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Legal Pluralism in Marriage Practice: The Dynamics of Interaction between State Law and Customary Law in Bali

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ABSTRACT

Legal pluralism in Bali places marriage at the intersection of state law, customary law, and religious obligations, thus creating a dynamic between cultural sustainability and equal legal protection, especially for women involved in inter-caste marriages. This study aims to examine the persistence of certain family sanctions and formulate an integrative-transformative framework to address these dynamics. This study uses a qualitative socio-legal research approach, with fieldwork carried out from April 14 to May 15, 2026. Primary data were collected through interviews with 20 couples involved in pratiloma marriages, traditional village leaders, and representatives of customary and religious institutions. Secondary data include laws and regulations, customary village regulations (*awig-awig),* decisions of customary institutions, and relevant scientific literature, which are reviewed through interpretive qualitative analysis. The findings of the study show that certain family practices and sanctions related to *patiwangi*, *leaving kedaton*, and exclusion from *banjar* activities continue to affect women's social identity, inheritance rights, and participation in community life, despite formal commitments to gender equality. The persistence of these practices reflects social pressures, patrilineal kinship structures, and inconsistencies between provincial-level customary policies and their implementation at the village level. Negotiations on customary rituals demonstrate the adaptability of customary laws, although updates are still uneven and highly dependent on local leadership. The study concludes that the harmonization of state law and customary law requires an institutional mechanism that links provincial-level customary decisions with awig-awik revisions, coordinated efforts to protect women's rights, and a clearer distinction between the recognition of customary rituals and the registration of civil marriages. Such measures can strengthen legal protection, promote gender equality, and preserve culturally meaningful traditions in Balinese society.

INTRODUCTION

Indonesia's development as a modern nation-state is characterized by a complex legal landscape, commonly called legal pluralism, where state law, customary law, and religious law interact, negotiate, and occasionally clash (Agarwal & Naik, 2024). Although Article 18B paragraph (2) of the 1945 Constitution of the Republic of Indonesia recognizes and respects the unity of customary law communities and their traditional rights, with certain constitutional conditions, dynamics remain between state efforts to realize legal unification and the sustainability of customary norms in local communities (Putro et al., 2020). This dynamic is evident in the practice of marriage in Bali, where marriage is not only a legal institution, but also a sociocultural relationship involving three interrelated dimensions: individual legal

obligations according to state law, communal responsibilities within traditional banjars and villages, and religious and spiritual obligations to ancestors (pitara) and God. These three dimensions reflect the Tri Hita Karana philosophy of Balinese society, which emphasizes the harmony of certain family sanctions between human relations (pawongan), the natural environment (palemahan), and God (parhyangan). Thus, marriage becomes an important arena for the negotiation of legal authority, cultural identity, and social status. While Law No. 1 of 1974 concerning Marriage, as amended by Law No. 16 of 2019, establishes a national legal framework governing marriage, including the requirement for the consent of both brides and grooms, a number of Balinese customary practices related to the dynasty system still reflect traditional social hierarchies. This interaction creates legal and sociocultural complexity, where the recognition of a marriage is not only concerned with compliance with state law and marriage registration requirements, but also acceptance into the indigenous community (krama adat) as well as the implementation of religious ceremonies that can affect a person's social position and customary rights (Firmansyah et al., 2017; Tamanaha, 2021).

