

PANAI TRADITION IN BUGIS MAKASSAR SOCIETY IN BIMA: ISLAMIC LAW PERSPECTIVE

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ABSTRACT

This study highlights the gap related to the lack of in-depth studies on the harmony of the panai tradition in Bugis-Makassar marriage with Islamic law principles, as well as its contribution to enriching the understanding of the interaction between local traditions and Sharia law. This research aims to find out how the panai tradition of Islamic law is reviewed in the marriage traditions of the Bugis tribe of Makassar in Bima. This research uses descriptive qualitative research with a normative sociological approach to field studies. The collection techniques are observation, interviews and documentation. Meanwhile, data analysis processing techniques use reduction, data presentation and conclusions. The results of this research show that first, the Bugis Community in Makassar has two elements that cannot be separated in the marriage process, namely the man not only gives the dowry but also gives panai. If one of the parties commits a violation after the application and cash payment process has been carried out, then one of them will be subject to a fine. Second, judging from Islamic law, marriage is subject to the application of panai as one of the mandatory requirements in traditional marriages of the Bugis tribe which does not violate the pillars and conditions of marriage in Islamic law, because the tradition of giving panai is by the principles of Islamic marriage law because it contains the principle of consent and agreement between the groom and the bride in determining the value of the panai. This study contributes to explaining the harmony of the panai tradition in Bugis-Makassar marriages with the principles of Islamic law through the principle of the willingness and agreement of the bride and groom.

Keywords: Panai, Bugis Culture, Islamic Law

ABSTRAK

Penelitian ini menyoroti kesenjangan terkait kurangnya kajian mendalam tentang keselarasan tradisi panai dalam perkawinan Bugis-Makassar dengan prinsip-prinsip hukum Islam, serta kontribusinya dalam memperkaya pemahaman tentang interaksi antara tradisi lokal dan hukum syariat. Penelitian ini bertujuan untuk mengetahui bagaimana tinjauan tradisi panai terhadap hukum Islam dalam tradisi perkawinan suku Bugis Makassar di Bima. Penelitian ini menggunakan jenis penelitian kualitatif deskriptif dengan pendekatan sosiologis normatif dengan jenis penelitian lapangan. Teknik pengumpulan data yang digunakan adalah observasi, wawancara dan dokumentasi. Sementara itu, teknik pengolahan analisis data menggunakan reduksi, penyajian data dan kesimpulan. Hasil penelitian ini menunjukkan bahwa pertama, Masyarakat Bugis di Makassar memiliki dua unsur yang tidak dapat dipisahkan dalam proses pernikahan, yaitu pihak laki-laki tidak hanya memberikan mahar tetapi juga memberikan panai. Apabila salah satu pihak melakukan pelanggaran setelah proses pelamaran dan pembayaran uang panai' dilakukan, maka salah satu pihak akan dikenakan denda. Kedua, ditinjau dari hukum Islam, perkawinan yang tunduk pada penerapan panai sebagai salah satu syarat wajib dalam perkawinan adat suku Bugis tidak menyalahi rukun dan syarat perkawinan dalam hukum Islam, karena tradisi pemberian panai sudah sesuai dengan prinsip hukum perkawinan Islam karena mengandung asas kerelaan dan kesepakatan antara pihak mempelai laki-laki dan perempuan dalam menentukan nilai panai. Penelitian ini memberikan kontribusi dalam menjelaskan keselarasan tradisi panai dalam perkawinan Bugis-Makassar dengan prinsip-prinsip hukum Islam melalui asas kerelaan dan kesepakatan kedua mempelai.

Kata kunci: Panai, Budaya Bugis, Hukum Islam

A. INTRODUCTION

Traditional marriages in Indonesia reflect the diversity of cultures, religions, and beliefs that exist in various regions. Each tribe and community has different marriage traditions and rules, influenced by technological developments, technological advances, and changes in values in society. Amid these changes, marriage customs continue to play an important role, especially in regulating social and family relationships. One unique tradition in Indonesia is the marriage tradition of the Bugis-Makassar people in South Sulawesi, which recognizes the concept of "*penganai* money."¹

The *penganai* money tradition involves payments from the man to the woman in the form of money or property, which is carried out with full agreement and without coercion. This tradition reflects complex cultural values, including social status, economy, and family honor. In addition to the dowry that is mandatory in Islam, in Bugis-Makassar, the prospective groom must also prepare *penganai* money as an important requirement in marriage, especially if the prospective bride comes from a noble family or has a good educational and professional background.

