



Cultural Marriage System of *Urak Tanah Ulu* in Muarasipongi

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Abstract

The cultural marriage customs in the border communities of Muarasipongi, North Sumatra, and West Sumatra provinces are examined from the standpoint of Islamic law sociology. The primary issue in marriage is the order of customary law in Indonesia, which is captured from the standpoint of Islamic law sociology with cultural diversity that is in line with the social pattern, and the variations in the form of customary marriage law because of the different kinship systems or system descendants embraced by each Indonesian customary law community. In essence, law is a social system that emerges in a society governed by customary law. Sociological approaches to Islamic law are used to study this system in order to produce a neutral picture. Without bias, the sociological aspect of Islamic law is the identification of potential issues that may arise when integrating Islamic law with customary and cultural law. What matters most is that the law genuinely satisfies the community's and its citizens' sense of fairness. In order to give the most thorough account of cultural customary law norms from the standpoint of legal sociology, normative juridical research is the sort of study that is employed. Because customary law regulations are examined from a legal perspective and serve as a foundation for resolving custom-based legal issues, an empirical juridical approach is adopted in this study. The study's findings indicate that in the border village of Muarasipongi, Marriage cultural practices come in a variety of forms that are agreed upon by both spouses. For instance, the Mandailing people utilize the manjujur marriage system, whereas the Orang ulu Muarasipogi use the sumondo marriage system. The process of selecting this marriage traditionS is influenced by numerous elements. In order to prevent conflict, the cultural differences in this marriage are first decided by the families of both sides and the traditional elders in the area.

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1. Introduction

Border areas are places where two or more cultures interact with each other. Areas in Indonesia are often formally designated through administrative boundaries. Local communities develop their cultures, as occurs elsewhere. Aside from being a result of adaptations to their natural environment, the characteristics of their culture are a result of adaptations to their social environment, which consists of various cultures. Border communities have one dominant culture, and its supporters usually dominate the various aspects of community life, such as economy, social, political, and legal matters. On the other hand, in border areas, there may also be cultures that continue to function as references and that remain present within each social group that interacts with one

another. The interaction and adaptation of border communities to their natural and social environments shape the culture that emerges in border areas.

The border area is a place where various ethnic groups meet and share cultures. In addition to having to adapt to their natural environment, the communities in the area also need to adjust to their social environment. Problems that usually arise in the natural environment are generally very minor. However, adjustment to the social environment is different. This is related to the differences in cultural backgrounds. Muara Sipongi is one of the 23 districts in Mandailing Natal Regency, North Sumatra Province. The area of Muara Sipongi District is 131.49 km², which is about 1.98 percent of the Mandailing Natal Regency area. In 2022, there were 16 villages in Muara Sipongi District. Koto Baringin and Tanjung Alai villages have an area of 10.28 km², while Tanjung Larangan village has an area of 3.5 km². At an altitude of 700-850 meters, Muara Sipongi is located at the southeastern tip of Mandailing Natal Regency.

The sub-district capital of Muarasipongi is also called Muarasipongi. The Trans Sumatra highway crosses this town. Therefore, Trans Sumatra enables access to Padangsidempuran, the capital of South Tapanuli Regency, Medan as the capital of North Sumatra Province, and several cities in West Sumatra such as Rao, Bukittinggi, and Padang. Muarasipongi sub-district consists of one urban village and 16 villages according to administration. These villages are Aek Botung, Bandar Panjang, Bandar Panjang Tuo, Kampung Pinang, Koto Baringin, Koto Boru, Limau Manis, Muara Kumpulan, Ranjo Batu, Sibinail, Simpang Mandepo, Tamiang Mudo, Tanjung Alai, Tanjung Larangan, and Tanjung Medan. Trans Sumatra only passes through a few villages and urban villages in Muarasipongi sub-district: Bandar Panjang, Muarasipongi Market, Koto Baringin, Tanjung Alai, and Tamiang Mudo.

According to the Muarasipongi District Office, the population of Muarasipongi consists of two groups: the Ulu people of Muarasipongi, who make up about 69% of the district's population, and the majority of the population, which is approximately 30%, or 3,200 people, are Mandailing people, with less than 1% of the population coming from other ethnic groups or sub-ethnicities, such as Batak Angkola, Batak Toba, and Minangkabau. The Ulu people live in eight villages in Muarasipongi District: Bandar Panjang, Koto Baringin, Tanjung Alai, Ranjo Batu, Sibinail, Simpang Mandepo, Kampung Pinang, Silogun, and some in Pasar Muarasipongi. These Ulu people claim to be the indigenous inhabitants of Muarasipongi because they were the first residents to establish villages in the areas they currently occupy, especially by *Orang Ulu* in *Tanah Ulu*.

