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Reinterpreting *Uang Panai*: Between Cultural Values and Social Burdens through Ṭāhir Ibn ʿĀshūr's *Maqāṣid al-Sharīʿah*

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Abstract

Uang panai is a customary marriage tradition among the Bugis community that embodies symbolic values of respect, sincerity, and the prospective groom's responsibility toward the prospective bride. However, contemporary social transformations have gradually altered its original meaning, turning *uang panai* into an economic burden that may hinder marriage. This study examines the practice of *uang panai* as a reflection of the tension between cultural values and burdensome tradition through a thematic analysis of the Qur'an from the perspective of Ṭāhir Ibn ʿĀshūr's *maqāṣid al-sharīʿah*. Employing a qualitative case study approach, the research combines descriptive-analytical methods with a thematic examination of Qur'anic verses concerning marriage, justice, facilitation, and public welfare (*maṣlaḥah*). The findings indicate that the Qur'an consistently emphasizes the principles of ease (*taysīr*), justice (*ʿadl*), and the prevention of harm in the institution of marriage. From the perspective of Ṭāhir Ibn ʿĀshūr's *maqāṣid al-sharīʿah*, social customs are considered legitimate only insofar as they remain consistent with the higher objectives of Islamic law, particularly the protection of lineage, property, and social harmony. Accordingly, the practice of *uang panai* should be critically reinterpreted and proportionally reconstructed so that its cultural significance can be preserved while remaining aligned with the objectives of the Sharīʿah and the ethical spirit of the Qur'an.

Keywords: *Uang Panai*, Cultural Tradition, *Maqāṣid al-Sharīʿah*, Ṭāhir Ibn ʿĀshūr, Thematic Qur'anic Study

Abstrak

Uang panai merupakan tradisi adat perkawinan dalam masyarakat Bugis yang mengandung nilai-nilai simbolik berupa penghormatan, kesungguhan, dan tanggung jawab calon suami terhadap calon istri. Namun, perubahan sosial kontemporer secara bertahap telah menggeser makna aslinya sehingga uang panai berubah menjadi beban ekonomi yang berpotensi menghambat pelaksanaan perkawinan. Penelitian ini mengkaji praktik uang panai sebagai refleksi dari ketegangan antara nilai-nilai budaya dan tradisi yang memberatkan melalui kajian tematik Al-Qur'an dengan perspektif maqāṣid al-syarī'ah Ṭāhir Ibn ʿĀshūr. Penelitian ini menggunakan pendekatan kualitatif dengan desain studi kasus, yang dipadukan dengan metode deskriptif-analitis serta kajian tematik terhadap ayat-ayat Al-Qur'an yang berkaitan dengan perkawinan, keadilan, kemudahan, dan kemaslahatan (maṣlaḥah). Hasil penelitian menunjukkan bahwa Al-Qur'an secara konsisten menekankan prinsip kemudahan (taysīr), keadilan (ʿadl), dan pencegahan kemudaratan dalam penyelenggaraan perkawinan. Dalam perspektif maqāṣid al-syarī'ah Ṭāhir Ibn ʿĀshūr, suatu tradisi sosial hanya dapat dibenarkan sejauh tetap selaras dengan tujuan-tujuan utama syariat, terutama dalam menjaga keturunan, harta, dan keharmonisan sosial. Oleh karena itu, praktik uang panai perlu direinterpretasikan secara kritis dan direkonstruksi secara proporsional agar nilai-nilai budayanya tetap terpelihara sekaligus sejalan dengan tujuan syariat Islam dan spirit etis Al-Qur'an.

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Kata Kunci: *Uang Panai, Tradisi Budaya; Maqāṣid al-Syarīʿah, Ṭāhir Ibn ʿĀshūr, Kajian Tematik Al-Qur'an*

A. Introduction

Culture constitutes an essential component of ethnic identity, encompassing social systems, economic practices, knowledge and technology, belief systems, political organization, language, and artistic traditions that distinguish one ethnic group from another. These cultural elements evolve through continuous interaction with the surrounding social and natural environments. In contemporary scholarship, attention has shifted from viewing ethnicity merely as a social category toward understanding the significance of local knowledge embedded within cultural traditions. Such local knowledge represents an important source for examining how communities construct, preserve, and negotiate their social values across generations.[1]

Marriage customs constitute one of the most enduring expressions of local knowledge, reflecting the norms, values, and social structures of a community. Among the Bugis people of South Sulawesi, marriage is not merely a legal or religious institution but also a cultural practice governed by a series of customary traditions. One of the most prominent traditions is *uang panai*, a financial contribution provided by the prospective groom to the bride's family before the marriage ceremony. [2]Traditionally, *uang panai* symbolizes the groom's sincerity, commitment, and respect toward the bride and her family, thereby functioning as an important marker of social recognition within Bugis society.[3]

As Bugis communities migrated and settled in various regions of Indonesia, including Kendari City, the tradition of *uang panai* continued to be preserved and adapted within new social contexts. In contemporary Bugis society, *uang panai* extends beyond its ceremonial function and has become closely associated with family honor, social prestige, and socioeconomic status. Consequently, the amount requested has increased considerably over recent decades, often reaching tens or even hundreds of millions of Indonesian rupiah. This escalation has imposed substantial financial burdens on prospective grooms and their families, transforming what was once a symbolic cultural practice into a source of economic and social pressure.[4] The phenomenon demonstrates the continuing influence of local cultural values in shaping social relations and marital practices despite changing socioeconomic conditions.[5]

