

## ARTICLE

# Uang Panai' in Bugis Community Marriages in Mimika Regency: A Perspective of Sociology of Islamic Law

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## Abstract

**Background:** The tradition of Uang Panai' remains a significant and distinctive element in Bugis marriage customs, particularly among Bugis migrant communities in Mimika Regency, Papua. This practice often creates social, economic, and cultural complexities, especially when viewed through the lens of Islamic law in a pluralistic society. While Uang Panai' symbolizes respect, responsibility, and seriousness in building a household, its high nominal value frequently becomes an obstacle to marriage.

**Purpose:** This study aims to analyze the practice of Uang Panai' in Bugis marriages in Mimika Regency from the perspective of the sociology of Islamic law, particularly in relation to the concepts of 'urf (custom), maqāṣid al-sharī'ah, and maslahah-mafsadah.

**Methods:** This research employs a qualitative approach with a normative-sociological method. Data were collected through in-depth interviews with key informants (traditional leaders, religious figures, and community leaders), observation, and documentation. The analysis integrates Islamic legal sociology theory, particularly the perspectives on 'urf ṣaḥīḥ and maqāṣid al-sharī'ah.

**Results:** The findings reveal that Uang Panai' functions as a living 'urf ṣaḥīḥ within Bugis society because it contains values of respect for women, male responsibility, and family honor. The amount is strongly influenced by the bride's education, occupation, and social status. Although it has positive impacts in encouraging responsibility and maintaining cultural identity, excessively high demands can create economic burdens and delay marriages. From the maqāṣid perspective, this tradition supports ḥifẓ al-'ird (protection of dignity), ḥifẓ al-nasl (protection of lineage), and ḥifẓ al-māl (protection of property) when implemented proportionally.

**Implication:** The practice of Uang Panai' should be maintained but requires continuous guidance so it does not contradict the Islamic principle of facilitating marriage. Religious leaders and customary figures need to socialize the balance between cultural preservation and sharia objectives.

**Originality:** This study offers a fresh academic contribution by examining the implementation of Uang Panai' among Bugis migrants in Timika, Papua – a context that has received little previous attention. Unlike most existing research focused on South Sulawesi, this study integrates the sociology of Islamic law by analyzing the dynamic interaction between living custom ('urf) and maqāṣid al-sharī'ah in a multicultural migrant environment.)

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Islamic Law<sup>4</sup>.

## INTRODUCTION

The Indonesian nation is a highly diverse nation, consisting of numerous ethnic groups, traditions, regional languages, and different religions. This diversity spans across the archipelago from Sabang to Merauke. Each ethnic group in Indonesia has its own unique way of life, which shapes their culture and becomes a distinctive characteristic of that particular group. Culture is manifested within each ethnic group and contains social elements and aspects that differentiate it from other groups.<sup>1</sup> In the current era, it is important to recognize that the focus should not only be on the ethnic group as a social unit, but more importantly on the local knowledge embodied in the culture of each ethnic group. This diversity is found across various regions stretching from Sabang to Merauke. The way of life in Indonesia differs for each ethnic group. The culture and characteristics of these ethnic groups are determined by their respective lifestyles.<sup>2</sup>

Indonesia's position as a culturally diverse nation has resulted in a rich variety of traditions across various aspects of life, including marriage. Marriage is a legal act that carries distinct characteristics in accordance with the customs of specific community groups, including the people of South Sulawesi. In customary law, marriage is closely intertwined with matters of family, society, dignity, and personal status. This differs significantly from modern Western marriages, which tend to focus solely on the union of the couple itself. The determination of *Uang Panai'* is usually set by the bride's family, who may demand an excessively high amount. This often makes it difficult for the prospective groom's family to meet the requirement, and frequently leads to the rejection of the marriage proposal.<sup>3</sup>

In Bugis culture, *Uang Panai'* not only holds symbolic value by measuring a man's sense of responsibility and demonstrating respect for women, but it also carries deep cultural significance as a long-standing tradition passed down through generations. The Bugis community in South Sulawesi continues to uphold the tradition of *Uang Panai'* as a distinctive feature of marriage that sets it apart from other marriage customs in the region. Thus, *Uang Panai'* is an inseparable aspect of the identity and cultural values of the Bugis people.<sup>4</sup>

The practice of giving dowry money is not actually prohibited in Islamic law, and there are no strict instructions, but is giving dowry money a good thing that can be made a habit by the people of South Sulawesi and is it able to provide goodness for the whole

<sup>1</sup> Mutria Farhaeni and Sri Martini, 'PENTINGNYA PENDIDIKAN NILAI-NILAI BUDAYA DALAM MEMPERTAHANKAN WARISAN BUDAYA LOKAL DI INDONESIA', *JURNAL ILMU SOSIAL dan ILMU POLITIK*, 3.2 (2023), doi:10.30742/juispol.v3i2.3483.

<sup>2</sup> Ibrahim Kadir, Nurmi Nonci, and Harifuddin Halim, 'Uang Panai Dalam Budaya Bugis-Makassar', *Jurnal Ilmiah Ecosystem*, 21.2 (2021), pp. 428–34, doi:10.35965/eco.v21i2.1127.

<sup>3</sup> Wiwin Wiwin and Saharuddin Saharuddin, 'Kedudukan Hukum *Uang Panai'* Dalam Perkawinan Masyarakat ( Perspektif Perundang-Undangan Dan Hukum Islam )', *JULIA Jurnal Litigasi Amsir*, 12.01 (2025), pp. 182–87.

<sup>4</sup> Wiwin and Saharuddin, *Kedudukan Hukum UangPanaidalam Perkawinan Masyarakat Bugis-Makassar (Perspektif Perundang-undangan dan Hukum Islam)*, n.d.

community, or is there a lot of opposition to the custom of giving dowry money which is considered to be a burden on the prospective groom?<sup>5</sup>

Islam does not explicitly stipulate the obligation for a man to provide *Uang Panai'*. Rather, it only mandates that a man gives mahr (dowry) to the woman he is going to marry, as commanded by Allah SWT in Surah An-Nisa verse 4.