Tanah Ulu refers to a culturally and geographically distinct region located in the upstream areas of Mandailing Natal, North Sumatra—particularly centered around Muara Sipongi, a subdistrict situated along the central Sumatra corridor that connects Padang (West Sumatra) and Medan (North Sumatra). The term “Tanah Ulu” literally means “upland” or “headwaters,” and it denotes not only a topographical identity but also a socio-cultural boundary zone where Mandailing and Minangkabau traditions intersect.

According to Pujianto (2025), Tanah Ulu is characterized by its position between two major river systems: Batang Gadis, which flows northward into Mandailing territory, and Batang Sibinail, which flows westward into Pasaman, a Minangkabau region. This dual orientation has historically facilitated interethnic interaction, trade, and cultural exchange, resulting in a hybrid identity that blends Mandailing patrilineal customs with Minangkabau matrilineal influences.

The people of Tanah Ulu often referred to as Urak Tanah Ulu maintain a unique set of traditions, including marriage customs, clan structures, and ritual practices that reflect this cultural fusion. As noted in the Wikipedia entry on Orang Ulu Muara Sipongi, clans such as Kandak Kepuh, Pungkik, and Mondoilik are shared with neighboring Minangkabau communities in Rao, Pasaman, indicating deep genealogical and cultural ties. Despite being administratively part of North Sumatra, Tanah Ulu is often perceived as a liminal space, where the boundaries between ethnic identities are fluid and negotiated through daily practices, ceremonial life, and language use. This complexity makes Tanah Ulu a rich site for sociolinguistic and anthropological research, especially in understanding how local identity is shaped by geography, history, and interethnic relations.

In broader historiographic terms, the concept of “Ulu” has also been explored in South Sumatra as a marker of interior identity, often contrasted with “Iilir” (downstream or coastal regions). Irwanto et al. (2018) argue that the “Ulu” identity is historically associated with autonomy, ancestral authority, and cultural depth, though it has sometimes been marginalized in colonial and national narratives. Applying this lens to Tanah Ulu in Mandailing reveals how upland communities assert their distinctiveness while navigating pressures from dominant cultural and administrative systems.

2. Literature Review

In Muarasipongi, marriage is deeply embedded in adat (customary law) and Islamic values. Studies such as Aminuddin (2024) show that marriage rituals involve negotiation between families, symbolic exchanges, and community validation through religious and cultural ceremonies. These practices reflect a hybrid system where Islamic law, Mandailing adat, and modern state regulations intersect. Marriage systems often serve as vehicles for language transmission. In communities like Muarasipongi, marriage ceremonies, kinship terms, and oral traditions are conducted in the local language. As language shift occurs, these cultural expressions risk being diluted or lost. Understanding Cultural Marriage System Theory helps us see how language, identity, and social structure are intertwined and why preserving local marriage customs can support broader efforts in cultural and linguistic revitalization.

The Cultural Marriage System of the Urak Tanah Ulu community in Muarasipongi, North Sumatra, represents a distinctive blend of indigenous Mandailing customs and Islamic legal values, shaped by centuries of local wisdom and communal identity. This

system is anchored in two primary marriage traditions: Kawin Sumendo and Kawin Tobenda. In Kawin Sumendo, the woman's family initiates the marriage proposal and provides the dowry referred to locally as uang jemput or "pick-up money" to the groom. This reversal of conventional gender roles is not merely symbolic but reflects a deeply held belief that such a gesture fosters obedience, harmony, and spiritual balance within the marriage.

The practice is considered culturally legitimate and, according to Aminudin et al. (2024), is reconcilable with Islamic law when interpreted through a sociological lens that respects local adat. In contrast, Kawin Tobenda is viewed as a taboo union, involving marriage between individuals of the same lineage or tribal descent. Such marriages are strictly prohibited by customary law, and couples who violate this norm are often expelled from the village and may only return after paying a substantial fine determined through adat deliberation. The community's refusal to reintegrate Tobenda couples—even when fines are unaffordable underscores the seriousness of genealogical purity and social cohesion in Urak Tanah Ulu society. These practices illustrate how customary law functions not only as a legal framework but also as a moral and spiritual compass, guiding interpersonal relationships and preserving communal harmony. The integration of Islamic principles into these customs is not rigid but adaptive, allowing for contextual interpretation that fulfills both religious obligations and cultural justice. As explored in Aminudin's sociological study, the coexistence of adat and Islamic law in marriage reflects a dynamic negotiation of identity, legality, and tradition, offering a model of cultural resilience in the face of modernization and external influences.