The persistence of this tradition raises important questions regarding its compatibility with Islamic law. From the perspective of Islamic jurisprudence, marriage is intended to be conducted with ease and should not impose excessive hardship upon either party. While Islam recognizes the importance of respecting local customs (*ʿurf*) as long as they do not contradict the principles of the Sharīʿah, cultural practices that create injustice or

[1] Klaus Desmet, Ignacio Ortuño-Ortín, and Romain Wacziarg, 'Culture, Ethnicity, and Diversity', *American Economic Review*, 107.9 (2017), pp. 2479–513, doi:10.1257/aer.20150243.

[2] Abu Haif and others, 'Uang Pannai in the Bugis Marriage Custom: Islamic Legal Perspective on Local Traditions', *JUSPI (Jurnal Sejarah Peradaban Islam)*, 9.1 (2025), pp. 291–99, doi:10.30829/juspi.v9i1.24841.

[3] Moh. Ikbal, '"Uang Panaik" dalam Perkawinan Adat Suku Bugis Makasar', *AL-HUKAMA*, 6.1 (2016), pp. 191–215, doi:10.15642/alhukama.2016.6.1.191-215.

[4] Nur Masthurah and others, 'Evolving Traditions: The Contemporary Dynamics of Uang Panai' in Bugis-Makassar Wedding Ceremonies', *Tamaddun*, 23.1 (2024), pp. 51–60, doi:10.33096/tamaddun.v23i1.713.

[5] Rinaldi Rinaldi and others, 'Uang Panai Sebagai Harga Diri Perempuan Suku Bugis Bone (Antara Tradisi dan Gengsi)', *Equilibrium: Jurnal Pendidikan*, 10.3 (2022), pp. 361–73, doi:10.26618/equilibrium.v10i3.8411.

unnecessary obstacles to marriage warrant critical examination. In this regard, it is essential to distinguish between *mahr* (dower), which constitutes a mandatory obligation prescribed by Islamic law and is given directly by the groom to the bride as part of the marriage contract, and *uang panai*, which originates from Bugis customary tradition and serves different social and cultural purposes.[6] This distinction provides an important foundation for assessing the legal and ethical position of *uang panai* within the framework of Islamic law, as reflected in the Qur'an, including Q. 4:4.[7]

The distinction between *mahr* and *uang panai* is clearly reflected in the Qur'anic conception of marriage. The Qur'an commands husbands to provide *mahr* directly to their wives as a voluntary and honorable gift (Q. 4:4), emphasizing the bride's exclusive right to receive and control this property. By contrast, *uang panai* is customarily paid to the bride's family and frequently functions as a prerequisite for the marriage ceremony. In practice, the amount demanded is often determined by social expectations rather than religious obligations, creating substantial financial pressure on prospective grooms and, in some cases, delaying or even preventing marriage. These circumstances warrant a critical examination of *uang panai* from the perspective of Islamic law and Sharīʿah economics, particularly through the principles of justice (*ʿadl*), balance (*tawāzun*), and public welfare (*maṣlaḥah*).[8]

From the perspective of Sharīʿah economics, customary practices are generally acceptable provided that they do not result in harm (*mafsadah*) or contradict the objectives of Islamic law (*maqāṣid al-sharīʿah*). Accordingly, the tradition of *uang panai* may be maintained as a form of cultural appreciation so long as it remains within reasonable limits and does not impose excessive financial burdens. However, when its value is determined primarily by social prestige or economic competition, the practice may undermine the Qur'anic objective of facilitating marriage and preserving social justice. Integrating Sharīʿah values into local customs is therefore essential to ensure that cultural traditions continue to promote human welfare rather than social inequality.[9]

The Qur'an further portrays marriage as a sacred institution founded upon tranquility (*sakinah*), affection (*mawaddah*), and mercy (*raḥmah*) (Q. 30:21). These values suggest that marriage should strengthen family harmony instead of becoming an arena for economic competition or social stratification. Consequently, the implementation of *uang panai* should be critically reassessed to determine whether its contemporary practice remains consistent with the ethical principles of the Qur'an and the higher objectives of Islamic law.[10]

Beyond its theological implications, the practice of *uang panai* also generates significant social and economic consequences. In Kendari, the increasing monetary value of *uang panai* has contributed to social inequality by limiting marriage opportunities to men with greater financial resources.[11] Simultaneously, women's educational attainment, family

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[6] Hajra Yansa and Yayuk Basuki, *UANG 3$1$,∂ DAN STATUS SOSIAL PEREMPUAN DALAM PERSPEKTIF BUDAYA 6,5,∂ PADA PERKAWINAN SUKU BUGIS MAKASSAR SULAWESI SELATAN*, n.d.

[7] Marwan Nuri, *TRADISI PEMBERIAN UANG PANAI DALAM PERNIKAHAN PADA MASYARAKAT SULAWESI SELATAN PERSPEKTIF MAQĀṢID ASY-SYARĪ'AH*, 5.2 (2024).