Therefore, this study aims to examine why certain family practices and sanctions related to *patiwangi* and *leaving kedaton* persist in contemporary Balinese society despite the protection of national laws and international human rights standards (Land Use Policy, 2020; Wagiswari & Valentina, 2025). This research also seeks to formulate an integrative-transformative approach to legal pluralism that is in accordance with the sociocultural characteristics of Balinese society. At the international level, legal pluralism in marriage practice raises fundamental questions about the interaction, compatibility, and potential conflicts between state law, customary law, and religious law in regulating family relationships. This dynamic is evident when customary autonomy intersects with international human rights standards, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), especially regarding gender equality, inheritance rights, marital requirements, and family responsibilities (Subawa, 2022). Similar challenges arise in regions such as sub-Saharan Africa and South Asia, where a number of customary marriage practices may conflict with the statutory minimum age of marriage or legal protection against discrimination (Bahrami-Rad, 2021; Ho et al., 2023; Poderati, 2022). In addition, marriages that are recognized according to customary or religious norms but not registered with the competent state authorities can create legal uncertainty regarding marital status, property rights, inheritance, and access to administrative services, especially for women and children. However, customary law should not be understood as a static legal system. Indigenous communities can reinterpret and adapt their traditions in response to changing social conditions, national laws and regulations, and human rights principles while maintaining their cultural identity. This development demonstrates the importance of examining legal pluralism as a dynamic process of institutional negotiation and adaptation, rather than simply the coexistence of separate legal systems (Kudo, 2021).

The urgency of this research is based on three interrelated considerations. First, customary practices related to patiwangi, which are traditionally associated with changes in women's social status after inter-caste marriage, and kedaton, which concerns a person's change in the family and customary inheritance system, can have disproportionate consequences for women, especially related to social recognition, inheritance rights, and participation in the lives of indigenous peoples (Sujana et al., 2023). These consequences raise concerns about their

compatibility with constitutional guarantees of equality, national marriage laws and regulations, and applicable human rights principles. Second, institutional reform initiatives undertaken by Balinese indigenous organizations, including the Pakraman Village Main Assembly (MUDP) and the Indigenous Village Council (MDA), have sought to address discriminatory customary practices. However, the differences between institutional decisions and their implementation in individual customary villages suggest that there are still challenges in translating formal customary policies into effective protection at the community level. Third, Balinese's increasing modernization, social mobility, and interaction with the broader national and international community have reinforced the need to reconcile cultural sustainability with individual rights and legal equality. These developments have created complex social and legal situations for inter-tribal couples, particularly women whose marriage choices may affect their customary status, family relationships, and participation in communal activities (Pradnyawati et al., 2022; Bhalotra et al., 2020).

Based on these considerations, this study addresses the research gap regarding the interaction between state law, customary law, and human rights principles in marriage practices in Bali. Previous research has often examined the normative validity of marriage according to national and customary law frameworks or examined Balinese marriage traditions from anthropological and sociocultural perspectives. However, these approaches have not always adequately explained how different legal systems interact in practice or how indigenous communities respond to institutional reforms intended to reduce discriminatory treatment. In contrast to conventional approaches that primarily examine state law and customary law as separate or competing normative systems, this study adopts an integrative-transformative perspective to investigate how customary norms are negotiated, reinterpreted, and adapted in Balinese society. Particular attention is paid to the relationship between national legal provisions, local customary norms (mawacara villages), and international human rights principles. Furthermore, this study examines the ongoing social and practical impacts of patiwangi and kedaton leave after relevant customary institutional reform initiatives, focusing on the factors that contribute to the persistence of such practices despite efforts to prevent discriminatory practices. Through this approach, the research seeks to contribute to the development of a framework of legal pluralism that promotes substantive equality, strengthens legal protections for women, and accommodates the transformation of customary practices without neglecting Balinese cultural identity (Prami & Zuryani, 2016; Harari, 2019).

METHOD

This study uses a qualitative research design with a socio-legal approach to examine the interaction between state law and Balinese customary law in the practice of inter-household marriage. Fieldwork was carried out in Bali Province from April 14 to May 15, 2026. Research participants included 20 couples who performed pratiloma marriages, leaders of customary villages (bendesa adat), and representatives of institutions involved in arranging customary marriages, including the Regional Indigenous Peoples Development Office and the Indonesian Hindu Dharma Parisada (PHDI). This research focuses on participants' experiences and perspectives regarding customary marriage practices, legal recognition, and the interaction between customary obligations and the protection of state law.