This *penganai* money is different from the dowry, although they are often considered similar. The dowry is intended to cover the costs of the wedding party and other needs related to the wedding ceremony, while the dowry or "*doi' sompa*" is a special offering from the prospective groom to the prospective bride, the value of which can be in the form of money, land, or other property. Social class and family

¹ Marcia C. Inhorn et al., "Abrahamic Traditions and Egg Freezing: Religious Women's Experiences in Local Moral Worlds," *Social Science and Medicine* 253, no. December 2019 (2020): 112976, <https://doi.org/10.1016/j.socscimed.2020.112976>.

status greatly influence the amount of dowry that must be prepared, so this tradition becomes an important element in the marriage process in the Bugis-Makassar community.²

The Bugis-Makassar traditional marriage is known for its panai money tradition, which is an important element in the marriage process. Panai money is often equated with dowry by the general public, although it has different functions.³ According to Usman, panai money is an expense borne by the groom to finance all the needs of the bride's wedding event, which in Bugis is called "doi' saldo." Meanwhile, dowry or "doi' sompa" is a special offering in the form of property such as land, a house, or an heirloom keris, the value of which is determined based on the social status of the bride.⁴

However, this panai money tradition has received various views from previous studies. For example, Nanda and his colleagues in their study "The Story of Mahar: A Critique of the Makassar Tribe Panai Phenomenon" revealed that the concept of panai goes beyond Islamic principles, which should provide convenience and not be burdensome. They criticized that the panai custom often becomes a financial burden that is not in line with Islamic teachings which prioritize convenience in marriage.⁵ Another study by Sri Rahayu Yudi entitled "Uang Nai: Antara Cinta dan Prestige" also revealed that dowry is often interpreted as a symbol of social status. Many young Bugis people consider dowry

² Muhammad Ishlah Idrus and Anna S. Sukirman, "Panai Payment: Marriage Accounting Practices," *International Journal of Education and Research* 6, no. 11 (2018): 67–80, <http://www.ijern.com/journal/2018/November-2018/06.pdf>.

³ Christian Pelras, *Manusia Bugis* (Jakarta: Alasan, 2006).

⁴ and Tenriwaru Usman, Silviyana, "VALUE OF PANAI'ON SOCIAL CAPITAL CONCEPTCULTURAL STUDY IN SOUTH SULAWESI," *SIMAK* 20, no. 1 (2022): 97–1115.

⁵Yudi, SR Uang Nai': Between Love and Prestige. *Journal of Multiparadigm Accounting*, 6(2) 2015, 224-236. <https://doi.org/10.18202/jamal.2015.08.6018>

as a form of appreciation for the bride's family who have given their daughter a good upbringing, but Yudi also shows that this creates prestige and social pressure. Meanwhile, Maria in her study "The Symbolic Meaning of Dowry in Traditional Weddings of the Bugis Makassar Tribe in Makassar City" emphasizes the symbolic aspect of dowry, where it is seen as a symbol of self-esteem, honor, and sincerity of the groom to work hard to marry the woman he loves.⁶

From these various studies, there is a debate about the meaning and function of dowry. On the one hand, this tradition is considered an award and symbol of honor, but on the other hand, several critical views highlight that dowry can be a burden and is not entirely in line with the principles of Islamic law which encourage simplicity and ease in marriage.

The debate over the tradition of dowry in Bugis-Makassar traditional marriages reflects the complexity of culture that interacts with religious teachings and social change. In the context of Bugis marriage customs, the fundamental difference between dowry and dowry is the root of the problem that gives rise to various social phenomena, such as silariang, suicide, and forced marriage.⁷ The dowry is the property of the woman, while the dowry is determined by the woman's family to support the needs of the marriage. This creates economic and social pressure, where the value of the dowry often reflects social status, education, and wealth, thus triggering a prestige

⁶ Maria Ulfah Ashar Syahru Ramadan, Akifa Syahrir, Fitriani, "The Phenomenon of Uang Panai' in Wedding Bugis Makassar : A Perspective of Culture and Religion)," in *IICSUN 2017 PROCEEDING Nternational Conference on Sustainable Development Goals of United Nations*, vol. 53, 2017, 1689–99.

