

Cultural Marginalization of Bride Price (*Uang Panai*) in Bugis-Makassar Society, Indonesia: A Case Study of MUI Islamic Ruling

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Abstract

This article seeks to elucidate the marginalization of *uang panai* within the Bugis-Makassar culture, as addressed in the Islamic ruling (fatwa) issued by the MUI of South Sulawesi. Furthermore, it aims to provide a critical examination and potential solutions to enhance the significance of *uang panai* in contemporary Bugis-Makassar society. The central thesis posits that local culture functions as a socially constructed choice, with its continuity reflecting tangible benefits for its adherents. This study employs a literature review methodology, utilizing the MUI fatwa of South Sulawesi Province, Number: 02 of 2022, concerning *Uang panai* as the primary source for analysis. It is further explored through a sociocultural lens and informed by critical discourse analysis. The findings indicate that the MUI's fatwa has shifted the nature of *uang panai* from being obligatory (binding) within Bugis culture to merely permissible (non-binding). The status of *uang panai*, which is culturally akin to bride price, is positioned by the MUI as subordinate to bride price, reducing it to a mere complement. These varied perspectives held by the MUI exemplify the marginalization of *uang panai*, a cultural element that warrants preservation. Therefore, it is imperative to foster collaboration among diverse stakeholders to uphold the essence, value, and significance of *uang panai*. As a recognized authority in Islamic jurisprudence, the MUI must play a leading role in establishing partnerships with relevant parties, particularly traditional leaders and the Bugis-Makassar community, given that the issue of *uang panai* is fundamentally cultural rather than religious, having existed since the pre-Islamic era.

Keywords: MUI Islamic Ruling, bride price, Uang panai, local culture, marginalization

Introduction

The concept of *uang panai*, commonly referred to as Bride Price, represents a significant cultural practice of the Bugis-Makassar people, an ethnic group predominantly located in the South Sulawesi region of Indonesia. The interpretation and acceptance of this tradition have evolved, particularly following the ruling of the Indonesian Ulama Council of South Sulawesi Province (MUI South Sulawesi), which designated it as a permissible (*mubah*) practice. This determination is outlined in the MUI South Sulawesi Province Fatwa Number: 02 of 2022 regarding *Uang panai*.¹ The MUI is undertaking a critical examination of the practices surrounding *uang panai* within Bugis-Makassar society, which have become problematic due to their improper handling. This scrutiny aims to address the various social issues that have emerged as a result of such practices, emphasizing the need for a more responsible approach within the community:

The cultural shift of *uang panai*, which was originally intended to give appreciation to the bride's family, has become a place for prestige and showing off as well as public deception in the community; (2) Some people make girls as commodities to get the highest *uang panai*; (3) Making *uang panai* whose degree is as a complement (*tahsiniyat*) into the most important thing (*dharuriyat*) in marriage compared to the bride price whose law is obligatory; (4) Making *uang panai* as a determinant of the realization of a marriage compared to the conditions determined by Islamic law; (5) The occurrence of various forms of crime (*riba*, stealing etc.) to fulfill *uang panai*; (6) The occurrence of adultery cases committed by young people due to the inability to get married because of the high *uang panai*; (7) The occurrence of elopement (*silariang*) and nikah siri performed by the

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¹ Majelis Ulama Indonesia (MUI) Provinsi Sulawesi Selatan, "Fatwa Majelis Ulama Indonesia (MUI) Provinsi Sulawesi Selatan Nomor 02 Tahun 2022 Tentang Uang Panai", Stipulated in Makasar, July 1 2022. Accessed in <https://muisulsel.or.id/fatwa-mui-sulsel/>, 27.

bride and groom because the man is unable to fulfill the *uang panai*; (8) The number of single men and women who do not marry because of the inability to fulfill the *uang panai*.²

In the context of the problem upon which the Islamic ruling (Hereinafter: fatwa) is predicated, *uang panai* is seldom referenced as a cultural concern specific to the Bugis-Makassar communities. Instead, it is perceived primarily as a business phenomenon intertwined with the institution of marriage, and is regarded as a merely supplementary aspect. The prevailing assumption that it is supplementary is a common perspective in contemporary Bugis-Makassar society.³ In this context, it is true that *uang panai* is only one phase of the marriage procession (pre-marriage) that contains transactions from the male party to the female party.⁴ Prior to the advent of Islam, *uang panai* served as the recognized bride price in the marriage customs of the Bugis-Makassar culture. Consequently, the fundamental essence of *uang panai* reflects a longstanding tradition within the Bugis-Makassar community that has persisted from pre-Islamic times to the present. This indicates that its intrinsic identity is deeply rooted in the local cultural heritage,⁵ meaning that the existence of *uang panai* is crucial as a speciality of the Bugis-Makassar community. The view articulated by the MUI indicates a growing opposition to the fundamental identity of *uang panai*, which is resulting in a crisis within the local culture. It is essential to examine the fatwa issued by MUI South Sulawesi concerning *uang panai*, particularly in relation to the preservation of the Bugis-Makassar cultural identity.

The importance of analyzing local culture within MUI's fatwa is closely linked to MUI's role as a religious authority, which is expected to promote social welfare, including the sustenance of local cultural practices. This aligns with the Indonesian government's commitment to preserving local culture as both a religious and state imperative, aimed at fostering a moderate societal attitude (*Wasathiyah Islam*).⁶ Conversely, *uang panai* represents a significant cultural heritage that is preserved and practiced within the traditional marriage customs of the Bugis-Makassar community. This practice is not limited to individuals of Bugis-Makassarese descent; it is also observed by individuals from other ethnic groups who seek to marry women from the Bugis-Makassar community. Such individuals are required to adhere to the *uang panai* tradition as part of the marriage customs.⁷ Moreover, *uang panai* is intrinsically linked to the core principles of Bugis-Makassar culture, specifically the concepts of *Siri* and *Pacce*.⁸ *Uang panai* serves not merely as a component of marriage realization but also as a reinforcement of cultural identity for the Bugis-Makassar people. To marginalize *uang panai* equates to undermining the local culture itself, thereby neglecting one of the fundamental aspects of moderation within Islam.