وَأْتُوا النِّسَاءَ صَدُقَاتِهِنَّ نِحْلَةً ۚ فَإِنْ طِبَّنَ لَكُمْ عَنْ شَيْءٍ مِّنْهُ نَفْسًا فَكُلُوهُ هَنِيئًا مَّرِيئًا

Translation

“And give the women their dowries (mahr) with a generous heart. But if they willingly remit any part of it to you, then take it and enjoy it with pleasure and good cheer.”<sup>6</sup>

Allah SWT states in the verse above that a man is obligated to give mahr (dowry) to the woman he intends to marry with her full consent. In addition to being a religious obligation, the mahr also provides benefits for women because it is the rightful property of the wife. It cannot be transferred to the husband except with her willing approval.<sup>7</sup>

In reality, Islamic identity in the Nusantara should prioritize religious obligations according to Islamic law over customary practices, even though adat (custom) remains one of the strongest social forces in the community. While the requirement to provide *Uang Panai'* is in accordance with tradition particularly in determining the amount, which is a creation of society itself it still requires additional oversight under Islamic law. However, the practice of *Uang Panai'* has undergone various modifications and adaptations due to changing times and the mobility of the Bugis population, who have migrated to various regions, including Timika in Papua.

*Uang Panai'* is an issue frequently raised within the Bugis community in Timika and often becomes a significant obstacle to marriage. Therefore, this research is important because there are still very few studies that directly address the implementation of *Uang Panai'* among the Bugis community in migrant areas such as Timika, Papua – especially from the perspective of Islamic legal sociology. In a pluralistic social environment, this study offers a new academic space to explore the relationship between adat (custom) and sharia.

## RESEARCH METHOD

This study employs a qualitative approach, which aims to describe the meanings or phenomena discovered by the researcher through the presentation of relevant evidence. The focus is to broaden the understanding of the problems faced, explain the reality related to the exploration of theory from below (grounded theory), and develop insights into one or more phenomena being studied. The types of data used in this study include:

### a. Data Primer

Primary data were obtained directly from informants through interviews and observations. The informants in this study included traditional leaders, religious leaders,

<sup>5</sup> Hamid and Masnani, *Uang Panai dalam Tinjauan Fiqh Islam*.h 16.

<sup>6</sup> Kementerian Agama RI, *Al-Qur'an dan Terjemahan* (Jakarta, 2019), h.77.

<sup>7</sup> Zahrum N. and Anita Marwing, ‘Tinjauan Hukum Islam terhadap Uang Panai dalam Tradisi Pernikahan Suku Bugis-Makassar’, *BUSTANUL FUQAHA: Jurnal Bidang Hukum Islam*, 4.2 (2023), pp. 266–82, doi:10.36701/bustanul.v4i2.935.

community leaders, youth leaders, government officials, and residents of Turatea Subdistrict, Jenepono Regency, who have direct experience or involvement in the *passidakkang* tradition.

#### b. Data Sekunder

Secondary data consist of supporting data obtained from written sources, such as books, religious texts, scientific journals, articles, and previous research relevant to the research topic.

The data collection techniques used in this study were carried out through:

##### a. Observation

Observation was conducted by directly observing the implementation of the *passidakkang* tradition in the community of Turatea Subdistrict, Jenepono Regency, to obtain a factual description of the processes and practices that take place.

##### b. Interview

Interviews were carried out using a semi-structured approach with selected informants to gain in-depth data regarding the meaning, reasons, and objectives of implementing the *passidakkang* tradition.

##### c. Documentation

Documentation was used to collect data in the form of notes, archives, photographs, and other relevant written documents related to the study.

Data analysis was carried out qualitatively through three stages: data reduction, data presentation, and conclusion drawing. The data obtained from observations, interviews, and documentation were selected and categorized according to the research focus. The data were then presented in narrative form to draw conclusions that address the research questions.

## RESULTS And DISCUSSION

### 3.1. Latar Sosial Uang Panai' Suku Bugis di Timika dalam Praktik Perkawinan

The Indonesian nation is a pluralistic nation, consisting of various ethnic groups, customs, regional languages, and different religions. Each ethnic group in Indonesia has its own distinct way of life. These ways of life shape the culture and become the unique characteristics of each ethnic group. Culture is embedded within ethnic groups and contains social elements and aspects that distinguish one group from another. Marriage in every region has its own background and distinct customary values, particularly among the Bugis community in Mimika Regency. In their tradition, *doi menre* along with its specified amount constitutes a customary payment that has been mutually agreed upon by both parties beforehand.<sup>8</sup>

*Uang Panai'* is one of the important elements in the Bugis community's marriage system. This tradition does not merely serve as a complementary part of the wedding process, but also carries strong social, cultural, and symbolic meanings. In the context of the Bugis migrant community in Mimika Regency, the practice of *Uang Panai'* serves as a marker that the Bugis people continue to uphold their ancestral customs firmly, even though they live far from their homeland. This practice is still maintained despite living in a social

<sup>8</sup> Kadir, Nonci, and Halim, 'Uang Panai Dalam Budaya Bugis-Makassar', 2021.h.449.

environment that differs from their origin in South Sulawesi. This demonstrates that *Uang Panai'* is not merely a ceremonial tradition, but an integral part of the cultural identity embedded in the lives of the Bugis people. The underlying reason for *Uang Panai'* is understood as a form of appreciation and respect toward the bride and her family, as well as a symbol of the groom's seriousness and readiness to build a household.

According to the interview with the Chairman of KKSS Mimika Regency, H. Iwan Anwar, M.H., regarding the meaning of *Uang Panai'* in Mimika Regency:

*Uang Panai'* is part of Bugis-Makassar culture and constitutes one of the stages in the marriage proposal process prior to the marriage contract (*akad*). It is a tradition that forms an integral part of Bugis-Makassar culture and serves as one of the cultural requirements to proceed to the next stage of the wedding process. The meaning of *Uang Panai'* is a symbol that carries philosophical and sociological significance. From a legal perspective, it provides certainty and demonstrates good faith and clear intention to enter the marriage. *Uang Panai'* serves as a cultural symbol to prove our seriousness. Therefore, it represents the seriousness of the prospective groom toward the prospective bride. The practice of *Uang Panai'* among the Bugis community in Timika is the same as in Sulawesi it is a form of seriousness and respect toward women, serving as concrete proof that a man has the capability to build a household and can become the backbone of the famil.<sup>9</sup>

Based on the interview results with the research informants, it can be concluded that *Uang Panai'* is an integral part of the Bugis-Makassar marriage culture and holds a significant position in the series of marriage rituals. *Uang Panai'* does not stand alone as a mere material gift, but serves as one of the initial stages in the marriage proposal process before the marriage contract (*akad*) is performed.

