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THE MARRIAGE CONTROVERSY AND THE LEGITIMACY OF THE EMPRESS PAKUBUWONO XIII: A HISTORICAL PERSPECTIVE OF ISLAMIC LAW, PAUGERAN KERATON, AND STATE LAW IN SURAKARTA SUNANATE

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Abstract
Marriage within the Surakarta Sunanate encompasses religious, legal, customary, and dynastic dimensions that have evolved alongside changes in Indonesia's legal system. This complexity is evident in the controversies surrounding the status of Asih Winarni as the consort of

SISKS Pakubuwono XIII and the appointment of KGPH Purbaya as crown prince. Previous studies on marriages within the Surakarta Palace family have tended to focus on customary marriage practices and processions from the perspective of Islamic law; however, the historical evolution and the interrelationships between marriage, palace statutes (paugeran), the legitimacy of the consort, and royal succession have not been comprehensively examined. This article analyzes the controversies regarding marriage and the consort's legitimacy during the reign of SISKS Pakubuwono XIII, examining them through the lenses of Islamic legal history, palace statutes, and state law. The study employs a historical method comprising heuristics, source criticism, interpretation, and historiography. Primary sources include marriage legislation, the Compilation of Islamic Law, documents and literature concerning Surakarta Palace traditions and statutes, and contemporary reports regarding the consort and the crown prince. The findings indicate that the validity of a marriage under Islamic and state law does not automatically confer legitimacy upon the consort or the crown prince within the palace hierarchy. This article contributes to the study of Islamic family law by analyzing the interplay between religious law, state law, custom, and dynastic legitimacy within the context of the Surakarta Sunanate.

Keywords*: consort; islamic marriage; palace statutes; pakubuwono xiii.*

Abstrak

Perkawinan dalam lingkungan Kasunanan Surakarta memiliki dimensi keagamaan, hukum, adat, dan dinastik yang berkembang seiring perubahan sistem hukum di Indonesia. Kompleksitas tersebut terlihat dalam kontroversi mengenai kedudukan Asih Winarni sebagai permaisuri SISKS Pakubuwono XIII dan pengangkatan KGPH Purbaya sebagai putra mahkota. Kajian terdahulu mengenai perkawinan keluarga Keraton Surakarta cenderung berfokus pada praktik dan prosesi perkawinan adat dalam perspektif hukum Islam, sementara perkembangan historis serta hubungan antara perkawinan, paugeran, legitimasi permaisuri, dan suksesi keraton belum banyak dikaji secara terpadu. Artikel ini bertujuan menganalisis kontroversi perkawinan dan legitimasi permaisuri pada masa SISKS Pakubuwono XIII melalui perspektif sejarah hukum Islam, paugeran keraton, dan hukum negara. Metode yang digunakan adalah metode sejarah

melalui tahapan heuristik, kritik sumber, interpretasi, dan historiografi. Sumber utama meliputi peraturan perundang-undangan perkawinan, Kompilasi Hukum Islam, dokumen dan literatur mengenai tradisi serta paugeran Keraton Surakarta, dan pemberitaan sezaman terkait permaisuri dan putra mahkota. Temuan menunjukkan bahwa keabsahan perkawinan menurut hukum Islam dan hukum negara tidak secara otomatis menentukan legitimasi permaisuri dan putra mahkota dalam tata keraton. Artikel ini berkontribusi dalam memperkaya kajian hukum keluarga Islam melalui analisis hubungan antara hukum agama, hukum negara, adat, dan legitimasi dinasti dalam konteks Kasunanan Surakarta.

Kata Kunci: *permaisuri; perkawinan islam; paugeran keraton; pakubuwono xiii.*

INTRODUCTION

Marriage in Muslim society is basically a religious as well as a social institution that has consequences for the formation of families, descendants, and kinship relationships. In the Indonesian context, the position of marriage is at the intersection of religious norms, state law, and socio-cultural practices of society. The national legal framework places marriage as a legal relationship that must meet religious provisions and laws and regulations. Law Number 16 of 2019 as an amendment to Law Number 1 of 1974 affirms the state's guarantee of citizens' right to form a family and continue their offspring through legal marriage (Government of the Republic of Indonesia, 1974). Meanwhile, the Compilation of Islamic Law is one of the important references in the implementation of marriage law for the Islamic community in Indonesia.

In practice, marriage law in Indonesia does not stand in a homogeneous social space. The existence of local customs and traditions often interacts with Islamic law and state law, resulting in a plural legal configuration.(Anggraeni, 2023) through a study of legal pluralism in Indonesia, it is shown that the interaction between Islamic law, state law, and customary law can produce tensions when each system has a different basis for legitimacy and regulatory mechanisms. The findings show that the applicability of a norm in

society is not always determined only by state law, but also by the kinship system, customs, and social construction that live in a particular community (Anggraeni, 2023)

This phenomenon becomes even more complex when marriage is placed in a palace environment that historically has its own social, cultural, and normative system. The Surakarta Hadiningrat Kasunanan is one of the political and cultural continuations of Islamic Mataram after the division of Mataram through the Giyanti Agreement in 1755. The development of Kasunanan not only produced political institutions and Javanese cultural symbols, but also formed a social space where Islamic values, Javanese traditions, nobility structures, and palace life systems interacted. (IF Bambang Sulistyono, et al. 2022) shows that the Surakarta Sunanate is part of the history of Islamic Mataram and the development of palace symbols is closely related to the change of the center of Mataram government from Kartasura to Surakarta.

Historically, the relationship between Islam and power in the Surakarta Sunanate. cannot be separated from the development of Islamic Mataram. Since the early days of Mataram, Islam has not only developed as a community religion, but also gained a place in the royal government structure. During the time of Panembahan Senapati, for example, Islam had been placed as the official religion of the kingdom and the development of religious life was supported through the existence of guardians and the institution of the headship or Reh Pengulon. This structure shows that religious authority during the Mataram period did not stand completely outside political power, but became part of the royal governance. (Zamzami, 2018) The Penghulu has an important position in taking care of religious issues as well as being part of the mechanism for applying Islamic norms in the life of the royal community. The pattern of relationship between power, religion, and institutions then became one of the institutional legacies that were passed on by the Islamic kingdoms of Java after Mataram, including the Surakarta Sunanate.(Purbaningrum & Kusairi, 2023)

The development of Islamic relations and power underwent a transformation along with the political changes in Islamic Mataram

and the formation of the Surakarta Sunanate through the Giyanti Agreement of 1755. The Sunanate then continued a number of Mataram's institutional heritage and religious traditions, one of which was through the existence of the penghulu as part of the palace structure. The Penghulu held the position as *i'm in the deep* with religious functions that are also related to the implementation of palace family marriages and the maintenance of religious traditions.(Wisnu Fachrudin Sumarno, 2023) Changes in the colonial system of government and regulations then encouraged a shift in the authority of the headman. Nevertheless, the palace still maintained social and cultural authority through tradition and paugeran. These historical conditions are important to understand that the issue of marriage and the position of the empress during the time of Pakubuwono XIII was not only related to Islamic law and state law, but also to the customary and dynastic authority of the palace.