⁷ Hamdan Juhannis et al., "Community Beliefs toward Causes of Illness: Cross Cultural Studies in Tolotang and Ammatoa Ethnics in Indonesia," *Gaceta Sanitaria* 35, no. S1 (2021): S19–22, <https://doi.org/10.1016/j.gaceta.2020.12.006>.

war in society.⁸ For Bugis families, having a daughter is considered an investment, which has broad implications, not only in South Sulawesi but also in diaspora, where this tradition is still preserved as part of the culture and customs that are considered sacred.^{9 10}

Marriages of the Makassar Bugis community in Bima are known as marriages that cost a lot of money and have even become a phenomenon and are on special courses for the Bugis community and even other tribes. The Bima with people who carry out marriages with a high demand index for *panai* money, then the family of a man who proposes to a Bugis ethnic woman must be prepared to pay the money. Therefore, if the male family comes, they must wear *doi mendre* (*uang panai*) along with other conditions requested and the nominal and the range will be determined by the female family. Therefore, with a large number of requests for *Panai* to carry out marriages for the Bugis tribe, especially in sub-district areas, this often results in the rejection of applications due to the inability of the man's family to fulfill the demands of the woman's family, especially those related to money. Sometimes before an agreement is reached, it is negotiated whether the person conflicts with the stipulated *panai* money. *Panai* money is often an obstacle to marriage among the Bugis tribe, especially in Bima Regency.

On the other hand, the researcher highlights the importance of social status in Bugis marriages and how this affects the economy of

⁸ Susanto et al., "Caring for Adolescents Based on the Wisdom of Indonesian Pandalungan Culture: An Ethnonursing Pilot Study."

⁹ "Results of Interview with Mrs. Rainah (Community Leader of Bugis, Bima) on January 25, 2023,," n.d.

¹⁰ "Results of an Interview with Mr. Muhammad Andi (Community Leader in Bugis, Penakkuang District, MakassarBima) on January 24, 2023,," n.d.

women in this society. *Panai* money (siri in Bugis) is considered a symbol of women's self-esteem and is a phenomenon that reflects the social knowledge of society.

There are several interesting points that researchers see in the *panai* money tradition in the Bugis tribe community, Bima Regency, namely first, Social and Marital Status. In Bugis culture, social status plays a very important role in marriage. Social status can influence various aspects of marriage, including the amount of *panai* money paid by the man to the woman. This creates a complex relationship between social status and economic aspects of marriage.

Second, Women's Economy. *Panai* has a significant impact on the economy of women in Bugis society. The amount of *panai* money received by women in marriage can affect their financial stability and independence. This shows that the economic aspect of marriage is closely related to women's social status and self-esteem. Third, a symbol of self-esteem. *Panai* money is considered a symbol of women's self-esteem in Bugis culture. This indicates that in these societies, the value and dignity of women are often linked to the amount of *panai* money they receive. This reflects strong social norms and cultural values that shape society's views on women and marriage.

Fourth, Social Phenomenon. *Panai* is not just an economic aspect of Bugis marriage but is also a social phenomenon that reflects the dynamics of the relationship between the two parties in the marriage. This involves considering social status, culture, and societal values that influence women's daily lives.

Thus, from the studies described above, it can be concluded that the study of *panai* money was carried out using various analytical tools

ranging from national customary law to critical ethnography and people's opinions to conclude in the form of laws or interpretations of the law to conclude. The reality of *Panai'* culture in the traditional marriage of the Bugis tribe in Bima. However, researchers observe that there are already studies that analyze *panai* money from the perspective of Islamic law. However, the research focuses more on studying the perspective of Islamic fiqh and at the research location, 99% of the population still considers unag *panai* to be sacred in marriage which must be carried out. Apart from that, the researchers also tried to look at the complexity of Bugis culture and how aspects such as social status and *panai* money can have a big impact on the economy and self-esteem of women in that society. It also highlights the importance of cultural context in understanding marriage and the role of women in the economy and society.

B. METHOD RESEACH

This type of research uses qualitative.¹¹With field studies. Qualitative research is research that tries to understand the phenomena experienced by research subjects. This research approach is based on a normative sociological approach. The sociocultural approach in this qualitative research method aims to reveal the sociocultural interests and experiences of research subjects about a phenomenon that is not easily measured by numbers or numbers. By using this anthropological approach, religion is not only studied separately but as a whole that is related to aspects of tradition and culture around it. Therefore, using this

¹¹ Sugiyono, *Metode Penelitian Kuantitatif, Kualitatif Dan R&D* (Bandung: CV. Alfabeta, 2016).

approach as a method is done by connecting the culture or traditions of the Bugis tribe through the implementation of the *Panai* tradition at weddings of the Bugis tribe community. The location of this research was carried out in Bima NTB. Because the practices and traditions of *Panai* are still widely cultivated by the community, the existence of these traditions has been passed down from generation to generation to this day.