The significance of *uang panai*, closely associated with Bugis-Makassar culture, is acknowledged on a global scale. This recognition is evidenced by the support from individuals beyond this ethnic group who acknowledge that *uang panai* is predominantly identified with the Bugis-Makassar community.⁹ The Bugis-Makassar community, regardless of their geographical location, continues to observe the tradition of providing *uang panai* during wedding ceremonies.¹⁰ *Uang panai* has, in fact, emerged as a significant local cultural theme that has been adapted into film, achieving notable success at the box

² Majelis Ulama Indonesia (MUI) Provinsi Sulawesi Selatan, "Fatwa Majelis Ulama Indonesia (MUI) Provinsi Sulawesi Selatan Nomor 02 Tahun 2022 Tentang Uang Panai".

³ Mahmuddin and St. Aisyah BM, "Strategy of Communication and *Da'wah* in Reducing *Uang Panai* of Marriage in Bulukumba", *Jurnal Komunikasi: Malaysian Journal of Communication*, Vol. 35, No. 3. (2019): 92-107.

⁴ A. Rahmi Mame et al., *Adat dan Upacara Perkawinan Sulawesi Selatan* (Departemen Pendidikan Dan Kebudayaan, 1978), 103.

⁵ Nadia Ananda Putri et al., "Kedudukan Uang Panai sebagai Syarat Perkawinan dalam Adat Suku Bugis Menurut Hukum Islam", *Bhirawa Law Journal*, Vol. 2, No. 1, (2021): 33-44.

⁶ Moh. Ashif Fuadi et al., "Religious Moderation in the Context of Integration Between Religion and Local Culture in Indonesia", *Journal of Al-Tamaddun*, Vol. 19, No. 1 (2024), 47-59. Dafid Eko Setiawan and Kalis Stevanus, "Significance of *Islam Nusantara* Values in an Indonesian Multicultural Society", *Journal of Al-Tamaddun*, Vol. 18, No. 1, (2023): 203-214. Kementerian Agama RI, *Moderasi Beragama* (Badan Litbang dan Diklat Kementerian Agama RI, 2019), 109.

⁷ Andi Alfira Andriani et al., "Uang Panai pada Komunitas Kajang Lalang Emayya di Kabupaten Bulukumba", *Jurnal Kajian Sosial Dan Budaya*, Vol. 6, No. 1, (2022): 27-35. Sindi Veranita and Shafira Aurenevia Dwirakhmawati, "Sistem Pernikahan Suku Bugis dan Suku Minang Tradisi Uang panai", *Jurnal of Digital Communication Science*, Vol. 1, No.1, (2023): 56-66. Siti Nadiyah Sri Utami et al., "Persepsi Laki-laki Suku Jawa terhadap Uang Panai", *PESHUM: Jurnal Pendidikan, Sosial dan Humaniora*, Vol. 2, No. 1, (2022): 50-60.

⁸ Miftah Ellyan Anggi Djabbar, "Buginese Women's Attitude toward Uang Panai as One of the Wedding Cultures in Buginese", *Advances in Social Science, Education and Humanities Research*, Vol. 295, (2019): 296-299.

⁹ Rinaldi Achmad Hufad et al., "Uang Panai sebagai Harga Diri Perempuan Suku Bugis Bone (antara Tradisi dan Gengsi)", *Equilibrium: Jurnal Pendidikan*, Vol. 10, No. 3, (2022): 361-369.

¹⁰ Megawati and Desy Misnawati, "Perspektif Budaya Uang Panai dan Status Sosial pada Perkawinan Suku Bugis Bone di Palembang", *Jurnal Pendidikan Dan Konseling*, Vol. 4, No. 4, (2022): 2860-2866.

office.¹¹ In the context of scholarly studies, *uang panai* has become an object of study, which can be classified into several perspectives. First, *uang panai* as a phenomenon of the economy,¹² *uang panai* in the media space,¹³ *uang panai* in the sociocultural space,¹⁴ *uang panai* from a religious perspective,¹⁵ *uang panai* in inter-ethnic relations in Indonesia.¹⁶

Although *uang panai* has not been specifically examined within the framework of clerical response, existing studies indicate that it occupies a significant position within clerical studies across various scopes. Consequently, this article aims to emphasize the fatwa, particularly in the context of reaffirming the fundamental identity of *uang panai* as a local cultural asset. The author posits that local culture manifests as a socially constructed choice, the persistence of which demonstrates inherent benefits for the communities that uphold it. The objective of this article is to provide a comprehensive and humanistic perspective on local culture, using the case of *uang panai* within the marriage customs of the Bugis-Makassar community, especially in relation to the responses of both ulama and umara, including the MUI.

Methodology

This scholarly article is focused on exploring the cultural identity of *uang panai* and its marginalization in the fatwa issued by MUI South Sulawesi. To this end, the research employs a library-based methodology, utilizing the MUI South Sulawesi Province Circular Fatwa Number 02 of 2022 regarding *uang panai* as a primary source, supplemented by a variety of secondary data including scholarly books and journal articles pertinent to the topic under study. The methodology consists of a descriptive-analytical approach to the content of the fatwa, which is further examined through a sociocultural lens in relation to *uang panai* and critical discourse analysis of the fatwa's content. The discussion is organized into several key components: (1) an examination of *uang panai* within the social, historical, and cultural context of Bugis-Makassar society, (2) an analysis of *uang panai* as presented in the MUI South Sulawesi fatwa, (3) a cultural analysis of *uang panai* within the framework of the MUI South Sulawesi fatwa, and (4) a proposal of implications and alternative solutions regarding the MUI fatwa on *uang panai*.

Result and Discussion

Uang panai in Bugis-Makassar Culture

The Bugis and Makassar are two prominent tribes originating from the South Sulawesi region of Indonesia. Over time, these tribes have migrated to various regions beyond South Sulawesi, including

¹¹ Arina Rubyasih, "Uang Panai' Film Lokal yang Tembus Box Office (Perspektif Ilmu Komunikasi Terhadap Film "Uang Panai')", *Al-Tadabbur: Kajian Sosial, Peradaban dan Agama*, Vol. 5, No. (2019): 1-14.