Thus, *Uang Panai'* functions as a cultural prerequisite that must be fulfilled for the marriage procession to proceed to the next stage in accordance with Bugis-Makassar customs. Sociologically, *Uang Panai'* serves as a social mechanism to provide certainty to the bride and her family regarding the prospective groom's intentions and good faith. Through *Uang Panai'*, the community can assess a man's seriousness in building a household. This tradition also serves as a form of respect toward women, as it places women in a position of high dignity and honor within the Bugis social structure. In other words, *Uang Panai'* acts as a symbol of appreciation and protection for women's social position in the institution of marriage.

Historically, the Bugis community residing in Mimika Regency consists of migrants with diverse economic and social backgrounds. Most of them work in trade, services, transportation, and the mining sector. The socio-economic conditions of these Bugis migrants significantly influence the practice of customs, including the determination of *Uang Panai'*. In addition to customary demands, there is also a requirement for adequate economic capability. Economic factors are therefore one of the main backgrounds influencing the practice of *Uang Panai'* in Bugis marriages in Mimika Regency.

As stated by the Chairman of KKSS Mimika Regency, H. Iwan Anwar, M.H., in the interview regarding the social background of *Uang Panai'* in Mimika Regency:

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<sup>9</sup> H. Iwan Anwar, *Wawancara* (Timika, 5 Januari 2026).

“In addition to being a form of respect toward the woman’s side and a demonstration of readiness to become the backbone of the family, entering married life certainly requires strong economic capacity and physical strength to be able to work.”<sup>10</sup>

In addition to socio-cultural and economic backgrounds, the educational background also significantly influences the practice of *Uang Panai'* in Bugis marriages in Mimika Regency. The education level of the woman is often used as one of the main considerations in determining the amount of *Uang Panai'*. Women with higher levels of education are considered to have higher social value, and therefore the *Uang Panai'* requested tends to be larger.

This is in line with the interview results with the Head of the Office of Religious Affairs (KUA) of Mimika Regency, H. Muhammad Hatta, S.Ag., regarding the social background of *Uang Panai'* among the Bugis community in Timika:

“A woman’s education also influences the practice of *Uang Panai'* in determining its amount. The higher her education level – especially if she is a civil servant (PNS) – the higher the *Uang Panai'* usually is. So, people are judged based on their social background, which affects the practice of *Uang Panai'*.”<sup>11</sup>

Based on the aforementioned interview, it can be concluded that the education level of women has a significant influence on determining the amount of *Uang Panai'* in Bugis marriages. The higher the woman’s level of education – particularly if she holds a stable job such as a civil servant (PNS) – the higher the nominal amount of *Uang Panai'* that is set. This indicates that the practice of *Uang Panai'* is strongly influenced by social background standards, where education and occupational status are viewed as indicators of the social value and honor of the woman’s family.

From the perspective of Islamic legal sociology, law is not only understood as written norms derived from sharia texts, but also as a living social practice carried out by the community. Islamic law exists and interacts with social realities, culture, and local values that develop within society. Furthermore, Atho Mudzhar states that the study of Islam using a sociological approach can cover at least five main themes:<sup>12</sup>

First, the study of the influence of religion on social change. This theme reminds us of Emile Durkheim, who introduced the concept of the social function of religion. In this form, Islamic studies attempt to understand the extent to which societal cultural patterns (for example, judging something as good or bad) are rooted in religious values, or the extent to which social structures (such as male supremacy) are based on certain religious teachings, or the extent to which societal behavior (such as consumption patterns and dress codes) derives from specific religious teachings.

Second, the study of the influence of social structures and changes on the understanding of religious teachings or religious concepts. For example, studies on how the level of urbanism in Kufah gave rise to the rational legal opinions of al-Hanafi, or how the geographical environment of Basrah and Egypt influenced the emergence of *qawol qadim* and *qawol jadid* of Imam al-Shafi'i.

<sup>10</sup> H. Iwan Anwar, *Wawancara*.

<sup>11</sup> H. Muhammad Hatta, *Wawancara* (Timika, 6 Januari 2026).

<sup>12</sup> M Rasyid Ridla, ‘SOSIOLOGI HUKUM ISLAM’, *Vol*., n.d.

Third, the study of the level of religious practice in society. Islamic studies with a sociological approach can also evaluate the patterns of religious dissemination and the extent to which religious teachings are practiced by the community.

Fourth, the study of social patterns within Muslim societies, such as the social patterns of urban and rural Muslim communities, patterns of interfaith relations in a society, tolerance behavior between educated and less educated Muslims, the relationship between the level of religious understanding and political behavior, the relationship between religious behavior and national behavior, religion as a factor of integration and disintegration, and various other similar topics.

Fifth, the study of social movements that promote ideas which may weaken or support religious life. Islamic groups that support capitalism, secularism, or communism are examples of movements that threaten religious life and therefore require careful examination. Likewise, the emergence of groups that support spiritualism and Sufism, which at certain levels can strengthen religious life, also needs to be studied thoroughly.

*Uang Panai'* is one of the unique traditions of the Bugis-Makassar people that continues to be preserved by the Bugis community to this day. *Uang Panai'* holds values that are very important to the Bugis people and are difficult to separate from their philosophy of life, because this tradition is closely related to the culture of *siri na pacce* – one of the highly upheld Bugis cultural values that has been deeply ingrained in Bugis society since ancient times.<sup>13</sup>

Based on the field research findings, *Uang Panai'* is practiced as part of the customary marriage process and carries symbolic and social significance. *Uang Panai'* is not merely viewed as a customary obligation, but also as a symbol of seriousness, responsibility, and the prospective groom's readiness to build a household. This practice is carried out through a process of deliberation between both families, so that the determination of the amount of *Uang Panai'* is not unilateral, but based on mutual agreement.

