

제2차 한·아세안 젠더와 개발 국제컨퍼런스
The 2nd Korea-ASEAN International Conference on
Gender and Development

ASEAN 경험에 기반한 젠더와 개발(GAD) 커리큘럼과 연구

Translating Women's Experience
into Classroom Teaching in ASEAN Countries

| 일시 DATE

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June 4(Thu.) - June 5(Fri.)

| 장소 VENUE

롯데호텔 서울 에메랄드룸 (2층)
Lotte Hotel Seoul, Emerald Room (2F)

Host



한국여성정책연구원
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한국국제협력단

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KWDI GAD 2015

**SIRRI MARRIAGE AND GENDER-BASED
VIOLENCE IN THE REALITY OF INDONESIAN
LOCAL COMMUNITY**

By:

Triana Sofiani

Rita Rahmawati

Introduction

.Sirri marriage has been the phenomena for Indonesian local (traditional) and urban communities.

- The women who are married in sirri do not realize the impact of sirri marriage and even consider it as a common thing when their sirri husbands seldom come and do not give a living to their children.
- Patriarchal socio-cultural construction causes injustice for sirri wives and is considered as their destiny so that they are "nrimo" or "pasrah" (submissive) for the treatments they receive



First, it is a marriage between underage man and woman and they are still in their school age (in local terminology, it is called “mungguh”)

Second, it is a marriage between underage man and woman and/or between an adult man and an underage woman (in local terminology, it is called “nikah gantung”)

Third, the marriage model performed between man and woman who are old enough, but because of the traditional ties that exist within the local community, the woman are forced to have unlisted marriage at the Marriage Registrar Office (This happens in the case of *merarik* in Lombok, NTB)

Forth, it is a marriage between adult man and woman, but they intentionally perform sirri marriage because of certain reasons, e.g. polygamy



First, performing “akad nikah” (wedding ceremony) as a legitimate marriage, but there is no Marriage Registrar. This model is performed in the house of the bride’s family.

Second, Akad nikah (wedding ceremony) is performed in the house of a Kyai (religious leader). This model is performed by the couple by coming to the house of a Kyai with Saksi (witnesses) and Wali (the bride’s father). After akad nikah the couple’s family carries out a wedding party as the evidence that their child are married with A or B.

Third, Akad nikah (wedding ceremony) is performed in the house of a Kyai in secret – this model is performed by those who have a very complicated relationship because of the fear to be recognized and to have a problem with the first wife and/ or pregnant before married so that they are shy to publicize their marriage

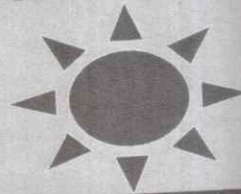
Forth, Online Sirri Marriage: it is a sirri marriage using online service via telephone or skype between the couple, wali (the woman’s father), and penghulu (wedding official). This kind of marriage is performed between a masher and a woman working at a night club.



The Modus Operandi of Online Sirri Marriage

• 1. similar to ordinary sirri marriage

In this model, the online one is only the advertisement or promotion, which is the service of sirri marriage by providing penghulu (wedding official) and wali hakim, and then advertise it online. However, the akad nikah is still online. This model is mostly found in Bogor, West Java



2. Online Akad nikah (wedding ceremony)

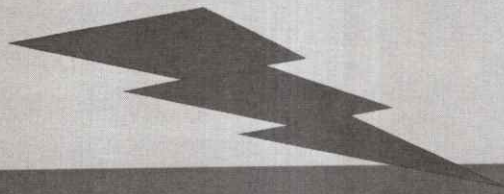
This model of akad nikah is performed online by using the media such as skype and cell phone. The future couple and penghulu as well as saksi (witness) do not have to meet directly. The future couple just call the service of online marriage and the provider has provided penghulu, wali and saksi (witness) who standby online to marry them. This model is frequently found in Malang City, East Java.