The relationship between Islam and Javanese culture in the Kasunanan environment is also seen in various practices of religious traditions. Research on Sekaten shows that the tradition of the palace developed as a form of acculturation of Islam and Javanese culture and historically functioned as a religious medium as well as culture. In its development, the tradition has changed according to the social conditions of the community and the interests of modern culture and tourism (Abdul Karim et al. 2022) Thus, Islam in the palace environment is not only present as an individual belief system, but also intertwined with symbols, rites, social structures, and cultural authorities.

This historical context is important to understand family law within the Surakarta Sunanate. The development of Islamic law in Surakarta shows that religious institutions were once part of the palace government structure. A study of the authority of the penghulu in Surakarta Kasunanan shows that the penghulu is part of the traditional bureaucracy that handles religious issues, including family affairs, while colonial policies then limited this authority through Staatsblad 1937 No. 116 (and Triyanta, 2020). These changes show a transformation of legal authority: from a religious and royal structure

to a legal administrative system that was increasingly influenced by the colonial state and then the modern Indonesian state.

The marriage of the royal family has a broader meaning than just a private relationship between husband and wife. (Suri et al. 2022) Finding that traditional marriages *Düsseldorf* The Surakarta Palace has a long series of traditional processions and is full of symbols, but at the same time it can go hand in hand with the provisions of Islamic law and the laws that apply in Indonesia. The research shows that the harmony and conditions of Islamic marriage remain an important part, while the tradition of the palace provides a symbolic and cultural dimension to the implementation of marriage (Suri et al. 2022)

Suri and Yusdani's findings were strengthened by the study (Maida et al.2022) About *ageman basahan* bride and groom of the Surakarta Palace. The study shows that the cultural practices of the palace can undergo adjustment to the principles of Islamic law without having to eliminate cultural identity. Thus, the relationship between Islam and customs in the context of the palace is more appropriately understood as a process of negotiation and adaptation rather than a relationship that is always contradictory (Maida et al. 2022). Meanwhile, (Rafianti et al. 2021) in his study of Javanese Muslim society shows that the relationship between Islamic law and customary law in marriage can result in a negotiation process, namely traditions that are considered to be in harmony with Islamic law are maintained, while elements that are seen as contrary are adjusted or abandoned (Rafianti et al. 2021)

These studies show at least three trends in previous research. First, research on Javanese customary marriage tends to place customary as a cultural practice negotiated with Islamic law. Second, special research on the Surakarta Palace highlights more processions, symbols, and cultural practices of marriage. Third, the study of legal pluralism shows that there is a possibility of tension between Islamic law, state law, and customary law when the three systems have different legitimacy grounds. However, these three trends do not fully

explain how marriage can transform from a family law issue to a legitimacy issue in the palace dynasty structure.

This problem was evident during the SISKS Pakubuwono XIII period. Pakubuwono XIII is recorded to have been married three times. The marriage with KRAy Endang Kusumaningdyah and KRAy Winari took place before he ascended the throne and both ended in divorce. From the second marriage was born GRM Suryo Suharto which was later known as KGPH Mangkubumi or KGPH Hangabehi. From the third marriage with Asih Winarni/KRAy Adipati Pradapaningsih was born GRM Suryo Aryo Mustiko who later became titled GPH Purbaya. In 2012, Asih Winarni was appointed as the empress with the title of GKR Pakubuwana.

The problem then developed when on February 27, 2022, in the framework of the 18th Tingalan Dalem Jumenengan, Pakubuwono XIII inaugurated Asih Winarni as empress and appointed KGPH Purbaya as crown prince. The decision immediately caused controversy within the Surakarta Palace. The Customary Council institution questioned the basis for the inauguration of the empress and the appointment of the crown prince, including the use of the title GKR Pakubuwono. The Chief Executive of LDA, KP Eddy Wirabhumi, stated that the granting of the title has certain rules and procedures in the palace's customs.

A more emphatic view was conveyed by GKR Koes Moertiyah Wandansari or Gusti Moeng as a figure of the Customary Council Institution. He stated that the appointment of Purbaya as crown prince was not legally valid because it was considered not to follow *paugeran* Kasunanan Palace or Mataram breed. According to this view, Sikhur's position cannot be understood as personal ownership of the palace because the palace is a dynastic institution involving sentana dalem and courtiers. This view also links the status of the empress with customary marriage rules and procedures *Bhayangkari* in the environment of the Mataram breed (Isnanto, 2022)

The view of the Customary Council Institution is important to be placed as the view of customary authorities, not as a universally applicable legal conclusion. This is because *the palace rules* have a

different scope of enforceability from state law. It is precisely this difference in scope that makes the case of Pakubuwono XIII relevant to be studied through the perspective of legal pluralism. In state law, a person's status as a wife or child is determined based on the provisions of marriage law and family law; while in the palace structure, the position of the empress and crown prince can also be related to customary norms, genealogy, and dynastic legitimacy.

This distinction becomes increasingly important because the status of the empress has consequences that go beyond the marital relationship. In the disputed construction of palace customs, the status of the mother can be related to the position of the child in the succession structure. Therefore, the controversy regarding Asih Winarni as the empress cannot be separated from the controversy regarding Purbaya's position as the crown prince. On the one hand, those who support Pakubuwono XIII's decision place the king's decision as the basis for legitimacy; on the other hand, the Customary Council Institution emphasizes compliance with *the paugeran* and the involvement of the family structure and sentana dalem. These differences show that the same action can gain different legitimacy depending on the norm system used to assess it.

This condition is in line with the perspective of legal pluralism that places society as a meeting space for various normative systems. (Anggraeni, 2023) shows that the difference between Islamic law, state law, and customary law can give birth to tension when each has a different mechanism for determining rights and obligations. In the context of Surakarta Kasunanan, this pluralism becomes more complex because *paugeran* not only regulates social practices, but also relates to symbols of authority and dynasty legitimacy. Thus, the case of PB XIII can be read as a meeting between the legality of marriage, customary legitimacy, and dynastic legitimacy.

The study of the royal family of Surakarta also shows that the difference between Islamic law and *paugeran* does not only arise in the issue of marriage. Research on the practice of distributing the inheritance of the royal family shows that there is a difference between the provisions of Islamic inheritance and practices based on

paugeran. The king's personal property can be divided based on agreements and customary norms, while the palace property is not treated as the personal property of all family members and is related to the position of the king's successor. These findings show that *the paugeran* has its own normative mechanism in regulating the royal family and the position of the dynasty.

