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NIAS MARRIAGE AT EHOMO VILLAGE, MAZO SUB-DISTRICT, SOUTH NIAS DISTRICT ANALYZED THROUGH INDONESIAN MARRIAGE REGULATIONS

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ABSTRACT

Background: The large number of marriage dowries that apply in nias tribal marriage customs becomes one of the considerations for nias people to hold a wedding therefore holding marriages in other areas (outside nias area), especially in urban areas, become one of the options for nias people to avoid the large cost of dowry that must be given by men to the female side. Mahar in Nias custom also contains issues of gender injustice.
Aim: This article aimed to study the marriage status of those who get married in Ehomo Village and how it is viewed through Law No. 1 of 1974 concerning Marriage.
Method: This type of research in the preparation of law is empirical legal research. Presearch law taken from the facts that exist in a society, legal entity or government body, so that the material isthen compiled systematically, studied then drawn conclusions in relation to the issues studied, namely regarding the marriage of indigenous Nias tribes reviewed from Law number 1 of 1974 on marriage in Ehomo Village Maze District of South Nias Regency.
Findings: The magnitude of dowry in Nias especially in Tetegawa'ai Ehomo is driven by wedding events that every stage should be celebrated with a massive event. One stage can be up to several days, so for a marriage can take a week. To finance this event, it is not uncommon for men to think about it or take responsibility.

KEYWORDS *Nias, Traditional Marriage, Regulations*

INTRODUCTION

The motto *Bhineka Tunggal Ika* is so embedded in the life of Indonesian people. This refers to the life of its multi-ethnic community and spread from Sabang to Merauke. Geographically, Indonesia is an archipelago that has many diverse tribes, races, languages and religions or also called plurality (Chaer, 2007). The customs of marriage are one part of Indonesian culture. In Indonesian culture, marriage is a very sacred thing and must follow a strict cultural pattern. Marriage is not only the union of two individuals, but furthermore is the union of two large families. Marriage should not be done immediately and suddenly, must undergo several processes so that it comes to the union of two lovebirds in a household bond. Therefore, the determination of marriage dowry before carrying out a legal marriage is mandatory in accordance with the customs applicable in each region. Marriage dowry is a number of assets given by the male to the female side both to the bride and relatives of the bride-to-be (Widagdho, 1991).

At first dowry is often described as another form of buying and selling transaction as compensation for losses suffered by women's families due to loss of several supporting factors in the family such as loss of labor, and reduced fertility rates in the group.

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In the Nias community in *Tetegawa'ai* Ehomo, Maze Subdistrict, South Nias Regency to marry a Nias woman, a man must pay dowry or *Bowo*. In marriage in Nias the term *Bowo* which in the real sense of the Nias tribe is a free gift. This understanding of *Bowo* contains the dimension of the deedization of parental affection for their children, evidence of parental attention to their children. *Bowo* happened because the man expressed his love for his wife's family. This continues continuously so that it is considered good and finally instituted in customs, which they eventually make *Bowo* as a condition of marriage (Gulö, 2007).

The condition of marriage in Nias is with a dowry (*Bowo*) consisting of money, pork, and rice. The amount of dowry (*Bowo*) paid by the male side depends on the level of social status of the female parent. *Bosi* is a strata of nias community in Ehomo Village, Subdistrict Maze, District South Nias, consists of five levels, namely (Telaumbanua, 2012):

1) The seventh level *(Bosi sifitu),* for the crowd,
2) The eighth level *(Bosi siwal),* for the customary head;
3) The ninth level *(Bosi sisiwa),* for *sanuhe ba nori*;
4) The tenth level *(Bosi sifulu),* for *Tuhenori* (The Head who oversees several villages or villages) descendants of King Samono Tuhabadano who make customary and regulatory provisions and have carried out a big party (*Owasa);*
5) The twelfth level *(Bosi sifelendrua),* for *Tuhenöri* descendants of King Bauwan Danö.

Dowry payments to families who are getting married are still influenced by *bosi* (Social status) in the community although there are also citizens who are too guided by *Bosi* when they want to determine the size of the dowry. However, the dowry requested remains large because based on the wishes of parents, especially the family of the female in determining the dowry is if the girl is highly educated and rich, will certainly ask for a very large dowry for men who want to propose their children. Giving a very large dowry to a very large man can show a very high appreciation to the bride-to-be on the one hand, and on the other shows that it is the material value that can increase the prestige of the family in society (Telaumbanua, 2012).