The data source is primary data is data obtained or collected directly at the research site? The number of informants who will be interviewed is 6 informants including traditional leaders, Bugis community leaders in Bima Regency, religious leaders, the MUI chairman, and the district KUA chairman. Bima Secondary data is data obtained or collected from existing sources by the person conducting the research. This data usually comes from books about social culture, or from writings that can explain the object being studied, thereby enabling researchers to complete the required data. The collection technique is observation, and interviews. In this case, direct interviews were aimed at traditional leaders, Bugis community leaders in Bima, religious leaders, the MUI chairman and the district KUA chairman Bima, and documentation. Meanwhile, data analysis processing techniques use reduction, data presentation and conclusios.¹²

C. IMPLEMENTATION *PANAI* AT A BUGIS WEDDING IN BIMA

¹² Suharsimi Arikunto, *Prosedur Penelitian Suatu Pendekatan Praktik* (Jakarta: PT. Rineka Cipta, 2013).

As is known, marrying a Bugis woman is very expensive because the nominal amount is quite high. This situation often makes some outsiders consider this tradition as a bad act because they sell their daughters, even though for the Bugis tribe this tradition is normal and considered correct.

Panai money is essentially designed as a support to meet the needs of wedding parties. In any case, the amount of *panai* money will be determined by the woman's family. Sometimes *panai* money is interpreted as part of the dowry, even though *panai* and dowry have fundamental differences.¹³ Indeed, *panai* money is a way to gain social status and maintain the family's reputation by considering the opinions of other parties who are not the bride and groom's family.¹⁴

The cost of *panai* money is the main priority in a wedding because the success of the party depends on the amount of *panai* money. This is based on the results of interviews. According to an interview with Mrs. Siti Hadijah (Bugis Traditional Guide) said:

*"The amount and size of the panai money paid will depend on the agreement between the bride and groom. Sometimes the bride-to-be does not specifically specify the value of the money requested, but there are also cases when the woman's family asks for panai money which is worth a lot of money. Because of this, a lively and luxurious wedding party is a source of pride for his family. The nominal value of panai money depends on education, economic status, and even Karaeng blood or not."*¹⁵

¹³ Asriadi Arifin, Muslimin H Kara, and Rahman Ambo Masse, "The Concept of Islamic Economic Equality with Mechanism Panai ' Money in Bugis Community Marriage : A Literature Review," in *Proceedings of the 1ST International Conference on Science and Islamic Studies*, vol. 9058, 2023, 233–43.

¹⁴ Syahru Ramadan, Akifa Syahrir, Fitriani, "The Phenomenon of Uang Panai' in Wedding Bugis Makassar : A Perspective of Culture and Religion)."

¹⁵ "Results of Interview with Mrs. Rainah (Community Leader of Bugis, Bima) on January 25, 2023."

In addition, interviews were also conducted with two families in Kel as part of this research.. Rider. Let's call the first family N (Female) and M (male). For example, they live and live in Penakkukang and married in 2021. N, who was proposed to by a man of Bugis blood, decided to get married in August 2021. Bugis tradition as N and M's families both come from the Bugis tribe agreed to hold a wedding procession according to Bugis tribal customs.

*"During the Mamanuk Manuk event, N's family asked that the wedding procession be carried out according to those of us who come from Bugis because we both come from the same tribe, namely Bugis, so we agreed to hold a wedding procession according to the tribal provisions and traditions of the Bugis tribe."*¹⁶

After that, it will be followed by a procession activity known as "*Maddatu Mallin*". When the proposal activity was carried out, N's family brought gifts based on the traditions and customs of Bugis tribal marriages, and then there was a discussion about money because the future wife was from the Karaeng clan. According to Bugis custom, there is someone trusted by the family to be the spokesperson or mediator.

At that time, R's family demanded two hundred million from the man. This led to a negotiation process between N's family and the family of the woman who wanted to get married. During the negotiation process, there was tension between the families. This is based on the findings of an interview with Mr. Ardin Ismail:

"During the Madduta Mallin event, N's family asked Panai for money with a very large nominal amount, namely 200 million

¹⁶ "Interview Results by Mr Anwar (Oran Tua M) on 12 Mar 2023 15:30 WITA.," n.d.

*rupiah. At first, my father objected and offered him one hundred million rupiah."*¹⁷

R's family insists on demanding a fantastic offer with the argument that R is the only child the family has because he received an education and went to school until he graduated as a teacher and held a luxurious and lively wedding party.

The high demand for *panai* money offered by the N family has the potential to become a source of conflict between the two parties. This is based on an interview with Mr Mansyur who:

*"I think we only have one daughter with a college degree. Our daughter is already working as a teacher. Of course, when you get married, you have to set the price for the panai at 200 million."*¹⁸

Finally, N's family and the groom's family (M), with the support of Mrs. Siti Hadijah as the traditional owner, agreed on the amount of the fixed fee, which can be paid in three installments, at the time of the marriage contract and handover. Then the pre-contract ceremony and post-ceremony are completed. According to Mrs. Siti Rainah, this is allowed. Based on the results of the interview, namely: "We pay it, that is, if we make and submit an application worth 100 million, then we hand over 50 million in the procession before the marriage ceremony, and after the contract is signed we will hand over the 50 million that is the shortfall. We don't understand that." Whether what my family and I did was against custom or not, the most important thing is that we have fulfilled our Panai commitment."¹⁹

¹⁷ "Interview Results with Ardin Interview Results on March 12 2023 at 15.30 WITA.," n.d.