From the mapping, it can be seen that there is a fairly clear research gap. First, the research (Suri et al. 2022) has provided an important basis for the suitability of traditional marriages *Düsseldorf* with Islamic law and Indonesian law, but the focus is on the procession and the symbol of marriage, not on the legitimacy of the empress and its dynastic consequences. Second, research (Rafianti, 2021) shows the negotiation between Islamic law and customary law in the marriage of the Javanese people, but the object is not the structure of the royal family and does not examine *paugeran* as an internal norm of the dynasty. Third, the study of (Anggraeni, 2023) provides a framework of legal pluralism to explain the relationship between Islamic law, state law, and customary law, but the object of the study is inheritance law in the kinship system of indigenous peoples in general, not marriage and dynastic legitimacy in Surakarta Sunanate.

Thus, there is still room for research to explain how the history of the development of Islamic law in the Surakarta Sunanate shaped its relationship with customs and paugeran, as well as how these relations work when dealing with state law in the case of marriage and the legitimacy of the empress during the time of Pakubuwono XIII. This issue is important because the term "queen" itself is not a separate category in national marriage law. Status as a wife is a matter of family law, while status as an empress is a position that has a customary and dynastic meaning. Therefore, the validity of marriage according to Islamic law and state law cannot simply be equated with the legitimacy of a person as an empress in the palace structure.

Based on this context, this article is directed to answer three questions: (1) how is the historical development of the relationship between Islamic law, customs, and paugeran in the practice of

marriage in the Surakarta Sunanate; (2) how the controversy over Asih Winarni's position as empress and the appointment of KGPH Purbaya as crown prince during the SISKS Pakubuwono XIII period is understood based on Islamic law, palace rules, and state law; and (3) how do the relations of the three norm systems shape the legitimacy of the empress and crown prince in the structure of the Surakarta Sunanate dynasty?

This article departs from the argument that the controversy over marriage and the consort during the time of Pakubuwono XIII is not solely a question of the legality or invalidity of marriage, but is a matter of different sources of legitimacy. Islamic law provides a normative basis for the validity of marriage and family relations, state law provides a legal-formal framework for marital and family status, while *paugeran* provides a customary and dynastic construction regarding the position of the empress and succession. These differences show that marriage in the palace environment has a broader layer of meaning than marriage as a private legal relationship.

On the basis of this argument, this article makes an initial contribution to the study of Islamic family law by placing royal marriage in the perspective of legal history and legal pluralism. This contribution mainly lies in the distinction between the legality of marriage, the legitimacy of the consort, and the legitimacy of succession, which have tended to be placed in one series without distinguishing the normative source. By looking at the case of Pakubuwono XIII as a meeting point between Islamic law, state law, and *paugeran*, this article is expected to expand the study of Islamic family law from the issue of marital relations to the study of how religious norms, the state, customs, and traditional authorities negotiate in the formation of family status and dynastic legitimacy in modern society.

METODHOLOGY

This study uses the framework of legal pluralism as the main perspective to read the relationship between Islamic law, state law, and palace rules in the marriage practice of Surakarta Kasunanan

families. Legal pluralism is understood as a state when more than one system of norms lives and interacts in a social space. In the Indonesian context, Islamic law, state law, and customary law are not always in a completely separate position, but can negotiate, adapt, or experience tension in determining a legal status (Anggraeni, 2023).

The framework is used to understand that marriage within the Surakarta Sunanate has a broader dimension than the validity of the contract according to Islamic law and state law. Wayah Dalem marriage has a series of traditions that are inherited from generation to generation and interact with the provisions of Islamic marriage. (Suri et al. 2022) shows that the marriage tradition of the Surakarta Palace has various stages of customs, but in the aspect of the contract it can still meet the principles and requirements of Islamic marriage as well as the applicable legal provisions.

On this basis, the study distinguishes between marital status as a legal status and queen status as a customary-dynastic status. Marriage is a legal institution that obtains legitimacy from religion and the state, while the position of the queen is related to the internal structure of the palace, genealological, symbolic, and paugeran. Thus, the validity of a marriage is not automatically identical to the legitimacy of a person as an empress or the legitimacy of her descendants in the palace succession structure. This distinction is important so that the analysis does not mix the concepts of marital validity, nasab, customary position, and dynasty legitimacy.

The second framework is the history of Islamic law, which is used to look at the changes in the relationship between Islamic norms and legal institutions in the course of the Surakarta Sunnahan. The change in the authority of the ruler during the colonial period, for example, shows that religious institutions within the Sunnahan once had a role in family law affairs, but these authorities changed after the intervention of colonial regulations (and Triyanta, 2020). From this historical perspective, law is not seen as something static, but as a norm that changes along with changes in political, social, and institutional structures.

The third framework is 'urf or customary law, which is used to see the position of paugeran as a set of internal norms that govern dynastic life. The tradition of palace marriage shows that customs can go hand in hand with Islamic law as long as they do not conflict with the basic principles of sharia (Suri et al. 2022). This relationship also shows the existence of a negotiation process between customary and Islamic law in the practice of the Javanese Muslim community (Rafianti et al. 2021). Therefore, the paugeran in this study is not directly positioned as state law, but as a customary-dynastic norm that has social and symbolic authority in the palace environment.

This research employs a qualitative approach using historical methods, with legal pluralism as the primary analytical framework. Legal pluralism is positioned as the main perspective for analyzing the interaction and contestation among Islamic law, state law, customary norms, and palace statutes (paugeran) in the Surakarta Sunanate. Within this framework, the history of Islamic law functions as a historical approach to trace the development of Islamic legal authority and marriage practices in the palace over time, while the concept of ‘urf is used specifically to interpret the position of customary practices and paugeran as norms that operate within the palace community. This analytical hierarchy is intended to distinguish the respective functions of each conceptual framework rather than treating them as parallel theoretical perspectives. The historical method is employed because the object of study concerns not only legal norms applicable at present, but also the historical development of marriage practices, transformations in legal authority, and controversies surrounding the status of the empress and crown prince within the Surakarta Sunanate. The historical analysis is conducted through four stages: source collection (heuristics), source criticism, interpretation, and historiography.

The legal historical approach is used to relate changes in norms to the socio-political context that surrounds them. Meanwhile, the Islamic legal approach is used to assess the position of marriage based on the principles of Islamic marriage law. The legal pluralism

approach is then used as an analytical knife to explain the interaction between Islamic law, state law, and palace rules (Anggraeni, 2023)

The historical method is carried out through heuristic stages, source criticism, interpretation, and historiography, then strengthened by triangulation. The heuristic stage was conducted by collecting and identifying primary and secondary sources relevant to the historical development of marriage, the position of the consort, and the succession controversy in the Surakarta Sunanate. The primary sources consisted of Indonesian marriage legislation, particularly Law Number 1 of 1974 (Pemerintah Republik Indonesia, 1974) as amended by Law Number 16 of 2019, the Compilation of Islamic Law, and contemporary reports published in 2022 concerning the confirmation of Asih Winarni as consort and the appointment of KGPH Purbaya as crown prince. These contemporary reports include statements from the Surakarta Palace and the Lembaga Dewan Adat regarding the basis and interpretation of palace customs and paugeran.