¹² Islamiyah et al., "Status Sosial dan Jumlah Uang Panai pada Proses Perkawinan Suku Bugis di Kelurahan Raya Kecamatan Turikale Kabupaten Maros", *Ecosystem*, Vol. 21, No. 2. (2021): 23-31. Firda et al., "Konsep Tradisi Uang Panai' Dilihat dari Sudut Pandang Akuntansi", *Jurnal Ekonomi & Ekonomi Syariah*, Vol 6 No 2. (2023): 1436-1446. Irma Ayu Kartika Dewi, "Pergeseran Makna Panai Berlandaskan Gaya Hidup di Desa Carrebbu Dusun Bentenge Kecamatan Awangpone Kabupaten Bone Sulawesi Selatan", *Jurnal Ar-Risalah*, Vol. 2, No. 1. (2022): 55-65.

¹³ Arina Rubyasih, "Uang Panai' Film Lokal yang Tembus Box Office (Perspektif Ilmu Komunikasi terhadap Film "Uang Panai')", 1-14. Kiki Ristia Amalia et al., "Pengaruh Terpaan Film Uang Panai Maha(r) terhadap persepsi Mahasiswa tentang Tradisi Uang Panai Suku Bugis di Samarinda", *ejournal Ilmu Komunikasi*, Vol. 7, No. 2. (2019): 218-232. Muh. Medriansyah Putra Kartika and Turnomo Rahadjo, "Kecenderungan Agenda Pemberitaan Tribun Timur terkait Isu Budaya Uang panai", *Kareba: Jurnal Ilmu Komunikasi*, Vol. 10, No. 2. (2021): 102-113.

¹⁴ Haira Yansa et al., "Uang Panai Dan Status Sosial Perempuan Dalam Perspektif Budaya Siri Pada Perkawinan Suku Bugis Makassar Sulawesi Selatan", *Jurnal Pena*, Vol. 3, No. 2. (2016): 27-36. Aziz N and Lestari P, "Pergeseran Makna Budaya Uang panai Suku Bugis (Studi Masyarakat Kelurahan Macinnae, Kecamatan Paletang, Kabupaten Pinrang, Sulawesi Selatan)", *E-Societas: Jurnal Pendidikan Sosiologi*, Vol. 7, No. 6. (2018): 16-26. Reski Daeng et al., "Tradisi Uang Panai sebagai Budaya Bugis (Studi Kasus Kota Bitung Provinsi Sulawesi Utara)", *Holistik*, Vol. 12, No. 2. (2019): 1-15. Ibrahim Kadir et al., "Uang Panai dalam Budaya Bugis-Makassar: Studi Kasus Sosiologi di Kabupaten Pangkep", *Ecosystem*, Vol. 21, No. 2. (2021): 208-216. Asriani Alimuddin, "Makna Simbolik Uang panai' pada Perkawinan Ada Suku Bugis Makassar di Kota Makassar", *Al-Qisthi*, Vol. 10, No. 2. (2021): 117-132. Megawati and Desy Misnawati, "Perspektif Budaya Uang Panai dan Status Sosial pada Perkawinan Suku Bugis Bone di Palembang", 2860-2866. Helmalia Darwis, "Tradisi Uang panai dalam Adat Pernikahan Suku Bugis (Studi Kasus di Kabupaten Takalar Provinsi Sulawesi Selatan)", *PESHUM: Jurnal Pendidikan, Sosial dan Humaniora*, Vol. 1, No. 3. (2022): 22-227. Asrie Dwi Chaesty and Dermawan Muttaqin, "Studi Literatur: Uang Panai dalam Adat Pernikahan Suku Bugis Makassar". *Jurnal Sinestesia*, Vol. 12, No. 2. (2022): 701-707.

¹⁵ Eliyanata Ratuk Rammang and Buce Zeth Tuhumury, "Uang Panai pada Suku Bugis Makassar dan Implikasinya Bagi Orang Kristen", *Jurnal Teologi dan Pendidikan Kristen Kontekstual*, Vol. 4, No 2. (2021): 260-273. Mahmuddin and St. Aisyah BM, "Strategy of Communication and Da'wah in Reducing *Uang Panai* of Marriage in Bulukumba", *Jurnal Komunikasi: Malaysian Journal of Communication*, Vol. 35, No. 3. (2019): 92-107.

¹⁶ Andi Alfira Andriani et al., "Uang Panai pada Komunitas Kajang Lalang Emayya di Kabupaten Bulukumba", 27-35. Sindi Veranita and Shafira Aurenevia Dwirakhmawatia, "Sistem Pernikahan Suku Bugis dan Suku Minang Tradisi Uang panai", *Jurnal of Digital Communication Science*, Vol. 1, No.1. (2023): 56-66. Siti Nadiyah Sri Utami et al., "Persepsi Laki-laki Suku Jawa terhadap Uang Panai'", 50-60.

Kalimantan, Java, and Papua, as well as internationally to countries such as Malaysia and Saudi Arabia. Historically, South Sulawesi was predominantly inhabited by four major tribes: Bugis, Makassar, Toraja, and Mandar. However, the Mandar tribe is no longer considered part of the primary tribes of South Sulawesi due to changes in regional administrative divisions within the area.¹⁷ Among the three ethnic groups, the Bugis and Makassar are the predominant communities in South Sulawesi, with the Bugis often regarded as emblematic of the region itself.¹⁸ The Bugis and Makassar tribes share a distinctive cultural system, referred to as *Pangadereng* in Bugis and *Pangadakkan* in Makassar (hereafter collectively referred to as *Pangadereng*). This system is deeply embedded within the Bugis-Makassar culture and serves as a means of self-actualization for individuals. It fosters the humanization process and facilitates the realization of societal embodiment, enabling interaction among individuals within both the Bugis-Makassar community and the broader society beyond.¹⁹