In accordance with the times, apparently *Bowo* is no longer easy to fulfill it. People who are getting married must pay the amount of dowry even if they cannot afford it. *Bowo* shifted his value, that is the problem. *Bowo* should come from the sincerity of one's heart not because it is forced, becomes a condition of marriage. Currently the term *Bowo* has shifted to *Gogoila* (Regulation). The term *Gogoila* is more familiar among Nias indigenous figures today. To achieve the "provisions" of course taken the way of "deliberation" and in that deliberation there is a "bargain" how much *Gogoila* must be paid by the groom (Mendröfa, 1982).

In the past *Bowo* still made sense, because the Nias economic system was still bartering, meaning that *Bowo* was calculated based on the number of pigs and not money. Now if *Bowo* is moneyed, it will be a burden on generation-layered life, because pigs are not cheap. For example, a pig whose diameter is eight alisi can cost up to Rp. 900,000 - Rp. 1 million. If in *Gogoila (Bowo)* there are 25 pigs, then if cashed will reach approximately Rp. 25 million. Not to mention rice and gold. Due to the large cost that must be borne by the male family if they want to hold a marriage, causing the family to work hard to collect the necessary costs so that when they want to marry a Nias girl there is a kind of fear, reluctance, and doubt.

In addition, many pigs must be slaughtered with various kinds of functional customs. For example, three for marriage, one for mothers who give advice to both brides, one for the bride to the house of the man and many more. In addition to being slaughtered there are also pigs

used for *"Famolaya sitenga bö'ö"*, among others at least one to three tails for the bride's uncle, one for the eldest child of the bride's family, one for the sister of the bride's parents, one for the village community from the bride's side which is usually moneyed and the money is distributed to the village community, one for the youngest sister of the bride and so on.

In accordance with the initial interview of researchers with two Nias tribe in the Rantauprapat region, said that the implementation of dowry payments at the Nias Indigenous tribe's wedding event in the Rantauprapat region in particular, equals the number of dowries at the wedding event in the Nias Island region, while in the region of Rantauprapat, especially the female family who wants to marry her child to the bridegroom with a dowry of small value, It is because of the openness of parents' insight to their children.

Researchers were interested in conducting this study to analyze the law against indigenous Nias tribal marriages in review of Law number 1 of 1974 on marriage in Ehomo Village, Maze Subdistrict, South Nias Regency.

METHOD

This type of research in the drafting of law is empirical legal research. This research is prescriptive (Narbuko & Abu, 2002). The first step of this research is a discussion about the meaning of law in public life, where the science of law not only places the law as a social symptom that is viewed from the outside but into an essential side of the law (Mahmud, 2006).

In writing this law, the thing discussed is the Marriage of Indigenous Nias tribe reviewed from Law number 1 of 1974 concerning Marriage in Ehomo Village, Maze Subdistrict, South Nias Regency.

The data collection in this study used some of the ways listed below.

Literature Studies

The literature study is focused on primary legal materials, namely laws and regulations such as the Civil Law Code, especially Law No. 1 of 1974 on marriage.

Interview

In this study, the author used directed interviews, namely interviews with mengusing a list of questions that have been prepared in advance. In directed interviews there are certain directions or structures, namely (Soemitro, 1988):

1) Interview plan
2) Organize a list of questions and limit answers
3) Pay attention to the characteristics of the interviewer and the interviewee
4) Limiting aspects of the problem being examined

RESULTS AND DISCUSSION

General Review Regarding Marital Status of Married Couples Who Married in Nias Island According to Nias Customary Law

To hold a traditional wedding Nias certainly many must be considered and prepared in accordance with the rules that have been determined by the enforcement of customary law in ancient times. As for the procedures for the implementation of the wedding ceremony of Nias customary law and that need to be considered that cannot be forgotten or eliminated as follows.

Customs and Philosophy of Life of Nias People

Nias tribe is a community that lives in a traditional and cultural environment that is still high. Nias customary law is generally called fondrakö which regulates all aspects of life from birth to death. The ancient Nias people lived in a megalithic culture evidenced by historical relics in the form of carvings on large stones that are still found in the interior of the island to this day. Then for anyone who violates the law will be sanctioned in accordance with what he did, there are even sanctions that reach death.