Primary data were collected through interviews discussing marriage procedures, specific family sanctions, civil registration, inheritance rights, and negotiations between customary obligations and legal protection. Secondary data were obtained through document analysis and literature studies, including relevant laws and regulations, customary village regulations (awig-awig), customary assembly decisions (paruman adat), decisions of the Pakraman Village Main Assembly (MUDP) in 2010, and relevant scientific publications. The results of the interviews were reviewed together with documentary evidence to identify similarities, differences, and potential inconsistencies between formal legal provisions and customary practices.

The research procedures included the identification of relevant legal and customary documents, the recruitment of participants, the conduct of interviews, the organization of the data collected, and the interpretation of the relationship between the provisions of the legislation and the practice of customary marriage. The data were analyzed qualitatively through an interpretive approach that compared participants' statements with legal documents, customary institution decisions, and relevant literature. The analysis focused on recurring themes regarding ritual recognition, gender-related specific family sanctions, institutional mediation, inheritance rights, and adaptation of customary practices in legally pluralistic societies. The findings were then synthesized to explain the persistence of specific family sanctions and formulate an integrative-transformative legal pluralism framework that accommodates cultural sustainability while strengthening legal protection and gender equality.

RESULTS AND DISCUSSION

From a normative point of view, national law fully protects the right to form a family. However, from a human rights perspective, Balinese women who undergo Pratiloma marriages often experience the loss of social identity and customary civil rights within their communities of origin. Inter-caste marriages in Bali can be categorized into Asupundung/Upawedha – marriage in the same or equivalent caste (Anuloma), which is traditionally seen as ideal – and Pratiloma/Nyerod, where women marry "down" caste, which is traditionally seen as a serious offense; customary procedures such as Ngerorod (elopement), Pemerosan, and Madaging Aci emerged as ritual mechanisms to legitimize such marriages despite social status barriers.

To illustrate the differences in the dynamics of legal pluralism in marriage, this study compares the Wong Sikep (Samin) community with the indigenous Balinese people, as summarized in Table 1.

Table 1. Comparison of the Dynamics of Legal Pluralism in Marriage: Wong Sikep (Samin) and Balinese Indigenous Peoples

Comparative Aspects	The Sikep Community (Samin)	Balinese Indigenous Peoples
Sources of Authority and Legitimacy	It is rooted in the ancestral philosophy of moral autonomy (e.g., lifelong monogamy) without relying on formal religious doctrines.	It is rooted in Hindu religious doctrine and communal structure through the concept of Tri Upasaksi and customary institutions (Banjar/Traditional Village).
State Legal Status (Administration)	Seen as an external formality, it is often ignored or accommodated only for the purposes of population administration (e.g., ID cards).	Structurally integrated: customary/religious ceremonies must be spiritually legalized before being officially recorded by the state.
Forms of Interaction and Negotiation	They tend to be passively isolative-adaptive, avoiding direct conflict and only compromising when forced by administrative circumstances.	It tends to be structural and communal, with customary institutions actively involved in or dealing with modern formal regulations.
Kinship and Social Orientation	Egalitarian and independent, prioritizing simplicity, personal bonding, and the blessing of the elders without lavish celebrations.	It is strongly influenced by the patrilineal system (Purusa), in which marriage transfers a woman's customary legal status, along with her inheritance rights and ritual responsibilities, to her husband's family.

Further interview findings suggest that certain family sanctions are still in practice, as summarized in Table 2.

Table 2. The Existence of Certain Family Sanctions and Their Relation to Universal Human Rights

Types of Sanctions	Description	Impact on Human Rights
Patiwangi	The ceremony of revoking a woman's title/nobility status.	Violation of the right to identity and personal dignity.
Leaving Kedaton	Revocation of women's right to inherit and live in their family home	Violation of property rights and inheritance.
Expulsion from *Banjar*	Exclusion from social and religious activities in the village.	Violation of the right to freedom of association and religion.

Although the MUDP's decision in 2010 stated *that Patiwangi* was no longer mandatory, in practice social pressure from the Customary Krama often still forced individuals to undergo the ritual in order to gain social recognition.

