

KARANG MEMADU: AN ANTIPOLYGAMY VILLAGE CALLED PENGLIPURAN

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ABSTRACT

Modernization illustrates that traditional life does not provide enough roles and opportunities for women. Tradition is often interpreted as a restraint and persecution of women. It is no exaggeration to say that in traditional and modern life, polygamy is a legit and approved act. Polygamy is detrimental to women, making them suffer and helpless. However, in traditional village of Penglipuran, Bangli regency, Bali, polygamy is prohibited. Men who violate customary rules as outlined in the *awig-awig* of the village should be sentenced. This study aims to provide a basic and simple description of Karang Memadu, a unique tradition of Penglipuran. The purpose of this research is assisted by using library study method, interview with informants and the community of Penglipuran Village, as well as observation and capturing the life of the community by photographic equipment.

The local wisdom of Karang Memadu in traditional village Penglipuan is an effort to protect women from polygamy. Customary sanctions must be acknowledged: prohibited from entering the temple area, prohibited from passing the village road up to disgrace of being isolated are effectively make the couple of polygamy can not be encountered in the village Penglipuran. Although this *awig-awig* is in contrast to Law No. 1 of article 3 verse 2 of 1974 on the legitimacy of polygamy, the terms are in accordance with article 5 stated polygamy may be ratified if there is a consent from the previous wife. This is the essence of Karang Memadu, no women are men's second wife. Thus, it would have a greater value if Karang Memadu should not only be taken part as oral customary rules but also considered as a written one.

Keywords: *Karang Memadu*, Penglipuran, polygamy, tradition.

INTRODUCTION

Tradition is often interpreted as out of date, old-fashioned. In modern life, tradition is often accused of impeding the pace of development, unresponsive. Many people flock to leave tradition just to be called modern. Uniquely, modern humans are also proud to be able to perform activities related to tradition, because of this personal connection to the tradition they are able to differentiate their characteristics as a group and a tribe compare with others.

Modernization also notes that traditional life does not provide enough roles and opportunities for women. Giddens (2005) in his book *Konsekuensi-Konsekuensi Modernitas* says that the global risks of modernization appear to be an ecological and social risks. Tradition is often interpreted as restraint and persecution of women. The activists of equal rights are always try to enter the realm of modernization, and often denounce tradition when they fight for women's rights.

Putra (2000) in his article of Sarad magazine describes the writing of Hugh Mabbett in *The Balinese* that the independent of Balinese women in the field of economics and finance seemed stronger nowadays. Balinese women have autonomy in the economy because they are also working for money. Markets and commerce, where they work, are clearly the territory of women.

Many more men are engaged in trading and other commercial activities give result in increasingly pressured Balinese women into domestic affairs. A man will be easily place a woman, in this case his wife, to a lower status than himself. This also triggers the justification of men on polygamy. He has worked hard to earn a living, met his wife at home but did not get the treatment he hoped for, and wreaked out his disappointment by finding another dream woman. Without him noticing, the wife also has worked hard at home to keep a comfortable house and she also needed to be entitled to get the treatment as she desired from her husband. It is no exaggeration to say, in traditional and modern life, polygamy is a "legit" and approved action. Each of us are also aware, polygamy is detrimental to women, making them suffer and helpless.

LBH APIK on their homepage <http://www.lbh-apik.or.id/srn-pers-poligami> (2016) reveals some of the suffering arise from polygamy experienced by first wives as well as other wives and their children. There were 58 cases of polygamy accompanied by LBH-APIK during the period 2014-2016 showed forms of violence against wives and children, ranging from psychological pressure, physical abuse, neglect of wives and children, threats and terror and abandonment of wives sexual rights. Meanwhile, there were also many cases conducted without apparent reason (35 cases). Based on the existing data, polygamy encourages the high rate of divorce filed by a wife.

However, in traditional village of Penglipuran Bangli, Bali, polygamy is prohibited. Men who violate customary rules as outlined in the *awig-awig* of the village should be sentenced.

Penglipuran women are defended and protected by this *awig-awig*. We will not see any women being as a second wife in this village.

The purpose of this article is to discuss the issue of the protection of Karang Memadu for Balinese women from the act of polygamy in Penglipuran Village, Bangli, Bali. This writing is also has aim to reveal the connection of the tradition of Karang Memadu, a very old and authentic tradition of Penglipuran Village with modern law of marriage.

Through this article we get insight of how Balinese women are protected from polygamy act and the form of sanctions imposed for polygamous men in the village. This article can also be a mirror or self reflection, that tradition has a wisdom which can be used as a perspective of life for the modern people. In accordance with that, this *awig-awig* in the village of Penglipuran can be used as a reference to defend and to protect women from polygamy act.

RESEARCH METHOD

To meet the need for a complete and reliable data in the writing of this article, several ways have been done by following the correct method as well as the procedures for the preparation of writing in general. The research methods used were library research, that is the way to obtain theoretical data, and field research to complete the empirical data. The field research method was used for interview with informants and the community of Penglipuran Village, as well as observation and capturing the life of the community by photographic equipment.