[8] Ahmad Pattiroy and Idrus Salam, 'TRADISI DOI' MENRE' Dalam Pernikahan Adat Bugis Di Jambi', *Al-Ahwal: Jurnal Hukum Keluarga Islam*, 1.1 (2016), pp. 89–116, doi:10.14421/ahwal.2008.01105.

[9] 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.

[10] Muhammad Nur Fathoni and Siti Wahyuni, 'Tinjauan Hukum Implementasi Mahar dalam Pernikahan', *Syakhshiyyah Jurnal Hukum Keluarga Islam*, 4.2 (2025), pp. 276–87, doi:10.32332/npnntt30.

[11] Muh Naufal Fitra and others, 'Tinjauan Hadis Terhadap Tradisi Uang Panai Dalam Adat Pernikahan Bugis-Makassar (Analisis Isi Hadis Dalam Film Uang Panai Maha(r)l)', *Palita: Journal of Social Religion Research*, 9.2 (2024), pp. 143–61, doi:10.24256/pal.v9i2.4660.

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lineage, occupation, physical appearance, and socioeconomic background frequently influence the amount requested, reinforcing hierarchical social distinctions. Such criteria contrast with the Qur'anic principle that human dignity is determined by piety rather than wealth or social status (Q. 49:13). Consequently, the contemporary implementation of *uang panai* raises important concerns regarding social justice, gender equity, and equal access to marriage.[12]

Despite the growing scholarly interest in *mahr*, Islamic marriage, and *maqāṣid al-sharīʿah*, relatively few studies have examined *uang panai* through a thematic Qur'anic approach integrated with the *maqāṣid* framework of Ṭāhir Ibn ʿĀshūr. Existing research has largely emphasized sociocultural or legal dimensions while paying limited attention to how Qur'anic values can be contextualized to evaluate local customary practices. Moreover, no study has specifically investigated the implementation of *uang panai* within the multicultural setting of Kendari, where Bugis traditions coexist with diverse ethnic and cultural communities.[13]

Accordingly, this study seeks to reinterpret the tradition of *uang panai* through the *maqāṣid al-sharīʿah* framework of Ṭāhir Ibn ʿĀshūr, particularly the principles of *al-fiṭrah* (human nature), *al-musāwah* (equality), *al-samāḥah* (tolerance and moderation), and *al-ḥurriyyah* (freedom). By integrating thematic Qur'anic analysis with contemporary socio-cultural realities, this study aims to provide a contextual understanding of *uang panai*, offering a constructive framework for harmonizing Islamic law and customary law while promoting a more equitable understanding of marriage within Bugis society.[14]

Building upon the identified research gaps, this study aims to reflect on two principal issues. First, it examines the practice of *uang panai* in Kendari City by exploring how Qur'anic values provide ethical guidance for sustaining this local marriage tradition. Second, it evaluates the extent to which the implementation of *uang panai* aligns with the principles of *maqāṣid al-sharīʿah* as articulated by Ṭāhir Ibn ʿĀshūr, particularly those related to the concepts of *mahr* (dower), gift-giving, and economic justice in Islam.[15] Employing a thematic (*mawḍūʿī*) approach to Qur'anic verses concerning marriage and marital gifts, this study seeks to offer both normative and practical insights for harmonizing customary traditions with Islamic teachings. The findings are expected to serve as a valuable reference for community development initiatives aimed at fostering an Islamic, equitable, and sustainable marriage culture while preventing excessive financial burdens on either party. Furthermore, this study explores the role of *uang panai* in contemporary marriage practices, examines public perceptions of customary marriage traditions, particularly among younger generations, and analyzes the social implications of the evolving meaning and practice of *uang panai*.[16]

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[12] Kamaruddin Kamaruddin and others, 'The Kaago-Ago Tradition of the Muna Tribe in Southeast Sulawesi from the Perspective of Islamic Legal Anthropology', *El-Usrah: Jurnal Hukum Keluarga*, 8.2 (2025), doi:10.22373/ujhk.v8i2.30125.

[13] Jumarim, Ilyya Muhsin, and Muhammad Chairul Huda, 'The Interplay of Fiqh, Adat, and State Marriage Law: Shaping Legal Consciousness of Sasak Women', *AL-IHKAM: Jurnal Hukum & Pranata Sosial*, 19.1 (2024), pp. 27–52, doi:10.19105/al-lhkam.v19i1.10522.

[14] Husni Fauzan, 'Pemikiran Maqashid Syariah Al-Tahir Ibn Asyur', *al-Mawarid Jurnal Syariah dan Hukum (JSYH)*, 5.1 (2023), pp. 101–14, doi:10.20885/mawarid.vol5.iss1.art7.

[15] Taufiqurohman Taufiqurohman and Nelli Fauziah, 'The Evaluation of Maqāṣid Asy-Syarī'ah on Discourses of the Islamic Family Law', *El-Usrah: Jurnal Hukum Keluarga*, 6.1 (2023), p. 81, doi:10.22373/ujhk.v6i1.13035.

[16] Achmad Abubakar and Muhammad Irham, *Tradisi Uang Panai di Kabupaten Jeneponto dalam Perspektif Ekonomi Syariah: Kajian Tematik Al-Qur'an*, n.d.