Nias people know the caste system (12 levels of caste). Where the highest caste level is Balugu. To reach this level one must be able to do a big feast by inviting thousands of people and slaughtering thousands of pigs for days. There are 3 types of parties of so many dances (as many villages exist): the integration of individuals into the community (Birth, marriage, death, rising social status), inter-village parties to honor ancestors, and *Fondrakö* which is a celebration of the strengthening of customary norms celebrated once every 7 years. It was the first feast that was most festively celebrated, the most pork slaughtered and cooked. At the celebration of a person's rising status, megalith stones are made and enforced in the courtyard of the balugu house as a sign of his social status. Without a party, megaliths have no reason to be established. Generally the party is held by dancing and singing *Hoho*.

Dancing is creating space. In the act of dancing and singing hoho the order of the universe (banua) is re-staged. All members of the community participate in the dance according to her role and position in it. The village and its members at the event really became banua, because the term banua itself in addition to meaning the sky, the universe, also the village and its people. In this event of dancing and singing is shared (Commune) and determined the story of creation and hope to be achieved in front. Dancing is the beginning and end of the world.

The Ono Niha (A Nias' tribe) tribe adherence to these customs is one of the burdens of duty that must be adhered to in order to achieve the so-called *Fahasara-dödö* (Unity). For in the absence of *Fahasara-dödö* (Unity) shall arise that the so-called who is strong is the one who is in power. That is why ono niha is afraid to fight or violate every rule (*Fondrakhö*) that applies and that is already regulated in the midst of society. Nias people believe that what is mandated by the ancestors is the "Law" and whoever violates it will be subject to severe sanctions or curses from the spirits of ancestors that result in living on this world unhappy, unsafe and stricken by the misery of life to posterity. *Amaedola* (Proverbial) Nias said "*Afatö gahe zanaö, aköi döla hulu zanuri arö*" which means broken leg that violates the law and twisted back that sings it (Mendröfa, 1982).

Nias people also know the philosophy of life, one of the living philosophers of nias people is like weeds in the middle of the fruit of rice plants, it looks the fruit of lies carried by the wind and looks the fruit of truth can be enjoyed or harvested. In Nias "*Hulo mbua go'o, ba gotalua mbua wakhe, Oroma zowua faya i'ohe angi, ba oroma zowua sindruhu tola mubasi*" (Mendröfa, 1982). Then the philosophy of weed grass in the middle of the rice plant as a special message to the pillars of Nias. Weed grass is hated by farmers because it is very dangerous and damaging to rice crops. Growing rice seasonally in fields (Hard soil areas) insteadof rice fields (Watery flat soil area) has many disadvantages that are always easily overgrown by weeds and other types of grass plants. Weed grass grows between rice and is difficult to detect because the type of leaves is almost the same. Even better, weeds can adjust to the greenish level of rice leaves. Weed grass is very strong in fighting for food from the

ground, precisely weeds look more fertile and sometimes the leaves block rice leaves. Weed grass damages rice and makes it not produce maximum fruit.

The philosophy of weeds, rice, and fields is strongly held by the people of Nias to this day. The essence of this philosophy of life is not to disturb others, live for policy and benefit others.

Application of Customary Marriage Law of Nias people in Nias Islands

The people of Nias have a marriage custom which is known to be very unique with its own characteristics that are not found in other regions in Indonesia. The people of Nias are divided into several regions and each of these areas has its own uniqueness which can influence the culture and customs of each resident, including the marriage customs of Nias. Until now, Nias marriage customs have taken various forms following their respective regions, which are divided into categories: 1) Laraga tradition (Covering the Gunung Sitoli area and its surroundings); 2) *Mazingõ/Hada Raya* tradition (Covering the South Nias area); 3) Lahõmi adat (Covering the Sirombu area and its surroundings); 4) Moro'õ custom (Covering the Mandrehe area and its surroundings); and 5) Lafau/Hada Yõu Customs (Covering Lahewa and its surroundings)

The five types of customary marriages have similarities but there are also some differences, which add to the richness of the traditional culture itself. One of the most interesting is about: *Ono Nihalo/Ni'owalu* (The bride) and *Fanika Gera-erabõwõ*. *Ono Nihalõ/Ni'owalu* (Bride) according to Adat Laraga must be carried and brought immediately to the wedding party (*Falõwa*) by the *Marafule* (Groom) entourage, while according to *Lahõmi Ono Nihalõ* or Niowalu customs, the groom's entourage is not directly carried by the groom's entourage at the wedding, but was escorted by the bride's family the next day. Likewise with fanika gera-era mbõwõ, if according to Laraga custom, coconut leaves (bulu nohi) are placed/attached to the shoulders of the groom, while according to Lafau custom, coconut leaves (bulu nohi) are attached to the groom's chest.