In his scholarly work, Mattulada posits that *Pangaderang* may be regarded as a cultural manifestation of the Makassar-Bugis community. Before the integration of Islam, *Pangadereng* consisted of four systems, namely *Rapang* (parable or likeness), *Wari* (genealogy), *Bicara* (court), and *Ade'* (customs/tradition).²⁰ Following the era of Islamization, an additional cultural framework was introduced, specifically Islamic Sharia (*Sara'*).²¹ The presence of *sara* plays a vital role in shaping the behavior of the Bugis-Makassar community, as their actions are influenced not only by cultural norms but also by religious principles. Consequently, adherence to Islamic teachings is regarded as equivalent to compliance with the other four cultural systems, and vice versa.²² The survival and stability of *Pangadereng* from historical times to the present can be attributed to the Bugis-Makassar community's adherence to their philosophical life principles and renowned moral character, specifically the concepts of *siri'* and *pacce*.²³ *Siri'* can be understood as self-esteem or honor that is upheld, *pacce* can be understood as a sense of humanity or empathy.²⁴ *Siri na Pacce* holds significant importance among the Bugis-Makassar community, particularly within the framework of marital relationships. This concept encompasses cultural notions of honor and ethics, influencing social interactions and the institution of marriage within the society.²⁵

Marriage holds significant importance among the Bugis-Makassar people, not only as a religious obligation but also as a reflection of the integrity of Bugis-Makassar individuals.²⁶ In fact, it is said that the Bugis-Makassar community believes that those who have not married are considered incomplete (perfect).²⁷ The concept of *siri na pacce* is significantly manifested in these marriages, particularly given that marriage serves to unite two extensive families, which often belong to distinct tribes, where the honor of the family is of paramount importance.²⁸ Among the evidence of this high level of respect is the giving of *uang panai* (Bugis: *doi menre*) from the suitor (male) to the suitor (female).²⁹ *Uang panai* serves as a financial allocation for wedding expenses, preparations for married life, and various related necessities. Within the context of the Bugis-Makassar community, *uang panai* carries several significant implications, including a representation of profound respect, the sanctity of marital bonds, the enhancement of social status, and a demonstration of genuine intent.³⁰

¹⁷ Idham, "Relevansi Sejarah dan Budaya bagi Pembangunan Sulawesi Barat", *Pusaka: Jurnal Khazanah Keagamaan*, Vol. 7, No. 2, (2019): 219-234.

¹⁸ Christian Pelras, *Manusia Bugis*, trans. by Abdul Rahman Abu (Nalar, 2006), 228.

¹⁹ H. A. Mattulada, *Sejarah, Masyarakat, Dan Kebudayaan Sulawesi Selatan* (Hasanuddin University Press, 1998), 173.

²⁰ M. Laica Marzuki, *Siri': Bagian Kesadaran Hukum Rakyat Bugis-Makassar (Sebuah Telaah Filsafat Hukum)*. (Hasanuddin University Press, 1995), 115.

²¹ H. A. Mattulada, *Islam Di Sulawesi Selatan* (Laporan Pisbud Unhas, 1976), 178. Andi Muhammad Akhmar, *Islamisasi Bugis* (Yayasan Pustaka Obor, 2018), 69.

²² Hamid Abdullah, *Manusia Bugis Makassar: Suatu Tinjauan Historis Terhadap Pola Tingkah Laku Dan Pandangan Hidup Manusia Bugis Makassar* (Inti Idayu Press, 1985), 34.

²³ Abu Hamid, *Siri' & Pacce: Harga Diri Manusia Bugis, Makassar, Mandar, Toraja* (Pustaka Refleksi, 2003), 147.

²⁴ M. Laica Marzuki, *Siri': Bagian Kesadaran Hukum Rakyat Bugis-Makassar (Sebuah Telaah Filsafat Hukum)*, 90.

²⁵ Haira Yansa et al., "Uang Panai dan Status Sosial Perempuan Dalam Perspektif Budaya Siri Pada Perkawinan Suku Bugis Makassar Sulawesi Selatan", 27-36.

²⁶ Rahmawati Harisa, "The Implementation of Siri Na Pacce Culture in Bugis-Makassar Wedding in Bissoloro Village, Bungaya District, Gowa Regency", *Journal of Research and Multidisciplinary*, Vol. 5, No. 1, (2022): 545-551.

²⁷ Susan Bolyard Millar, *Perkawinan Bugis*, Trans. by Tim Inninawa. (Makassar: Penerbit Inninawa, 2009), 214.

²⁸ Shintia Maria Kapojos and Hengki Wijaya, "Mengenal Budaya Suku Bugis (Pendekatan Misi Terhadap Suku Bugis)", *Matheteuo: Jurnal Lembaga STAKN Kupang*, Vol. 6, No. 2. (2018): 153-174.

²⁹ Haira Yansa et al., "Uang Panai dan Status Sosial Perempuan Dalam Perspektif Budaya Siri Pada Perkawinan Suku Bugis Makassar Sulawesi Selatan", 27-36.

³⁰ Asriani Alimuddin, "Makna Simbolik *Uang Panai* pada Perkawinan Ada Suku Bugis Makassar di Kota Makassar", 117-132.

The practice of *uang panai* has its origins in the royal era of Bugis-Makassar society, where it is customary for a man of ordinary social standing to provide a bride price, typically in the form of monetary compensation and other gifts, to a woman of noble heritage. This act is intended to honor the noble status of the woman and reflects the cultural values associated with social hierarchy and respect within the community.³¹ The practice of *uang panai* has persisted from the pre-Islamic era through the period of Islamization to contemporary times. *Uang panai* serves as a royal provision and aligns with the tenets of Islamic law, as historical rulers integrated Islamic principles with local customs and practices.³² In the context of the Makassar-Bugis community, specifically within the *Pangadereng* culture, the concept of *uang panai* holds significant status and relevance in both traditional practices (*ade'*) and Islamic law (*sara'*). This signifies that the payment of *uang panai* is an obligation for the man proposing marriage to the woman. Furthermore, following the Islamization of this community, men are also mandated to provide a bride price to the prospective bride. According to Pelras, a noted scholar of the Bugis people, the Bugis-Makassar society acknowledges two distinct forms of dowries that a man is required to present to a woman: the customary bride price and the *uang panai*.³³ The regulation regarding *uang panai* has implications for the entire Bugis-Makassar community. In response to its evolution, this provision has garnered attention from religious and community leaders, as evidenced by discussions held by the Indonesian Ulema Council (MUI) of South Sulawesi, which will be elaborated upon in the subsequent section.