Unlike previous studies, which have generally examined *uang panai* from the perspectives of culture, normative Islamic law, or the broader social transformation of Bugis society, this study specifically focuses on reflecting upon the practice of *uang panai* in Kendari City through the lens of Ibn ʿĀshūr's *maqāṣid al-sharīʿah*. Rather than viewing *uang panai* merely as a customary institution, this research critically examines how its contemporary implementation relates to the *maqāṣid* principles of *al-fiṭrah* (human nature), *al-musāwah* (equality), *al-samāḥah* (tolerance and moderation), and *al-ḥurriyyah* (freedom). By integrating these principles into the analysis of local customary practices, the study offers a more comprehensive understanding of the relationship between cultural traditions and the higher objectives of Islamic law in contemporary Muslim society.[17]

Studies on *uang panai* have been conducted from various scholarly perspectives, including Islamic law, socio-cultural studies, and Sharīʿah economics. One of the earliest studies, entitled *"The Tradition of Uang Panai in Jeneponto Regency from the Perspective of Sharīʿah Economics: A Thematic Qur'anic Study"* by Syaripuddin, Achmad Abubakar, and Muhammad Irham, examined the practice of *uang panai* through the lens of Sharīʿah economics using a thematic Qur'anic approach.[18] Their findings suggest that *uang panai* originally functioned as an expression of respect for women and their families; however, its contemporary implementation has undergone significant transformation, often resulting in substantial financial burdens for prospective grooms and their families. While both the previous study and the present research address the social and economic implications of *uang panai*, the former primarily focuses on Sharīʿah economics and thematic Qur'anic interpretation. In contrast, this study adopts the *maqāṣid al-sharīʿah* framework of Ṭāhir Ibn ʿĀshūr to critically reflect upon *uang panai* as a cultural tradition and to evaluate the social burdens arising from its contemporary practice.[19]

A second study conducted by Rinaldi et al., entitled *"Uang Panai as the Symbol of Women's Honour in the Bugis Bone Community (Between Tradition and Prestige)",* argues that the meaning of *uang panai* has shifted from a symbol of respect towards women to an indicator of social prestige and family honour. The study demonstrates that the tradition is no longer perceived merely as a customary marriage requirement but has increasingly become a marker of social status within Bugis Bone society.[20] Similar to the present study, it highlights the transformation of *uang panai* in contemporary society. Nevertheless, its primary emphasis lies on the sociological dimensions of social prestige and cultural identity. By contrast, the present study offers a normative and reflective analysis through the *maqāṣid al-sharīʿah* theory of Ṭāhir Ibn ʿĀshūr, with particular attention to the principles of *al-fiṭrah* (human nature), *al-musāwah* (equality), *al-samāḥah* (moderation and tolerance), and *al-ḥurriyyah* (freedom) in assessing the contemporary practice of *uang panai*.[21]

Another relevant study, entitled *"Uang Panai from the Perspective of Islamic Jurisprudence"* by Syamsul Bahri Abdul Hamid and Sitti Wahidah Masnani, examines the legal status of *uang panai* within the framework of Islamic jurisprudence (*fiqh*). The authors

[17] Agus Bambang Nugara and Lukman Ismail, *UANG PANAI SEBAGAI HARGA DIRI PEREMPUAN SUKU BUGIS BONE: ANTARA ADAT DAN AGAMA*, 5.1 (2023).

[18] Syamsul Bahri Abd Hamid and Sitti Wahidah Masnani, 'UANG PANAI' DALAM TINJAUAN FIQHI ISLAMI', *Jurnal Sarjana Ilmu Budaya*, 4.02 (Mei) (2024), pp. 32–42, doi:10.12259/jsib.v4i02.

[19] Himas Diningrat and others, 'Tinjauan Hukum Islam terhadap Uang Panai dalam Perkawinan Adat Bugis', *Jurnal Syntax Admiration*, 5.5 (2024), pp. 1892–99, doi:10.46799/jsa.v5i5.1131.

[20] Asrie Dwi Chaesty and Darmawan Muttaqin, *Studi Literatur: Uang Panai dalam Adat Pernikahan Suku Bugis Makassar*, 12.2 (2022).

[21] Yanuriansyah Ar Rasyid and others, 'Reconstructing the Concept of Uang Panai in South Sulawesi: A Maqāṣid al-Sharī'ah Approach for Revitalizing Women-Friendly Islamic Values', *Al-Ahkam: Jurnal Ilmu Syari'ah Dan Hukum*, 9.1 (2024), pp. 1–13, doi:10.22515/alahkam.v9i1.8706.

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argue that the practice is permissible provided that it does not conflict with the principles of the Sharīʿah or impose excessive financial hardship on the prospective groom.[22] Their analysis primarily focuses on the normative legal question of whether *uang panai* is acceptable under Islamic law. Similar to the present study, their research investigates *uang panai* from an Islamic perspective. However, whereas the previous study is limited to a legal-formal analysis, the present research extends the discussion by examining the social implications and public welfare (*maṣlaḥah*) associated with *uang panai* through the contemporary *maqāṣid al-sharīʿah* framework of Ṭāhir Ibn ʿĀshūr.[23]