Since an authenticated original manuscript of the palace paugeran was not directly obtained, references concerning the content and application of paugeran were treated as secondary sources and were critically compared with other historical and academic sources, particularly studies on the Surakarta Sunanate royal family. This distinction was maintained to avoid treating secondary interpretations of paugeran as primary legal-historical evidence. The source collection therefore sought to establish a verifiable evidentiary basis for examining the interaction between Islamic law, state law, customary norms, and dynastic authority in the controversy surrounding the consort and crown prince. Secondary sources are in the form of journal articles and research on Islamic family law, customary law, and the history of the Surakarta Sunnahan. The selection of sources considers their relevance and proximity to the object of research (Sayono, 2021)

The source criticism stage is carried out to test the authenticity and credibility of sources through external and internal criticism. External criticism examines the origin, identity, and timing of the

source, while internal criticism assesses the content, consistency, and possible partiality of the source. This stage is important because the controversy regarding the empress and crown prince involves various parties with different views. Therefore, each piece of information is not directly positioned as a single fact, but compared to other relevant sources (Backerra, 2024)

Furthermore, the interpretation stage is carried out by connecting the facts that have been verified using the perspective of Islamic law history and legal pluralism (Rafianti, 2021) ;. Islamic law is used to analyze the validity of marriage, state law to see the legal position of formal, while paugeran is used to understand customary and dynastic legitimacy. The difference between Islamic and customary law is not always in the form of conflict, but can be in the form of a process of negotiation and adjustment (Anggraeni, 2023)

The historiographic stage is carried out by compiling the results of interpretation chronologically and analytically, starting from the development of Islamic and customary relations in the Surakarta Sunanate to the controversy over the appointment of the empress and crown prince during the SISKS Pakubuwono XIII period. This stage aims to produce a historical reconstruction that not only describes events, but also explains the relationship between marriage, paugeran, and dynasty legitimacy (Backerra, 2024)

To maintain the credibility of the research results, triangulation of sources is used by comparing legal documents, academic literature, palace sources, and contemporary news. Differences in information between sources are not directly eliminated, but are analyzed based on the context and position of each source. Thus, triangulation is used to strengthen interpretation while avoiding dependence on one perspective (Kipping et al. 2013)

DISCUSSION

The Transformation of Islam, Javanese Culture, and the Authority of the Surakarta Sunanate Palace

The Surakarta Sunanate is part of the continuity of the history of Islamic Mataram which shows the close relationship between political

power, religious life, and Javanese culture. The establishment of the Kasunanan after the 1755 Giyanti Agreement did not necessarily break the legacy of Mataram, but instead continued a number of structures, symbols, and traditions that had developed in the Islamic-Javanese kingdom. In this context, Islam not only functioned as the religious system of the community, but also became one of the elements that shaped the identity and legitimacy of the kingdom. The relationship then developed through various religious practices, palace institutions, literature, and traditions that brought together Islamic teachings and Javanese culture. (Carey, 1997)

The process of Islamization of Mataram also did not take place through the complete elimination of the previous Javanese religious and cultural traditions. The study of Javanese religious politics shows that there is a process that can be understood as *mystic synthesis*, which is the encounter between Islamic identity and local religious and cultural elements. (Madinier, 2023) This heritage was then still seen in the two successor kingdoms of Mataram, namely Surakarta and Yogyakarta. This condition shows that the development of Islam in the palace environment took place through a process of negotiation and integration with Javanese traditions, not through a strict separation between Islam and local culture

One of the concrete forms of Islamic and Javanese culture relations in the palace environment can be seen through the Sekaten tradition. This tradition shows the process of acculturation between Islamic teachings and symbols with Javanese culture that developed in the palace environment. Karim and Raya's research shows that Sekaten in the past not only functioned as a cultural performance, but also had a function as a religious institution that strengthened the position of the Surakarta and Yogyakarta Palaces as the center of Javanese Islamic-power. In its development, this function has changed along with the development of society and tourism, so that Sekaten is no longer only understood in a religious framework, but also as part of the commodification and preservation of culture. These changes show that the relationship between Islam and palace culture is dynamic: religious elements are still maintained, but their social

forms and functions have undergone adjustments to the changing times. (Karim & Raya, 2022)

The relationship between Islam and Javanese culture can also be seen in the intellectual development of the palace. The literary tradition in Surakarta shows that the palace environment is not only a space for the preservation of Javanese culture, but also a place for the development of thought influenced by Islamic traditions. Thus, the influence of Islam in the life of the palace can be seen not only through ritual practices, but also through the production of knowledge and literature that shape the social and moral views of the palace community (Arps, 2019)

Entering the colonial period, the relationship between the palace, Islam, and Javanese culture changed due to the intervention of colonial power in the political and social structure of the kingdom. The research of Santosa and Noorwatha shows that the Surakarta Palace underwent various changes as a result of colonialism, but these changes did not eliminate the existence of the palace as a symbol of Javanese identity and tradition. Instead, the palace underwent a process of adaptation by integrating new influences into the existing cultural structure. The process shows that the reduction of formal political power does not necessarily mean the loss of symbolic and cultural authority. The palace retains its identity through historically inherited traditions, symbols, cultural spaces, and social practices. (Santosa & Noorwatha, 2025)

This series of developments shows that the authority of the palace has changed its form, but has not completely lost its legitimacy. religious traditions, Javanese culture, and internal norms of the palace remain a source of social and symbolic legitimacy. It is in this context that the paugeran acquires an important position as an internal norm that is not identical to state law, but still has meaning in determining the dynastic relationship system. Therefore, the controversy regarding marriage, the position of the empress, and the crown prince during the SISKS Pakubuwono XIII period needs to be placed in the context of the long history of the change in authority. The problem is not only about the validity or not of marriage, but also

about how various sources of legitimacy of religion, state, customs, and dynasties interact in determining a person's position in the structure of the Surakarta Sunanate.