These differences and similarities bring nuances of wealth to the marriage customs in Nias which do not need to be contradicted with one another but must be preserved into a harmony of cultural wealth. As a whole, the Nias traditional marriage stages are actually no less than 10 stages and each of them takes a short time, because each stage involves several parties, both from the prospective groom and from the prospective bride.

Today these stages have been shortened by combining or eliminating several stages with the agreement of both families. The complete stages of Nias marriage customs include *Famaigi Niha, Fame'e Laeduru/Fangai Laeduru, Femanga Mbawi Nisila Hulu, Fanunu Manu, Fangõtõ Bongi, Fame'e* and *Famotu Ono Nihalõ, Folau Bawi, Falõwa* (Wedding Party), *Fame'e Gõ*, and *Famuli Nukha*.

Marriage Customs on Nias Island in General and in Ehomo Village

Marriage customs on Nias Island in general and in Ehomo Village in particular are still identical with *Bowo* (dowry). *Bowo* (dowry) has been entrenched in Nias Island since ancient times until this era so that it becomes an element or object that develops and is not easily extinct in people's lives. When viewed from a value perspective, it can be said that *Bowo* (dowry) has a high concrete value or form. *Bowo* (dowry) on Nias Island includes many elements.

In general, there are several Nias customary marriage arrangements that must be respected and obeyed by a groom and a bride who will carry out their marriage, as follows.

Find a Mate

The young man who wants to find a mate chooses the girl secretly, because custom forbids dealing or talking directly to the girl. The term for finding a mate is called *Famaigi Niha, Famakha Bale* (Hilinawalo, South Nias), and *Lobi-lobi*.

This stage of finding a mate also uses the *Manandra Fangifi* method (Seeing a good match or not from the dream of the prospective groom) or *Famaigi todo manu* (Seeing a good match or not from an examination of the chicken heart).

If a man has found his soul mate through an intermediary, the terms are *Si'o* (Telangkai), *Balondrela, Samatua'li*, and *Si'ila* (Asking the status of the girl to the *Hiwa* (The girl's close family) whether the girl is not yet bound and is willing to accept the proposal).

Famatua (Engagement)

The man submits an official application to the woman, the sign of marriage is submitted by *Afo si Sara*, namely *Tawuo* (Betel), *Betua* (Kapur betel), *Gambe* (Gambir), *Fino* (Areca), and *Bago* (Tobacco Afo Ball). All these ingredients are well packaged. A total of 100 pieces of betel are arranged side by side. The essence of this event is a formal engagement that takes place at the woman's house.

The engagement at this stage is still loose, the term is *fohu-fohu bulu ladari* (Tied with ladari leaves), can be canceled without any risk. This engagement term is called *Famatua*. Then there is *Fame Laeduru* (Exchange rings) and *Famaigi Bowo* .

The *Famaigi Bowo event is* hosted by *Satua Famaigi Bowo* (the host) which includes:

1) Surrender of a live male boar measuring 7 alice (50 kg)
2) Submission of *Afo si Sara* (Sirih) approximately 100 pieces, 25 seeds of gambier, 1 ounce of tobacco, 20 seeds of areca nut, 1 ounce of whiting, well wrapped, tucked in a rattan split ring (*Suasa*) to exchange rings, if used gold rings are considered to challenge the female's dowry.
3) The women were conveyed the purpose and purpose of their arrival, then greeted by the traditional leader of the women's side, after they were finished, they continued to eat together.
4) *Fangoro* (Visit to the in-laws' house). The visit of the prospective groom to the house of the prospective in-laws. One day after *Famigi Bowo,* the prospective groom came to the woman's house with rice and a side dish of a cooked pig, and brought a set of betel. The groom is accompanied by his younger brother. At the bride's house, the groom is greeted with a piglet that is cut, partly wrapped and brought home as a gift to the parents of the man.
5) *Fanema Bola* (Determination of Honesty). The woman's visit to the man's house without the bride, only accompanied by the woman's brother. The arrival of the women was welcomed by tethering 2 large pigs (@50 kg) to be eaten together, the pigs were split equally. This honest counting event is called *femanga bawi nisila Hulu* (A pig is cut in half from head to tail; half for women and half for men, as a symbol of agreement, uniting two families, the sign of engagement cannot be

canceled again. If it is canceled the woman must return the double honesty or the man does not accept the truth if it is canceled unilaterally by the man. This event is called *Fanunu manu sebua* (Laerah Laraga), *Famorudu nomo* (Moro'o), *Fangerai Bowo* (*Area Aramo, To'ene*), *Fanofu Bowo* (Bawomataluo), and *Mamalua angeraito Bowo*.