The qualitative data collected from interviews, observations, and data collection from the internet, were summarized again to be explained descriptively by emphasizing at the core of the interview and the specific events on the field. This method of writing is in line with the discussion of Koentjaraningrat (1985) in his book *Metode-Metode Penelitian Masyarakat* that to meet scientific provisions, then the symptoms in the community should be explained descriptively by the researchers.

RESULT AND DISCUSSION

Penglipuran villagers need to be grateful that they have uniqueness as a traditional village. These traditions still signify their clear imprints. The traditional village of Penglipuran is located in Bangli Regency, 45km from Denpasar. This indigenous village which is also a tourist attraction is very easy to achieve, because it is located on the main road of Kintamani-Bangli. Penglipuran village also looks so beautiful, can be felt once entering the village area. In the area of *catus pata*, the landmark when entering Penglipuran Village, there is a village hall, community facility and an open space for cropping which is also functioned as the welcoming area. (Kusuma, 2017)

Soethama (1995) in his book *Sang Juara, Sembilan Desa Terpilih di Bali* expresses in scenic words a bit of Penglipuran life. Those who returned from the garden enliven the village road every afternoon. They carry coconut, firewood, or bananas. Children are also appear playing on the edge of a clean ditch, or on the steps of the house during the day. If we enter the house of Penglipuran people, we must be welcomed by old people. They sit idly in the kitchen, which also became their bedroom.

Therefore, it becomes very interesting when they have a tradition against polygamy issued in oral *awig-awig*. Any polygamous men will be thrown into Karang Memadu, a 13-acre area dedicated to families of two wives. The family living in Karang Memadu has abstinences. They are restricted: to enter the temple area because they have not been through village ceremonies, to participate in the village organizational structure, and they will be excommunicated while they are still living in Karang Mepadu.

There is no permanent house inside Karang Memadu. Although there is a house, the building is very simple and neglected. If there is a couple who are involved in the process, then that's when the villagers build a small and simple temporary home for their residence. The span of time they occupy this house is unspecified, up to the man can divorce one of them, either the first wife or the second wife. Due to the large area of this Karang Memadu, 13 acres, and located in the lowest area of the Penglipuran Village, it will not appear to be a problem if there are several couples who merge and facing the same process at once. They will all be placed in one yard but will have a different temporary home. This house is made of bamboo and thatch roof. It is not a decent house for long occupied, even the community has impression of such a house like a cowshed.

Windia (2006) in his book *Pengantar Hukum Adat Bali* explains that Balinese customary law is a law that grows within the Balinese customary law community based on the teachings of religion (Hinduism) and grows to follow the customs and feelings of propriety in the Balinese customary law community itself. Similarly, custom law / *awig-awig* applied in the traditional village of Penglipuran. Although there are no written rules on Karang Memadu, but the village has written customs laws about families or people who are prohibited from entering the temple. One of them is bride and groom who have not completed the marriage ceremony. It also applied to couples of Karang Memadu, those who have not officially divorced from their first wife, have not been able to perform a marriage ceremony, they are automatically can not enter the temple area.

The regulation is arranged in customary law/*awig-awig* of Penglipuran which contains 8 chapters/*sargah*, 69 articles/*paos*. *Paos* 39 regulates restrictions of entering the temple area:

Paos 39

1. Tan kelugra ngeranjing ke pura:

1.1 Sang sebel kandel luwire

1.1.1 Ngeraja suwala

1.1.2 Madruwe oka, manut sengker

1.1.3 *Sang alaki rabi (penganten) sedurung puput upakara pawiwahan.*

Paos 39 states that the bride and groom who have not completed the wedding ceremony are prohibited from entering the temple area, in accordance with *awig-awig* Karang Memadu. If there are unmarried *Memadu* couples, in addition to occupying the Karang Memadu, they are also prohibited from entering the temple area, due to their illegal unmarried status.

In the website of *kemenag.co.id* (2017) on Law No. 1 article 3 verse 2 of 1974 concerning marriage states: The court may grant permission to a husband to have more than one wife if desired by the parties concerned. The justification by the Religious Courts to grant the permission due to the disability of the wife, unable to carry out her duties and unable to give birth to a child. However, article 5 in this act stipulates several requirements that must be fulfilled for the husband to legalize polygamy, namely:

- a. the consent of the wife;
- b. the assurance of the husband that he is capable in giving guarantee of life necessities for his wife and their children (material);
- c. the assurance of the husband that he will be impartial to his wives and their children (immaterial).

The marriage law provides legitimacy for men to practice polygamy in contrast to the Karang Memadu that does not provide a place for men to be polygamous. Meanwhile the requirements to be fulfilled seem to be in accordance with the local wisdom of Karang Memadu. Men are forced to be effortful if they want to conduct polygamy by the enforcement of these conditions. In the case of Karang Memadu, to be able to legalize their marriage, firstly couples entering the Karang Memadu area should divorce their previous wives. Appended with custom sanctions of disallowance of entering the temple area, ostracized and disallowance of passing the village road are enough to make them rethink thousands of times to occupy the Karang Memadu and to join in polygamy community.