Surakarta Palace Marriage in the Intersection of Islamic Law, Customs, and Javanese Traditions

In the context of Javanese society, marriage is not only understood as a legal relationship between a man and a woman, but also as a social and cultural event involving the family and community. A number of recent studies have shown that the practice of Javanese marriage maintains various traditional rituals as long as it does not contradict the basic principles of Islamic law. The tradition can serve as a form of *'urf* or a custom that acquires social legitimacy in Muslim societies (Fadilah & Ismayawati, 2024)

In the context of the Surakarta Palace, the practice of Wayah Dalem marriage shows a combination of traditional Javanese ceremonies and Islamic marriage provisions. Research on Wayah Dalem marriage shows that the traditional marriage series of palaces has various stages of customs, but its implementation can go hand in hand with Islamic marriage contracts and provisions. Thus, the palace tradition is not necessarily placed as a system that is contrary to Islamic law, but rather as a cultural norm that interacts with religious norms. (Suri et al. 2022)

This phenomenon can be understood through the concept of legal pluralism. In Indonesian society, state law, Islamic law, and customary law can coexist and influence each other. However, these relationships are not always harmonious because each has a different source of legitimacy and scope for application. (Hariri and Babussalam 2024)

State law provides limits on the validity and administration of marriage, while Islamic law provides a normative framework for Muslim societies. Customary law still has a social and cultural function in regulating various marriage practices. Recent research on customary marriage law shows that customary marriage has a strong

social position, but state recognition remains within the framework of national law.(Setyawan Budi and Muhyidin 2025)

Entering the colonial period, the relationship between the palace, Islam, and Javanese culture changed due to the intervention of colonial power in the political and social structure of the kingdom. Santosa and Noorwatha point out that the Surakarta Palace underwent various changes as a result of colonialism, but these changes did not eliminate the existence of the palace as a symbol of Javanese identity and tradition. Instead, the palace underwent a process of adaptation by integrating new influences into existing cultural structures. The process shows that the reduction of formal political power does not necessarily mean the loss of symbolic and cultural authority. The palace still maintains its identity through historically inherited traditions, symbols, cultural spaces, and social practices (Santosa & Noorwatha, 2025). In the context of the history of Islamic law, these changes are important because they show a shift from the authority of the palace that previously had a political and religious dimension to an authority that is more symbolic, cultural, and customary.

This series of developments shows that the authority of the palace has changed its form, but has not completely lost its legitimacy. Religious traditions, Javanese culture, and internal norms of the palace remain a source of social and symbolic legitimacy. It is in this context that the paugeran acquires an important position as an internal norm that is not identical to the law of the state, but still has a meaning in determining the system of dynastic relations. Therefore, the controversy regarding marriage, the position of the empress, and the crown prince during the period of SISKS Pakubuwono XIII needs to be placed in the context of the long history of the change in authority. The problem is not only about the validity or not of marriage, but also about how various sources of legitimacy of religion, state, customs, and dynasties interact in determining a person's position in the structure of the Surakarta Sunanate.

The Marriage of SISKS Pakubuwono XIII and Asih Winarni's Position as Empress

Marriage in the royal environment has a different character from marriage in general because in addition to forming a legal relationship between men and women, marriage can also have consequences for social and dynastic position. In the context of Surakarta Kasunanan, the position of a king's wife is not only related to the status as a couple in domestic life, but can develop into a symbolic and customary position as an empress. This condition shows that palace marriage has a family law dimension as well as a social and political-cultural dimension. Research on marriage *Düsseldorf* The Surakarta Palace shows that the practice of palace marriage has various stages of customary inheritance from generation to generation, but at the same time still pays attention to the provisions of Islamic law regarding marriage (Suri et al. 2022)

In the context of SISKS Pakubuwono XIII, this problem can be seen in the position of Asih Winarni. At the 18th Tingalandalem Jumenengan on February 27, 2022, PB XIII confirmed his wife as empress with the title of GKR Pakubuwono and at the same time appointed KGPH Purbaya as the crown prince. The palace explained that the inauguration was part of the process of regeneration and continuity of the dynasty, while Purbaya was referred to as the son born of the empress. Thus, contemporary sources explicitly link the position of the empress with the position of the crown prince (Isnanto, 2022)

The relationship between the status of the consort and the succession is important because it shows that the term "consort" has a different meaning from the term "wife" in national marriage law. In Islamic law, a woman who is legally married obtains the position of wife with certain rights and obligations. Islamic law does not make the term consort one of the pillars or legal conditions of marriage. Thus, the position of the empress is not a category of marriage law that determines the validity or not of a contract. This position is more accurately understood as a social, customary, and dynastic status that develops in the royal structure.

Suri and Yusdani's findings regarding the marriage of Wayah Dalem show that the marriage tradition of the Surakarta Palace can go hand in hand with Islamic law. They show that various traditional processions are still carried out, while the marriage contract remains an important part of the formation of a marital relationship according to Islamic law. This shows that there is a division of space between religious norms that determine aspects of the validity of marriage and customs that regulate various symbolic and social aspects in marriage (Suri et al. 2022)

This distinction becomes even more important when applied to the case of Asih Winarni. Her status as the king's wife can be analyzed based on Islamic marriage law and state law, while her status as an empress must be seen through the customary mechanism and the structure of the Surakarta Palace dynasty. In other words, the validity of marriage and the legitimacy of the empress are two issues that are related but not identical.

From the perspective of state law, Muslim marriage in Indonesia is within the framework of the Marriage Law and the Compilation of Islamic Law. The development of Indonesian marriage law shows that there is a close relationship between state law and religious norms. Wirastri and van Huis explained that Indonesian marriage law has a pluralistic character because state law regulates marriage in general, while Islamic family law norms gain regulatory space through legal tools such as the Compilation of Islamic Law (Wirastri & Huis, 2024)

Thus, state law can be used to assess a person's legal status as a spouse in marriage, but it does not directly determine whether a person can obtain a title or position as an empress in the royal structure. The title of empress is in different realms, namely the customary and dynastic realms.

Research on the Surakarta Palace also shows that the palace still has a function as a cultural institution and a symbol of Javanese identity. Although it no longer has political authority like the kingdom in the past, the palace still maintains various traditions, symbols, titles, and life systems that have social meaning for its community (Purwani

et al. 2022). In that context, the title of empress can be understood as part of the symbolic and cultural sustainability of the Kingdom. (Khoirunisa et al., 2024)

Therefore, the inauguration of Asih Winarni as GKR Pakubuwono in Jumenengan 2022 has a broader meaning than just the granting of titles. The inauguration shows an effort to maintain the symbolic structure of the palace while affirming the position of a woman in the royal family structure. When at the same moment her son was appointed as the crown prince, the position of the empress then had a relationship with the legitimacy of the dynasty.

However, this relationship does not mean that the status of the empress automatically makes her child legitimate as a crown prince according to state law. These are two different domains of legitimacy. State law does not stipulate that the child of a woman with the title of empress automatically becomes the successor of a kingdom. The determination is in the realm of customary and dynastic.

Thus, Asih Winarni's position can be understood through three layers. First, as a wife, she is within the framework of Islamic marriage law and state law. Second, as an empress, she is within the traditional and symbolic framework of the palace. Third, as the mother of the crown prince, her position acquires a dynastic dimension related to the continuity of the kingdom. The three positions are interrelated, but should not be equated.