¹⁸ "Results of the Interview with Mr Mansyur on March 12 2023 at 15.30 WITA.," n.d.

¹⁹ "Results of Interview with Mrs. Rainah (Community Leader of Bugis, Bima) on January 25, 2023."

The man's family said the *panai* money was required by customary law because it was carried out as part of the traditional Bugis wedding procession. If the *panai* money can be met by the man's family, then there is a big possibility that the marriage can be annulled.

D. REVIEW OF THE ISLAMIC LAW OF PANAI ON BUGIS TRIBE MARRIAGES IN BIMA NTB

Philosophically, in Bugis society, *panai* is a representation of cultural principles, namely sipakatau, sipakalebbi and sipakainge, which Bugis society upholds to this day. *Panaik* and dowry in a traditional Bugis wedding are two elements that are interrelated and cannot be separated. In practice, both have an equally important role in terms of responsibility and must be given. However, panic money often receives more attention and is considered a key factor influencing the smooth running of the wedding process. Therefore, the amount of money given by the woman's family is usually greater than the dowry requested. Often, the amount of panic money is determined based on a person's social standing, and this has become a common practice among some people.²⁰

Ideally in Islam, *panai* should not have a fixed amount or be determined based on certain factors to determine the amount. What is more important is its existence and the men's abilities, because panic money is not a standard but is a mutual agreement. The term often used is spending money, which is more part of tradition than a religious

²⁰ Michelle R. Nelson and Cele C. Otnes, "Exploring Cross-Cultural Ambivalence: A Netnography of Intercultural Wedding Message Boards," *Journal of Business Research* 58, no. 1 SPEC.ISS (2005): 89–95, [https://doi.org/10.1016/S0148-2963\(02\)00477-0](https://doi.org/10.1016/S0148-2963(02)00477-0).

aspect. On the other hand, the religious aspect of marriage is the dowry, which is never required to be a certain amount such as one hundred million or a certain amount, but can be anything that has value.

Islam has rules and pillars of marriage in marriage, including the bride and groom, the bride's guardian, two witnesses, consent and qabul. Of the five pillars, the most important is the consent and qabul between the person making the contract and the person receiving the contract.²¹ For this ijab and qabul to be valid, a dowry is required as a condition that must be fulfilled by the groom. In traditional marriages of the Bugis tribe, especially Makassar. This is based on the results of interviews with traditional leaders in Village, namely Mr. H. Ardin Ilham, that existing Bugis marriages are strongly influenced by Islamic values because the majority of Makassar residents are Muslim, this causes a combination of Islamic teachings and customs.²²

In the traditional marriage of the Bugis tribe, some stages are by the pillars of Islamic law, namely first, the pre-wedding stage known as "Appabottingeng ri Tana Ugi", this stage includes *mamanuk-manuk*, looking for, hearing information related to the life of the prospective bride, after that The madduta mallin process is carried out, the application process. In the application process, the groom and the mbotu botting, namely traditional participant figures, lead the procession of discussing the proposal and marriage. At this point, a discussion process occurs regarding *panai* money.

²¹ M. Atho Mudzar, *Fiqh Dan Reaktualisasi Ajaran Islam*”, Dalam *Buddhy Munawar Rachman (Ed), Kontesktualisasi Hukum Islam Dalam Sejarah* (Jakarta: Yayasan Wakaf Paramadina, 1994).

²² Ibnu Qodir, “Environmental Fiqh In Perspective Theory Of Legal Function,” *Sarwah*, 2020, 87–104.

Most scholars agree and believe that giving a daughter is a trust. If a pious man proposes to his daughter, the parents can accept the proposal. When a man already knows (*nadzhor*) the woman he is betrothed to and vice versa and is determined to get married, then what both of them must do is pray Istikhoroh to ask Allah SWT for guidance. So that you are given a good choice Thus, the problem of *panai* money made during the process of proposing is for the wedding party later. From the perspective of Islamic law, this is the pre-wedding phase in Bugis tribal wedding customs as the *khitbah* phase.²³

In terms of giving *panai* money, giving *panai* money in a Bugis traditional wedding is a form of giving a sum of money that is used to hold a wedding party. This practice is by the principle in Islam called *walimah*. *Walimah* is a form of expression of gratitude after the wedding ceremony, where there is a banquet for guests, relatives and family. However, in Islam, actions such as *walimah* should be done without exaggeration.

