time of the marriage contract is only as a *wasilah* (intermediary) for the *ghayah* (destination), because Islamic law strongly recommends that dowry in marriage be facilitated. Therefore, Islamic law does not stipulate the size of the dowry given. Likewise with *Sesan's* property, if you examine what has been explained regarding the dowry before the marriage contract, *Sesan's* property is the same in terms of purpose and purpose. But the law is different, because paying the dowry is mandatory while *Sesan's* property is allowed as long as it meets the terms and conditions that are guided by the teachings of convenience and are not burdensome.

In the case of divorce-related to *Sesan's* property, the Qur'an and Hadith do not provide detailed provisions that the property obtained by husband and wife is entirely the right of the husband or the right of the wife. What is meant is that the husband has his own property and the wife does the same. There is no combination of assets except by *shirkah* and carried out by a special contract. At the time of divorce, *Sharia* explains that *Sesan's* property becomes the right of the woman or congenital property of the wife because this property was owned before marriage. The findings of

Krauskopf (1978), suggests that marital property in divorce has provisions for the distribution of assets that refer to the regulations that apply in society and the state. The Panel of Judges at the Religious Courts thinks,

- (8) “*Sesan* property or luggage includes the property of the woman because the property was obtained by the woman before the marriage took place as a gift from the relatives of the woman. Therefore, *sesan's* property is not a joint property, but is inherited from the woman. Thus, the property of *Sesan* belongs to the woman”

More specifically, in the Civil Code, it is explained that the assets of a husband and wife are mixed when a marriage bond occurs. So it is clear that *Sesan's* property is a property that is the woman's right even though the divorce occurs. Then the regulation of Law Number 1 of 1974 Article 35 paragraph 2 explains that "the innate property of each husband and wife and the assets obtained by each as a gift or inheritance is under the control of each party, not stipulating otherwise." In this case, the wife still holds the *sesan* property as a legal subject for all her own property. But if you look at the customary law of Lampung, if the agreement is not from the court but the husband and wife in the event of a divorce from the point of view of the Lampung *Abung* Customary Culture which adheres to the Patrilineal system which prioritizes the son, the marital property tends to be controlled by the man on the basis that it will be given to the child. Men as a straight lineage. Previous studies have shown that it is essential to protect women's property rights in a marriage. Because most women, after divorce from customary marriages, do not get justice in the distribution of marital property (Moore & Himonga, 2015). *Sesan's* property as a new need after marriage, considering data 9.

- (9) “*Sesan* property is one of the supporting factors for happiness and peace in a husband-wife relationship. Because *sesan's* property can support married life.”

Factors supporting happiness in a marriage are not limited to mere material. However, the dowry or dowry known in the traditional Lampung tradition as *Sesan* Treasure is basically intended to worship (in this case what is meant is marriage as the purpose of worship to build a *sakinah*, *mawaddah*, and *warahmah* family) to be perfect and valid. However, women should reduce their dowry according to the feasibility and existence of women. The existence in question can be seen from the relationship with aspects of society, cultural customs, and the level of maturity of reason. Dowry is a feature (symbol) that is known to distinguish between marriage and *mukhadanah*. *Mukhadanah* is a marriage that is like polyandry (Nurhadi, 2018). And by giving a dowry as a

differentiator between a valid marriage and a *mukhadanah*. Giving property to a prospective wife is a form of respect, appreciation, and protection for women. This is a form of the seriousness of men to propose to their prospective wives (Ali & Tariq, 2019). Although previous research has stated that the dowry tradition is defined as a marriage grant (Baranyi, 2019), the customary law of the Lampung Pepadun community still holds the tradition to require the existence of *Sesan* property in traditional marriages. The novelty of this research, as has been explained, is that the *sharia* in the indigenous people of Lampung is quite strong. Although in this study, it was also found that there is a tendency to carry out *Sesan* beyond the limits of ability for reasons as a form of prestige and satisfaction on the part of the bride to show affection for her daughter. One example of coercion is to buy *sesan* property that far exceeds the amount of money given by the man. Thus it is clear that *Sesan* Treasure is a symbol of responsibility, agreement, and willingness of both parties in the marriage bond. It is possible in practice to comply with *sharia*.