This also explains why the controversy about the empress can develop into a controversy about succession. When the position of the empress has consequences for the identity and position of the descendants, then the issue of marriage can enter the territory of dynasty legitimacy. In the context of PB XIII, this can be seen from the determination of Asih Winarni as the empress and Purbaya as the crown prince at the same moment (Isnanto, 2022)

The Appointment of KGPH Purbaya as Crown Prince and the Meaning of Dynasty Succession

The appointment of KGPH Purbaya as crown prince on February 27, 2022 is an important part of the discussion regarding the relationship

between marriage, queen, and succession. At the time of the 18th Tingalandalem Jumenengan, PB XIII designated Purbaya as the crown prince. The palace explained that Purbaya was the son born to the empress and that the appointment was part of the process of regeneration and continuity of the kingdom (Isnanto, 2022)

The statement shows that in the internal perspective of the palace, Purbaya's status is not only seen based on his biological relationship with PB XIII. His mother's status as an empress is also mentioned as part of the reason that explains Purbaya's position. Thus, there is a relationship between the king's marital structure, the position of the empress, and the mechanism of hereditary legitimacy.

The research of Zuhdi et al. (2025) is very relevant to explain this condition. The study specifically examined the practices of the royal family of Surakarta and found that in the arrangement of royal family property there are still practices that use paugeran as royal customary law. There is even a difference between practices based on paugeran and the provisions of Islamic inheritance law (Zuhdi et al. 2025)

The findings show that paugeran still has a normative function within the royal family. Thus, when discussing succession, paugeran is not appropriate to be positioned only as a cultural symbol. Paugeran can also be a source of internal legitimacy used to explain a person's position in the dynasty structure.

This became more complex because the determination of Purbaya was then questioned by the Customary Council Institution. In December 2022, the LDA questioned the decision of PB XIII by stating that there was an older son from the previous marriage, namely KGPH Mangkubumi. The LDA argued that Mangkubumi was more appropriate to be the crown prince based on their interpretation of the succession mechanism. The statement shows that there are different interpretations regarding the basis that should be used in determining the successor to the throne. (Aris Wasita, 2022)

It is important to emphasize that the LDA's statement is the view of one party in the internal conflict of the palace, so it cannot be immediately treated as a final legal conclusion. In legal history

research, the position of each source must be considered because the source can bring certain interests and points of view. These differences of view actually have analytical value. If one side emphasizes Purbaya's position as the son of the empress, while the other party emphasizes Mangkubumi's position as the eldest son, then there are two different bases of legitimacy. The first basis emphasizes maternal status and dynastic position, while the second basis emphasizes genealogical order and the principle of seniority.

From the perspective of legal history, this condition shows that royal customary law is not always in the form of simple written norms. It can live through practices, traditions, decisions, symbols, and acceptance of the royal community. Research on previous conflicts in the Surakarta Palace shows that local values and paugeran are used in an effort to resolve conflicts regarding the succession and position of the king. Widada and Istadiyantha show that in the internal conflicts of the Surakarta Palace, the paugeran is positioned as part of the local wisdom used to understand and resolve conflicts regarding the heir to the throne. (Sutapa Mulja Widada et al. 2021)

These findings show that there is continuity in the use of paugeran as a source of internal legitimacy of the palace. Thus, the Purbaya controversy is not a phenomenon completely separate from the history of the Surakarta Palace, but part of a larger problem of how succession and authority are determined within the royal environment.

In this context, the appointment of Purbaya also needs to be seen as an act of the king that has symbolic meaning. As the king, PB XIII has a central position in the palace structure. The appointment of the crown prince by the king can provide a certain legitimacy because it comes from the highest authority in the royal structure. However, the acceptance of the decision can depend on the acceptance of other groups that have customary authority.

This is where there is a difference between internal formal authority and the acceptance of indigenous communities. The king's decision can be a source of legitimacy, but the existence of

customary institutions, sentana dalem, and kinship groups can create another interpretation space for paugeran.

Contestation of Paugeran and Authority in the Determination of the Empress and the Crown Prince

The controversy regarding the determination of Purbaya shows that the main problem in the structure of the Surakarta Palace is not only about the content of the rules, but also about who has the authority to determine and interpret the rules. This issue is important because there is a difference of opinion between PB XIII and the Customary Council Institution regarding the prospective successor to the throne.

In February 2022, the palace explained that Purbaya was appointed because he was the son of the empress and was part of the regeneration of the dynasty.(Isnanto, 2022) However, in December 2022, the LDA stated that the decision could be questioned based on customary law and referred to the existence of Mangkubumi as an older son (Aris Wasita, 2022)

These differences show that there is a contestation of the interpretation of the paugeran. If the paugeran is understood as a customary norm of the kingdom, then the next question is who has the authority to interpret the norm. The king has certain authority in the structure of the kingdom, but the customary institutions and royal relatives also have claims to the knowledge and application of traditions.

The study of the conflict in the Surakarta Palace shows that the paugeran can be used as an instrument for resolving internal conflicts. In the research of Widada and Istadiyantha, local wisdom and customary law of the palace are used in the context of resolving conflicts regarding succession. This shows that the paugeran has a practical function in regulating the internal relations of the palace, not just a symbolic function. (Sutapa Mulja Widada et al. 2021)

These findings were then strengthened by the research of Zuhdi et al. (2025) which showed that paugeran is still used in the life of the royal family of Kasunanan Surakarta. The study found that the practice of distributing royal family property can use paugeran and is

different from the principles of Islamic inheritance law. Thus, there is empirical evidence that royal customary norms still function in the life of contemporary royal families. (Zuhdi et al. 2025)

In the theory of legal pluralism, this condition can be explained as the existence of several norm systems in the same social space. Hariri and Babussalam explained that legal pluralism refers to the coexistence of state law, customary law, and religious law in a society. Indonesia is one of the contexts that shows the existence of pluralism because of its historical, cultural, and religious diversity (Hariri and Babussalam 2024)

However, in the case of PB XIII there is an additional layer, namely dynastic authority. The palace is not just an ordinary indigenous community, but a cultural institution that has a long history as a kingdom. Therefore, the king's decision has a different meaning than the decision of an ordinary traditional figure.

These conditions create a complex relationship between three forms of authority: royal authority, customary authority, and state legal authority. Monarchical authority deals with dynastic structures; customary authority deals with paugeran and tradition; while state law determines the boundaries of formal legal consequences.

In this context, it is necessary to distinguish between the internal legitimacy of the palace and the validity of state law. A decision can have an important meaning internally for the palace, but it does not automatically have the same legal consequences as the decision of a state institution. On the other hand, state law cannot always explain all symbolic and customary aspects of the life of the palace.