Famekola (Payment of Dowry)

The man's family came to the woman's side to pay the dowry by bringing a set of betel and 10 grams of gold. The women welcomed by providing 3 pigs for one tail for the entourage who came, one for the mother of the groom, and one tail brought home alive.

Fanu'a Bawi (Seeing Traditional Pigs)

The women came to see the two wedding pigs, matched or not according to the requirements: The two pigs which symbolize the two parties of the family, are specially raised from childhood to a size of about 100 Kg or more, the pig must not be deformed, the tail must be long, and the color of the fur must be the same, must not be striped or red, the color must be one black or white. The pig is authoritative (Seeed from the fangs, tail, neck hair). At the time of the event, the men provided two pigs to eat together and when the women came home they were handed another 10 grams of gold and some of the pork.

The material for the event in Fanu'a Bawi is determining the day and date of the wedding (*Falowa*), preparations for wedding equipment, calculating/reminding the amount of dowry that has not been paid, and the amount of *Bowo* (Dowry) is determined by the level of position in adat (*Tolambowo*/parents). The biological family receives 100 grams of gold, Bulim *Bowo* /nearest family receives 20 grams of gold and it is divided equally). *Bowo* reception is done at the time of the wedding party.

Fanga'i Bowo (Taking Help Rice)

The women came to take the aid rice to the men to take the aid rice at the marriage party, a sign that the implementation time had not changed anymore. The amount of rice taken is = 4 Zo`e + 2 Lauru, with a note:

1 Zo`e = 14 Cans
1 Zo`e = 10 Lauru
1 Lauru = 24 Measures

Measures of rice, grain and beans. Woven from the stems of the sweet plant 'Tutura or *Tura-tura*. The volume is 7500 grams of rice, 24.2 cm high with a circle diameter of 28.1 cm. For the type of measure, namely:

1) Dosage/*Tetehösi*, Idanögawo Volume: 1500 grams of rice, Height 15.5 cm, diameter 16.7 cm
2) Dosage/*Ambukha*, Central Nias Volume: 375 grams of rice, 9.8 cm high, 9.7 cm diameter

3) Dosage/*Ambukha*, Central Nias Volume: 500 grams of rice, 10.4 cm high and 10.85 cm in diameter
4) Dosage/*Lölö'ana'a*, Central Nias Volume: 750 grams of rice, Height 16.8 cm with a diameter of 11 cm

Fame'e (Advice for Bride and Groom)

3 Days before the wedding, the fame'e ceremony (Guidelines for living a household) is held. The groom-to-be accompanied by his friends (Parents did not come) came to the woman's house with a set of betel. The mothers of the woman's family advise the girl, usually the girl cries (Fame'e : Crying for the girl, because she will be separated from her family). From the time of fame'e the gongs (Aramba) and drums (Gondra) were sounded continuously, until the day of the feast. The girl was secluded, to maintain her health and beauty.

In Nias custom, the role of Uncle is highly respected (Uncle = *Sibaya* /The girl's mother's brother) before the wedding, so the women carry out *Fogauni Uwu* (Please pray for Uncle's blessing for the upcoming wedding).

Folau Bawi (Delivering Indigenous Pigs)

The day before the wedding, the groom escorts the two wedding pigs and an attendant to the woman's family home. These 2 Traditional Pigs departed from the male family's house with a certain ceremony, and were greeted by the women also with a certain ceremony with pigs brought home.

This event is called Fondroni Bawi , with details of the distribution of the Indigenous Pig as follows:

1) The first pig: The biggest one for the girl's family (So'ono) and the girl 's uncle (*Uwu*)
2) The second pig, intended for residents of the girl's family village (*Banua*) and the boy (*Tome*)

Skinning and dismembering pigs cannot be done by just anyone. The biggest pig goes to the family who is most respected by the family who organizes the party, and so on until the smallest pig. The most difficult thing is removing the jaw (*Simbi*), because *Simbi* must not be damaged. The *Simbi* is the most valuable part of the pig. How to cut pork in Nias is cut regularly and follows a pattern that seems to be common there.

