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## CAPTURING THE BRIDE CULTURE IN SUMBA, EAST NUSA TENGGARA: A VICTIMOLOGICAL ANALYSIS

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### Abstract

The Sumba people has a tradition of capturing marriage, where the man captured woman for marriage. However, in practice, this custom has deviated and has become full of intimidation. This study aims to analyze the practice of captive marriage in Sumba from a victimological perspective. The research method used is the dogmatic method, meaning that the primary data used is law which includes custom and secondary data is law, and previous research. This research is descriptive qualitative. Descriptive qualitative research is research that describes captured marriages in Sumba from the perspective of victimology. The results show that today's forms of captive marriage contain violence against women. The violence experienced by victims of captive marriage is motivated by the artificial opportunity and the desire that men aspire to marry a woman. From a victimological point of view, based on Mendelshon's theory of the victim's degree of guilt, victims of captive marriage are victims who are completely innocent. Victims experience physical and psychological violence and are degraded. Based on Schafer's concept of victim responsibility, they are categorized as biologically and socially weak victims. Then, based on Fattah's theory of victim involvement, they are categorized as non-participating victims who should be protected..

**Keywords:** capturing the bride; Sumba; victimology.

### Abstrak

Suku Sumba memiliki adat kawin tangkap, dimana pria menangkap wanita yang akan dinikahinya. Namun, pada praktiknya, adat ini telah menyimpang dari yang seharusnya dan menjadi penuh intimidasi. Penelitian ini bertujuan untuk menganalisis praktik kawin tangkap di Sumba dari perspektif viktimologis. Metode penelitian yang di gunakan adalah metode dogmatic artinya data primer yang di pakai adalah hukum yang termasuk adat dan data sekunder adalah Undang-Undang, dan penelitian sebelumnya. Penelitian ini bersifat deskriptif kualitatif. Penelitian deskriptif kualitatif adalah penelitian yang mendeskripsikan kawin tangkap di Sumba dalam perspektif victimology. Hasil menunjukkan bahwa bentuk kawin tangkap di masa kini mengandung kekerasan terhadap wanita. Kekerasan yang dialami oleh korban kawin tangkap dimotivasi oleh kesempatan yang dibuat-buat dan kebutuhan yang dicitakan pria untuk menikahi seorang perempuan. Dari sudut pandang viktimologis, berdasarkan teori Mendelshon mengenai tingkat kesalahan korban, korban kawin tangkap adalah korban yang sama sekali tidak bersalah. Korban mengalami kekerasan secara fisik dan psikis serta di rendahkan martabatnya. Berdasarkan konsep Schafer mengenai tanggung jawab korban, mereka dikategorisasikan sebagai korban yang lemah secara biologis dan social. Lalu, berdasarkan teori Fattah mengenai keterlibatan korban, mereka dikategorisasikan sebagai korban yang tidak berpartisipasi yang seharusnya di lindungi.

**Kata kunci:** kawin tangkap; Sumba; viktimologi.

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## Introduction

The patriarchic culture is often assumed to attach to societies with strong masculine patterns. This argument is not totally wrong even though it is open to the chance of experiencing falsification in empirical examination. Patriarchy

essentially means “father’s rules”. It is a term that is widely used in various contrasting notes that try to describe or explain the condition of men’s superiority against women (Kuper & Kuper, 2005). This culture is highly prominent in some Indonesian territories, such as the Sumba people of East Nusa Tenggara Province. The Sumba people has a culture called ‘capturing the bride’ (*kawin tangkap*). It is an ancestral tradition that is still applied by Sumba men in marrying women today. This tradition is locally called *piti maraggangu*, which literally means ‘taking in a meeting’, or what is known with the term ‘capturing the bride’.