Another study, entitled *"An Islamic Legal Review of Uang Panai in Bugis Customary Marriage"* by Himas Diningrat, Anggita Harsya Fahrezy, Ilham Jeryawan, and Sara Yogi Istiqomah, explores the practice of *uang panai* within Bugis customary marriage from the perspective of Islamic law. The study concludes that the tradition is permissible as long as it does not involve coercion, excessive financial burdens, or harm to either prospective spouse. Like the present study, it recognizes the potential social repercussions of setting uang panai at an unreasonable level. Nevertheless, its analysis remains grounded in a normative Islamic legal framework, whereas the present study approaches *uang panai* as a socio-cultural phenomenon whose legitimacy and contemporary relevance should be assessed through the *maqāṣid al-sharīʿah* perspective of Ṭāhir Ibn ʿĀshūr.[24]

The foregoing review demonstrates that existing scholarship on *uang panai* has predominantly concentrated on normative Islamic law, Sharīʿah economics, and the socio-cultural construction of Bugis society. Comparatively little attention has been devoted to examining *uang panai* as a reflection of the dynamic relationship between cultural values and the social burdens generated by its contemporary practice through the *maqāṣid al-sharīʿah* framework of Ṭāhir Ibn ʿĀshūr.[25] Accordingly, this study seeks to address this gap by providing a contextual analysis of *uang panai*, viewing it not merely as a cultural tradition but also as a social institution whose legitimacy should be evaluated in light of the *maqāṣid* principles of public welfare (*maṣlaḥah*), justice (*al-ʿadl*), facilitation (*al-samāḥah*), equality (*al-musāwah*), and human freedom (*al-ḥurriyyah*). Through this approach, the study aims to contribute to a more comprehensive understanding of the relationship between local customary practices and the higher objectives of Islamic law in contemporary Muslim society.[26]

Based on the foregoing studies, it can be concluded that existing scholarship on *uang panai* has primarily focused on cultural aspects, normative Islamic jurisprudence, social transformation, and the reconstruction of customary practices within Bugis society. However, relatively few studies have specifically examined the practice of *uang panai* in Kendari City through the *maqāṣid al-sharīʿah* perspective of Ṭāhir Ibn ʿĀshūr. Accordingly, this article seeks to address this research gap by examining *uang panai* as both a cultural

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[22] Tanza Dona Pertiwi and Sri Herianingrum, 'Menggali Konsep Maqashid Syariah: Perspektif Pemikiran Tokoh Islam', *Jurnal Ilmiah Ekonomi Islam*, 10.1 (2024), pp. 807–20, doi:10.29040/jiei.v10i1.12386.

[23] Misbahul Munir, 'KONSEP KELUARGA DALAM ISLAM TINJAUAN MAQASHID SYARIAH', *ISLAMITSCH FAMILIERECHT JOURNAL*, 4.2 (2023), pp. 118–38, doi:10.32923/ifj.v4i2.3956.

[24] Zul Anwar Ajim Harahap, *KONSEP MAQASID AL-SYARIAH SEBAGAI DASAR PENETAPAN DAN PENERAPANNYA DALAM HUKUM ISLAM MENURUT 'IZZUDDIN BIN 'ABD AL-SALAM (W.660 H)*, n.d.

[25] Adi Sofyan, 'MEWAJIBKAN WALIMATUL 'URS, BATASAN MAHAR DAN SPEKULASI MAHAR DIJADIKAN UANG DAPUR DALAM PERNIKAHAN', *SANGAJI: Jurnal Pemikiran Syariah dan Hukum*, 3.2 (2019), pp. 282–99, doi:10.52266/sangaji.v3i2.485.

[26] Syaskya Cintya Devi and others, *UANG PANAI': TRADISI PERNIKAHAN UANG PANAI' PADA TREN PERNIKAHAN DI KANTOR URUSAN AGAMA (KUA) DI KOTA MAKASSAR*, 2024.

value and a social practice that may impose financial burdens, while evaluating its contemporary implementation through the lens of Ibn ʿĀshūr's *maqāṣid al-sharīʿah*. In doing so, the study aims to provide a contextual understanding of how local traditions can be harmonized with the higher objectives of Islamic law.[27]

This study employs a qualitative approach using a case study design. The approach was chosen to facilitate an in-depth understanding of the social phenomenon and legal practices surrounding *uang panai* within the community. Specifically, the study examines the tradition of *uang panai* in Kendari City from the perspective of Ṭāhir Ibn ʿĀshūr's *maqāṣid al-sharīʿah*, supported by a thematic (*mawḍūʿī*) analysis of relevant Qur'anic verses concerning marriage and family law. The case study design enables the researchers to obtain a contextual and comprehensive understanding of the social realities, community perspectives, and legal practices associated with *uang panai* in contemporary Bugis society.[28]

The research was conducted at the Office of Religious Affairs (*Kantor Urusan Agama* [KUA]) of Abeli District and among members of the community in Poasia District, Kendari City, Indonesia. These locations were purposively selected because they are directly relevant to the research objectives and provide rich empirical data concerning the implementation of *uang panai*.

The study involved five participants selected through purposive sampling, a technique that identifies informants based on their knowledge, experience, and relevance to the research objectives. The participants consisted of the Head of the Abeli District Office of Religious Affairs (KUA), a marriage registrar (*penghulu*), a customary leader, and two community members who possessed substantial knowledge and experience regarding the practice of *uang panai* within the local community.