This difference is also seen in the position of the Surakarta Palace as a cultural institution. Research on the development of the Surakarta Palace shows that the palace still has a role in maintaining Javanese identity and culture even though it no longer has political power as it did during the Kingdom (Purwani et al. 2022). Thus, the legitimacy of the palace customs still has a social meaning even though it is different from the legal legitimacy of the state.(Khoirunisa et al., 2024)

The contest over Purbaya also shows that the concept of paugeran does not always produce a single conclusion. If one group interprets the paugeran by emphasizing the position of the empress's son, while the other group emphasizes the order of birth, then the problem lies in the difference in interpretation of customary norms.

Therefore, this study should not conclude directly that either party "violated the rule". Such a conclusion requires primary sources of verifiable and comparable rules to historical practice. Methodologically, it is safer to state that there are differences in interpretation of the rules and the mechanism of succession, as reflected in the statements of the parties involved.

This approach is also in line with the principle of source criticism in historical research. Statements from PB XIII and the palace can be used to find out the basis of legitimacy put forward by the proponents of the Purbaya determination. Meanwhile, the LDA's statement can be used to understand the arguments of those who question the determination. The two sources do not need to be forced to be one conclusion, but rather to be compared to see how each party builds legitimacy.

Thus, the paugeran contestation in the case of PB XIII can be understood as a contest of authority in determining the meaning of customary rules. This makes the issue of succession more complex than a genealogical issue alone.

Analysis of Islamic Law, State Law, and Paugeran on the Legitimacy of the Empress

Analysis of the position of Asih Winarni as empress and Purbaya as crown prince needs to be done by distinguishing between the workspace of Islamic law, state law, and paugeran. All three have different characters and sources of legitimacy, so it is not appropriate if one of them is used to replace the function of the other norm system.

Perspective of Islamic Law

In Islamic law, marriage is a contract that forms a legal relationship between a man and a woman. The validity of marriage is

related to the fulfillment of the harmony and conditions of marriage. (Rafianti et al. 2021) In the practice of marriage in the Javanese people, various customary traditions can still be carried out as long as they do not conflict with the basic principles of Islamic law. (Suri, et al. 2022)

Suri and Yusdani's research on the marriage of Wayah Dalem shows that the marriage tradition of the Surakarta Palace does not automatically contradict Islamic law. Various customary processions can be carried out together with the implementation of Islamic marriage contracts and provisions. These findings show the possibility of harmonization between customary and Islamic law (Suri et al. 2022)

Thus, if Asih Winarni's status as a wife is analyzed based on Islamic law, the main focus is on the validity of the contract and the legal consequences of the marriage. The term "consort" itself is not a category that determines whether or not marriage is legal.

This is important because the status of the queen should not be considered as an additional condition in the validity of the marriage. The queen is a social-dynastic status that arises after the marriage and recognition in the royal structure.

State Law Perspective

State law provides a formal framework for marriage through Law Number 1 of 1974 as amended and its implementing regulations, and for the Muslim community it is strengthened by the Compilation of Islamic Law. Wirastri and van Huis explained that Indonesian marriage law has a pluralistic character because state law and religious norms interact in regulating Muslim marriages (Wirastri & Huis, 2024)

Within this framework, state law can determine the legal consequences of marriage, but it does not provide a specific legal category regarding "consorts". Therefore, the state can recognize a person as a legal partner in marriage, but the title of consort is an issue that falls outside the main category of national marriage law.

This shows the difference between legal recognition and cultural recognition. State legal recognition is related to a person's

legal status, while cultural recognition is related to the acceptance of society or community to a certain position.

Paugeran's perspective

Paugeran is located in a different area. It is a customary norm that develops in the royal environment and is related to the internal structure of the dynasty. The research of Zuhdi et al. (2025) provides important evidence regarding the existence of paugeran in the Surakarta Kasunanan royal family. The research shows that paugeran is still used in certain practices and can produce different provisions from Islamic law (Zuhdi et al. 2025)

This shows that the paugeran has a normative function in the palace community. However, this function does not mean that the paugeran has the same position as the state laws and regulations.

In the case of the empress, the paugeran can serve to determine who obtains a certain position in the royal structure. However, the position must still be distinguished from marital status legally.

Differences in Legitimacy Objects

Based on these three perspectives, a mapping can be made:

No.	Norm	Focus	Forms of Legitimacy
1	Islamic Law	Too wordy, less relevant	Religious
2	State Law	Less elaborated / weak	Legal-formal
3	Paugeran	Interpretation is less critical	Dynasctic Customs

Table 1. Mapping Legitimacy Objects

The mapping shows that a single event can gain legitimacy from more than one system of norms. Marriage can be legal according to Islamic law and state law, while the position of the empress derives legitimacy from palace customs.

This concept is important in reading the case of Asih Winarni. Her status as a wife is not automatically the same as her status as an

empress. Likewise, Purbaya's status as a child is not automatically the same as her status as a crown prince.

From the perspective of legal pluralism, this difference is not something strange. Hariri and Babussalam explained that legal pluralism allows state law, religious law, and customary law to coexist in one society (Hariri and Babussalam 2024)

Thus, the controversy over the queen can be understood as a matter of shifting from the legitimacy of family law to customary-dynastic legitimacy. When a woman has become the king's wife, the next question is whether she obtained the status of queen according to the internal norms of the palace. The answer to this question is not sufficiently sought in state marriage law or Islamic law. The same applies to Purbaya. Status as a king's daughter can be explained through family law, but status as crown prince requires an additional basis for legitimacy.

Therefore, the analysis of Islamic law on this case is not intended to determine who is most entitled to be king. Islamic law is used to explain aspects of marriage and family relations, while paugeran is used to read the customary-dynastic aspects. This distinction makes the analysis more proportional. The research does not impose Islamic law to answer all royal problems, but it also does not ignore Islamic law when discussing marriage.

The Legitimacy of the Empress and the Crown Prince as a Plurality of Legitimacy

The controversy over the empress and crown prince during the SISKS Pakubuwono XIII period finally showed the existence of Plurality of legitimacy. The term is used to explain that legitimacy within the Surakarta Palace is not only sourced from one system of norms, but is formed through the meeting between Islamic law, state law, customs, and dynastic rules. The theory of legal pluralism explains that in a society there can be more than one legal system or norm that applies simultaneously, whether it comes from the state, religion, or indigenous people (Hariri and Babussalam 2024)In the Indonesian context, the relationship between Islamic law and

customary law is also not always conflicting, but can be in the form of negotiation, adaptation, and adjustment according to the social context of the community (Rafianti et al. 2021)

The plurality of legitimacy can be seen first of all from religious legitimacy. Islamic law provides the basis for marriage, conjugal relationships, nasab, and family rights and obligations. In this context, Asih Winarni's status as the wife of Pakubuwono XIII is related to Islamic family law if her marriage fulfills the stipulated harmony and conditions. Similarly, the biological relationship and the child's fate to his father is not solely determined by his mother's position as empress. Thus, it is necessary to distinguish between nasab in Islamic law and the right or legitimacy of succession in the dynastic system.