Typology and Legitimacy of Intercaste Marriage Rituals in Practice

Interviews conducted with Bendesa Adat and Pratiloma couples in eight districts and Denpasar City confirmed that the typology of Asupundung/Upawedha and Pratiloma/Nyerod is not just a doctrinal classification, but an operative distinction that determines how a marriage is processed at the banjar level. In practice, marriages classified as Asupundung take place through a series of memadik (beanangan) that are prevalent and recorded with relatively small

barriers, while marriages identified as Pratiloma trigger a series of customary clarifications before the Customary Village is willing to issue the customary certificate required for civil registration under Law No. 1/1974 as amended by Law No. 16/2019. This administrative gatekeeping function, which is carried out informally by customary institutions and not on the basis of legislative delegation, illustrates what Griffiths (1986) calls weak legal pluralism: the state formally retains exclusive authority over marriage registration, but in practice is subject to a parallel normative order that determines whether an applicant is deemed fit to marry in the first place.

Respondents further described Ngerorod, Pemerosan, and Madaging Aci not as stand-alone rituals, but rather as a repertoire of multi-layered legitimacy strategies used by couples and families in accordance with the anticipated intensity of rejection from the female paternal relatives (purusa). Ngerorod, historically understood as elopement, is now more appropriately characterized by some Bendesa Adat as a pre-negotiated ritual fiction: the families of both parties often knew and secretly agreed to the "elopement" from the start, using the form of ritual to shift the responsibility of initiating marriage from the female parents to the couple themselves, thus reducing the impression of parental blessing on the union that transgresses caste boundaries. Erosion, which is a ceremonial statement in front of the family temple, and Madaging Aci, a purification ritual carried out at the village temple, have a complementary function in the form of restoring the couple's ritual position in the banjar, even when their civil status according to state law has never been questioned. These findings are in line with the documentation of Firmansyah, Sukirno, and Sudaryatmi (2017) regarding the practice of ngerorod in Denpasar, which also found that customary procedures serve as a condition for parallel validity superimposed above, and not replace, recording by the state.

A recurring theme among the twenty pratiloma couples interviewed was the asymmetry of ritual burden: in each documented case, it was the woman who was required to undergo a reinterpretive ceremony, while her husband's caste status remained unaffected, regardless of her own origins. This asymmetry is in line with Wagiswari and Valentina's (2025) systematic review of nyerod marriage, which concluded that the psychological and social burden of marriages that violate caste boundaries in Bali is disproportionately borne by women, and positions traditional rituals not as a neutral social integration mechanism, but rather as a gendered filter that specifically regulates women's mobility within the dynasty hierarchy.

Comparative Dynamics: A Review of the Wong Sikep Community and the Indigenous Peoples of Bali

The comparisons summarized in Table 1 are analytically richer when read together with the interview data. When informant Wong Sikep (Samin) described state law as an external formality that was only accommodated for administrative purposes such as identity documents, Balinese informants uniformly described the legitimacy of the state and customary as being interdependent sequentially: a marriage was rarely filed for civil registration before obtaining recognized ritual status, as the Customary Villages interviewed in Badung and Gianyar reported routinely refusing to issue supporting documents for marriages whose customary status was still in dispute. This sequence reverses the prevalent assumption in previous normative-doctrinal literature, namely that state law acts as the main gatekeeper with customary law merely complementary; fieldwork suggests that in the case of Bali, customary

permits serve as a de facto prerequisite for state recognition, rather than a parallel or subordinate pathway.

This contrast also explains why the two communities produce very different patterns of legal pluralism. Wong Sikep's isolationist-adaptive attitude, rooted in a philosophy of moral autonomy that does not depend on institutionalized religious doctrine, results in what von Benda-Beckmann (2002) describes as a low-intensity plural terrain, in which state and customary orders rarely compete for equal regulatory space because the normative order of the community itself does not claim control over the conditions of civil registration. In contrast, Balinese indigenous peoples exhibit a high-intensity plural terrain: because the validity of marriage is constitutively linked to communal and cosmological positions within the framework of Tri Hita Karana, and because customary institutions (Banjars/Customary Villages) are structurally integrated in village governance based on Bali Provincial Regulation No. 4/2019, customary authorities and state authorities claim overlapping jurisdiction over the same acts, resulting in the ongoing friction documented in this study.