3. Method

The type of research used is sociological legal research. Sociological or empirical legal research is a type of research viewed from the purpose of legal research. Sociological or empirical legal research consists of identifying law (unwritten) and examining the effectiveness of the law. The method applied is empirically juridical, because from a juridical perspective this research examines the cultural customs of marriage which serve as a basis for resolving legal issues rooted in customs.

The type of research employed in this study is sociological legal research, also known as empirical legal research, which is distinguished by its focus on law as a social phenomenon. Unlike normative legal research that analyzes written statutes and legal doctrines, sociological legal research seeks to understand how law functions in society—how it is practiced, interpreted, and internalized by communities. This approach is particularly relevant when examining customary law systems, such as the cultural marriage practices of the Urak Tanah Ulu community in Muarasipongi, where legal norms are often unwritten and embedded in ritual, oral tradition, and communal consensus.

Sociological legal research consists of two primary objectives: (1) identifying and documenting unwritten legal norms that govern social behavior, and (2) evaluating the effectiveness and legitimacy of these norms in resolving legal issues. In this study, the method applied is empirically juridical, meaning that it combines empirical fieldwork—such as interviews, observations, and documentation of customary practices—with juridical analysis rooted in Islamic law and Indonesian legal frameworks. From a juridical perspective, the research examines how adat-based marriage customs, including Kawin Sumendo and Kawin Tobenda, function as mechanisms for dispute resolution, social regulation, and identity formation.

This approach allows the researcher to explore the intersection between customary law and formal legal systems, particularly in cases where cultural practices challenge or complement national legislation. As highlighted by Febrianty et al. (2025), integrating customary marriage law into Indonesia's legal system presents both opportunities and challenges, especially in terms of administrative recognition, gender equity, and legal pluralism. Similarly, Agustian et al. (2024) argue that marriage law in Indonesia must be understood not only through statutory interpretation but also through the lens of social, religious, and cultural dynamics, which shape the lived experiences of marriage and family life.

By applying a sociological legal framework, this study contributes to a deeper understanding of how local legal consciousness operates within the Urak Tanah Ulu community, and how customary norms can be harmonized with Islamic jurisprudence and national law. It also provides insights into the adaptive capacity of adat law, demonstrating how traditional institutions respond to contemporary challenges such as urbanization, legal reform, and intergenerational change.

4. Results

4.1 *The Socio-Cultural Society of Muarasipongi*

The culture of the Ulu people of Muarasipongi is similar to the culture of the Rao people in West Sumatra because they originated from a group of Rao migrants who arrived around the 17th century. The Rao people themselves come from several migrant groups that spread northward, such as the Minangkabau and the Bengkulu people. There are Minangkabau and Bengkulu groups that remain in Rao, in the sub-district of Rao Mapat Tunggal, where they have settled and established descendants. Conversely, the Mandailing people from South Tapanuli also migrated to Rao, a region in West Sumatra Province. The Mandailing people usually move to acquire land for farming and a better life. The Mandailing people living in Rao typically come from families such as Harahap, Hasibuan, Lubis, and Nasution. Throughout its development, they have integrated with the indigenous Rao people and other migrant groups that have settled for various generations.

Although the Rao people support the principles of matrilineal culture, they are more subtle in its application than the Minangkabau society. In several ways, the culture of the Ulu people is very similar to that of the Rao people, especially in terms of language, kinship, and marriage customs. People related to the Ulu usually speak with the Minangkabau, especially with the Rao. The Ulu language is only used by the Ulu tribe in the Muarasipongi district. The matrilineal kinship principle is traced through the mother's line, governing the relationships of the Ulu people. Children are not included in their father's family, but rather in their mother's family. Ulu marriages are conducted according to the custom of (Sumendo) alliance. In the custom of the alliance, the girl goes to pick up the young man from the family of the man while bringing dowry.

4.2 Marriage Culture of the Border Community in Muarasipongi

Two major groups outside the Muarasipongi community are the Mandailing people and the Ulu Muarasipongi people. The Mandailing people are a sub-ethnic group of Batak who uphold the culture of Dalihan Na Tolu, or the Three Hearths. Among the Batak community, Dalihan Na Tolu functions as the backbone of the entire system of life. It consists of three elements: Mora, Kahanggi, and Anak Boru. Anak Boru is the group of relatives who receives the girl from Mora, and Mora is the group of relatives who provides the daughter to be married to the members of the Anak Boru. Kahanggi comes from the male lineage (patrilineal). Both male and female children bear their father's surname; only male children will continue their father's surname, while female children will take their husband's surname. The Mandailing people in Muarasipongi come from the surnames Lubis, Nasution, and Batubara, originating from Kotanopan and Panyabungan.