In the past, the ‘capturing the bride’ practice was not a carelessly-applied customary marriage process. The women that were to be taken as brides in the ‘capturing the bride’ process were those from the clan of the uncle, in which in the customary marital system, the bride and the groom are deemed as suitable for partnership (“Perempuan Sumba Antara Hak Dan Tradisi (Sumba Women, Between Rights and Traditions),” 2020). At that time, the application of this practice came with high consideration. Apart from that, they must wait for good omens from the *marapu*. In the beliefs of the Sumba people, the *marapu* is a respected and glorified spirit (Reny, 2018). The ‘capturing the bride’ is a marital process that requires an unnegotiable *belis* (dowry that is given to the bride, intended as a tribute towards the woman in the marriage) (Steven, 2019). Its process does not only involve parents, but also the whole extended family and the spirits. Thus, practicing the ‘capturing the bride’ tradition is the same as gambling the good name of the extended family and the ancestors (Kleden, 2017). ‘Capturing the bride’ is usually practiced with the aim to increase the degree of a family or to eradicate shame due to promises that have been enacted at the customary level. If the woman violates that agreement, she will be forcefully captured. ‘Capturing the bride’ is carried out while the woman is outside of her house. She is forcefully taken and brought to the house of the man that will become her groom (Tanggu, 2021).

According to Martha Hebi, the term ‘capturing the bride’ is actually non-existent in Sumba culture’s terminology. This term was actually coined by Salomi Rambu Iru, a Sumba activist that was also a Director of the Sumba Women Forum at the start of the 2000’s. The ‘capturing the bride’ practice emerged as an impact of customary manipulation. The initial practice of kidnapping the bride in the ‘capturing the bride’ custom was carried out with the approval of the bride-to-be. It means that the kidnapping was part of the marriage ritual. But its practice has deviated and it became full of intimidation (Budi, 2021).

In June 2020, a woman was taken by a group of men and was forcefully taken to the groom-to-be’s house. She was to be married to that man. Even though the woman resisted, screamed, and cried, they continued this practice under the excuse of customary marriage that have been practiced from generation to generation (Sinombor, 2020). This case contained the elements of coercion and

intimidation as the woman did not approve in being taken away. Some of the kidnapping perpetrators were seen to bring weapons, as if they were truly committing the crime of kidnapping.

In 2019, a 16-year-old teenager was even raped as she rejected the marriage proposal of the man that captured her (Rachmawati, 2020). Some of the kidnapping perpetrators were also seen to bring weapons, as if they were truly committing the crime of kidnapping (Rachmawati, 2020). There were at least seven cases of 'capturing the bride' which happened from 2016 to June 2020. In the last two cases, in the end, one of the women married under pressure (Ardanareswari, 2020). A rather viral 'capturing the bride' case happened in 2022 in Galimara *kampong*, Waimaringu Modu village, Kota Waikabubak District, West Sumba Regency, East Nusa Tenggara. A victim named Ance was kidnapped by LB who was also from Waimaringu Modu village, Kota Waikabubak District. This case was handled by the West Sumba Police Resort and was handed over to the District Attorney of Waikabubak (Bere, 2022).

One study is from Kamuri and Toumeluk, which discusses 'capturing the bride' in Sumba from a Christian theological aspect. This research was conducted using a normative method. According to Kamuri, 'capturing the bride' is a tradition that contradicts the Bible's teachings on marriage, a sign of spiritual decline, and degrades women's dignity. As Christianity is currently the majority religion in Sumba, Christian religious authorities have clarified that 'capturing the bride' is not in accordance with Christian teachings. (Kamuri and Toumeluk, 2021).

A second study is from Maramba et al., which highlights 'capturing the bride' from a legal perspective. According to Maramba, 'capturing the bride' is a violation of positive law, namely the absence of consent from the bride, and is therefore categorized as forced marriage. This research is empirical, based on primary data from interviews and observations. The process of capturing the bride is also a legal violation, namely the deprivation of freedom. According to Maramba et al., the forced marriage of 'capturing the bride' can be annulled by law, and the perpetrators can be charged with the criminal offense of deprivation of freedom; if forced sexual intercourse has occurred, the perpetrator can be charged with rape. (Maramba et al, 2022)

Another study on 'capturing the bride' was conducted by Tanggu, who researched 'capturing the bride'. This research is a sociological study on the meaning and practice of 'capturing the bride' in West Sumba. The researcher found that the practice of 'capturing the bride' sociologically stems from the patriarchal customs of Sumba, but in the past had different purposes and philosophies, where 'capturing the bride' was something staged together by both the woman and man in cases where the two spouses were not equal or in cases where the woman was

already pregnant. The current practice of 'capturing the bride' has become a practice of kidnapping and forced marriage. (Tanggu, 2021)