MUI South Sulawesi's Fatwa on Uang panai

Following the exploration of *uang panai* within the context of Bugis-Makassar culture, attention will now shift to its position within the fatwa issued by the MUI of South Sulawesi. This examination seeks to provide an understanding of the content (material) of the aforementioned fatwa. The fatwa regarding *uang panai* was officially established on July 1, 2022, in Makassar by the Fatwa Commission of MUI South Sulawesi. It bears the signatures of the Chairman, Prof. Dr. KH. Rusydi Khalid, M.A., and the Secretary, Dr. KH. Syamsul Bahri Abd Hamid, Lc, M.A., and has received the endorsement of the Leadership Council of MUI South Sulawesi, which includes the Chairman, Prof. Dr. KH. Najamuddin AS, M.A., and the Secretary, Dr. KH. Muammar Bakry, Lc., M.A.

As is typical for fatwas, MUI's fatwa on *uang panai* encompasses several essential components, which are compiled by the Fatwa Commission. These components include: (1) weighing, (2) remembering, (3) paying attention, and (4) deciding. A brief review of some of these components will be conducted, with an emphasis on retaining the substantive aspects of the discussion:³⁴

Considering:

In the fatwa issued by the MUI, five key considerations underpin the discussion regarding *uang panai*. First, *uang panai* is recognized as a customary practice within the Bugis-Makassar community. Second, *uang panai* constitutes a monetary gift and may include additional materials provided by the prospective groom to the prospective bride. This gesture serves as a tribute to the woman and facilitates the smooth conduct of the wedding ceremony. *Uang panai* may also be interpreted as “wedding party money” or “spending money,” symbolizing the male party's commitment to assuming the role of head of the household.

Third, it is important to distinguish between *uang panai* and bride price. While a bride price represents a religious obligation (under Islamic law) that must be fulfilled during the marriage ceremony, *uang panai* is regarded as a customary requirement specific to the Bugis-Makassar tradition. The amount of *uang panai* is negotiable and varies based on mutual agreement between the families involved in the union.

Finally, in addition to *uang panai*, the Bugis-Makassar marital customs include various other gifts, such as *leko*, *erang-erang* (handover), *sompa* or *sunrang* (dowry), and *passio* (binding).³⁵

³¹ Haira Yansa et al., “Uang Panai dan Status Sosial Perempuan Dalam Perspektif Budaya Siri Pada Perkawinan Suku Bugis Makassar Sulawesi Selatan”, 27-36.

³² Reski Ulul Amri, “Kedudukan *Doi Menre* dalam Perkawinan Suku Bugis di Bone Sulawesi Selatan”, *Asy' syariah: Jurnal Ilmu Syari'ah dan Hukum*, Vol. 54, No. 1. (2020): 83-103.

³³ Christian Pelras, *Mamusia Bugis*, 201.

³⁴ Majelis Ulama Indonesia (MUI) Provinsi Sulawesi Selatan, “Fatwa Majelis Ulama Indonesia (MUI) Provinsi Sulawesi Selatan Nomor 02 Tahun 2022 Tentang Uang Panai”.

³⁵ Majelis Ulama Indonesia (MUI) Provinsi Sulawesi Selatan, “Fatwa Majelis Ulama Indonesia (MUI) Provinsi Sulawesi Selatan Nomor 02 Tahun 2022 Tentang Uang Panai”.

The fifth point of consideration in the MUI fatwa pertains to the emergence of various social realities associated with *uang panai*. These include: (a) the prevalence of irregularities wherein *uang panai* is utilized as a means of social prestige and ostentation, potentially leading to public deception; (b) the commodification of women for the purpose of eliciting substantial amounts of *uang panai*; (c) the positioning of *uang panai* as a higher priority (*dharuriyat*) than *mahr*; (d) the use of *uang panai* as a criterion for the feasibility of marriage; (e) an increase in criminal activities aimed at securing the requisite *uang panai*; (f) the occurrence of adultery among individuals unable to meet the *uang panai* expectations; (g) the rise of elopement (*silariang*) and *nikah siri* due to the inability to satisfy the *uang panai* demands; (h) a considerable number of men and women refrain from marriage as a result of obstacles posed by *uang panai*; and (i) the emergence of psychological issues, including stress and anxiety, among men, women, and their families, stemming from the pressures associated with *uang panai*. Consequently, these five points of consideration have led the MUI South Sulawesi to formulate a definitive fatwa and recommendations regarding *uang panai*.³⁶

Remember:

In its circular, the MUI grounded its fatwa on various Islamic principles, drawing upon the Qur'an, Hadith, as well as *Ushuliyah* and *Fihiyah* rules. Regarding Qur'anic references, MUI emphasized: (1) QS. Al-Baqarah: 185 and QS. Al-Maidah: 6, which advocate for ease in life; (2) QS. Al-Baqarah: 195 and QS. Al-Qashshas: 77, which command the pursuit of goodness; (3) QS. Al-Rum: 21, which describes marriage as a means of achieving peace; (4) QS. Al-Nur: 32, which recommends the act of marriage; (5) QS. Al-Nisa: 21, which presents marriage as a covenant; (6) QS. Al-Isra': 70, which emphasizes the humane treatment of individuals; (7) QS. Al-Nisa: 4, which advises honoring women with gifts appropriate to one's means; (8) QS. Al-A'raf: 199, which encourages being a moral reference; and QS. Al-Baqarah: 270, which discusses the virtue of charitable spending.

The hadith arguments referenced include: (1) narratives from Ibn Majah and Muslim affirming that marriage is a sunnah of the Prophet; (2) accounts from Al-Bukhari, Ahmad, and Abu Daud advocating for the facilitation of marriage; (3) reports from Muslim and Khamsah (excluding Al-Nasa'i) regarding the simplification of wedding ceremony activities; and (4) traditions from Ibn Majah and At-Turmuzyi outlining the minimum standards for a wedding event.