Data were collected through in-depth interviews, participant observation, and document analysis. The interviews were conducted face-to-face with all informants to obtain primary data concerning their perspectives, experiences, practices, and the social dynamics surrounding the implementation of *uang panai* within the local community.

To ensure the credibility and trustworthiness of the findings, this study employed both source triangulation and method triangulation. Source triangulation was conducted by comparing information obtained from different informants, while method triangulation involved cross-checking data derived from interviews, observations, and documentary sources. This triangulation process enhanced the consistency and credibility of the research findings.

The data were analyzed using the interactive model developed by Miles and Huberman, which consists of three interrelated stages: data reduction, data display, and conclusion drawing and verification. In addition, the study employed content analysis to identify and classify themes related to the *maqāṣid al-sharīʿah* principles articulated by Ṭāhir Ibn ʿĀshūr in the Qur'an, particularly those concerning *mahr* (dower), gift-giving, and economic justice.[29] During the data reduction stage, information relevant to the research objectives was selected, organized, and simplified. The processed data were subsequently presented in a descriptive form to facilitate interpretation, after which conclusions were

[27] Rinaldi Rinaldi, Fatimah Azis, and Jamalauddin Arifin, 'Problematika Uang Panai Dalam Pernikahan Masyarakat Suku Bugis Bone', *PADARINGAN (Jurnal Pendidikan Sosiologi Antropologi)*, 5.01 (2023), p. 1, doi:10.20527/pn.v5i01.7332.

[28] Rani Anggraeni, *PERSPEKTIF PEREMPUAN BUGIS DALAM TRADISI DUI MENRE PERNIKAHAN ADAT BUGIS DI LABUHAN TERATA SUMBAWA BESAR*, n.d.

[29] Shintia Kapojos and Hengki Wijaya, *Mengenal Budaya Suku Bugis Pendekatan Misi Terhadap Suku Bugis*, 6 (2018), pp. 153–74.

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drawn based on recurring patterns, relationships, and empirical findings identified throughout the research process. Through this analytical approach, the study seeks to formulate recommendations for reinterpreting the tradition of *uang panai* in a manner that remains faithful to the principles of the Sharīʿah while promoting the objectives of *maqāṣid al-sharīʿah*, particularly justice, public welfare, and moderation in contemporary marriage practices.[30]

B. Results and Discussion

The Dialectics of *Uang Panai* Between Cultural Values and Tradition: A Thematic Qur'anic Analysis

Within contemporary social practice, *uang panai* is no longer understood merely as an expression of respect for the bride and her family. Instead, it has evolved into an instrument of power relations between the families of the prospective bride and groom. Factors such as the bride's family's social status, educational attainment, occupational prestige, and genealogical standing frequently determine the amount of uang panai. Consequently, the negotiation of *uang panai* reflects the operation of symbolic power, whereby one-party exercises considerable influence over the other through socially constructed expectations.[31]

From a sociological perspective, this power imbalance becomes evident when the groom's family occupies a subordinate position, as it is expected to meet the financial standards established by the bride's family and reinforced by the surrounding social environment. Field findings indicate that the escalating value of *uang panai* often places prospective grooms under significant psychological and financial pressure, resulting in delayed marriages or even the cancellation of engagements due to economic constraints. These findings suggest that the tradition has gradually shifted from its original function as a symbol of respect toward a coercive social mechanism shaped by social expectations and prestige.[32]

From the perspective of *maqāṣid al-sharīʿah* as formulated by Muḥammad al-Ṭāhir Ibn ʿĀshūr, power relations that generate hardship (*mashaqqah*) are inconsistent with the Sharīʿah principles of *taysīr* (facilitation) and *rafʿ al-ḥaraj* (the removal of hardship). Ibn ʿĀshūr maintains that the primary objective of the Sharīʿah is to promote *maṣlaḥah* (public welfare) rather than to establish social structures that burden individuals in fulfilling their natural human needs, including marriage.[33] Accordingly, when *uang panai* functions as an instrument of social domination and restricts access to marriage, its contemporary implementation departs from the higher objectives of the Sharīʿah and no longer reflects the ethical values that Islamic law seeks to uphold.[34]

In Islamic law, the validity of every legal act depends upon the fulfillment of two essential elements: the *arkān* (essential pillars) and the *shurūṭ* (legal conditions). The *arkān* constitute the fundamental components of a legal act, whereas the *shurūṭ* serve as

[30] A. Dian Fitriana and Khaerun Nisa', 'PERGESERAN SISTEM PERNIKAHAN ENDOGAMI MASYARAKAT ETNIS BUGIS', *Al-Qalam*, 26.1 (2020), p. 71, doi:10.31969/alq.v26i1.825.

[31] Muhammad Rafli and Muhammad Syukur, *BUDAYA SIRI' DENGAN BESARAN UANG PANAI' DALAM PERNIKAHAN MASYARAKAT BUGIS*, n.d.

[32] Putra Halomoan, 'PENETAPAN MAHAR TERHADAP KELANGSUNGAN PERNIKAHAN DITINJAU MENURUT HUKUM ISLAM', *JURIS (Jurnal Ilmiah Syariah)*, 14.2 (2016), p. 107, doi:10.31958/juris.v14i2.301.

[33] Kapojos and Wijaya, *Mengenal Budaya Suku Bugis Pendekatan Misi Terhadap Suku Bugis*.