State of the art of this research which is different from the previous research was about the capturing bride research in the perspective of victimology, the previous research consent on perspektif of Law, theology or sociology and none of the previous research had focus on victimology perspektif. This is base on tradition, but according to law was a crime. The practice of kawin tangkap (capturing bride) violates law, which states that every citizen deserves to feel safe, and the Marriage Law, which prohibits the use of force in marriage. It is also possible that the practice involves kidnapping and forcible confinement, so the perpetrators could be criminally charged. This is very interesting research especially in the victimology perspectives.

There is several research about capturing bride because its an unique phenomenon but his research novelty in the victimology perspective. Previous research consent on law perspective or deviance at customary law. The state of the art of this research focusing on victimology perspective about capturing bride. Victim of the capturing bride suffering bad things as victims. From the perspective of victims and their suffering is the main focus of this research

The phenomenon above shows that 'capturing the bride' practices were accompanied with violence and intimidation, impacting the physical and psychological conditions of the women who became victims. These women were victims of men under the name of culture/tradition. Thus, the writer is interested in analyzing the practice of 'capturing the bride' from the victimological perspective. Referring to the opinion of Angkasa, victimology focuses on the characteristics of the victims and the interaction between perpetrators and victims. It also analyzes victims' behavior as a situational variable and a triggering factor, with an actualization as a trigger (Angkasa, 2020).

### **Research Problems**

The problem of this research is, "How is the practice of the 'capturing the bride' tradition of Sumba culture, East Nusa Tenggara, Indonesia, from the victimological perspective?"

### **Research Methods**

As a legal research, this research use Dogmatic legal research methods. (Wardiono and Dimyati, 2004) The dogmatic legal research methods employed the descriptive qualitative type of methodology combined with victimology dogma with the which means seeking a more comprehensive description.

Thus, this dogmatic legal research it emphasized an analysis on the relationship dynamics of the observed as anthropologic phenomena using

scientific legal theory. Therefore, based on the framework above, this paper aims to research the 'capturing the bride' practice of Sumba people from the victimological Dogma and theory perspective.

The data that the author uses is literary data, literary data includes primary data, namely legislation and anthropological observations related to captive marriage, secondary data, namely journals, articles, books related to victimology and analysis of excesses and victims of captive marriage and tertiary data in the form of reports on the occurrence of marriage catch.

The collected data is then sorted and then analyzed. The author uses analysis with a victimology perspective by drawing common threads between primary, secondary and tertiary data. The results of the analysis are then put into a study using a victimology approach.

## Discussion

### The 'Capturing the Bride' Culture of Sumba People

'Capturing the bride' is a tradition that is known with the term *paneta mawinne*. This culture refers to the marriage process where the groom takes the bride in manners that are similar to kidnapping ("Perempuan Sumba Antara Hak Dan Tradisi (Sumba Women, Between Rights and Traditions)," 2020). In Sumba languages, 'capturing the bride' is called *yappa mawinni* (Central Sumba dialect), meaning 'capturing a woman'. In the Eastern Sumba dialect, it is known as *piti maranggangu* meaning 'taking in a meeting'. Another term for this custom in the Eastern Sumba dialect is *piti rambangu*, meaning 'forceful taking' (Wellew, 2004).

The 'capturing the bride' tradition is usually carried out by rich people, as the groom-to-be's family must pay a heavy dowry to the bride-to-be (Madina, Ali and Puspita, 2023). The woman that was to be captured must already be dressed in complete traditional attire. The man who captured the bride must also wear customary attire and ride a Sumba horse decorated with traditional fabric.

After that woman is captured, the parents of the man will directly bring a Sumba horse and a Sumba machete for the woman as a symbol of apology and announce that the woman is already at the man's house. In this custom, there are no issues between the two families and the woman is treated respectably according to the Sumba tradition. There is no coercion from the man's family to the woman (Mukhlis, 2020).