Rasulullah SAW said to Abdurrahman bin 'Auf when he informed him that he had married (Awlim even *bisyatim* Arabic) "Have a *walimah* even if only by buying a goat" Islam teaches people who carry out marriages to hold a *walimah*, but does not provide a minimum or maximum form in the *walimah*. This sends a message to everyone that the *walimah* must be adjusted to the abilities of the individual carrying out the marriage. However, it is important to remember that the implementation of *walimah* should not be excessive, and arrogance and

²³ Ayu Pramudia and Kusuma Wardani, "Mahar Dan Uang Panaik Dalam Pandangan Islam (Studi Kasus Perkawinan Masyarakat Bugis Makasar Di Kabupaten Asmat Papua Selatan)," *AL-AFKAR : Journal for Islamic Studies* 7, no. 3 (2024): 163–82, <https://doi.org/10.31943/afkarjournal.v7i3.1295>.Dowry.

arrogance should be avoided. In a hadith, Rasulullah SAW said: "*The Messenger of Allah. Held a walimah for some of his wives with two pieces of wheat.*" (HR Bukhari)." ²⁴

The above hadith indicates that *walimah* can be held with any type of food, according to individual abilities. The Prophet SAW gave examples of various *walimahs* that he held not to differentiate or favor one of them, but to adapt them to different situations, both in difficult and abundant situations. Nowadays, *walimah* is often interpreted as a wedding party. This is related to collecting a certain amount of *panai* which is used to finance the wedding party.

If giving *panaik* does not hinder the marriage, then it is by Islamic principles because it can be considered a form of "*wata'awanu alal birri*" (and help you in doing good deeds). In this context, giving *panaik* money can help the woman's family in holding the wedding party. However, sometimes *panai* money can violate Islamic teachings when the amount is too high and thus becomes a burden on men who may have limited resources. This can lead to undesirable situations, as happened. A woman must be willing to give up her true love for another woman, not without reason. The man, who later married another woman, had previously proposed to the woman, but the price demanded by the woman's family was considered too high. The man found it difficult and finally their proposal was canceled. The most important thing in the context of giving panic money is that there is no element of coercion in giving panic money which could trigger problems. Bad actions because you want to justify various ways to get money

²⁴ Muhammad bin Ismail Al-Bukhari, *Shahih Al-Bukhari* (Beirut: Dar Al-Kutub al Ilmiyah, 2024), 230.

To avoid financial imbalances or difficulties that may arise due to excessive money panic, it is important to find a balance that suits the capabilities and situation of the families involved in the marriage. The principle of mutual assistance in kindness remains relevant, as long as it does not sacrifice justice and the welfare of all parties involved in the marriage.²⁵

There is a principle in Bugis culture that needs to change slowly, namely that sometimes the woman's parents just wait for the money to be used for the wedding party. Although, as we know, there are three obligations of parents towards their children. First, give it a good name. Second, provide a good education. Third, matchmaking for their children. Parents should also provide funds for their children's weddings, not just rely on the panic money that will be given by the man. Parents should not use all the money given by the man but rather give the money to their children for their future needs after marriage.²⁶

Islam, which is known as a religion of mercy for the whole world, does not want a burdensome dowry determination for men when they want to get married. The same goes for panic money, which should not be a burden for those who have good intentions of getting married. Marriage, as an act that follows the Sunnah of the Prophet, should be

²⁵ Khoza Cordelia, "The Hidden Gendered Anger in Marriages: The Case of Xitsonga Culture," *Aggression and Violent Behavior* 55 (2020): 101438, <https://doi.org/10.1016/j.avb.2020.101438>.

²⁶ Sallouha Lamia Bach Baoueb, "Tunisian Hip-Hop Music Discourse: Linguistic, Socio-Cultural and Political Movements from the Local to the Global or Vice Versa? A Case Study of Balti's Songs," *Language and Communication* 75 (2020): 1–20, <https://doi.org/10.1016/j.langcom.2020.07.005>.

carried out simply and without extravagance. In Islamic law, there is a principle that emphasizes the importance of making all matters easier.²⁷

Women are not allowed to ask for things that burden men because this has several negative impacts, including 1) It becomes an obstacle when getting married, especially for those who are serious and love each other. 2) Encouraging and forcing men to go into debt to get the money required by the woman. C) Encouraging fair marriages and extramarital relationships.