[34] Syarifah Reny Anggraini, Tengku Khairina, and Luqman Luqman, 'MAQASHID SYARIAH PEMIKIRAN AT-TAHIR IBN ASHUR', *Holistik Analisis Nexus*, 2.9 (2024), pp. 16–21, doi:10.62504/nexus893.

complementary requirements necessary for its legal validity. The absence of either element renders the legal act invalid. This principle likewise applies to marriage, which is considered legally valid only when both its essential pillars and conditions are fulfilled. Within the Bugis marriage tradition, two important concepts are recognized: *sompa* and *dui' menre* (commonly referred to as *uang panai*). *Sompa*, or *mahr* (dower), is a mandatory gift in the form of money or property presented by the groom to the bride as an essential requirement for the validity of the marriage according to Islamic law. By contrast, *dui' menre* refers to the financial contribution provided by the groom's family to the bride's family to support the expenses associated with the wedding ceremony. Unlike *mahr*, which is prescribed by the Sharīʿah, *dui' menre* originates from Bugis customary law and functions as a cultural obligation rather than a religious requirement.[35]

Although *mahr* and *uang panai* are often perceived as similar because both involve financial obligations on the part of the groom, they differ fundamentally in their legal basis and purpose. *Mahr* constitutes a mandatory religious obligation explicitly prescribed in Islamic law and is given directly to the bride as her exclusive right upon the conclusion of the marriage contract. In contrast, *uang panai* is a customary obligation determined by local tradition and is generally paid to the bride's family to finance the wedding celebration. Consequently, the legal status, recipients, and underlying objectives of these two forms of payment are substantially different.[36]

The contemporary practice of *uang panai* has generated several important legal and socio-cultural issues that warrant further examination. These include the need to clarify its legal status within the objectives of the Sharīʿah (*maqāṣid al-sharīʿah*), to understand its social meaning and cultural significance in Southeast Sulawesi, and to analyze its function as a symbol of social status and customary authority. Equally important are questions concerning the legitimacy of *uang panai* under Islamic law, the legal rationale (*ʿillah*) underlying its implementation, and the extent to which its financial requirements remain appropriate for economically disadvantaged families. These issues underscore the importance of reassessing *uang panai* through a contextual Islamic legal framework that balances respect for local customs with the principles of justice, public welfare, and the facilitation of marriage.[37]

The way contemporary society perceives and practices *uang panai* requires critical reflection, particularly when examined through the lens of *maqāṣid al-sharīʿah*. A widespread assumption that *uang panai* must amount to hundreds of millions or even billions of Indonesian rupiah, without due consideration of its symbolic meaning and Islamic ethical foundations, risks distorting the original purpose of the tradition. If such a materialistic paradigm continues to dominate public perception, *uang panai* may gradually lose its cultural and moral significance, becoming merely a symbol of social prestige and the pursuit of social recognition.[38]

Accordingly, it is essential to promote a more contextual understanding of *uang panai* by reinterpreting its meaning in light of its symbolic values and the higher objectives

[35] Abd. Kafi, 'MAHAR PERNIKAHAN DALAM PANDANGAN HUKUM DAN PENDIDIKAN ISLAM', *PARAMUROBI: JURNAL PENDIDIKAN AGAMA ISLAM*, 3.1 (2020), pp. 55–62, doi:10.32699/paramurobi.v3i1.1436.

[36] Haedir Zulfikar Zulfikar, M. Darwis Hude, and Syahrullah Iskandar, 'DALIL AL-QUR'AN FATWA MUI SULAWESI SELATAN TENTANG UANG PANAI' (Analisis Maqâshid al-Qur'ân)', *Jurnal Al-Mubarak: Jurnal Kajian Al-Qur'an Dan Tafsir*, 10.2 (2025), pp. 110–29, doi:10.47435/al-mubarak.v10i2.4285.

[37] Reski Ulul Amri, 'Kududukan Doi Menre dalam Perkawinan Suku Bugis di Bone Sulawesi Selatan', *Asy-Syir'ah: Jurnal Ilmu Syari'ah dan Hukum*, 54.1 (2020), p. 83, doi:10.14421/ajish.v54i1.544.

[38] Muhammad Choirun Nizar, *LITERATUR KAJIAN MAQASHID SYARI'AH*, 35 (2016), pp. 53–68.

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of Islamic law. Such a reinterpretation would help preserve the tradition while ensuring its relevance to contemporary society and preventing its transformation into an excessive financial obligation that undermines the Islamic principles of justice, moderation, and public welfare. In Islamic law, *mahr* (dower) constitutes one of the mandatory obligations of the prospective husband and must be given directly to the bride as part of the marriage contract.[39] This obligation reflects the Islamic principles of respect, responsibility, and justice within marriage, as affirmed in the Qur'an (Q. 9:71):

وَالْمُؤْمِنُوْنَ وَالْمُؤْمِنٰتُ بَعْضُهُمْ اَوْلِيَاۤءُ بَعْضٍۘ يَأْمُرُوْنَ بِالْمَعْرُوْفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَيُقِيْمُوْنَ الصَّلٰوةَ وَيُؤْتُوْنَ الزَّكٰوةَ وَيُطِيْعُوْنَ اللّٰهَ وَرَسُوْلَهٗۗ اُولٰۤىِٕكَ سَيَرْحَمُهُمُ اللّٰهُۗ اِنَّ اللّٰهَ عَزِيْزٌ حَكِيْمٌ

"The believing men and believing women are allies of one another. They enjoin what is right and forbid what is wrong and establish prayer and give zakah and obey Allah and His Messenger. Those - Allah will have mercy upon them. Indeed, Allah is Exalted in Might and Wise".