The Anak Boru greatly respects the Mora group. In Batak culture, including Mandailing, the group that gives daughters is considered superior to the group that receives daughters. The Anak Boru may expect supernatural blessings from the Mora. On the other hand, the Anak Boru may expect material assistance from the Anak Boru in the form of labor, goods, and money (Heddy Shri Ahimsa Putra, 1997: 4). In the Dalihan Na Tolu culture, the Anak Boru group highly respects the Mora side. The Mora group functions as a protector that safeguards, provides welfare, and imparts wisdom to the Anak Boru clan Kahanggi. The Mora is referred to as 'ulu m· aek', which means the source of the spring, and 'mata ni ari so gakgahon,' which means the sun that cannot be stared at.

Children are introduced to the manners of kinship interactions based on Dalihan Na Tolu from a young age. Knowledge of kinship, such as the position of each family member, manners, and greetings, must be applied in daily social interactions, not only for children. The main cultural value of the Mandailing people is togetherness. The nuclear family includes grandparents, maternal relatives, paternal relatives, and unmarried children, as well as foster families. Marriage between tribes or clans will broaden family relationships. With its socialization demonstrated through various greetings, the

elements of Dalihan Na Tolu hold a strong kinship value. These greetings are done according to standards. A person will know how to behave and not behave with their conversation partner based on their position in the family.

4.3 Cultural Customs of Marriage

In the Border Community of Muarasipongi: A Sociological Approach to Islamic Law Since humans were created in this world, they are inseparable from sociology, thus the existence of this science is very beneficial for human development, especially when that development serves the interests of Islamic preaching, the promotion of Islam, and issues related to Islamic law, both in Indonesia and globally. If a preacher or scholar wants to propagate this religion, they should master this knowledge, especially considering the highly diverse Indonesian society, where customs and habits in one community differ from another, encompassing issues from the smallest to the largest, including economic, social, cultural, political, security issues, as well as positive law and Islamic law.

Sociology is a social science that is an effort to construct laws based on existing social phenomena. Anthropology is a science that views humans from the aspect of culture or their origins. By studying sociology, one can learn about social life and human cultures in various periods and times, and can also predict cultures that will emerge. The classic problem that still arises today and causes differences of opinion is the adaptability of Islamic law. As a result, the issue of Islamic law and its implementation often leads to conflicts in discourse, giving rise to problems in its application. This is further complicated by more acute issues concerning the differences between Divine Law and Human-made Law, particularly positive law in Islamic States, Secular States, and so forth.

5. Discussion

In Mandailing customs, marriage is not only a social, cultural, magical, and religious act, but it is also a legal act. It is called a social act because marriage is a social product that binds all elements in social life, both individuals and the community. It is called magical-religious because marriage is a worship that is recommended by religion (the forms of marriage and patterns of inheritance in Indonesia, Laws of Marriage and Inheritance, Dominikus Rato). Dalihan Na Tolu plays an important role in the marriage process among the Muslim Batak community, especially in integrating customary values with Islamic teachings. The following are several main aspects involved in the marriage process. Dalihan Na Tolu is used as a guideline in regulating the interaction between customary values and Islamic teachings. In marriage ceremonies, there is an interaction between cultural customs and Islam, with customary norms being more dominant in ceremonial events, while the influence of Islamic teachings is present.

Dalihan Na Tolu provides teachings and rules that involve the parties engaged in the marriage process, such as kahanggi (same-clan friends), anak boru (the group of bride-takers), and mora (the party giving the bride). This aims to maintain good relations

between the parties and within the community. In wedding ceremonies, there are several stages involving Dalihan Na Tolu. These stages include matchmaking, naming titles, marriage procedures according to customs, and ceremonies at both the bride's and groom's homes. All these stages strive to create harmony and alignment between customary values and Islamic teachings.

6. Conclusion

The cultural customs of marriage among the border community of Muarasipongi, as illustrated in the principles of Tungku Tigo Sajorongen for the Ulu Muarasipongi community and Dalihan Na Tolu for the Mandailing community, reflect the harmonization between customary values and Islamic teachings that serve as the main foundation of their social life. Through the approach of Islamic legal sociology, this relationship is evident from the role of traditional leaders such as penghulu, intellectuals, and religious scholars who function to uphold customary values while ensuring that these norms are in accordance with the principles of Shari'ah. The Custom Based on Shari'ah, Shari'ah Based on the Book of Allah in the Ulu Muarasipongi community emphasizes that customs are not merely an inheritance from ancestors, but must also align with and submit to Islamic law, while Dalihan Na Tolu for the Mandailing-Batak Muslim community serves as a guideline in social relationships and marriage involving the roles of Mora, Kahanggi, and Anak Boru, to maintain harmony and the preservation of customary values.

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