The rampant practices of the current type of 'capturing the bride' make many parties feel concerned. Sarimita Andani Ataambu, The Branch Leadership Council of the Waingapu Branch of the Indonesian National Student Movement (GMNI/*Gerakan Mahasiswa Nasional Indonesia*) stated that the current 'capturing the bride' practice is a non-exemplary culture as it violates women's rights to make choices, and therefore, it is a form of violence against women ("DPC GMNI

Waingapu Tegas Menolak Praktik Kawin Tangkap Di Sumba (DPC GMNI Waingapu Firmly Rejects the Practice of Capturing the Bride in Sumba”). The current practice of ‘capturing the bride’ has deviated and transgressed from the original traditions. Its current form is more similar to kidnapping and harassing women. Such practices do not only hurt the dignity of women, but also abuse the Sumba tradition that has been passed on from generation to generation. It damages the tradition of the Sumba ancestors (Doko et al., 2021).

A ‘capturing the bride’ case happened in to Citra (28 years old) in 2020. She was captured by a group of men after going home from a work meeting at a non-governmental organization. According to Citra’s explanation to BBC News Indonesia, she resisted when being captured by that group of men. She struggled and tried to release herself. On the way, she sent a text message to her family and her boyfriend, saying that she was being taken away. Upon arriving to the perpetrator’s house, she saw that there were already many people. Someone hit a gong, which symbolized the start of the ritual that often happens when Sumba people takes a woman away. Citra kept on protesting and crying. She even forcefully dropped herself to the ground. She impaled her stomach using the motorcycle keys that she brought, forming bruises. Citra also hit her head on the large pillars of the house, aiming to make the perpetrator feel sorry for her. She also wanted to make other people know that Citra was not willing to get married. Citra explained that she did not want to eat in her kidnapper’s house for days. In the end, Citra’s family negotiated with the perpetrator. Thus, six days after the ‘capturing the bride’ ritual, Citra’s family, accompanied by the village government and non-governmental organizations, succeeded in bringing her home (Rachmawati, 2020).

Therefore, it can be said that the current practice of ‘capturing the bride’ in Sumba has experienced changes in its processes and meaning. The current form of ‘capturing the bride’ is no longer deemed as a way to honor women, but on the contrary, it is a form of harassment to women. Cultures or traditions that were formerly deemed as sacred changed into brutal practices as they are accompanied with violence and intimidation. Unfortunately, such practices are normalized by some Sumba people as they are believed to be an ancestral tradition. This is the face of patriarchy which perceives men as more dominant than women (Lolo, 2020).

This culture does not only make women seem weak when they are vis-à-vis men. But the strong dominant position of men makes women oppressed. This oppression has a strong foothold in the ‘capturing the bride’ ritual which reeks masculine patterns, marked by the condition of men’s superiority against women. It directs to women’s subordination and causes a historical pattern of systematic violence against women (Dewi, 2022).

Currently, there is no verdict from any court regarding the criminal act of forced marriage, even though there have been several parties calling for criminal sanctions related to forced marriage. The latest development is that the police have named four individuals involved in forced marriage as suspects and have submitted them to the judicial process.

This case involved the forced marriage of the victim ANG who was unable to resist when he was forcibly picked up at his house in the village of Galimara, Modu Waimaringu Village, Kota Waikabubak District, West Sumba Regency to be processed by arrest. The perpetrator was LB who was assisted by 3 other people to catch ANG for marriage. The four people were named suspects and thrown into custody but to this day there has been no verdict from the court. The West Sumba police explained that the suspects in the snares of the article applied were the crime of kidnapping or running away from women or deprivation of liberty, namely Article 328 or 332 Paragraph (1) to 2 or 333 Paragraph (1) Junto 55 Paragraph (1) to 1 of the Criminal Code with a penalty of 12 years in prison. (Bere, 2022)

### **The ‘Capturing the Bride’ Practice from the Victimological Perspective**

The capturing bride was a legal anthropologic phenomena in sumba. Its called legal anthropologic phenomena because violence is very explicitly shown in ‘capturing the bride’ cases in Sumba, attracting the protests of some societal elements. In this case, the Head of the East Nusa Tenggara Regional People’s Representative Assembly, Emilia Nomleni stated that the ‘capturing the bride’ practice must be stopped as it is a law-violating action and is a form of violence against women and children (Anand et al, 2020). This demand of the Head of the East Nusa Tenggara Legislative House should be appreciated and supported by all societal elements, especially the law-enforcing apparatus, which should take both preventive and repressive measures to eradicate this culture that harms women.