Karang Memadu is indeed an attempt to protect women, but it does not mean that this regulation saves women from the men's play completely. A man is allowed to marry several times, but he can not stay in one roof with two wives. If he has intention to get married again, he must divorce his previous wife. If by mistake, negligence, a woman already impregnated by a married man, he may chooses one of them to be his legal wife. The man could divorce the first wife, or choose the recent pregnant woman or even return to the arms of the first wife.

Until this stage of process women are still deteriorate. They become a creature that yield to destiny, while men are not subjected to any sanctions from the village. They are allowed to be a member of the village as long as they have one wife only. They posses their rights as a villager again as normal. They could have held a place of honor in the village administration structure. Karang Memadu is almost never inhabited, because the average of Penglipuran people are terrified and very embarrassed to live in there. They are completely ostracized, prohibited from passing the village road and prohibited from entering holy areas.

Wayan Suryadnyana said, once, tens of hundreds of years ago, there was a couple occupy Karang Memadu. Only less than two days they occupied it, because the man finally managed to divorce his first wife and married the second wife. The incident that he heard from his mother deceased that this only ever happened once in Penglipuran. There is also a story from Nengah Kajeng. About 50 years ago, a family almost entered Karang Memadu.

Then suddenly the second wife seemed to concede so they abort occupying Karang Memadu and the man returned to his first wife.

The data from this narrative provide evidence that Penglipuran people are afraid of polygamy. They generally feel afraid of being ostracized and feel humiliated if they have to occupy Karang Memadu. Because of that we can find many married-divorced couples in the village of Penglipuran. Even adultery becomes a painful but giving solution act to some of them. Like the story of Wayan Suryadnyana's mother. His father married his mother with the status of his first wife, and then divorced her to get married again with another woman. The divorced woman decided to return home. Seized by the face and journey of his ex-sister-in-law's life, the younger brother of Suryadnyana's father (uncle) decided to marry the widow of his brother. So Suryadnyana's mother canceled her intention to return back home to her parents, and finally remained in Penglipuran Village as the wife of her ex-husband's brother.

Prior to this day, Karang Memadu has never been occupied by Penglipuran residents. The *awig-awig* of Karang Memadu seems to exploit the feeling of humiliation. The embarrassment of having to occupy the Karang Memadu, the embarrassment of being ostracized, the embarrassment of unable to enter the temple area even the embarrassment of unable to cross the village road. But the humiliation without Karang Memadu also appears not effective enough to make the men of Penglipuran abort their intention in polygamy. Karang Memadu becomes Coral Combine so necessary and substantial to realize the feeling of humiliated.

Thus they occupy Karang Memadu, the humiliation will be more substantial for the hearsay and scandal of all villagers. *Kulkul* has beaten indicates an important event happened. *Banten pecaruan* prepared to clean up the dirty village due to polygamy incident, require much cost to be taken into account by the citizens who want to conduct polygamy. At least 5 million rupiahs needed only for once *banten pecaruan*. Karang Memadu effective in preventing women of Penglipuran from husband's intention of polygamy.

A tour guide, Degus, said, he never missed telling the story of Karang Memadu everytime he brings foreign and domestic guests. They always respond to this story with high enthusiasm. From all over the world, perhaps the extraordinary values that are told in the local wisdom of Karang Memadu can only be found in Penglipuran Village. Jack Holden, a

Dutch traveler complied what Degus said, *“It is such a great value. Protecting the women of the village from polygamy. We’ve traveled to places and never found this tradition elsewhere.”*

CONCLUSION AND SUGGESTION

The local wisdom of Karang Memadu in the traditional village of Penglipuran is an attempt to protect women from polygamy, although it does not mean that this customary rule saves women completely from men's wrong behaviour. The existence of Karang Memadu makes the men of Penglipuran rethink thousands of times to conduct polygamy. The customary sanctions which must be acknowledged are very embarrassing to them. They are prohibited from entering the temple area, prohibited from passing the village road up to disgrace from being isolated are effectively make the couple of polygamy can not be encountered in the village of Penglipuran. Thus, if there are Penglipuran villagers who want to divorce and remarry, they have to prepare themselves. First example can be taken considered from solving the problem that causes them to file for divorce in the family. Mediation before divorce is necessary.

Although this *awig-awig* is in contrast to Law No. 1 of article 3 verse 2 of 1974 on the legitimacy of polygamy, the terms are in accordance with article 5 stated polygamy may be ratified if there is a consent from the previous wife. Men are forced to be effortful if they want to conduct polygamy by the enforcement of these conditions. It is definitely not an easy step to get permission to marry again from the first wife. If permission is not granted, then divorce would be the solution. This is the essence of Karang Memadu, no women are men's second wive. Thus, it would have a greater value if Karang Memadu should not only be taken part as oral customary rules but also considered as as written one.

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