In Islam, custom or tradition holds the same meaning according to the majority of Islamic jurists (*fuqaha*). According to Al-Jurjānī, the term '*urf*' refers to something that is firmly established (constant) in the soul, recognized and accepted by reason, and serves as a valid proof that is easily understood.<sup>14</sup> Similarly, Ahmad Fahmi Abu Sunnah, quoting from Imam al-Ghazali's book *al-Mustasfa*, defines '*urf*' or custom as words or actions that are acceptable to sound reason and morals because they are firmly established in the heart.<sup>15</sup> Islamic legal scholars (*ushul fiqh*) state that '*urf*' can be used as a consideration in determining sharia rulings if it meets the following four conditions:

1. The custom or '*urf*' must be beneficial (*maslahat*) and acceptable to sound reason.
2. The custom or '*urf*' must be widely practiced and prevalent among the people in that environment, or at least among the majority of its members.

<sup>13</sup> Mustafa and Syahrani, *PERGESERAN MAKNA PADA NILAI SOSIAL UANG PANAI' DALAM PERSPEKTIF BUDAYA SIRI'*, 2020.

<sup>14</sup> Ridla, 'SOSIOLOGI HUKUM ISLAM'.

<sup>15</sup> Ahmad Fahmi Abu Sunnah, *Al-'Urf Wa al-'Adah Fi Ra'y al-Fuqaha*. h. 8.

3. The 'urf used as a basis for determining the law must already exist and be in practice at that time, not a new custom that emerges later.
4. The custom must not contradict or neglect existing sharia evidence or conflict with established sharia principles.<sup>16</sup>

From the perspective of its validity, 'urf is divided into two categories:

First, 'Urf Fāsīd (العرف الفاسد) – invalid custom – refers to practices that exist in society but are rejected by sharia evidence or contradict definitive (qath'i) sharia texts, or contain elements of immorality and harm.<sup>17</sup> Examples of this type include providing prohibited beverages, gambling during celebrations, performing dances with revealing attire in certain events, female infanticide, and excessively burdensome dowry systems that hinder marriage.

Second, 'Urf Ṣaḥīḥ (العرف الصحيح) – valid custom – refers to practices that are prevalent in society and do not contradict sharia evidence. In fact, they align with or support the *maqāṣid al-syarī'ah* (objectives of Islamic law).<sup>18</sup> For example, during the engagement period, a man giving gifts to the woman's family, where these gifts are not considered part of the *mahr* (dowry).

Within the framework of Islamic law, the practice of *Uang Panai'* can be categorized as a form of living and developing 'urf (custom) within Bugis society. As 'Urf Ṣaḥīḥ, *Uang Panai'* is widely accepted and practiced by the community and contains positive values such as respect for women, male responsibility, and seriousness in marriage. Therefore, *Uang Panai'* does not contradict Islamic law, as long as it is not intended to impose excessive burdens or cause harm.

The blasphemy (excuse) of 'urf as a proof of sharak is based on the word of Allah in QS Al-A'raf /7:199

خُذِ الْعَفْوَ وَأْمُرْ بِالْعُرْفِ وَأَعْرِضْ عَنِ الْجَاهِلِينَ

Translation:

Be forgiving, command (people) to the wise, and turn away from the foolish.<sup>19</sup>

Based on the verse above, Allah commands Muslims to always perform what is *ma'ruf* (good and recognized). *Ma'ruf* refers to an action that is considered good by the Muslim community, repeatedly practiced, in accordance with human nature, and in line with the teachings of Islam.

Abdullah bin Mas'ud, a companion of the Prophet Muhammad (peace be upon him), stated: "Whatever is considered good by the Muslim community is good in the sight of Allah, and whatever they consider bad is also bad in the sight of Allah." Therefore, if a

<sup>16</sup> Zahrum N. and Anita Marwing, 'Tinjauan Hukum Islam terhadap Uang Panai' dalam Tradisi Pernikahan Suku Bugis-Makassar', 2023.

<sup>17</sup> M. Zein Satria Effendi, *Ushul Fiqh*. h. 154.

<sup>18</sup> M. Zein Satria Effendi, *Ushul Fiqh*. h. 156

<sup>19</sup> Kementrian Agama RI, *Al-Qur'an Dan Terjemahan*. h. 176.

tradition develops within Muslim society and is in accordance with the general principles of Islamic sharia, then it is also considered good in the sight of Allah.<sup>20</sup>

Based on the explanation above regarding the division of *'urf*, only **'Urf Ṣaḥīḥ** can be used as a sharia legal basis for traditions practiced in society and can serve as a method of *istinbat* (deriving) Islamic law.

After all the necessary items for the funeral arrangements and *passidakkang* have been prepared, the family will then allow the *pegawai syara'* (sharia officer) or the person given authority to begin handling the deceased. According to the customs of the people in Bungungloe Village, the deceased is bathed twice and the funeral prayer (*shalat jenazah*) is also performed twice.

### 3.2. Mimika Regency Community Perceptions of Bride Prices

One of the forms of Indonesia's cultural wealth is the diversity of its ethnic groups and nations. One of them is the Bugis ethnic group, which is located in the South Sulawesi region. In addition, the Bugis people still uphold the culture and beliefs inherited from their ancestors. One of these traditions is the *Uang Panai'* tradition. This tradition has a unique appeal and has become a center of attention in society.

*Uang Panai'* is one of the important aspects in marriage in South Sulawesi, especially among the Bugis and Makassar ethnic groups. *Uang Panai'* is a sum of money or goods given by the groom's family to the bride's family as a form of appreciation and a symbol of responsibility. Therefore, the symbolic meaning of *Uang Panai'* is to measure the groom's ability and sense of responsibility and to show respect for the bride.<sup>21</sup>

The public's perception of *Uang Panai'* in Mimika Regency shows various views influenced by educational background and religious understanding. The majority of the community views *Uang Panai'* as a customary tradition that must be carried out in marriage. For them, *Uang Panai'* is a symbol of respect for the woman and her family, as well as a form of good commitment toward the bride's side.