3. Mut'ah online (Online Contract Marriage)

- This third is only for certain period of time and the same as nikah mut'ah in syiah model (contract marriage for certain period of time with the purpose to legitimate the sexual intercourse)



Why is sirri marriage occurred?

1. Customary ties
2. Narrow religious understanding transformed by religious figures (Kyai/Ustadz)
3. Fear of sin due to the long period of "*runtang-runtung*" (having relationship)
4. The reason to avoid adultery
5. Economic reason
6. The reason of polygamy but not permitted by the first wife



7. Pregnant out of marriage
8. Financial problem to have legitimate marriage
9. The relationship is not permitted by parents
10. Unhappy with their legitimate partners
11. Insufficient finance
12. Different religion marriage
13. Avoiding complicated administration procedures

The impact of sirri marriage

1. Juridical impact:

- The child does not get birth certificate
- The child status is illegitimate child/ the child born out of wedlock
- The wife cannot demand their rights as legitimate wife. For example: the right to living for her and her children, the inheritance right for her children, gono-gini (shared asset) when divorced



2. Social Impact:

- For woman: the stereotype as sebagai the grabber of other's husband, bitch, teaser, mistress or "bad" woman and others.

- For child: the status of illegitimate child makes the child is not ~~not~~ in a relationship.

3. Economic impact:

- The neglect to the right of living for wife and child The wife bears the living herself for her children.

- Double burden for the wife, the husband seldom goes home and gives a living.



The forms and characteristics of gender-based violence in sirri marriage

1. Economic violence:

- The wife is not given a living
- The wife seldom gets a living
- The wife is given a living but not sufficient to fulfill the needs

2. Sexual Violence

- To satisfy the husband's sexual desire (sex object)
- To be prepared to serve the husband anytime, and must not refuse (protest)
- Sexual harassment by mashers because she is considered as a "bad" woman who is easy to be teased by men.



3. Psychological Violence:

- Rude and harassing words of the husband
- Intimidation and threat from the legitimate wife (the first wife)
- The wife does not get attention and the husband seldom comes
- The stigma as a mistress, grabber of other's husband, "bad" woman (prostitute), and others
- The wife is left by her husband and the husband is married again with another woman and/ or has an affair.
- The wife is divorced by the husband without the process in the court., or the divorced via online .

4. Physical Violence:

- Beaten, kicked, and even killed in some cases since she demanded to be married legally (by state law)

The characteristic differences of gender-based violence between registered marriage and sirri marriage

1. Intimidation and threat from the legitimate wife (the first wife)
2. The wife does not get attention and the husband seldom comes
3. The stigma as a mistress, grabber of other's husband, "bad" woman, and others
4. Divorced by the husband not through judiciary institution, and even divorced online. The case example: Fani Octora (18 years old), who was married in sirri by Aceng Fikri (the Regent of Garut, West Java), was divorced online via SMS after 4 months of their sirri marriage.
5. No legal protection that guarantee their rights as wives.



The Policies and Practices of Indonesian Government Concerning Sirri Marriage

1. Socialization on the obligation to register marriages to the Marriage Registrars.
2. The Program of itsbat nikah massal through the Religious Agency
3. Socialization on Remarriage registered to the State
4. The Policy on Child Recognition
5. Block the website of online sirri marriage



1. nikah-siri.blogspot.com
2. nikahs.blogspot.com
3. jasanikahsiri.blogspot.com
4. nikahsiribatam.blogspot.com
5. asyiknyanikahsiri.blogspot.com
6. tokoarisuparli.blogspot.com
7. terbaru-terpopuler.blogspot.com
8. arisuparlijasanikah.blogspot.com
9. abieharits.com

Nine (9) online websites providing the service of sirri marriage which are successfully blocked



THE EXAMPLES OF SIRRI MARRIAGE ADVERTISEMENT IN INDONESIA



**PROGRAM NIKAH SIRRI
MENUJU KEHIDUPAN SURGAWI**

DARI PADA KITA BERDOSA BERPACARAN SELALU, BUKANKAH LEBIH
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