Abstract

Brahmin women marriage to men of different castes in Bali is called intermarriage. Punishments for such marriages still exist among people, especially patiwangi ceremonies and other social punishments. This study is conducted based on that issue. The research problems are how do punishments of Brahmin women marriage to men of different castes apply? How are marriage punishments in the perspective of Hindu values? The method used is empirical legal research, then are analyzed qualitative descriptive. Punishments for this marriage include: killed by jumping into the fire, drowned in a sea, isolated, downgrading, not allowed to go home. These punishments in Hindu perspective are contrary to the teachings of Tri Hita Karana, Tri Kaya Parisudha, Vasudaiva Kutumbakam, Tat Wam Asi, Manusapada, Ardhanareswari, Akhroda, Ahimsa. Keywords: marriage, punishments, hindu values.

Intisari


Kata Kunci: perkawinan, sanksi, dan nilai-nilai hindu.

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A. Background

Customary law or drestra\(^1\) has locally applicable scope which means applying to the local people. For the Balinese, the existence of customary law is still very strong, meaning that they are recognized and obeyed by the people of Bali, particularly in family law. Family law is the overall norms of law whether it is written or unwritten that governs the legal relations concerned with family relationship by blood or by a specific legal act. Legal acts that may lead to family relationships include adoption and marriage. Family relationships contain rights and obligations of family life, such as children’s rights and duties towards their parents or vice versa and so on. Legal norms that are not written in the legislation governing these relations are called customary family law.\(^2\)

From the foregoing, it appears that the family law scope also includes intermarriage in different wangsa.\(^3\) In the past the wangsa system in Bali in any term: caste, color, wangsa, soroh, tegak (linggih) turned out to bring certain legal implications that may lead to injustice for women. Triwangsa women, especially those who are Brahmin (name starts with the word Ida Ayu) in the past were banned from marriage to men from Kshatriyas, Vaishyas and Shudras.\(^4\) This marriage is commonly called asupundung.\(^5\) The term asupundung is often called nyerod (slip), ulung (fall), hanyud (carried by currents), and others. At the time of monarchy still exist, asupundung is customary offense punishable by the death penalty. All of these are negative labels meaning punishments.

Today, legally asupundung marriage is no longer an offense custom because it was removed in 1951 by the DPRD Bali Decree No. 11 of 1951. In Article 4 of the DPRD Decree stated that customary law called asupundung and alangkahi karanghulu is officially removed. Elimination of this marriage (asupundung and alangkahi karanghulu)\(^6\) through DPRD Bali Decree No. 11 of 1951 is one of the important milestones in the development of customary law marriage in Bali. The government at the time recognizes that the prohibition is no longer in line with the times. Thus, they use the law to change the values and behaviors that exist in society. The concept of changing the cultural values of society through the law in legal theory is commonly called Law as a tool of social engineering.\(^7\)

DPRD Bali Decree No. 11 of 1951 appears to be less successful in changing values and behaviors in accordance with the teachings of Roscoe Pound. One of the reasons is the agent of change that is not ready for this change, in addition to social, cultural condition that does not support. Balinese people still seem to believe that asupundung marriage is a marriage that violates customary law that will cause a catastrophe in their marriage life. Although the explanation is mere mythology that cannot be proved by common sense but it sometime unsubstantiated. Since the Balinese way of thinking is still influenced by the things that are magical religious, it is difficult to apply the rule that changes the behavior of a society, unless the Brahman as the agent of change is willing to support these changes.