1) First, remove the *Simbi part*
2) Second, splitting the pig from the tip of the nose, one ear, to the tail is called *söri*
3) Third, dividing the belly of the söri by including a little ear called *Sinese*
4) Fourth, divide the upper jaw into two, which they call *bole-bole*
5) Fifth, cutting the hind legs, called *faha*
6) Sixth, cutting the forelegs called *taio* . All pigs are skinned and cut into pieces in the same way, then distributed to the audience, relatives and neighbors according to their respective requirements.

The distribution of the meat is as follows.

1) *Simbi* is the right of the traditional leader or the most respected person
2) *Söri* is the right of traditional leaders, uncles, in-laws, and heads of family families

3) *Sinese* is the right of traditional leaders, younger or older brothers, religious leaders, and government figures
4) *Bole-bole* is the right of the customary leader, the head of the family clump, and *salawa*
5) *Faha* is the right of nieces and daughters
6) *Taio* is specially given to cutters
7) According to custom, the *Fadono* (Sister of the bride) is entitled to receive one of the *Ta'io* (Foreleg) that is cut off during the ceremony.

Falowa (Wedding Party)

The events' agendas are:

1) On the day of the wedding Uncle came and was greeted by cutting two pigs of respect
2) The groom's entourage came: bringing Party necessities
3) Handing betel a sign of respect
4) *Bowo* settlement for *TolamBowo* (Biological parents) received 100 grams of gold and *BulimBowo*
5) The closest family received 20 grams of gold and divided it equally among all
6) Likewise, *io naya nuwu* (Dowry for uncle) is also paid
7) The highlight of the event *was Fanika Gera'era* (Opening the mind) which was the recalculation of all dowries (Honest/ *Bowo* or also called *boli gana'a* /gold price) both those that had been or had not been paid off by the male family
8) By the traditional head of the women's side, advice is given to the groom, including being informed about customary debts that must be fulfilled, advice on the husband's obligations to his wife, advice as a son-in-law to his in-laws, as a member of the tribe.
9) Finished saying that advice, tapped on his back (slowly) once. This is done over and over again, after the advice ceremony is over. If this advice is not heeded (the groom is sitting on the floor), then he is obliged to pay off the outstanding honesty first, and if the completion of the *fanika gera'era discussion is* not completed, then the party can be postponed or canceled altogether.

After the above event, it was continued with the cutting of the Traditional Pig, which was cut by splitting the pig from the head to the top of the tail in 2 parts, for:

1) 1 part of the girl's parenrs and the girl's family (*So'ono*)
2) 1 part of the girl's village friend (*Banua*)
3) 1 part for male parents and group (*Tome*)
4) 1 part for the girl's uncle (*Uwu*)

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6) Sixth, cut the forelegs called *Taio*. All the pigs were skinned and cut into pieces in the same way, then distributed to the audience, relatives and neighbors according to their respective ranks.

An Overview of the Legal Status of Marriages Conducted in Ehomo Village in View of Law No. 1 of 1974 concerning Marriage

The Marriage Law defines in Article 1 Paragraph (1) that, "Marriage is an inner and outer bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family (Household) based on the One Godhead". From this explanation, it can be seen that a marriage has two aspects, namely:

1) Aspects of formil (Law). It is stated in the sentence "inner birth bond", meaning that marriage in addition to having the value of bonding in birth, also has an inner bond that can be felt especially by the concerned and this inner bond is the core of the marriage;
2) Social (Religious) aspects. By mentioning "forming a family" and "based on the Supreme Godhead", it means that marriage has a very close relationship with spirituality, so that not only the physical element but the inner element also plays an important role.

As a form of engagement in a marriage, it shows the willingness of two parties who are determined, and the result is the obligations and rights that they determine. Because a marriage agreement is only said to be valid if it is carried out according to the teachings of their respective religions , and each marriage is recorded according to the applicable laws and regulations.

In addition, if the definition of marriage is elaborated and studied, then there are five elements of marriage in it, namely as follows.

Inner-Outer Bond

In a marriage, it is not enough just to have an outer bond or an inner bond, but both are synergistically and closely integrated. The inner and outer bond is a bond that can be seen and expresses the legal relationship between a man and a woman to live together as husband and wife (formal relationship). While the inner bond is an informal relationship, a bond that is not visible, not real, which can only be felt by the parties who bind themselves. This inner bond is the basis of the outer bond, so that it is used as the foundation in forming and fostering an eternal and happy family.