Some experts described the violence experienced by the women who were ‘capturing the bride’ victims. In this case, Abdul Wahid opined as quoted by Sumera, “Violence is a form of action that tends to have physical characteristics that causes wounds, disabilities, illnesses, or suffering to other people with an element of coercion, unwillingness, or the lack of consent from the opposite party that was harmed.” (Sumera, 2013). Soejono Soekanto stated that violence is the forceful use of physical power towards people or items. Meanwhile, social violence is a type of violence carried out to certain people or items as these people or items are part of a certain social category (Rabbani, 2017). Therefore, violence may be regarded as a criminal act (Rabbani, 2017).

The capturing bride was a anthropologic phenomenon because cases of capturing bride often lead to internal violence. Victims and her family both



suffered physical and psychological violence. Women become the most vulnerable in capturing bride events, they often become victims in realizing her deep desires get married with his lovers get failed because someone captured her and make her his bride without any consent, some also with raped case.

Capturing bride that happened basically lead to various kinds of negative consequences for victims psychologically and physically. At the time of the kidnapping the victim would experiencing turmoil and conflict in his heart, fear as well anxiety and this can make them experience changes drastic attitude in everyday life leads to traumatic experiences. This cases very related with victimology perspective.

According to Soesilo as cited by Saifullah, Pawennei and Salle all crimes are motivated by two factors, namely: (1) an opportunity, which may be a coincidence or it may be created and (2) a need which may either be a true need or an idealized need. Crimes generally have the following modus operandi: (a) a crime is carried out as such, thus victims maybe do not know the perpetrator of the crime and they are unaware of the criminal actions, (b) a crime that is committed using supporting equipment, and (c) a crime that is carried out with physical violence, deceit, and coercion (Saifullah, Pawennei and Salle, 2023).

Thus, the violence experienced by women in the 'capturing the bride' practice may be categorized as a crime that is motivated by a created opportunity and an idealized need of a man to marry a woman. This crime is carried out with physical violence, deceit, and coercion. This is anthropologic phenomenon created by evil man to violated, deceit and coerce women as bride without any of her consent.

Mansur and Gultom as quoted by Ariyanti When talking about violence, victimology perspective cannot be separated from the victims of the criminal act (victimology). Through victimology, we can know various aspects related to the victim; such as the factors that cause the occurrence of a crime; how a person becomes a victim; the efforts carried out to decrease the amount of crime victims; as well as the rights and obligations of crime victims (Ariyanti, 2019).

Victimology came from the Latin word "*victima*" meaning victim and "*logos*" meaning knowledge (Gosita, 2007; Ariyanti, 2019). Terminologically, victimology is a study of victims. It studies how victims are created and the impacts of the creation of victims that is a human issue and a social reality (Yulia and Prakarsa, 2010).

The definition of victimology experienced three developmental phases. Initially, victimology only studied crime victims. This stage was deemed as *penal or special victimology*. At the second stage, victimology did not only analyze the issue of criminal victims, but it also encompassed victims of accidents. This phase was called *general victimology*. At the third phase, victimology has developed even



more. It analyzes the issue of victims of misuse of power and the human rights. This phase is known as *new victimology* (Yulia and Prakarsa, 2010).

Therefore, from the victimological perspective, the 'capturing the bride' practice is categorized in the third developmental phase of victimology. This was in line with Darma's perspective which stated by Baindowi that the third phase of victimology has developed even more, as it has analyzed the issue of victims of misuse of power and the human rights. The third phase or the *new victimology* provides a more extensive definition of crime victims as a result of human actions that cause mental, physical, and social suffering (Baindowi, 2021).

Dikdik M. Arief Mansur and Elisatris Gultom as quoted by Ariyanti formulated that victims are not only individuals or groups that directly suffer due to actions that bring losses/suffering to themselves/their group. Even, at a more extensive scale, victims also encompass the close families or people under the direct care of the victims as well as the people that experienced losses when aiding the victim handle their suffering or when preventing victimization (Ariyanti, 2019).