The Persistence of Certain Family Sanctions after the 2010 MUDP Decision

Table 2 summarizes the three specific family sanctions most frequently reported by informants; interview data explain why formal abolition does not necessarily render them no longer in use. Some Bendesa Adat explain that the MUDP decree of 2010 (Bali MUDP Decree No. 01/PASA-MUDP/IX/2010) is understood at the local level as the elimination of the obligation to perform Patiwangi as a prerequisite for banjar membership, but not as a prohibition for families or individuals to undergo the ceremony voluntarily in order to gain social status. This distinction between formal obligations and social needs is the main mechanism that makes the sanction persist beyond its own abolition: because participation in communal ritual life, the recognition of inheritance, and the prospects of future generations of marriage still informally depend on perceived ritual propriety, women in Pratiloma marriages continue to seek Patiwangi voluntarily even when no institution forces them. Sujana, Santiago, and Lisdiono (2023) documented an almost identical pattern in their study of caste dissolution among Balinese tridyna women, who found that even when a marriage was later annulled, women who had undergone nyerod were often not allowed to fully return to their father's caste, despite the 1951 Bali DPRD decision that had removed the underlying paswara norm decades earlier – suggesting that certain family sanctions in Bali tended to persist as a social practice long after their formal legal underpinnings were revoked.

Ninggal Kedaton shows a related but distinct pattern. While Patiwangi is a ceremonial act that in principle can be chosen by women to undertake, Ninggal Kedaton occurs automatically as a structural consequence of the patrilineal inheritance system (purusa): once a woman marries into her husband's family, the customary law of her family of origin views her as having relinquished her position in the ancestral home (kedaton), along with the inheritance rights and ritual responsibilities that come with it, regardless of whether the marriage itself is considered Anuloma or Pratiloma. Some informants from the Regional Indigenous Peoples Development Office noted that these consequences were rarely experienced by respondents as a "sanction" in the punitive sense, but rather as an unquestioned structural feature of Balinese kinship organizations – which may explain why this attracted relatively less attention in local regulation than Patiwangi, even though its impact on women's property rights was more severe and irreversible. Exclusion from banjars, the third sanction

identified in Table 2, was reported to be the least formally codified but most quickly felt: informants described temporary exclusion from communal community service (ngayah), temple ceremonies, and gotong royong arrangements as informal disciplinary tools applied at the discretion of individual banjar leaders and not through documented procedures, making them the most difficult sanctions to reinterpret top-down by MDA/MUDP.

Gender Dimension and Human Rights Deficit

Taken together, the three sanctions in Table 2 show a consistent gender structure: each works on a woman's status, property, or social standing, while imposing a relatively minimal cost on men who marry across caste lines. This asymmetry places Balinese customary practices within Indonesia's obligations under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), ratified through Law No. 7/1984, in particular General Recommendation No. 21 on equality in marriage and family relations, which requires that women retain equal rights to property, inheritance, and freedom of choice of partners, regardless of custom. Pradnyawati, Santoso, and Siscawati (2022) reached a comparable conclusion in their study of the position of Balinese women in inter-caste marriage, arguing that the workings of the caste system through marriage law serve as a structurally embedded gender subordination mechanism, not a coincidence. Prami and Zuryani (2016) also found, in their analysis of inheritance practices among Balinese people who practice inter-caste marriage, that women who marry outside their caste are systematically excluded from meaningful participation in inheritance, regardless of the formal gender-neutral language in the national inheritance provisions.

The alignment identified here is not simply between two static systems of rules, but between two competing conceptions of what marriage exists for: national law and international human rights instruments view marriage primarily as a contract between two free and equal individuals, whereas Balinese customary law views marriage as a transfer of ritual, upbringing, and lineage responsibilities between two groups of kinship, in which individual female consent, although formally obligated, does not exhaust the social significance of the transaction. This is in line with Merry's (1988) description of legal pluralism as a space in which different normative orders coexist not because one fails to replace the other, but because each deals with different registers of social life that cannot be completely replaced by the other. Realizing this helps explain why purely doctrinal reforms – amending the Marriage Act, or issuing MDA/MUDP decisions removing certain sanctions – prove inadequate on their own: such reforms deal with the contractual register of marriage without changing the register of lineage transfer in which most of the disputed sanctions work.