Patiwangi ceremony means eliminating the bride’s position (caste, wangsa, name, degrees) which is considered higher and marries to whom is considered from a lower caste.\(^8\) In connection with patiwangi, in 2002 the real agent of change

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1. Drestra is a habit that exists in the traditional village in Bali
2. I Wayan Windia and I Ketut Sudastra, 2006, Introduction to Bali Customary Law, Faculty of Law Udayana University, Denpasar, p. 75.
3. Wangsa in Bali also means caste because Balinese people do not adhere to the caste system, but adopts wangsa system. Wangsa shows a descent or ancestry. If ancestors of Hindu community in Bali are pulled up, it would appear that their ancestors are one. So actually there is no difference vertically. Hindu community should embrace the color system because it exists in the Hindu teachings in Menawa Dharmacstra and Begawadgita.
5. Asupundung is the marriage of Brahmin women and Kshatriyas women (Sri Krishna Kepakisan descendants) to Kshatriyas men not dalem, Vaishyas and Shudras.
6. Alangkahi KarangHulu is the marriage of Kshatriyas women and Vaishyas women with Shudra men.
represented by a Brahmin, Ida Padanda Gede Ketut Bali Tianyar Arimbawa and Ida Pandita MPU Jaya Dangka Suta Reka already made a breakthrough by issuing *Bhisama Sabha Pandita Parisada Hindu Dharma Indonesia Pusat Nomor 03/Bhisama/Sabha Pandita Parisada Pusat/X/2002* on the practice of Color system (hereinafter referred Bhisama PHDI). In the annex Section C, point 6 Bhisama PHDI expressly states that the priests, should not refuse to “mput” (complete) pawiwahan (marriage) ceremony of different wangsa/caste. Furthermore, in point 7 it is stated that in terms of *Manusayadnya* ceremony mepandes (cutting teeth) people do not discriminate - distinguished their sons and daughters because of different wangsa.9

Not infrequently in asupundung marriage, patiwangi still exists. This punishment is contrary to Hindu values. In the Vedas, there is no wangsa system, but it is set by color system. This system does not recognize differences in social stratification, yet it teaches color difference according to guna (talent) and karma (work). So it can be said that the punishment of asupundung marriage which is still believed by the public of its existence is contrary to the teachings of the Vedas. In Hindu law *Menawa Dharmasastra* is also not found. Punishment of asupundung marriage is found in *Brahma Tatwa* which is the legal construction of the Hindu kingdom era in Bali.

Based on the description of the above-mentioned background, the author conducts the study entitled “Punishments of Brahmin Women Marriage to Men of Different Castes in Bali (In the Perspective of Hindu Values)” with 2 (two) problems: (1) How do punishments of Brahmin women marriage to men of different castes applied?; (2) How are marriage punishments in the perspective of Hindu values?

### B. Research Methods

This study employs empirical legal research method. The research location in Bali covers some pekraman villages whose data show variation. The data is obtained by implementing direct interviews with informants and respondents. In addition to the data, this study also uses primary and secondary legal materials obtained by conducting study of documentation, as well as the card system. Data and legal materials are analyzed using qualitative descriptive principles, theory, and then legal arguments are provided.

C. **Research Result and Discussion**

1. **Punishments of Brahmin Women Marriage to Men of Different Castes**

Marriage involves social position. In general a marriage takes place between people who have equal social standing, but sometimes marriages were even dignity certain people or otherwise degrading. Such circumstances generally seen in people who are in closed system of social stratification. Hence the caste system are rules that limit members of the community to move from the bottom to the top layer. Caste system in the Hindu community in Bali brings consequence regulation of inter-caste marriage.

Customary law marriage of Hindu community in Bali relate to aspects of society level (social stratification). This community in Bali aspect of the leveling can affect the existence and implementation of customary law known as the caste marriage. The concept of caste that persons postion in society is determined by birth or offspring, this concept is vertical. Pasek Diantha calls “vertical stelsel of four-caste (catur wangsa) system, while the system four-color (catur warna) adopts a horizontal system”.10

Based on the history, the Kepakisan dynasty is an early formations of a new wamsakerta in Bali *Wamsa* Sri Kreshna Kepakisan, which then run in the family of the kings derived from Majapahit, among others Samprangan, Gelgel, Klungkung. Dalem Sri Krishna Kepakisan was considered the king who