As stated by the Chairman of KKSS Mimika Regency, H. Iwan Anwar, M.H., in the interview regarding the meaning of *Uang Panai'* in Mimika Regency:

*"Uang Panai'* is one of the traditions that forms part of the culture and serves as one of the cultural requirements to proceed to the next stage of the Bugis-Makassar marriage process. *Uang Panai'* is a cultural symbol to prove our seriousness. Therefore, *Uang Panai'* symbolizes the seriousness of the prospective groom toward the prospective bride. It has become an obligation because this is a highly respected tradition. When the *Uang Panai'* is presented, the entire family is invited to attend and listen..<sup>22</sup>

Based on the interview, *Uang Panai'* is a tradition that constitutes an important part of Bugis-Makassar culture and serves as a cultural requirement to proceed to the next stage of the marriage process. *Uang Panai'* is understood as a symbol of the prospective groom's seriousness and responsibility toward the prospective bride, and is therefore regarded as a customary obligation that carries high honor. The determination of *Uang Panai'* is also

<sup>20</sup> Zahrum N. and Anita Marwing, 'Tinjauan Hukum Islam terhadap Uang Panai' dalam Tradisi Pernikahan Suku Bugis-Makassar', 2023.

<sup>21</sup> Wiwin and Saharuddin, *Kedudukan Hukum UangPanai'dalam Perkawinan Masyarakat Bugis-Makassar (Perspektif Perundang-undangan dan Hukum Islam)*.

<sup>22</sup> H. Iwan Anwar, *Wawancara*.

carried out openly, involving the attendance of extended family members, as a form of recognition and social legitimacy for that seriousness.

In the Bugis customary structure, *Uang Panai'* is not only understood as a cultural obligation that must be fulfilled to carry out the marriage, but also as a symbol of honor, seriousness, and responsibility of the prospective groom toward the prospective bride. The existence of this tradition shows that marriage in Bugis culture is not merely the union of two individuals, but also involves social bonds between families and customary legitimacy within the community.

Interestingly, the practice of *Uang Panai'* is not only carried out internally by the Bugis community, but is also accepted and respected by individuals from other ethnic groups who marry Bugis people, including in multicultural migrant areas such as Timika. This indicates that *Uang Panai'* has a strong social binding force, even across ethnic lines, because it is viewed as a tradition rich in values of honor and prestige. In this context, the views of informants from the Papuan ethnic group who married Bugis individuals become important to illustrate how the *Uang Panai'* tradition is perceived not only as a customary obligation, but also as a symbol of appreciation for Bugis culture itself.

As stated in the interview with Mr. H. Akhir Iribaram, M.Si, a member of the Papuan community, regarding the perception of the Mimika Regency community toward *Uang Panai'*:

"*Uang Panai'* is a tradition that originated from South Sulawesi and is a cultural obligation for carrying out a marriage. However, as a Papuan who married a Bugis woman, I feel honored by this Bugis tradition because not everyone is capable of performing the *Uang Panai'* tradition".<sup>23</sup>

From the interview, *Uang Panai'* is understood as a tradition originating from South Sulawesi that serves as a cultural obligation in Bugis customary marriage. Although the informant is from the Papuan ethnic group, the *Uang Panai'* tradition is perceived as an honor because not everyone is capable of performing it. This indicates that *Uang Panai'* functions not only as a customary requirement but also as a symbol of appreciation and recognition of Bugis cultural values.

This marriage tradition continues to be preserved by the Bugis-Makassar community as a distinctive characteristic that sets their marriage customs apart from those of other regions. This positions *Uang Panai'* as a source of pride and an inseparable part of Bugis-Makassar cultural identity, even serving as a mandatory element imbued with significant values within the community.<sup>24</sup>

*Uang Panai'* is something that must be fulfilled by the groom's side before the wedding reception can take place. It is given in the form of a sum of money to the prospective bride. Several factors influence the high amount of *Uang Panai'* requested, including the woman's social status (for example, noble family background), level of education, economic status, physical condition, and occupation. Usually, a man gives *Uang Panai'* as a form of responsibility for the cost of the wedding reception and as provisions for his future life with his wife.

<sup>23</sup> H. Akhir Iribaram, *Wawancara* (Timika, 7 Desember 2025).

<sup>24</sup> Wiwin and Saharuddin, *Kedudukan Hukum Uang Panai' dalam Perkawinan Masyarakat Bugis-Makassar (Perspektif Perundang-undangan dan Hukum Islam)*.

In this regard, this aligns with the interview conducted with Mr. H. Akhir Iribaram, M.Si, a Papuan community member and preacher (*mubalig*) in Mimika Regency, regarding the social background of *Uang Panai'* among the Bugis community in Timika. He stated:

“In my opinion, there are indeed certain factors that determine the nominal amount of *Uang Panai'*. One of them is to ensure that the wedding activities run well, for example, organizing the event. If we feel capable, why not hold a grand celebration? And I believe that with these factors, at least both the bride and groom should be aware of them”.<sup>25</sup>

Based on the interview, the nominal amount of *Uang Panai'* is influenced by several factors, one of which is to support the smooth implementation of the wedding ceremony. If both parties feel financially capable, organizing a more elaborate celebration is considered reasonable. However, these factors should be mutually understood and agreed upon by both the prospective bride and groom so that the determination of *Uang Panai'* is based on consensus, financial capacity, and shared objectives, rather than merely being a customary demand.

The Indonesian Ulema Council (MUI) of South Sulawesi, through Fatwa Number 02 of 2022 concerning *Uang Panai'*, affirms that the tradition of *Uang Panai'* in Bugis-Makassar society must be based on sharia principles that do not contradict Islamic teachings. This fatwa emphasizes that *Uang Panai'* should facilitate marriage and not become a heavy burden for the prospective groom, so as not to hinder the implementation of marriage, which is a sunnah of the Prophet Muhammad (peace be upon him).<sup>26</sup>

As stated in the interview with the Chairman of the Indonesian Ulema Council (MUI) of Mimika Regency, K.H. Muhammad Amin Ar, S.Ag., S.Pd., M.M., M.Pd., regarding the community's perception of *Uang Panai'* in Mimika Regency:

“*Uang Panai'* or ‘shopping money’ for the Bugis-Makassar community seems to be an obligation. However, some Bugis people forget that *Uang Panai'* is different from *mahr* (dowry). Sometimes what is sunnah is made obligatory, and what is obligatory is made sunnah. Therefore, there is a need to provide understanding to the Bugis community, especially the Bugis community in Mimika Regency, that *Uang Panai'* should be based on the hadith of the Prophet.”