The *ushuliyah* and *fihiyah* principles cited include: (1) the recognition of customary practices as a basis for legal rulings; (2) the notion that local customs (*urf*) can be accepted as law in the absence of any conflicting sharia stipulations; (3) an understanding that what is deemed good among Muslims is equally regarded as good by Allah; (4) the equivalence of unwritten community agreements to those that are formally documented; and (5) the principle that while one may not be able to fulfill every objective, it is impermissible to abandon all pursuits.³⁷

Concerns:

The foundations of the MUI fatwa are grounded in five key considerations: (1) the perspectives of prominent scholars, including Imam Al-Maushily, Imam Al-Dardiry, Imam Al-Syairazy, Imam Ibn Qudamah Al-Maqdisi, as well as the Hanafiyah and Malikiyah madhhabs, and certain proponents of the Syafiiyah tradition, all of whom have designated the wedding ceremony as a practice of Sunnah; (2) Article 28 B, Paragraph 1 of the Constitution, which asserts that "Everyone has the right to form a family and perpetuate offspring through legal marriage"; (3) Law Number 16 of 2019, which pertains to amendments of Law 1 of 1974 regarding Marriage; (4) the Compilation of Islamic Law (KHI), specifically Chapter V concerning Mahar, as outlined in Articles 30 and 31; (5) the feedback, suggestions, and insights gathered during the Public Discussion forum held by MUI Makassar City on June 1, 2022, as well as the deliberations of the Fatwa Commission Session of MUI South Sulawesi Province on June 22, 2022; and (6) the necessity of mutual consent between the male and female parties, which is integral to customary practices (*urf*).³⁸

³⁶ Majelis Ulama Indonesia (MUI) Provinsi Sulawesi Selatan, "Fatwa Majelis Ulama Indonesia (MUI) Provinsi Sulawesi Selatan Nomor 02 Tahun 2022 Tentang Uang Panai".

³⁷ Majelis Ulama Indonesia (MUI) Provinsi Sulawesi Selatan, "Fatwa Majelis Ulama Indonesia (MUI) Provinsi Sulawesi Selatan Nomor 02 Tahun 2022 Tentang Uang Panai".

³⁸ Majelis Ulama Indonesia (MUI) Provinsi Sulawesi Selatan, "Fatwa Majelis Ulama Indonesia (MUI) Provinsi Sulawesi Selatan Nomor 02 Tahun 2022 Tentang Uang Panai".

Decided:

In its decision, the MUI South Sulawesi established three critical points regarding *uang panai*, which include legal provisions, recommendations, and closing provisions.

In the legal provisions, the MUI underscored that (1) *uang panai* is a customary practice that is permissible under the law, provided that it does not contravene sharia principles. (2) The sharia principles governing *uang panai* entail facilitating marriage without imposing undue burdens on the man, upholding the dignity of women, ensuring honesty without manipulation, determining a reasonable nominal amount in accordance with the mutual agreement of both parties, recognizing *uang panai* as a commitment and responsibility reflective of the prospective husband's seriousness, and utilizing *uang panai* as a means of assistance (*ta'awun*) to promote social ties (*silaturahmi*).

In the recommendations, the MUI stated that (1) a portion of *uang panai* should be allocated as a form of *infaq* through an official institution, (2) *uang panai* should not serve as a hindrance to the marriage process, and (3) agreements regarding *uang panai* should be reached amicably within the family context, avoiding practices of *tahzir* and *israf* (extravagance) and hedonism.

In the closing provisions, the MUI indicated that (1) the fatwa concerning *uang panai* is effective upon its enactment and will be subject to review should improvements be necessary to attain perfection. (2) This fatwa may serve as a reference for any Muslim requiring guidance, and it is encouraged that the fatwa be widely disseminated.³⁹

The preceding explanations elucidate several key aspects concerning the MUI's position on *uang panai*, a customary practice within the Bugis-Makassar community during marriage ceremonies. Firstly, *uang panai* is characterized as a traditional gift from the groom to the bride. Secondly, it serves as a token of appreciation to the bride-to-be, intended to contribute to the wedding budget. Thirdly, there exists a comparative significance between the statuses of *uang panai* and mahr, with MUI assigning greater importance to mahr as it is considered more essential (*dharuriyat*) than *uang panai*. Fourthly, the monetary value of *uang panai* is subject to negotiation between the involved parties.

Fifthly, contemporary societal dynamics have given rise to various sociocultural challenges associated with *uang panai*. Sixthly, it constitutes a vital element in the execution of wedding celebrations (*walimatul 'ursy*), which are deemed to hold Sunnah significance. Seventhly, the arguments supporting the endorsement and preservation of *uang panai* as a local tradition are primarily grounded in the Qur'an, Hadith, *Ushuliyah*, and *Fiqhiyah* principles, along with the perspectives of numerous scholars. Finally, there is an integration of cultural and religious values (Islam) regarding *uang panai*, whereby it is recognized as a Bugis-Makassar tradition that is Islamically permissible due to its emphasis on convenience, dignity, and integrity.

Cultural Marginalization in MUI Fatwa

The previous discussion addressed the content of the MUI South Sulawesi's Fatwa concerning *Uang panai*, highlighting several critical aspects within the sections of weighing, remembering, paying attention, and deciding.

In the weighing section, the key considerations include defining *Uang panai* as a budget, examining its essence as a customary practice, determining its nominal amount, understanding its intended purpose as a form of appreciation, clarifying its relationship to bride price, and analyzing the social issues arising from its inappropriate treatment within the community.

The remembering section emphasizes important aspects such as Qur'anic arguments advocating for benevolence and the facilitation of affairs, the value of marriage, the respect accorded to women, the recognition of custom as a form of law, and the exhortation to give. The hadith evidence in this section supports the notions of easing the process of marriage and establishing a minimum standard, alongside the recommendation to simplify wedding celebrations. The arguments grounded in *ushuliyah* and *fiqhiyah* principles affirm that customs may serve as legal foundations, asserting that the welfare of the community aligns with the goodwill of Allah SWT. Furthermore, tacit community agreements are

³⁹ Majelis Ulama Indonesia (MUI) Provinsi Sulawesi Selatan, "Fatwa Majelis Ulama Indonesia (MUI) Provinsi Sulawesi Selatan Nomor 02 Tahun 2022 Tentang Uang Panai".

equated with formal agreements, and it is recommended to retain certain elements if not all can be acquired.