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has managed to fulfill duties as a facilitator of Bali and the Regional conquests. According to Wiana and Raka Santri, system of social stratification of Hindu society called wamsa, the public is calling the wangsa. Wamsa term equal to the caste that has the same meaning offspring. The system of social stratification in the Yajurveda XVIII.48 that states follows: “Brahmane brahmanam, ksatrya rajanyam, marudbhyo vaisyam, tapase sudram”. Color system is system of social stratification that are horizontal/open. Hindu community in Bali have characteristic identical to community groups such as the above is called catur wangsa; brahmana, ksatrya, wesya and sudra. The system brings certain legal implications in the law marriage in particular intercaste marriage, there are two types of legislations relating to marriage that endogamy and exogamy. Tri wangsa embrace endogamy, which prohibits members of the family to marry out (exogamy) with the sudra-caste, because it was considered demeaning family. Violation of the above rules called Asu Pundung and Alangkahi Karang Hulu. Asupundung interprets that act brahmin women holding a dog, the dog in questions is male sudra, Alangkahi Karang Hulu as an act of stepping or skipping “sacred territory” (karang hulu).

According to Jiwa Atmaja, “Asupundung” literally means holding the dog, depicting a woman from a higher caste holding a dog and the man from lower caste (Shudra) is symbolized as a dog. By knowing asupundung, the caste for triwangsa and Shudrawangsa does not have a caste then men from Shudra are symbolized as a dog. According to Kembar Kerepun, this expression indicates a higher status or prestige. In terms of entholinguistic, these expressions can be known the efforts to maintain the caste to set the language as a metaphorical playing field.

Asupundung expression can cause any Brahmin family to preserve and defend the existence of caste fanatically until their descendants particularly Brahmin Women are banned to marry men from a different wangsa. In addition to purify the wangsa, patriarchal culture is also reflected therein. Men are destined to regulate women and strong. Asupundung is a term created by local Balinese because it is not found in the Book of the Law of Majapahit as in the Kutara Manawa phrase. The book mentions pratiloma marriage. In Kutara Manawa pratiloma, it is not prohibited as long as it is done with the consent of the woman’s.

14 Hilman Hadi Kusuma, 1992, Introduction to Indonesia Customary Law, Mandar Maju, Bandung, p. 188.
15 Article 57 Law No. 1 of 1974 regarding Marriage declare that “yang dimaksud dengan perkawinan campuran dalam undang-undang ini adalah perkawinan antara dua orang yang di Indonesia tunduk pada hukum yang berlainan, karena perbedaan kewarganegaraan dan salah satu pihak berkewarganegaraan Indonesia”.
16 JiwaAtmaja, Loc. cit.
17 Ibid., p. 149.
parents. In Pratiloma marriage, the woman is called *jawikapateh* (controlled ox). In this case the one who controls is the man. Thus, it can be seen that the men manage to build a patriarchal culture to control the bulls that are strong and very charming.

In the opinion of Panetje, *asupundung* is a marriage of caste, the woman of a higher caste than her husband. Before 1951, it is an impediment for man of lower caste to marry a woman of higher caste, even it is deemed as a violation of customary law. After 1951 the different caste is not an obstacle anymore.\(^{18}\) Removal of *asupundung* marriage and *alangkahi karang hulu* is done using the DPRD-Bali Decree No. 11 of 1951. This decree at the same time eliminates the legal consequences of caste in Hindu society in Bali. Removal of the legal consequences of social interaction among groups from different castes is in accordance with the demands of time.

Removal of customary law punishments in Balinese Hindu community has consequences or criminal elements with the decree has not been successful. It is more appropriate that the abolition employs law such as the elimination of Customary Court (*Raad Kerta*) in Bali with Emergency Law No. 1 of 1951 (dated January 13, 1951) and is replaced by the District Court.