Between a Man and a Woman

Marriage bonds can only occur between a man and a woman. Thus , this law does not recognize or legalize marital relations between men and men, women and women, or waria and waria. In addition, this element contains the principle of monogamous marriage.

As Husband and Wife

According to Law Number 1 of 1974 concerning Marriage, an alliance between a man and a woman is considered husband and wife, if their bond is based on a legal marriage. Marriage is considered valid, if it fulfills the conditions determined by law, both internal and external conditions. Internal requirements are conditions concerning the parties to the marriage, namely their agreement, skills and also the permission from other parties that must be given to carry out the marriage. Meanwhile, the external conditions are the requirements concerning the formalities of the marriage.

Forming a Happy and Eternal Family (Household)

The family is a unit consisting of father, mother and children which is the basic foundation of the composition of Indonesian society. In realizing the welfare of the community, it is very important that the welfare and happiness of the family can not be other, a happy society consists of happy families as well. Forming a happy family is closely related to offspring which is also the purpose of marriage, while the care and education of children is the rights and obligations of parents. To be able to achieve other things, it is hoped that marriage will last forever, namely that so many people marry, they will not divorce forever, except for divorce due to death.

Based on God Almighty

In contrast to the conception of marriage according to the Civil Code and bumiputra Christian Marriage Ordinance which views marital marriage as a civil relationship only (Physical), the Marriage Act bases marital relationships on spiritual grounds. A logical consequence based on Pancasila, especially the first precept of the Supreme Divinity, then marriage has a close relationship with religion so that marriage not only has an element of birth (Physical), but the inner element (Spiritual) also has an important role.

Customary Law Marriages Outside Nias Island Reviewed According to Law no. 1 of 1974 concerning Marriage

Nias customary law are values that live and develop in the society of an area. Although most of the Nias Customary Laws are unwritten, they have a strong binding force in society. There are separate sanctions from the community if they violate the rules of customary law. Customary law that lives in this society for people who still have a strong original culture will be felt.

Talking about marriage customs Nias has the meaning of customary law, namely the rules of customary law that regulate the forms of marriage, ways of applying, marriage ceremonies and the termination of marriages. Marriage according to customary law can be a matter of relatives, families, alliances, depending on the structure of the community concerned. Meanwhile, the definition of marriage in Article 1 of the Marriage Law states "Marriage is an inner and outer 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 Lordship of the Almighty.

In principle, the benchmark for whether a marriage is valid or not, whether on the island of Nias or overseas or in any area and at any time, the benchmarks are:

1) If it is in accordance with the provisions of customary law that have been applied

2) If the submission of *Bŏwo* (Dowry) is fulfilled in accordance with the agreement and customary law of Nias
3) If the marriage has been carried out
4) If it has been registered in the civil registry

If the writer analyzes the legal requirements for marriage according to Nias customary law which is carried out both on the island of Nias and overseas, it is almost the same, if it is reviewed according to Law Number 1 of 1974, Article 2 paragraph (1) that marriage is legal if it is carried out according to the law of each country, religion and belief, and Article 2 paragraph (2) that every marriage is recorded according to the prevailing laws and regulations.

CONCLUSION

From the results of the research above, it can be concluded that in general the amount of dowry that applies in the marriage customs of the Nias tribe, especially in Tetegawa`ai Ehomo, consists of approximately Rp. 30 million, gold jewelry, 5 pigs and 5 sacks of rice. Many factors affect the amount of marriage dowry for the Nias tribe , but the most influential are the family status and occupation of the woman to be proposed. If the woman to be proposed has a good job or if the woman comes from a prominent family, then the amount of dowry that must be provided by the man will be even greater.

The stages of the traditional marriage ceremony that are applied and used by the Nias tribe, especially in Tetegawa`ai Ehomo are, the preliminary stage (choosing the girl, checking the strokes of the rooster's heart, paying attention to dreams and voting), the engagement period (handing over the ring, and burning the chicken). , declaration of marriage, delivery of rice for the purpose of the wedding, asking for instructions from the woman, asking for blessings from gods and ancestral spirits, notification to uncles, and bringing traditional pigs for marriage), wedding parties and completion of work (bringing food for the bride and groom) return of traditional clothes).

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