In the paying attention section, it is crucial to consider the consensus among numerous scholars advocating for the recommendation of wedding celebrations, the autonomy of marriage (family) and bride price as regulated by state law (Constitution and KHI), and the agreement between prospective spouses as a form of *wrf* (custom) that can be utilized as a legal basis.

Finally, the deciding section outlines significant considerations indicating that *Uang panai* is permissible as long as it upholds commendable values, does not impede marriage, and avoids any associated malfeasance.

The following aspects, while not exclusively tied to Bugis-Makassar culture, are of significance: (1) the concept of *uang panai*, (2) the role of *adat* as a legal foundation, and (3) the existence of unwritten agreements within the community, defined as *adat (wrf)*.

In the initial discussion, Bugis-Makassar culture is examined through the foundational understanding of *uang panai* as a customary practice. This practice serves as a means to honor the woman and to signify the man's commitment to assume the role of head of the household. The funds allocated for the wedding celebration are determined by mutual agreement between both parties. Although *uang panai* traditionally holds a subordinate position to the bride price, contemporary manifestations within Bugis-Makassar society reveal an unsettling trend that overemphasizes its importance, thereby resulting in various social deviations.

In the second aspect, the MUI references QS. Al-A'raf: 199, which articulates that "custom may serve as a legal basis," and acknowledges that "*wrf* (local custom) may be utilized in instances where sharia law does not impose restrictions." Lastly, it is imperative that the agreement established between the man and the woman is respected and upheld.

The MUI fatwa presents a fundamental issue regarding the recognition of Bugis-Makassar culture, particularly concerning the nature of *uang panai*. The MUI has redefined *uang panai* as subordinate to the bride price, categorizing it as a complementary aspect (*tahsiniyyah*). In contrast, Bugis-Makassar culture holds that the significance of *uang panai* is equivalent to that of the bride price. According to Islamic law (*sara*), the obligation of paying a bride price is established, which parallels the traditional obligation (*ade'*) associated with *panai* money. This equivalence is historically evident, as both *uang panai* and bride price have been integral stipulations in Bugis-Makassar marriages since the advent of Islam, as previously discussed. Consequently, while *uang panai* is acknowledged as a component of Bugis-Makassar culture, the MUI has failed to adequately consider this cultural significance in formulating its fatwa. This lack of attention has resulted in a misunderstanding of, or even a misrepresentation of, the nature of *uang panai* itself.

The limited cultural attention afforded to the concept of *uang panai* is intricately linked to the realities of contemporary Bugis-Makassar society, which underpins the legal interpretation of this practice. The legal framework surrounding *uang panai* emphasizes the interplay between its existence, the current context of Bugis-Makassar society, and the tenets of Islamic teachings. This framework is not merely a spontaneous phenomenon but is deeply rooted in a comprehensive body of knowledge and discourse advocated by MUI. Within this context, *uang panai* has evolved from a symbol of respect into an event reflecting prestige. This transformation informs the MUI's approach toward *uang panai* through the lens of Islamic law, suggesting that its permissibility (*mubah*) is contingent upon contemporary social realities rather than solely on entrenched customs.

Moreover, the characterization of *uang panai* as distinct from and subordinate to bride price illustrates an effort to mitigate its excessive and potentially exploitative interpretations. Although *uang panai* is perceived as contributing to the success of a wedding celebration, MUI regards the wedding itself as a *sunnah* (recommended) activity. This position implies that, according to the MUI, *uang panai* occupies a role of limited significance, both culturally and in relation to Islamic teachings within the context of present-day Bugis-Makassar society. The interpretation provided by the MUI raises important inquiries concerning the historical development and current sociocultural dynamics surrounding *uang panai*. As

previously noted, *uang panai* serves as a manifestation of the Bugis-Makassar cultural philosophy, particularly as it relates to *siri na pacce*. Consequently, *uang panai* emerges as a reflection of the cultural lifestyle of the Bugis-Makassar people. The MUI's characterizations, therefore, indicate a shift in both the philosophical underpinnings and the cultural systems prevalent in contemporary Bugis-Makassar society.

The Bugis-Makassar cultural framework positions *uang panai* as equivalent to bride price, necessitating the payment of both, as previously articulated. This characterization suggests that the portrayal of *uang panai* as a lesser component, or merely an adjunct to bride price by the MUI, leads to the marginalization of customary law provisions. It is noteworthy that, despite recognizing *uang panai* as a customary demand, MUI's stance complicates its status.

Additionally, the classification of *uang panai* as a supplementary element, along with the wedding celebration as a *sunnah* activity, contrasts sharply with the Bugis-Makassar community's perception of marriage as an integral tradition that embodies the principles of *siri na pacce*. This cultural concept encapsulates both family and tribal honor, while also reflecting a sense of social responsibility. Consequently, in the Bugis-Makassar context, matrimonial celebrations are conducted with significant fervor. This cultural imperative often prompts the bride's family to continuously augment the wedding budget, even in cases where the amount of *uang panai* is considerable.

The preceding analysis indicates that the cultural considerations within the fatwa issued by the MUI (Indonesian Council of Scholars) in South Sulawesi are insufficiently addressed in terms of both exposure and historical context. In its presentations, the MUI of South Sulawesi seldom references Bugis-Makassar culture as a foundational element for understanding, responding to, and formulating fatwa regarding *uang panai*. Historically, the MUI has overlooked the significance of *uang panai* as a cultural practice deeply embedded in Bugis-Makassar society.

Moreover, this cultural neglect within the fatwa can be attributed to the sociocultural dynamics of the Bugis-Makassar community itself. Evidence of this marginalization is reflected in the rationale behind the MUI's fatwa, which highlights the prevailing reality within Bugis-Makassar society that tends to diminish cultural significance in the context of *uang panai*, favoring instead material considerations (nominal values) and social status. This cultural marginalization poses serious implications for the preservation and continuity of cultural practices, particularly concerning their relationship with human and religious contexts, which will be elaborated upon in the subsequent section.