Punishments of *Brahmin* women marriage to men from a lower caste include downgrading caste and she gets her husband’s caste by performing the *patiwangi* ceremony. The above provisions already become established jurisprudence of *Raad Kerta*. Other social punishments are given to women who marry to men from a lower caste which include: they are not allowed to return home where they are not allowed to pray in *Pura* and other appropriate local customs. Examples of *Raad Kerta* Decision that decide such cases is *Raad Kerta* Decision 1948. The case occurred in Br. Celuk Desa Adat Bualu, the marriage of I Wayan Rodang and Ni Gusti Ayu Oka (deceased). Based on *Raad Kerta* Decision, they were sentenced for 6 months imprisonment. They are not allowed to pray in *Pura Kahyangan Tiga*.\(^{19}\)

Looking at the case, the punishment stipulated in *Raad Kerta* is tough. When compared to *Tri Wangsa* men marrying *Shudra* Women, they are not penalized as in *asupundung* marriage. A man has more freedom in choosing a woman. *Brahmin* men are not required to *dopepadan*.\(^{20}\) They are encouraged to find women from higher caste. Unlike the women, even today women with high caste are required to marry men in the same caste. Changes in the customary law of marriage till now still leaves dark spots, but already has some improvements. As experienced by Ida Ayu Sekretarini, she was not given any punishments by her parents and families.\(^ {21}\) At home, the husband does not do *patiwangi* ceremony and his family is allowed to bring *piuning nganten* ceremony.\(^ {22}\) The process of change seems to keep rolling after *Parisadha Hindu Dharma Indonesia* issued *bhisama* to return to the color system based on *guna* and *karma*.\(^ {23}\) From some *Awig-Awig Pakraman*, only one *Awig-Awig Pakraman* *Kuwum Village*\(^ {24}\) requires the people to perform *patiwangi* ceremony. *Awig-Awig Adat Panjer Village*\(^ {25}\), *Awig-Awig Medahan Village*\(^ {26}\), *Awig-Awig Kesiman Village*\(^ {27}\), *Awig-Awig Sesetan Village*\(^ {28}\) already removed *patiwangi* ceremony, however there are those who still perform the

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\(^{20}\) *Pepadan* is the ideal marriage of parents in Bali, where their children get a mate of the same caste even from the same clan.

\(^{21}\) *Piuning nganten* ceremony in this context means the ceremonial request to the ancestors, parents, families and communities to hold marriage and will undertake the obligations of life at husband’s home.


\(^{23}\) Based on Pakraman Kuwum Village Customary Law, Marga District, Tabanan Regency.

\(^{24}\) Based on Pakraman Medahan Village Customary Law, Blahbatuh District, Gianyar District 2009.

\(^{25}\) Based on Kesiman Village Customary Law, East Denpasar District, 2010.

\(^{26}\) Based on Sesetan Village Customary Law, South Denpasar District, Denpasar.
2. Punishments of Marriage in The Perspective of Hindu Values

a. The Beginning of Caste System of Hindus in Bali

One important aspect that needs to be addressed in a marital problem in Bali is the coating system of society (social stratification) that affects the existence and implementation of such marriage which is known by caste. Caste is essentially unknown in the Hindu scripture because it will locate the position and the place of humanity and society in high and low strata (vertical stelsel). The meaning of caste grows because mastery and appreciation of Hindu teaching still seems to be low. Sociological and historical factors of influx of Hinduism to Bali brought by the maharsi of East Java seems to also affect the existence of caste in Bali, and it was at the peak when Mpu Nirartha arrived in Bali.

Social stratification in Hindu is called color relating to the profession or the individual functions in the community (the profession in society) which is set in the *Arthawa Vedas* XIX.15 (7.8.1). The weak point of Hindu teaching is a deviation of the actual color meaning according to the scriptures the *Vedas* into caste. Caste comes from the Portuguese language which means descendants. Holy Word of God Almighty affirms that each profession has the same position and is glorious. In the *Yajur Veda* XXX.5, stated God Almighty has created Brahmins for knowledge, Kshatriyas for protection, Vaishya for trade and Shudra for physical work. Further, *Yajur Vedas* XXXI.11 declares Brahmins are the mouth of God Almighty, Kshatriyas are the arms, Vaishya and Shudra are the feet. It can be described that the color as the whole person including head to think which is the duty of the Brahmin. Shoulders and arms are Kshatriyas, the stomach is Vaishya while the foot is Shudra. Conceivably, if one of the parts is not there then the man are unable to perform duty as required by the Almighty God. So professions in Hindu society are not on the basis of birth, but on the basis of the nature or tendency of talent (guna) and work (karma) of someone in the community.