Apart from the above, another impact that can be caused is the number of women who do not marry and become old maids because men give up their intention to get married due to the many demands that must be prepared by men for the sake of marriage. Differences in social levels of society greatly influence the required value of panik money. Among these are the economic status of the person to be married, physical condition, level of education, position, occupation, and heredity.²⁸

In Islam, there is no difference in the treatment of individuals based on social status, economic condition, physical appearance, level of education, or other factors. All humans, in the eyes of God, have the same degree and position. What differentiates them is their level of devotion to Allah. This is reflected in verse 13 of surah al-Hujurat in the al-Qur'an.

²⁷ Yunsi Chen and Dezhuang Hu, "Gender Norms and Marriage Satisfaction: Evidence from China," *China Economic Review* 68, no. August 2019 (2021): 101627, <https://doi.org/10.1016/j.chieco.2021.101627>.

²⁸ Agnieszka Rydzik, Dora Agapito, and Charlotte Lenton, "Visibility, Power and Exclusion: The (Un)Shifting Constructions of Normativity in Wedding Tourism Brochures," *Annals of Tourism Research* 86, no. November 2020 (2021): 103090, <https://doi.org/10.1016/j.annals.2020.103090>.

Some people consider the traditional Bugis wedding procession to be by Islamic law. It's based on the words of Rasulullah SAW if a society considers the traditions or culture they practice, then of course SWT is also good in the eyes of Allah. This is based on the words of the Messenger of Allah which were narrated by Imam Ahmad from Abdullah bin Mas'ud: "Which shows that things which are valid according to the traditions of the Muslims and whose views are good are also good in the sight of Allah."²⁹

The meaning of the Hadith above is that all customs that are considered good by Muslims are good in the sight of Allah because if they are not followed they will cause problems or difficulties.³⁰ The principle of the Islamic religion is that all forms of action must eliminate difficulties by making it easier and easier for all forms of human activity and not forcing people to leave or stay away from something that has become their habit because it will cause trouble for them. Thus, customs must be recognized so that they do not fall into this abyss. This is as stated in QS. al-Hajj/22:78. *"And He will never make things difficult for you in religion."* And the word of Allah QS. al-Baqarah/2:185) *"Allah desires ease for you, and does not desire hardship for you."* And the Word of Allah in surah al-A'raf/7: 199: *"Be forgiving and tell people to do what is wise and turn away from stupid people."*³¹

Islamic law can accept custom or tradition as a source of law (*urf*) as long as it does not conflict with the shari'a argument. Legitimate custom (*urf shahih*) is a tradition that does not violate Islamic norms,

²⁹ Mardani, *Ushul Fiqh* (Jakarta: Raja Wali, 2003).

³⁰ Amrin Amrin et al., "Peta Kapanca As the Existence of Islamic Marriage in Bima Indonesia," 2023, <https://doi.org/10.4108/eai.19-10-2022.2333027>.

³¹ Departemen Agama RI, *Al-Qur'an Dan Terjemahannya* (Semarang: Kudusgoro Grafindo, 1994).

while traditions that conflict with Islamic norms cannot be used as a legal basis. This principle is supported by the principle of "al'adatu muhakkamah," which states that custom can be recognized as law if there is an agreement and there is no text that contradicts it.³²

Custom can be used as law if it meets the requirements of "authentic custom," namely: it does not conflict with the Qur'an and Hadith, does not cause harm, is not related to special worship, and is still valid in society.³³ Bugis customs in Makassar, although not part of Islamic teachings, can be practiced because they bring benefits and have been acculturated with Islamic values through the preaching of the saints. Islam emphasizes the elimination of harm and the prioritization of the public interest in these customs.^{34 35}

Even though the rules regarding *panaik* money have been defined in local customs, there is a paradigm shift that has occurred among some communities. Several community groups are now more likely to convey to men's families that the amount of money should not be forced, but should be adjusted to their abilities. In the past, this was considered a certainty, where if they were unable to meet the panic money, then discussions about marriage would not continue. However, because people's horizons are becoming more open, the amount of

³² Amrin & Amirullah, "Contemporary Legal Istimbat: Study on the Theory of Changes in Fatwa According to Yusuf Qardhawi," *Mizan: Journal of Islamic Law Journal of Islamic Law Studies* 6, no. 1 (2022): 89–108, <https://doi.org/https://doi.org/10.32507/mizan.v6i1.1244>.

³³ Mardani, *Ushul Fiqh*.

³⁴ Abdullah bin Bih, *Sinaat Al-Fatwa Wa Fiqh Al-Aqalliyat* (t.t: al-Markaz al-Alamy li al-Wasatiyyah, 2008).

³⁵ Abdul Mujib, *Principles of Fiqh*, (Jakarta: Kalam Mulia, 2001), p. 45.