This distinction is important when reading the appointment of KGPH Purbaya as the crown prince. Genealogically, the status of a child as a descendant of the king is related to the relationship of descent and lineage. However, being a crown prince is a broader status because it contains political, symbolic, and dynastic consequences. Research on the royal family of Surakarta Kasunanan shows that the internal rules of the kingdom through paugeran still have a function in determining the relationship between descendants, royal property, and successors to the throne. (Zuhdi et al. 2025)This means that blood relations are one of the important elements, but they are not always synonymous with all dynastic legitimacy mechanisms.

Second, there is the legitimacy of the formal state law. The state regulates marriage through the Marriage Law and for Muslims through the Compilation of Islamic Law. However, national law does not specifically regulate who has the right to be the empress or crown prince in the structure of the Surakarta Palace. Therefore, the appointment of the crown prince cannot be assessed solely using the parameters of national marriage law. State law provides a framework for the status of family law, while the issue of internal succession of the palace is in the customary and dynastic realms. This condition shows the boundary between formal legality and socio-dynastic

legitimacy in a society that has a history of customary institutions (Wirastri & Huis, 2024)

Third, there is customary legitimacy that comes from paugeran. In the life of the Surakarta Palace, paugeran is not just a symbol of tradition, but can function as a guideline in regulating the internal life of the royal family. The study of Zuhdi et al. (2025) shows that the Surakarta royal family still uses agreements and paugeran in resolving certain problems within the royal family. This shows that the existence of paugeran still has a normative function, even though its application is not in the state legal hierarchy.(Zuhdi et al. 2025)

Problems then arise when the interpretation of the paugeran is not single. The controversy over the appointment of KGPH Purbaya shows that there is a difference of opinion between the palace and the Customary Council Institution regarding who has the legitimacy to occupy the position of the crown prince. The LDA in the 2022 news stated that KGPH Mangkubumi, who is the eldest son of the previous marriage, should have a stronger position in the issue of succession.(Aris Wasita, 2022) Meanwhile, the palace stated that Purbaya was appointed as the crown prince in the context of the regeneration of the dynasty and his position as the son of the empress. These differences show that the main issue is not only the content of the paugeran, but also who is authorized to interpret and determine its application.(Isnanto, 2022)

From the perspective of legal pluralism, this condition can be understood as a form of contestation between norms as well as contestation between norms. Legal pluralism does not always mean that all norms run in harmony. In practice, the existence of several norm systems can give birth to tension when each party uses a different source of legitimacy (Akbar & Laman, 2025) Research on legal pluralism in marriage also shows that state law, religious law, and customary law can generate a space for negotiation when society is confronted with different standards of legality and legitimacy. (Romli et al. 2025)

Fourth, there is dynastic legitimacy. This legitimacy is related to a person's acceptance of the throne inheritance structure and the

continuity of the dynasty. In this context, the position of the empress has a broader meaning than just marital status because it can relate to the genealogical and symbolic construction of the royal family. The appointment of Purbaya as crown prince in Jumenengan 2022 shows how the status of the empress and the status of the crown prince are presented as part of the dynastic regeneration process (Isnanto, 2022) Thus, the relationship between the empress and the crown prince can be read as a genealogical relationship as well as a political-symbolic one.

However, this study does not place one party as the sole holder of the truth regarding the paugeran. The difference between the palace and the LDA needs to be understood as a historical fact that shows the contestation of interpretation of customary norms. Research on conflicts in the Surakarta Palace also shows that the issue of succession can involve differences in interpretation and the use of local wisdom as one of the instruments for conflict resolution (Widada & Istadiyantha). Thus, the paugeran must be understood as a norm that lives in the social environment of the palace and its application can be an object of debate when there is a change in the configuration of power and family.

Based on this description, it can be formulated that the legitimacy of the empress and crown prince in the case of Pakubuwono XIII works through four layers of legitimacy. First, religious legitimacy, which comes from Islamic law regarding marriage and nasab. Second, formal legal legitimacy, which comes from state law regarding marital and family status. Third, customary legitimacy, which comes from the paugeran and tradition of the palace. Fourth, dynastic legitimacy, which is related to acceptance in the royal succession structure. These four layers do not always produce the same conclusion so that they can give birth to legitimacy contestation.

Thus, the controversy regarding Asih Winarni as the empress and KGPH Purbaya as the crown prince is more accurately understood as a contest of plurality of legitimacy rather than a mere question of the validity or invalidity of a marriage. Islamic law functions to provide religious legitimacy, state law provides formal

legal certainty, while customary and paugeran provide social and dynastic legitimacy (Rohmah & As-suvi, 2026). This perspective is in line with the recent study of legal pluralism that places state law, Islamic law, and customary law as a system of norms that can coexist while also experiencing negotiation in social practice.

CONCLUSION

Based on the results of the research, it can be concluded that the development of marriage in Surakarta Kasunanan shows that there is a dynamic relationship between Islamic law, state law, custom, and palace paugeran. Historically, Islamic law has been part of family law life in the palace, while Javanese traditions and paugeran are still maintained as social and dynastic norms. The marriage of Wayah Dalem shows that customary practices can coexist with the provisions of Islamic law. These developments show that the relationship between Islamic law and customary law is not always conflictual, but can take place through a process of negotiation and adaptation. In subsequent developments, state law provides a legal-formal framework for marriage, while customary and paugeran still have a function in the internal life of the palace.

The controversy during the SISKS Pakubuwono XIII period shows that Asih Winarni's status as empress and the appointment of KGPH Purbaya as crown prince are in a broader realm of legitimacy than the validity of marriage. Asih Winarni as a wife can be understood through Islamic law and state law, while her position as empress is a customary-dynastic status related to the structure and authority of the palace. The appointment of Purbaya as crown prince is also not solely related to the relationship of the nasab as the king's son, but is related to the mechanism of legitimacy of succession within the dynastic environment. Therefore, the controversy is not appropriate to conclude only based on national marriage law or Islamic law.

The main findings of the study show that there is a plurality of legitimacy in the family structure and the Surakarta Sunanate dynasty. Islamic law provides religious legitimacy to marriage and family

relations; state law provides legal-formal legitimacy; while paugeran provides customary and dynastic legitimacy. The four are then intertwined with the authority of the king and the acceptance of the palace environment. The controversy over the appointment of Purbaya shows that the problem lies not only in the existence of the paugeran, but also in the difference in interpretation of its content and application and who has the authority to interpret it. Thus, the findings of this study confirm that the legality of marriage, the legitimacy of the empress, and the legitimacy of the crown prince are three things that are related but not identical. The case of Pakubuwono XIII shows concretely how religious law, state law, custom, and dynastic legitimacy can live simultaneously while generating contestation when the source of legitimacy does not produce the same meaning.

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