Interrmarriage is set in the book IX but none discuss the Brahmin Women marriage to the Shudra. It regulates more in triwangsa group also called dwijati (priest) marry to a woman who would have lower descendant and a lot of stuff. Implicitly, the author captures the existence of an abstract rule, women who have a lower degree are considered as the fields that were dry and vice versa. Seeds that were planted are diverse. Its success depends on the fertility of the fields. It means the presumed fertile field comes from the Brahmins who will deliver successful children because of the mother.

b. Punishments of Marriage in The Perspective of Hindu Values

*Asupundung* marriage is specifically regulated in the *Brahma Tatwa* in this papyrus color seems to be interpreted into wangs. Color position does not fit anymore. It causes injustice to Brahmin Women. *Brahma Tatwa* in Sadnyini states patiwangi ceremony to kill the caste of a woman so that she has the same caste as her husband. That rule is called Brahma Wangsa Tatwa. Punishments are also well organized in the *Dandang Bang Bungalan* concerning the pitutur juang kejuang (advice on the prohibition of marriage).

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31 Ibid., p. 391.
At the time of the royal judicial power in the hands of the king, the King’s duty is to decide all cases (wa wahara) arising among people. For practical purposes, the king is assisted by the Brahmins who are the Expert judges. The Board function is as an independent institution or aids the government (king) by deciding the case in the trial court (Dharma Sabha) to establish the applicable legal certainty. In Menawa Dharma Sastra, it is concluded that the Board of Brahmins are the priests. They construct the Tatwa Brahma which set the norms of Brahma Tatwawangsa. Brahmins Council position also acts as the judiciary even in parisadhha institutions or wipra/brahmin assemblies as a legislative body with the politics of law to regulate the marriage punishments.

Marriage punishment in the royal era up to the time of independence as a result of research can be seen in the following description. The respondents or family who experience the punishment of marriage are as follows:

1. Punishment of marriage in the Hindu kingdoms era is death penalty. It is based on the testimony of informant Ida Bagus Anom that the death penalties include Labuh Geni (plunge into the fire), Melebok (drowned in the sea). He cannot mention names of the victims because it happened long time ago. Punishments in Hindu Kingdom era can be seen in the results of research by Frederich in his book, “The Civilization and Culture of Bali” published in 1949 that describes the cruel punishment of women from high caste who marry to men from lower caste, namely death punishment by being burned alive, men drowned into the sea with stones tied around the legs.

2. Marriage punishment in colonial era is Selong (exile). According to the informant, there were two Brahmin Women were exiled to the Lombok island, namely Mbah Damuh (Ida Ayu, the real name is not known yet), and Ida Ayu Rata was exiled to Buleleng. In Singaraja, I Gusti Ayu Singkring Kshatriyas Dalem Persada was exiled to Parigi, Sulawesi Island. In Gianyar, Ida Ayu married to I Dewa Gde whose full names are unknown. They were exiled to Nusa Penida island.


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34 Interview with Ida Bagus Komang, Penglingsir Gria Sesandan Village, Tabanan, June 21, 2014.
36 Interview with I Noman Windia, grand daughter of Mbah Damuh (Brahmin Women), Wanasari Village, June 21, 2014.
37 Interview with Ratu Ayu Rija, Penglingsir (Puri Kawan Singaraja Elders), Singaraja, April 27, 2014.
38 Interview with Dewa Gede Sumerta Yasa, Retired Police of Penginsir Puri, July 16 2014.
39 Interview with Ida Ayu Suwinih, Brahmin Women married to Sudra Men, Senandan Village, Tabanan, October 13, 2014.
40 Interview with Ida Ayu Kade Wati, Brahmin Women married to Sudra Men, Jegu Village, Penebel Tabanan, June 23, 2014.
41 Interview with Ida Ayu Taman, Brahmin Women married to Ksatrya Men, Sukasada Village, Singaraja, June 12, 2014.
42 Interview with Ida Ayu Budastri, Brahmin Women married to Sudra Men, Panjer Village, Denpasar, April 29, 2014.
43 Interview with Ida Ayu Kade Sukerti, Brahmin Women married to Ksatrya men, Timpag Village, Kerambitan, July 7, 2014.