Cultural Crisis in Uang Panai: Implications and Alternatives

The previous analysis of the marginalization of culture in the MUI fatwa concerning *uang panai* has highlighted significant findings. It has been observed that the marginalization arises primarily from the Bugis-Makassar community's tendency to prioritize lifestyle choices over cultural identity. Nevertheless, it is important to note that the responsibility for this marginalization does not rest solely with the community; the MUI plays a crucial role in this dynamic as well. The MUI possesses both the authority and the knowledge required to address and elucidate the cultural aspects of *uang panai*. Consequently, it is positioned to reinforce cultural identity amid evolving societal trends and lifestyles. Therefore, the marginalization of culture signifies a complex and interrelated cultural crisis involving both the MUI and the Bugis-Makassar society.

The cultural crisis can be exemplified by the transformation in the nature of *uang panai* in relation to Islamic law. This transformation indicates that *uang panai* is increasingly perceived as external to the community, losing its inherent values associated with *siri na pacce*, and is instead regarded as a means to fulfill misguided personal interests, such as prestige and material gain. Legally, *uang panai* is acknowledged to lack the authority to influence the law due to its classification as a custom. Consequently, the MUI treats *uang panai* in an unconventional manner, albeit through distinct approaches. The MUI's characterization of *uang panai* as subordinate to the bride price—and the repercussions that arise from this position—results in the erosion of *uang panai*'s identity as a custom that holds equal importance and obligation as the bride price.

This circumstance could imply that there exists a discordant relationship between the MUI and the societal context it engages with. Such discord may manifest as a lack of missionary efforts aimed at

promoting an understanding of the significance of cultural identity. In fact, this neglect extends beyond cultural considerations; even critical issues of faith have been addressed by religious authorities in Indonesia.⁴⁰ The history of the implementation of *uang panai* is intrinsically linked to the role of the prevailing authority, specifically the kingdom, in establishing and entrenching this cultural practice within society. In this context, the MUI, as a governing body that integrates social, state, and Islamic values, is anticipated to take a leading role in fostering and, if necessary, advancing this cultural tradition among the community. It is imperative that the populace comprehends the significance of preserving cultural heritage, which will discourage behaviors that are viewed as deviant and detrimental to these cultural treasures. This endeavor must progress in tandem with contemporary influences that may impact and potentially alter perspectives and behaviors regarding traditional cultural practices.⁴¹ In the context of the *uang panai* phenomenon, it is essential to balance contemporary societal lifestyles with an understanding of its substantial meanings.

The significance of comprehending the essence of *uang panai* arises from its pervasive nature within the community, as it frequently manifests during weddings—an event that is commonly observed. Moreover, its role as a 'determinant' in the execution of marriage ceremonies renders *uang panai* a critical subject deserving of focused attention from all societal sectors, particularly the MUI.

As a result, the solidification of *uang panai* as a cultural identity is increasingly pronounced within the Bugis-Makassar community. The recurrent discussions and influences surrounding this practice contribute to shaping community members' identities and lifestyles, including attitudes toward *uang panai* itself. Thus, despite the evolution of societal norms and lifestyles, the community remains steadfast in its cultural roots, primarily due to the guidance provided by pertinent authorities. Furthermore, integrating the understanding of *uang panai* within the framework of contemporary development fosters a perspective that allows both traditional practices and modernity to coexist. This results in contextual cultural innovation that preserves substantial values. In this manner, Islamic teachings are not only capable of adapting to local customs but also serve to guide cultural innovation in contemporary times.

Conclusion

Uang panai represents a significant aspect of cultural understanding within the Bugis-Makassar community in the contemporary context. It extends beyond the concept of bride price and embodies the cultural philosophy of *siri na pacce*, which serves as a moral framework for Bugis-Makassar life. *Uang panai* exemplifies the successful integration of Islamic teachings with local customs, particularly within the frameworks of the *sara'* and *ade'* systems in *Pangadereng*. However, this matter has not received adequate attention in the fatwas issued by the MUI. This article demonstrates how the MUI fatwa transforms the nature of *uang panai* from an obligatory cultural practice to a non-binding, permissible act. In the cultural context, *uang panai* holds a significance equivalent to that of the bride price; however, the MUI classifies it as subordinate and regards it merely as an ancillary component. Such perspectives exhibited by the MUI illustrate the marginalization of *uang panai* as a cultural practice worthy of preservation. Moreover, this cultural marginalization results from the fatwa's response, which adopts a socially critical stance toward contemporary phenomena characterized by deviant behaviors within society. If this marginalization persists, there exists a considerable risk that additional cultural practices may face similar diminishment, leading to a lack of clarity regarding the cultural identity of modern Bugis-Makassar society.

In order to address the potential marginalization of *uang panai*, it is essential to foster collaboration among various stakeholders aimed at preserving its essence, value, and significance. As a prominent authority within the Islamic community, the MUI should take a leadership role in establishing partnerships with relevant entities, particularly traditional leaders and the Bugis-Makassar community. This focus is warranted given that *uang panai* represents a cultural matter, rather than a strictly religious one, having its roots in pre-Islamic traditions. Historical cooperation between Islamic teachings and local customs in Bugis-Makassar has facilitated the accommodation of indigenous cultural practices

⁴⁰ See Fransiska Widyawati and Yohanes Servatius Lon, "Adaptation and Negotiation of Muslim Within the Local Catholic Community in Eastern Indonesia", *Journal of Al-Tamaddun*, Vol. 18, No. 2. (2023): 23-37.

⁴¹ Syukri Syamaun, "Pengaruh Budaya terhadap Sikap dan Perilaku Keberagamaan", *At-Taujih: Bimbingan Dan Konseling Islam*, Vol. 2, No. 2, (2019): 81-95.

since the advent of Islam. Such collaboration is crucial for honoring cultural heritage and ensuring its continuation in the modern lives of Bugis-Makassar individuals. This preservation is particularly significant, as the reverence for cultural heritage, including *uang panai*, plays a vital role in advancing religious moderation, which remains a priority for the Indonesian government, as indicated in the introduction.

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