مَنْ يُمِّنَ الْمَرْأَةَ أَنْ تَنْبَسَرَ خَطْبُهَا وَأَنْ يَنْبَسَرَ صَدَاقُهَا وَأَنْ يَنْبَسَرَ رَجْمُهَا<sup>27</sup>

Meaning:

"Among the blessings of a woman is one whose engagement is easy (proposal), whose dowry is easy, and whose children are easy to have."<sup>28</sup>

<sup>25</sup> H. Akhir Iribaram, *Wawancara* (Timika, 7 Desember 2025).

<sup>26</sup> Muhammad Istiqamah and others, ‘Fatwa Majelis Ulama Indonesia Sulawesi Selatan Nomor 2 Tahun 2022’, *BUSTANUL FUQAHA: Jurnal Bidang Hukum Islam*, 4.3 (2023), pp. 486–505, doi:10.36701/bustanul.v4i3.1093.

<sup>27</sup> Ahmad bin Hanbal., *Musnad Al-Imām Ahmad Bin Hanbal*, 6 (Beritut: Mu’assasah al-Risālah, 2001).h.77.

<sup>28</sup> Ahmad bin Hanbal, *Musnad Imam Ahmad Bin Hanbal (Terjemahan)*, (Pustaka Azzam, 2009), VI.

In this Hadith, it mentions the easiest, not the cheapest, meaning what makes things easy, not difficult.<sup>29</sup>

Based on the interview, *Uang Panai'* in Bugis-Makassar society is often understood as a customary obligation, and is frequently equated with *mahr* (dowry), leading to a misunderstanding in positioning between sharia obligations and customary rules. In fact, the Prophet's hadith emphasizes the principle of ease in courtship and dowry, not making things difficult. Therefore, there is a need to improve understanding among the Bugis community, especially in Mimika Regency, that *Uang Panai'* as a customary tradition should be seen as a means to facilitate marriage, rather than becoming a burden that complicates or displaces the obligation of *mahr* in Islamic teachings. From the words of the Messenger of Allah, we can draw a common thread that in Islam, marriage is meant to be made easy, including matters concerning the dowry.

The giving of *Uang Panai'* is not explicitly regulated in Islamic sharia. Islamic law only governs the provisions of *mahr*. However, when viewed from the perspective of *Maqāshid al-Sharī'ah* (the objectives of Islamic law), the practice of *Uang Panai'* has relevance to the main objectives of Islamic law.

*Maqāshid al-Sharī'ah* is a compound term consisting of two words: *maqāshid* and *al-sharī'ah*. Etymologically, *maqāshid* is the plural form of *maqshid*, which means objectives or purposes. Meanwhile, the word *al-sharī'ah* comes from the root *syara'a yasyra'u syar'an*, which means to establish law or legislation.<sup>30</sup> According to Yusuf Al-Qarḍāwī, *al-sharī'ah* means the law established by Allah for His servants concerning religious matters, whether in the form of worship (fasting, prayer, pilgrimage, zakat, and all good deeds) or muamalah (transactions) that regulate human life (such as buying and selling, marriage, etc).<sup>31</sup>

Thus, etymologically, *Maqāshid al-Sharī'ah* refers to the objectives of Allah in establishing law for His servants, with the core of sharia implementation oriented toward realizing the welfare (*maslahah*) of humanity. The essence of *Maqāshid al-Sharī'ah* is the purpose of legislation oriented toward welfare as measured by sharia itself.<sup>32</sup>

According to al-Ghazālī, there are five types of *Maqāshid al-Sharī'ah*:

1. Ḥifz ad-Dīn – Protection of religion.
2. Ḥifz an-Nafs – Protection of life.
3. Ḥifz al-'Aql – Protection of intellect.
4. Ḥifz al-'Ird – Protection of honor and dignity.

<sup>29</sup> K.H. Muhammad Amin Ar, *Wawancara* (Timika, 2026).

<sup>30</sup> Muḥammad Idrīs al-Marbawī, *Kamus Idrīs Al-Marbawī; Arab-Melayu* (Bandung :Al Ma'ārif, 1954). h. 136.

<sup>31</sup> Yūsuf al-Qarḍāwī, *Fikih Maqashid Syariah, Alih Bahasa Arif Munandar Riswanto, Fiqih Maqashid Syariah* (Jakarta :Pustaka Al-Kautsar, 2006). h.12.

<sup>32</sup> Suansar Khatib, 'KONSEP MAQASHID AL-SYARI'AH: PERBANDINGAN ANTARA PEMIKIRAN AL-GHAZALI DAN AL-SYATHIBI', *Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi Dan Keagamaan*, 5.1 (2018), doi:10.29300/mzn.v5i1.1436.

### 5. Ḥifz al-Māl – Protection of property.<sup>33</sup>

*Uang Panai'* contributes to safeguarding women's honor (**ḥifz al-'ird**), ensuring the continuity of offspring through responsible marriage (**ḥifz al-nasl**), and encouraging the prospective husband's economic readiness as a form of family protection (**ḥifz al-māl**). With *Uang Panai'*, marriage is not carried out hastily, but through careful consideration that reflects both physical and mental readiness.

It is hoped that this tradition, as part of the Bugis customary practice in conducting marriages, will continue to be preserved and maintained as one of the *siri' na pacce* cultural values upheld by the Bugis-Makassar people, without becoming a frightening burden for the groom's side or causing the cancellation of marriages – which are sacred and highly recommended in Islam.

#### 3.3. The Impact of Bride Prices on the Bugis Community in Mimika Regency

The tradition of *Uang Panai'* in the Bugis-Makassar ethnic wedding customs is one of the most unique traditions and has become a topic of discussion across all levels of society, from children to elders. Moreover, the *Uang Panai'* tradition has generated various impacts on both the Bugis community and society outside it. The traditional Bugis-Makassar wedding procession is synonymous with considerably high wedding costs.<sup>34</sup>

The tradition of giving *Uang Panai'* to the bride sometimes becomes a heavy psychological burden for men who wish to marry a Bugis woman, especially if the woman holds a high social status in society. This often causes men to think twice before proceeding with a proposal, fearing rejection.