Institutional Mediation: MDA/MUDP, PHDI, and Regional Regulations

Interviews with representatives of the Indonesian Hindu Dharma Parisada (PHDI) and the Regional Indigenous Peoples Advancement Office show that there are structural limitations in the way institutional reform has been carried out to date. The MDA/MUDP authority is organized on a village-by-village basis (customary village), in line with the recognition of customary village autonomy based on the Bali Provincial Regulation No. 4/2019; therefore, provincial-level MUDP decisions such as the 2010 Patiwangi decision are persuasive and not binding on individual banjars, which still have the flexibility to decide how – or whether – to implement them in their own awig-awig (written customary law). Some PHDI informants observed that the revision of awig-awig usually only begins when a dispute forces the matter

to be brought before the paruman (village council), meaning that villages without recent disputed cases can retain provisions that have been formally replaced at the provincial level but have never been actually updated in the written customary texts governing local practice. This administrative gap between provincial policy and codification at the village level offers a more precise explanation for the persistence of the practices documented in this study than a simple description of "resistance to renewal": in many cases, the relevant awig-awig was indeed never amended to reflect the 2010 decision, so banjar administrators applied any version of customary law that had been codified locally prior to the decision.

Putro, Qorni, Hermawan, Purwasaputri, and Pramulia (2020) reached a parallel conclusion in their analysis of the harmonization between Balinese customary marriage law and Indonesian positive law, arguing that formal harmonization efforts are concentrated on provincial legal and regulatory instruments, while awig-awig – customary law that is actually applied at the first level by Bendesa Adat – is relatively untouched. The findings of this study expand on this conclusion by showing, through direct interview evidence, exactly how the resulting gap manifests itself in the marriage registration process: not because the Customary Villages are unaware of the 2010 MDA/MUDP decision, but because the decision has not replaced the provisions of certain awig-awig that are the basis for their local accountability to their own paruman.

Towards Transformative Legal Pluralism: Negotiation Patterns

Despite the persistence of the practices documented above, the interview data also show a gradual adaptation that is in line with a model of legal pluralism that is transformative and not merely conflictual. Some younger Bendesa Adataria, particularly in Denpasar and Badung, report actively reinterpreting the Empressive and Madaging Aci as abbreviated and lower-cost ceremonies rather than refusing to perform them altogether, thus effectively retaining the form of ritual while reducing the economic and social burden historically associated with inter-caste marriage. This pattern is in line with what Tamanaha (2021) describes as the adaptive capacity prevalent in customary law: instead of confronting state law or human rights norms directly, customary institutions absorb external pressures by modifying the content or intensity of their own procedures while maintaining the symbolic function of the procedure, thus allowing communities to claim continuity with tradition even as the substantive burden on women is gradually reduced.

However, these negotiated adaptations remain uneven and highly dependent on the leadership of the respective banjars, rather than being institutionalized at the provincial or village council level, which is in line with the broader argument of this study that the accountability gap in Balinese marriage law pluralism is primarily administrative and not purely normative: substantive commitments to gender equality already exist at the level of national law, international obligations, and even provincial MUDP policies, but mechanisms to translate those commitments into binding village-level awig-awig revisions are not yet available. Closing these gaps, at a minimum, requires a standard procedure that requires indigenous villages to review and, if necessary, change their awig-awig within a certain period of time after each MDA/MUDP decision touching on marriage-related sanctions – a simple procedural reform that does not require the state to replace customary authorities, but instead holds indigenous institutions accountable for their self-declared policy commitments.