Panaik money varies greatly, should not be forced and depends on ability.³⁶

In the author's observations, the amount of *panaik* money, although it seems to be influenced by several factors such as the social strata of the prospective bride, also depends greatly on how the man's family interacts with the woman's family in the marriage negotiation process. This can be a subject of negotiation and good communication between both parties.

On the other hand, the amount of the dowry tends to be more rigid and non-negotiable. However, it should be noted that in the family, the dowry is generally in the form of land, which can sometimes be a burden for the man who may not have sufficient resources to meet the dowry determination.³⁷

Analysis of these statements reflects the complexity of the marriage process in various cultures. Negotiations regarding *panaik* money and dowry are an important part of the marriage process and can be influenced by many factors, including interactions between families and socio-economic conditions. Efforts to reach a fair and mutually beneficial agreement in this case may require good communication between both parties. In addition, it is necessary to consider how the

³⁶ Mr. Sriyanto, Edi Kurniawan, and Halim Sukma Aji, "Local Wisdom of Kandri Village as a Form of Environmental Conservation," no. January (2019), <https://doi.org/10.2991/icorsia-18.2019.44>.

³⁷ Chloe K.H. Lau and Siu Hung Hui, "Selection Attributes of Wedding Banquet Venues: An Exploratory Study of Hong Kong Prospective Wedding Couples," *International Journal of Hospitality Management* 29, no. 2 (2010): 268–76, <https://doi.org/10.1016/j.ijhm.2009.10.008>.

determination of the dowry may affect the man, especially if it is a significant asset such as land.³⁸

Customs and habits always experience changes and variations according to changing times and social conditions. The reality that exists in society continues to change according to human interests due to changes in social and societal phenomena. Therefore, the main principle of every law is human benefit. Human benefit is the basis for every legal change that occurs due to changes in times, situations and the influence of the development of society itself.

For example, giving *panik* money is a tradition that has been part of the culture of the local community for several generations. Even though it is not officially regulated in Islamic law, giving *panaik* money has become a general norm that applies to all people from the Bugis tribe, especially the Bugis tribe. Even though there are no regulations that strictly regulate it in Islamic law, this tradition is still respected and carried out because it is an integral part of the culture and identity of the local community. As long as it does not conflict with the teachings of the Islamic religion, it is permitted.

Thus, if we examine Islamic law and national law in Bugis marriages, the obligation to pay *panai* does not indicate a violation of Islamic religious teachings or national law. The *panai* money given by the prospective groom is used for wedding activities starting before the ceremony, then for the contract ceremony and wedding party which is an obligation for the prospective groom's family. Of course, what is

³⁸ Ying Lin, Sharon Arieli, and Daphna Oyserman, "Cultural Fluency Means All Is Okay, Cultural Disfluency Implies Otherwise," *Journal of Experimental Social Psychology* 84, no. July (2019): 1–14, <https://doi.org/10.1016/j.jesp.2019.103822>.

urgent in Islamic law and national law is the fulfillment of harmony and conditions.³⁹

The tradition of *panai* money among the Bugis tribe is a social activity that has become the culture of the local community. Thus, these customs can be accepted and practiced because they are customary and do not conflict with the rules of *ushul fiqh* and Islamic teachings. This custom can be preserved for generations, but don't let tradition outweigh faith in Allah and the Prophet Muhammad. This tradition is generally considered good because of the willingness of both parties to support the implementation of the marriage. However, a little criticism regarding the amount offered will result in delaying the marriage which will result in adultery and immorality.⁴⁰

E. CONCLUSION

Weddings of the Bugis tribe in Bima has two elements that cannot be separated in the marriage process, namely the man not only gives the dowry but also *panai*. *Panai* at a traditional Bugis wedding Makassar is a gift of wealth or in the form of money and assets in the form of *passiok* (binding ring), shopping money, *sompa* (dowry). The position of *panai* money is very important and must be implemented because it must be passed down from generation to generation to its ancestors. If the party does not provide *panai* money after the application process, the party involved will be subject to a fine. Viewed from the perspective of Islamic law, marriage about the implementation

³⁹ Bazarkulova and Compton, "Marriage Traditions and Investment in Education: The Case of Bride Kidnapping."

⁴⁰ Yin and Qian, "The Spatial Production of Simulacrascape in Urban China: Economic Function, Local Identity and Cultural Authenticity."

of the *Panai* tradition is one of the obligatory conditions that must be carried out in marriages in the Bugis ethnic community and does not violate Islamic law because it is based on the element of the willingness of both parties in supporting the implementation of the marriage. However, a little criticism regarding the amount offered will result in a delay in marriage resulting in adultery and immorality.

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