In the end, this finding explains that in the Lampung traditional community, traditional traditions are still practiced from generation to generation. The novelty is shown in research in the scope of inculcating *sharia* social values through the tradition of implementing the *Sesan* custom at Lampung Community Weddings. Interestingly, the view of inculcating *sharia* social values in traditional marriages for Muslim communities is able to realize self-actualization and offer an understanding of new social values in *sharia* which gives birth to a culture of mutual cooperation. In previous studies, this has not been explained in depth. Previous research has focused more on the dynamics of change and customary marriage. This study shows the efforts of indigenous peoples in preserving the cultivation of social values in *sharia* as an alternative to moral education, cultural acculturation, and traditions of indigenous people:

### **Conclusion and Implications**

This study aims to determine the literacy of the Lampung indigenous people about the traditional *Sesan* tradition in the marriage of the indigenous people of Pepadun Negara Aji Baru Lampung which is intended to instill social values in the *Shari'a*. The first finding concludes that the impact of the practice of *sesan* on the inculcation of social values is manifested in the form of cooperation between relatives in fulfilling the obligations of *sesan* property. This practice has become a mandatory tradition in the traditional wedding ceremony of Lampung Pepadun, which has a regular value structure, and there is no stipulation on the amount of *sesan* property that must be

met. Although some indigenous peoples make excessive requests for *jojokh* and *tengepik* money by women's families by including selfishness from the family, it changes the importance of the socio-cultural values of the community in the practice of traditional *sesan*. This study shows that it is essential to deeply instill social values in the traditional marriage tradition, especially implementing the *sesan* custom which is a form of local wisdom.

The second finding related to social values in sharia on *Sesan's* property in the tradition of the indigenous people of Lampung *Pepadun Negara Aji Baru* concluded that the knowledge of indigenous peoples about the implementation of *sharia* regarding the position of *Sesan's* property is quite good. Indigenous people understand the shari'a that has been set regarding *Sesan's* real assets. The findings show that the literacy of Lampung *Pepadun* Customary Law requires the existence of *Sesan* property as a form of obedience to customary traditions but not in number as a form of obedience to *sharia*. This shows that indigenous peoples understand the values of customary law and *Sharia* values to make such decisions as a form of self-actualization.

The theoretical concept used has succeeded in finding the gaps in understanding that occur in the indigenous people of Lampung *Pepadun*. The review of Islamic law in marriage only requires a dowry which is a woman's right in return for surrender to her husband and *sesan* property in the form of household appliances in *sharia* should not be mandatory for the woman but is allowed as long as it fulfills the provisions of *sharia* such as the element of the willingness of both parties, a form of responsibility and respect for women.

This research has limitations on the perspective of the indigenous people of Lampung *Pepadun* who are in the *Bumi Aji* State of Central Lampung, the study conducted only focuses on one area. Thus, a broader study is needed to produce a comprehensive understanding by relying on objective indicators in testing the position of *sesan* property in *sharia*. As specific research, there are many problems that further researchers can analyze further, for example, the disappearance of marriage procedures or series according to Lampung customs using a survey approach that will allow a fairly good measurement.

### **Pedagogical Implication**

The theme of instilling social values in *sharia* regarding customary marriage practices that require a dowry or marriage inheritance in indigenous peoples has not been widely taught in social science education institutions and Islamic universities. In fact, knowledge about these practices is

essential to be studied more deeply to support social behavior, local wisdom and build socio-religious values in society. The inculcation of social values and iterations can also be provided through socialization in collaboration with traditional elders and Islamic religious leaders. The role of local governments is considered to support the preservation of traditional marriages. Although normative legal efforts and the MUI Fatwa have been carried out, local government regulations must support Instilling Social Values in Sharia on traditional marriage traditions. This finding is expected to encourage Muslims who are also part of indigenous peoples to better understand the importance of Instilling Social Values in Sharia as the basic foundation that can create peace in social life and married life *sakinahmawaddah*, and *waromah*.

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