Of the respondent’s name, there are two women who suffered inhuman treatment. They are Ida Suwinih and Ida Ayu Putu Stiti. Ida Ayu Suwinih married to I Made Jagra in 1964 was not approved by her family. She got harassment and violence both physical and spiritual. According to the explanation, she was stripped by because she does not want to separate from her husband. Her family then does not want to admit her as a daughter and sister or discarded. She felt it for decades. After her parents and brother died she had the courage to return. Another story is from Ida Ayu Putu Stiti who married to a low caste man, I Ketut Bakti in 1984. Her life was full of menace society. Her marriage was never recognized despite the marriage ceremony that was held for three times. The cause is caste and people agreed not to attend the marriage which was considered invalid. Such circumstances led her father to take the case to the court. Tabanan court’s Judge I Wayan Narba won her case so that the marriage is legal with Decision No. 8/ PDT.P/1985 PN.

Tabanan District Court has referred to the DPRD Bali Decree No. 11 of 1951 on the abolition of asupundung marriage. Moreover, it refers to the Pancasila and Act No. 1 of 1974 on marriage. When it is analyzed by the legal theory, it is the Behavior of Judges of Bejamin Cardozo mentioning socio-economic factors as well as psychological aspects have indeed helped influence the judge’s decision. A judge should not forget the normative aspects of the law which serves the general interest of justice. The authority of a judge upholds his loyalty which lies precisely in the legal purpose. Therefore, the judge’s decision should not be made freely without limits. Judges activities remain bound to the public interest as the essence of justice. So the verdict is very proper and correct by having reference to the Pancasila as the source of all sources of law, the Constitution of the Republic of Indonesia Year 1945, Act No. 1 of 1974 on the Marriage Law in Indonesia, as an aspect of mandatory normative law upheld by the judge. The existence of Tabanan Court decision indicates there is no prohibition of marriage based on caste.

Marriage punishments in the Hindu kingdom era up to the time of independence, among others: labuh geni (plunge into the fire), selong (exiled to a remote place) patiwangi ceremony (downgrade) and social punishments such as discarded by the family or not allowed to return home, asupundung or nyerod labels are contrary to the Hinduism values which include:

1. *Tri Hita Karana* teaching values, which teach human relationship with God. Human is God’s creation, so they must worship, bow down and thank God.52 Human relationship with other human beings, they can not live alone and shall live in harmony, no hurting and demeaning
each other. Human relationship with the environment means maintaining the environment in harmony so that people feel safe and secure.

2. *Tri Kaya Parisudha* values; good thinking, good saying and good behavior. Punishments of marriage are contrary to these values because human beings are not different. Whatever the types of marriage punishment, they mean bad deeds. If this teaching is carried out properly, respect and appreciation for human will be in line with the values.

3. *Vasudeva Kutumbakam* teaches noble-minded people to look people all over the world as brothers.\(^{53}\) Marriage punishment is contrary to the dignity of man as distinguished by birth.

4. *Tat Twam Asi* teaching in the dictionary of Hinduism is the doctrine that say I was you, punishing and degrading women are contrary to those values.\(^{54}\)

5. *Manusapada* teachings can be found in the explanation of devotion to God which mentions there is no difference between low groups of people and high groups of people.\(^{55}\) All men are equal before God. Punishments are against the teachings because they adhere to the social stratification stelsel vertical that distinguish position by descent.