Along with the complexity of the *Uang Panai'* tradition, various obstacles and problems have emerged. One of the main issues is that it can lead to the cancellation of a marriage proposal. In principle, *Uang Panai'* can be negotiated in a familial manner if members of the Bugis community truly understand its meaning and values. Regarding this cultural practice, if the amount of *Uang Panai'* requested can be fulfilled by the prospective groom, it becomes a matter of honor for the bride's family.<sup>35</sup>

The honor in question refers to the appreciation shown by the prospective groom's family toward the bride. The money is typically used by the bride's family to hold a grand wedding reception. However, if the groom's side feels unable to meet the requested amount, a middle ground is usually sought so that the marriage can still proceed and *Uang Panai'* does not become an obstacle. Nevertheless, this situation often creates its own conflicts within the community. If both parties fail to reach an agreement regarding *Uang Panai'*, it may result in the failure of the planned marriage.<sup>36</sup>

The practice of *Uang Panai'* in Bugis traditional marriage cannot be separated from the diverse perspectives and experiences that exist within society. On one hand, *Uang Panai'* is viewed as a mandatory customary tradition that must be fulfilled. On the other hand, it is also considered to have the potential to create social problems if interpreted rigidly and

<sup>33</sup> Ahmad Al-Mursi Husain Jauhar, *Maqashid Syariah*, (Jakarta: Amzah, 2017). h.1.

<sup>34</sup> Chaesty and Muttaqin, *Studi Literatur: Uang Panai dalam Adat Pernikahan Suku Bugis Makassar*.

<sup>35</sup> Abd Hamid, 'TRADISI UANG "PANAI" DALAM TINJAUAN FIQHI DAN PENDIDIKAN ISLAM'.

<sup>36</sup> Darwis, *Tradisi Uang Panai Dalam Adat Pernikahan Suku Bugis (Studi Kasus Di Kabupaten Takalar Provinsi Sulawesi Selatan)*.

excessively. These differing viewpoints indicate that the practice of *Uang Panai'* is not singular in nature, but is instead influenced by social background, religious understanding, and the life experiences of the community – particularly those living in migrant or overseas communities.

In the context of the Bugis community in Mimika Regency, which lives in a multicultural environment, the dynamics of interpreting *Uang Panai'* become even more complex. Interactions with other cultures, economic realities, and the ideal goals of marriage in Islam – namely, to form a family that is *sakinah, mawaddah, and rahmah* – all influence how the community perceives and implements this tradition.

As stated in an interview with Mr. H. Akhir Iribaram, M.Si, a member of the Papuan community, regarding the impact of *Uang Panai'* on the people of Mimika Regency:

“Many people believe that *Uang Panai'* creates conflict, with the assumption that marriage cannot proceed without it. We must distinguish this carefully, because marriage should aim to create a household filled with *sakinah, mawaddah, and rahmah*. Indeed, some people still hold this principle, but there are also those with a more progressive mindset. Since we are in a migrant area, ways of thinking have already changed. And *Alhamdulillah, Uang Panai'* did not cause any conflict in my own marriage.”<sup>37</sup>

The results of the interview indicate that *Uang Panai'* is often perceived as a factor that has the potential to create conflict and even lead to the cancellation of marriage if it is not fulfilled. However, this view needs to be approached selectively, considering that the primary purpose of marriage is to build a harmonious household filled with *sakinah, mawaddah, and rahmah*. In the context of the Bugis community in migrant areas, particularly in Mimika Regency, a more open and adaptive mindset has begun to emerge, so that *Uang Panai'* is no longer the main source of conflict.

Terminologically, *'urf* refers to something that is well-known, accepted, and repeatedly practiced by society until it becomes a tradition that is morally and socially binding. Scholars of *ushul fiqh*, both classical and contemporary, such as Wahbah al-Zuhaili, explain that *'urf* is divided into two categories: *'urf shahih* and *'urf fasid*. *'Urf shahih* is a custom that does not contradict sharia evidence and contains benefits (*masalahah*), while *'urf fasid* is a custom that contradicts the principles of sharia or contains elements of injustice and harm. This classification shows that not all customs can be accepted in Islamic law; they must undergo a normative evaluation process.<sup>38</sup>

Marriage does not only have social, cultural, and religious dimensions, but also has an impact on the family's economic condition.

As stated in an interview with Mr. H. Akhir Iribaram, M.Si, regarding the impact of *Uang Panai'* on the people of Mimika Regency:

“*Alhamdulillah*, it is clear that I used the Bugis tribal tradition in my marriage. I think this has all been explained by our ustads and ulama, that one of the great wisdoms we take from marriage is that once we are married, *Alhamdulillah*, sustenance (*rezeki*) will always be there – whether from the husband, from the wife, or *Alhamdulillah*, even when our children and descendants are born, blessings and sustenance will surely flow like a river. So until today, I feel that one of the mercies from Allah SWT is marriage. Because through marriage, *Insyallah*, blessings and sustenance from Allah SWT will always be present. *Alhamdulillah*, our

<sup>37</sup> H. Akhir Iribaram, *Wawancara*.

<sup>38</sup> Wahbah al-Zuhaili, *Ushul al-Fiqh al-Islami*, Juz II (Damaskus: Dar al-Fikr, 2002), hlm. 828–830.

economy is fine, and blessings and sustenance have continued to come after I got married.”<sup>39</sup>

Based on the interview results, marriage is understood not only as a social and religious bond but also as having a positive impact on the family’s economic condition. The informant felt that after marriage, the household’s economic stability remained secure and family needs were well fulfilled. This condition is perceived as a form of blessing and sustenance (*rezeki*) that comes through cooperation, responsibility, and mutual support between husband and wife, thereby strengthening the family’s economic resilience.