Juridically, the meaning of a victim is stipulated in Law No. 31 of 2014 on the Protection of Witnesses and Victims. It states that a victim is "someone who experienced physical, mental, and/or economic suffering caused by a criminal action." Seeing this formulation, a victim is: a. anyone, b. who experienced physical and/or mental suffering and/or c. economic losses, d. caused by criminal action.

The Governmental Regulation No. 3 of 2002 on Compensation and Rehabilitation towards Victims of Severe Human Right Violations Article 1 numbers (3) and (5) define victims as an individual or a group people who experienced suffering, either physical, mental or emotional suffering; suffered from economic losses; or experienced neglect, deficiency, or deprivation of their basic rights as impacts of severe human rights violations, which includes victims and their heirs.

Crime victims are defined as people who have suffered from losses as impacts of crimes and or whose sense of justice has directly been violated as impacts of their experience in being criminal targets. Boven referred to the United Nations' Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power on the definition of victims, which is a person who individually or collectively suffered from losses, including physical or mental wounds, emotional suffering, economic losses, or true deprivation of their basic rights, either by act or by omission (Yulia and Prakarsa, 2010).

Based on the various perspectives above, it can be said that from the victimological perspective, the victims of the 'capturing the bride' practice is a woman who experienced physical, mental, and emotional suffering due to her experience becoming a target of crime of a man that wanted to marry her, thus

having her basic rights to live safely and comfortably as well as her right to determine her life partner violated (Suta et al., 2021).

In discussing about victims based on their degree of fault in the 'capturing the bride' practice in Sumba, the writer referred to Mendelsohn's concept. Mendelsohn as quoted by Ariyanti differentiates victims into five based on their degree of fault, namely: a. purely innocent victims; b. those who became victims due to their negligence; c. those who are as guilty as the perpetrator; d. those who are more guilty than the perpetrator; and e. the victim is the only one that is at fault (in this case, the perpetrator is freed) (Ariyanti, 2019).

If this concept is linked to the 'capturing the bride' practice in Sumba, the victims of this culture do not know the perpetrator at all and they do not know that they were going to become the target. There were no interactions that may trigger them to become victims. This was supported by the statement of Rambu et al. who stated that 'capturing the bride' is a type of marriage in Sumba Island, Indonesia, where there is no engagement process. In this process, a woman is forcefully taken to become the wife of a Sumba man (in this case, the woman does not know about the man's intention at all) (Maramba et al., 2022). The condition where the woman does not know that she was going to become a target of 'capturing the bride' makes the writer conclude that based on Mendelshon's theory on the degree of victims' fault, the above victims are categorized as **completely innocent victims** (Herman et al., 2023).

Then, based on the perspective of the victim's responsibility, Stephen Schafer as quoted by Kim and Glomb (Kim and Glomb, 2014) divided victims into seven forms as follows:

- a. Unrelated victims are those who have no relationship with the perpetrator. They became victims due to potential. Thus, in the aspect of responsibility, it is fully in the hands of the victims;
- b. Provocative victims are victims whose roles provoked the occurrence of a crime. Thus, the aspect of responsibility is simultaneously in the hands of the victims and perpetrators;
- c. Participating victims. In essence, the victims' actions may unknowingly encourage perpetrators to commit a crime. For instance, a person takes a large amount of money from the Bank without escort using a plastic bag, encouraging people to merampasnya. In this case, the aspect of responsibility is in the hands of the perpetrators;
- d. Biologically weak victims are crimes caused by the weak physical condition of victims, such as women, children, and the elderly, causing them to become potential crime victims. Concerning the aspect of responsibility, it is placed on the local government or society as they failed to protect powerless victims;

- e. Socially weak victims' are victims who do not obtain attention from the concerned society such as the homeless who have a weak social position. Because of that, the responsibility is fully in the hands of the perpetrators and society;
- f. Self-victimizing victims are victims that were victimized by themselves (pseudo-victims) or crimes without victims. The responsibility lies in the hands of the victims as they are simultaneously the perpetrator of the crime; and
- g. Political victims are victims of their political opposition. Sociologically, the victims cannot be taken responsibility for except with changes in the political constellation.