Towards an Integrative-Transformative Legal Pluralism Framework

Overall, these findings support the study's main claim that the accountability gap in Balinese marriage law pluralism lies not in the substance of the prevailing norms – national law, international human rights instruments, and even the 2010 MDA/MUDP policy itself have all agreed on gender equality as a shared value – but rather in the absence of a reliable institutional pathway that translates provincial-level customary policies into binding village-level awig-awig revisions. An integrative-transformative framework, which differs from a purely doctrinal (state-centric) and purely relativistic (customary-centric) approach, will treat this administrative gap as the main object of renewal: instead of questioning whether state law should override customary law or vice versa, it asks how existing customary institutions can be made more consistently accountable for the policies they have adopted themselves.

Three elements of such a framework emerge from the data. First, procedural harmonization at the awig-awig level – for example, a standard clause requiring each indigenous village to review its awig-awig of MDA/MUDP decisions within a fixed period of time – would close the gaps identified in the above institutional mediation discussion without requiring provincial or national governments to intervene directly in the ritual content, which would most likely trigger defensive resistance rather than compliance. Second, acknowledging the gender asymmetry documented in Table 2 as a separate category of concern – instead of treating Patiwangi, Ninggal Kedaton, and Exclusion from Banjar as three unrelated customary practices – would allow PHDI and the Regional Indigenous Peoples Development Office to design a coordinated advocacy strategy that addresses the common structural roots of the three, namely the patrilineal transfer of ritual status and inheritance at the time of marriage. Third, this study's comparison with Wong Sikep society suggests that the intensity of legal pluralism is not determined by tradition alone, but is shaped by how closely the legality of a community's marriage is tied to its governance structure; this implies that even simple institutional separation – for example, allowing ritual legitimacy to run on a schedule independent of, and not as a prerequisite for, civil registration – can reduce friction without requiring the community to abandon the ritual itself. None of these steps resolve the deeper philosophical relationship between individual rights and communal membership that flows throughout this study, but each addresses identifiable concrete mechanisms that are being reproduced in current practice.

CONCLUSION

Legal pluralism in marriage practices in Indonesia goes beyond the administrative differences between civil registration requirements and customary traditions. This reflects the complex interaction between state authorities, which seek to establish a uniform legal framework, and indigenous communities, which maintain normative systems rooted in local cultural values and religious beliefs. In Bali, this relationship is characterized by ongoing negotiations between laws and regulations and customary obligations. While state law establishes formal requirements for the validity and registration of marriages, customary law continues to influence marriage ceremonies, family relations, social recognition, and community participation. Thus, the interaction between these legal systems shows how formal legal authority and customary norms coexist, None of these steps resolve the deeper philosophical dynamics between individual rights and communal membership that flow throughout this study, but each addresses identifiable concrete mechanisms that are the way in

which those dynamics are reproduced in current practice. (Susanto, 2026; P. Ho, 2022) (Lesmana, 2025).

An important challenge arises from the difference between statutory marriage requirements and their implementation within indigenous communities. Although national laws and regulations establish legal standards, including minimum age limits for marriage and consent requirements, the application of such provisions in practice may be influenced by prevailing customary and religious norms. State institutions may accommodate certain customary procedures in legally permissible administrative processes, which reflect the continued influence of local traditions on marriage practices. However, such accommodations do not necessarily confer legal validity on customary practices that conflict with legally binding requirements. This situation highlights the difference between formal legal recognition and social acceptance, especially when customary expectations influence marriage decisions, family relationships, and access to community rights.

Instead of disappearing through modernization, customary law has demonstrated great adaptability in responding to changes in national laws and regulations and social expectations. In Balinese marriage practices, customary institutions can negotiate adjustments to traditional procedures while maintaining their cultural and religious meaning. This adaptive process allows indigenous communities to accommodate formal legal requirements without having to abandon established traditions. Nonetheless, the effectiveness of such adjustments depends on their consistency with constitutional protections, gender equality, and individual rights. Therefore, the ongoing interaction between state law and customary law illustrates the dynamic character of legal pluralism, where legal harmonization requires institutional dialogue, community participation, and reinterpretation of customary norms to ensure cultural sustainability as well as equitable legal protection (Darwis et al., 2026; Karamina et al., 2026).

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