6. *Ardhanareswari* concept, a symbol of husband and wife.\(^{56}\) This symbol describes half male and half female in one body exemplified between Siwa and Uma. Agasty\(^{57}\) declared that the concept of ardhanareswari unification of women with men in marriage form as unified consists of two equal parts, equally strong, and equally significant for complementarity in creating harmony in life in this world. In relation to this, Pasek Diantha\(^{58}\) believes husband and wife symbolized as ardhanareswari which points out the similarities between men and women.

7. *Akrodha* means to control anger, to be tolerant.\(^{59}\) Akroda is included in the *Panca Niyama Brata* which means not compromised by anger.\(^{60}\) Parents whose children married to people from different caste would be angry to their own children or to messengers who told them that their children have eloped (*ngerorod*). Parents usually will not attend the marriage. This was done in honor of the family of Brahmins.

8. *Ahimsa* in the *Bhagavad-Gita* does not hinder the life of any living beings who want to progress from one type of life to another kind of life.\(^{61}\) In the dictionary of Hinduism (*a* = no; *himsa* = kill) there is no killing and hurting. Ahimsa is the first foundation in astaanggayoga to achieve meditation. In Dharma Prawerti, it also mentions the teachings of ahimsa *inpuhusinom*: “*Ahimsamalukuwuwus, solah tan memati-mati, sahimondo-***

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ngasih sayang, marepsareng ring sarwamaurip, patuhsayange ring raga, entosolah-darmajati.” Ahimsa means that human behavior does not hurt or kill living beings, has a sense of compassion towards all living beings, the same affection as you love yourself. Those are the correct behaviors according to the teachings of ahimsa. Relation to punishment of marriage, at the time of Hindu kingdom era, brahmin woman and her husband are murdered. At the Colonial Period, they are exiled to a remote place.

Punishments of marriage are clearly contrary to the values of Hinduism, therefore, based on the DPRD Bali Decree 1951, Bhisama Sabha Pandita 2002, and the MDP Bali Decree 2010 patiwangi ceremony is removed and should no longer be performed to the sons and daughters of the Brahmins whose first name is Ida Ayu.

C. Conclusion
In Bali Customary Law, Brahmin Woman (Ida Ayu) marriage to men of different castes; Kshatriyas, Wesia, and Shudra is intermarriage in terms of customary law, commonly called asupundung. Punishments for such marriages, among others: jumping into the fire, drowned into the sea with stone tied around legs, exiled, downgrading ceremony, not allowed to return home, refined speaking. Finally they are removed in 1951 and strengthened by Bhisama PHDI Center 2002 and MDP III Decree in 2010. Punishments of marriage in Hindu perspectives are contrary to the teachings of Tri Hita Karana, Tri Kaya Parisudha, Vasudaiva Kutumbakam, Tat Wam Asi, Manusapada, Ardhanareswari, Akhroda, Ahimsa, because marriage punishments in the Hindu kingdom era up to the time of independence, among others: labuh geni (plunge into the fire), selong (exiled to a remote place) patiwangi ceremony (downgrade) and social punishments such as discarded by the family or not allowed to return home, asupundung or nyerod labels are contrary to the Hinduism values.

Nowadays, the caste problems no longer exist because the Hindu society who employs the teaching of color does not recognize distinction based on descent. Social and psychological punishments should not be imposed again as they are contrary to the teachings of Hinduism.

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Interview with Ida Ayu Yasmini, Brahmin Women married to Sudra Men, Sesetan Village, Denpasar, April 30, 2014.

Interview with Ida Ayu Putu Stiti, Brahmin Women married to Sudra men, Wanasari Village,
Tabanan, June 23, 2014.


Interview with I Made Pasek Diantha, Lecturer of Udayana University, Denpasar, March 24, 2014.

Pakraman Kuwum Village Customary Law, Marga District, Tabanan Regency.


Pakraman Medahan Village Customary Law, Blahbatuh District, Gianyar District 2009.


Sesetan Village Customary Law, South Denpasar District, Denpasar.