In the context of Schafer's concept on the the victim's responsibility in the 'capturing the bride' practice, the victims of this practice are categorized as **biologically weak victims** and **socially weak victims**. This is in line with Irene Loloyang's opinion, who said that when 'kidnapped', the 'capturing the bride' victims are treated terribly. They are pulled, grasped, and forcefully taken to perpetrator's place of residence.

The women who are 'capturing the bride' victims often suffer from physical harassment, in the form of sexually-nuanced touches, perpetrated by the kidnappers. Even, upon arriving to the man's house, the woman who was a 'capturing the bride' victim is directly placed in a room with the perpetrator and is provoked to immediately be engaged. In several cases, perpetrators often rape victims so that the latter will be forced to approve the engagement (Tagukaw, 2021).

This practice places women as an object of negotiation or target, rather than as an independent subject. Victims are hurt from the sexual, physical, psychological, social, and spiritual aspects (Bire and Radja, 2021). Marta stated that cases of 'capturing the bride' practices are seldom legally resolved. This is because the Sumba social system emphasizes harmony and maintains interfamilial relations. In consequence, the women who were 'capturing the bride' victims must comply with that coercion (Nainggolan & Harahap, 2022).

Then, Ezzat Abdel Fattah stated that there are some forms of victims' involvement in the case of a crime, as quoted by Rahayu dan Ramlan (Kleden, 2017) as follows:

- a. Non-participating victims are those who do not reject/object the crime and the criminal, but do not participate in preventing crimes;
- b. Latent or predisposed victims are those who have certain characters and tend to become victims of certain violations;
- c. Provocative victims are those who caused or provoked crimes;

- d. Participating victims are those who are not aware that their behaviors cause them to easily become victims; and
- e. False victims are those who became victims due to their own selves.

Based on the previously described cases of ‘capturing the bride’ that happened in 2013, 2016, 2017, 2019, 2020, and up to 2022, the victims are generally forcefully taken away. There are some cases where victims resisted, impacting their physical and mental conditions. There were some other cases where victims had no choice by to accept the marriage as they were raped during the ‘capturing the bride’ practice. There were also some who had no choice by to accept this ritual as they were powerless against their families’ and the customary chief’s desires who regard this ritual as an inclination of ancestral spirits.

Therefore, in this context, it can be understood the women are powerlessness in resisting against the ‘capturing the bride’ practice that is often carried out with violence and that often involves a group of men in capturing/kidnapping them. They do not obtain help or empathy from society that witnessed/saw the ‘capturing the bride’ practice as it was seen as a common thing in the Sumba society. Thus, in this context, if related to Fattah’s theory on victim involvement, these victims are categorized as **nonparticipating victims**, i.e., victims who do not reject/object the crime and the criminal, but do not participate in preventing crimes.

## Conclusion

The victims of the ‘capturing the bride’ practice from the victimological perspective is a woman who experienced physical, mental, and emotional suffering due to her experience as a target of crime of a man that wanted to marry her. This violates her basic rights to live safely and comfortably as well as her right to determine her life partner.

From the victimological perspective, based on Mendelshon’s theory on the degree of victims’ fault, the above victims are completely innocent victims. Based on the aspect of responsibility from Schafer’s concept, such victims are categorized as **biologically weak victims** who became victims due to their weak physical conditions, such as women, children, and the elderly, causing them to become potential crime victims. Concerning the aspect of responsibility, it is placed on the local government or society as they failed to protect powerless victims. They are also categorized as **socially weak victims** as they do not obtain attention from the concerned society, similar to the homeless who have a weak social position. Because of that, the responsibility is fully in the hands of the perpetrators and society. Then, if related to Fattah’s theory on victim involvement, these victims are categorized as **non-participating victims** as they do not reject/object the crime and the criminal, but do not participate in preventing crimes.

## Suggestion

From this research it is hoped that the regional government may uphold the protection for Sumba women by undergoing preventive and repressive measures to decrease or even eradicate the 'capturing the bride' practices in Sumba, East Nusa Tenggara, Indonesia.

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