Regarding the *Uang Panai’* culture, if the requested amount can be fulfilled by the prospective groom, it becomes a matter of honor for the bride’s family. This is because custom is a core value that must be preserved, along with family dignity, educational background, financial capacity, wedding reception, responsibility, and commitment.<sup>40</sup>

*Uang Panai’* holds significant importance for the Bugis people. Once a proposal is accepted by the prospective bride, the next stage is the determination of *Uang Panai’*. There are several stages in the process of giving *Uang Panai’* in Bugis-Makassar traditional marriage, as follows:

Exploratory Stage (*Mappese’-pese’*) – This is conducted secretly to learn about the identity of the prospective bride and to investigate whether she is already married or not. Proposal Visit Stage (*Madduta*) – The prospective groom sends representatives to formally convey the marriage proposal to the prospective bride’s family. Proposal Acceptance Stage (*Mappettu Ada*) – Both families come together to bind the promise and agree upon the results of previous discussions. Handover of *Uang Panai’* Stage – The groom’s family delivers the *Uang Panai’* to the bride’s family as funding for the wedding process. Escorting the Bride Stage (*Mappaenre Botting*), Wedding Reception Stage (*Tudang Botting*) – This is the final stage held after the marriage contract (*akad nikah*) is performed.<sup>41</sup>

As stated in an interview with Mr. H. Iwan Anwar, M.H., Chairman of KKSS Mimika Regency, regarding the impact of *Uang Panai’* on the Bugis community in Mimika Regency:

“During my time as Chairman of KKSS Mimika Regency, I have received many invitations whenever someone wants to propose or hold a wedding for their child. Speaking about the impact of *Uang Panai’*, it is actually relative. *Uang Panai’* itself is relative in nature. I think its social impact motivates men to work harder to save for marriage costs, because *Uang Panai’* is the requested wedding cost, not other expenses. This shows that the Bugis people expect their prospective son-in-law to be a committed and consistent person in managing his household. *Uang Panai’* serves as a symbol to see whether the man is serious or not, as seen from his ability to collect and save money. What is being observed is the man’s commitment to his future household. Therefore, I believe conflicts rarely occur because of *Uang Panai’*. Conflicts usually arise from other issues, not from *Uang Panai’* itself. It depends on the individual’s character. In my opinion, *Uang Panai’* is not burdensome because it is decided through deliberation (*musyawarah*) and there are several stages before the wedding takes place. Many people unfairly blame this culture. If someone skips those

<sup>39</sup> H. Akhir Iribaram, *Wawancara*.

<sup>40</sup> Abd Hamid, ‘TRADISI UANG “PANAI” DALAM TINJAUAN FIQHI DAN PENDIDIKAN ISLAM’.

<sup>41</sup> Chaesty and Muttaqin, *Studi Literatur: Uang Panai dalam Adat Pernikahan Suku Bugis Makassar*.

stages, it may be because of their lazy character, which is not allowed. Therefore, *Uang Panai'* cannot be categorized as a source of conflict."<sup>42</sup>

The interview results indicate that the social impact of *Uang Panai'* is relative and does not directly cause conflict in marriage. On the contrary, *Uang Panai'* is understood as a means that motivates the prospective groom to work harder, save money, and demonstrate commitment and seriousness in building a household. *Uang Panai'* serves as a symbol for assessing the consistency and responsibility of the prospective son-in-law, determined through family deliberation. The determination of *Uang Panai'* is carried out through *musyawarah* (deliberation) and customary stages, so it is not inherently burdensome. Any conflicts that arise in marriage are more often caused by personal character factors rather than the practice of *Uang Panai'* itself. In Islamic sharia, the preservation of life is highly emphasized. Therefore, among the established legal principles is the prioritization of *maslahah* (benefit) and the rejection of *mafsadah* (harm). The protection of life ranks second after the protection of religion and is one of the main objectives in the establishment of customary practices.<sup>43</sup>

In relation to the practice of giving *Uang Panai'*, and referring to al-Ghazali's theory above, the giving of *Uang Panai'* is categorized as *taḥsiniyyāt*. This means it does not fall under the level of *ḍarūriyyāt* (necessities) or *ḥājiyyāt* (needs), but rather belongs to the consideration of *taḥsīn* and *tazyīn* (embellishment and refinement) as an addition and enhancement in fostering good relationships and positive customs in life.<sup>44</sup>

The tradition of giving *Uang Panai'* as described above is a form of upholding the value of family honor for both the groom's and the bride's sides. The concept of *maslahah taḥsiniyyāt* can be more closely associated with this practice, as the tradition can realize benefits in improving the social life of the Bugis-Makassar community.

From the perspective of *maslahah* and *mafsadah*, the practice of *Uang Panai'* generally brings more benefits to society. *Uang Panai'* encourages men's responsibility as prospective heads of households, strengthens the value of seriousness in marriage, and protects the honor and dignity of women. As for potential *mafsadah*, such as economic burden or delayed marriage, these can be avoided if *Uang Panai'* is not set excessively and remains based on the principles of justice and the prospective groom's financial capacity.

## CONCLUSION

The practice of *Uang Panai'* in the marriage customs of the Bugis community in Mimika Regency has a strong social foundation and is deeply rooted in cultural values, social norms, and the community's way of life. This tradition is understood as a form of respect toward women and their families, as well as a symbol of the prospective groom's seriousness and responsibility in entering married life.

Socially, the amount of *Uang Panai'* is influenced by the family's status, education level, occupation, and economic condition of the prospective bride. The Bugis community in Mimika Regency generally holds a positive perception of the *Uang Panai'* practice, viewing

<sup>42</sup> H. Iwan Anwar, *Wawancara*.

<sup>43</sup> Muḥammad Abū Zahrah, *Uṣūl Al-Fiqh, Alih Bahasa Saefullah Ma'shum* (Jakarta: Pustaka Firdaus, 2000). h.549.

<sup>44</sup> Abū Ḥāmid al-Gazālī, *Al-Mustasfā Fī Uṣūl al-Fiqh* (Kairo: Dār al-Hadīṣ, 2011). h.539.

it as an honorable tradition with both social and religious significance. *Uang Panai'* is perceived not merely as a material demand, but as a means to assess the prospective groom's physical, mental, and financial readiness. Although there are differing opinions regarding the appropriate amount of *Uang Panai'*, the community recognizes the importance of deliberation and mutual agreement in determining its value. The practice of *Uang Panai'* has various impacts on the Bugis community in Mimika Regency, both socially, economically, and psychologically.

On the positive side, *Uang Panai'* strengthens the values of responsibility, seriousness, and respect for the institution of marriage. It also encourages men to prepare themselves economically and mentally before getting married. However, in certain cases, excessively high *Uang Panai'* amounts can create negative impacts such as delayed marriages or economic pressure. Nevertheless, in Mimika Regency, these negative effects are relatively minimized due to family deliberations and the flexibility shown in determining the amount of *Uang Panai'*.

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