The verse emphasizes the complementary relationship between men and women, encouraging them to cooperate in righteousness and mutual support, including within the institution of marriage. Islam accords women a position of dignity and honor by granting them the right to receive *mahr* (dower) as an integral component of the marriage contract. The prescription of *mahr* carries profound legal and ethical significance, serving not merely as a material gift but also as an expression of the husband's responsibility, respect, and commitment toward his wife.[40]

By contrast, *uang panai* is not explicitly prescribed in Islamic law. What the Sharīʿah requires is the payment of *mahr* as a mandatory element of marriage. Nevertheless, the Qur'an establishes a broader ethical framework regarding the giving of wealth and gifts within marital relationships, emphasizing kindness, mutual respect, and the preservation of harmony between husband and wife. These principles are reflected in Qur'an 4:19, which provides ethical guidance for marital relationships:

يٰٓاَيُّهَا الَّذِيْنَ اٰمَنُوْا لَا يَحِلُّ لَكُمْ اَنْ تَرِثُوا النِّسَاۤءَ كَرْهًاۗ وَلَا تَعْضُلُوْهُنَّ لِتَذْهَبُوْا بِبَعْضِ مَآ اٰتَيْتُمُوْهُنَّ اِلَّآ اَنْ يَّأْتِيْنَ بِفَاحِشَةٍ مُّبَيِّنَةٍۚ وَعَاشِرُوْهُنَّ بِالْمَعْرُوْفِۚ فَاِنْ كَرِهْتُمُوْهُنَّ فَعَسٰٓى اَنْ تَكْرَهُوْا شَيْـًٔا وَّيَجْعَلَ اللّٰهُ فِيْهِ خَيْرًا كَثِيْرًا

"O you who have believed, it is not lawful for you to inherit women by compulsion. And do not make difficulties for them in order to take (back) part of what you gave them unless they commit a clear immorality. And live with them in kindness. For if you dislike them - perhaps you dislike a thing and Allah makes therein much good".

In practice, the amount of *uang panai* is generally much higher than the *mahr* (dower) required under Islamic law. Its amount is determined through a process of negotiation between the families of the prospective bride and groom. During this negotiation, the groom's family indicates the amount they are able to provide in response to the financial expectation proposed by the bride's family. Reaching a mutually acceptable agreement is

[39] Sharifah Hayaati and Sharifah Ismail, 'Managing between Family and Organisational Career: Analysis through al-Tadayyun, al-Maqasid and al-Wasatiyyah Approaches', *Akademika*, 87 (2017), pp. 197–210, doi:10.17576/akad-2017-8703-14.

[40] Erik Wibowo and Ahmad Wildan Rofrofil Akmal, *ANALISIS UU NO. 11 TAHUN 2012 TERHADAP PERLINDUNGAN HAK PELAKU TINDAK PIDANA ANAK PERSPEKTIF MAQASHID SYARIAH IBNU ASYUR*, 7.1 (2025).

considered essential, as the value of *uang panai* is widely perceived as reflecting not only the groom's financial capacity but also his seriousness and commitment to marriage.[41]

Within Bugis culture, the payment of *uang panai* serves important symbolic and social functions. One of its primary purposes is to honor the bride and her family by demonstrating respect and appreciation. When the groom's family is able to fulfill the agreed amount, the payment is regarded as enhancing the family's dignity and social prestige. In this sense, *uang panai* functions as a cultural symbol through which the bride's family's social standing is publicly acknowledged and affirmed.[42]

However, in contemporary practice, women from families with higher social status are often associated with substantially higher *uang panai* than those from less privileged backgrounds. This phenomenon indicates that *uang panai* has increasingly become a marker of social stratification within society. From a critical perspective, such a practice reflects the commodification of women's social status, whereby a woman's perceived value in marriage is no longer determined solely by her moral character or personal virtues but is also measured by the social prestige attached to her family background, educational attainment, occupation, and economic position. In certain contexts, this tendency may reinforce social inequality, perpetuate class distinctions, and contribute to discriminatory practices within the institution of marriage.[43]

Such a practice stands in contrast to the Qur'anic conception of human dignity, which is founded not upon social or economic status but upon piety (*taqwā*). As Allah states in Qur'an 49:13:

يٰٓاَيُّهَا النَّاسُ اِنَّا خَلَقْنٰكُمْ مِّنْ ذَكَرٍ وَّاُنْثٰى وَجَعَلْنٰكُمْ شُعُوْبًا وَّقَبَاۤىِٕلَ لِتَعَارَفُوْا ۚ اِنَّ اَكْرَمَكُمْ عِنْدَ اللّٰهِ اَتْقٰىكُمْ ۗ اِنَّ اللّٰهَ عَلِيْمٌ خَبِيْرٌ

"O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another. Indeed, the most noble of you in the sight of Allah is the most righteous of you. Indeed, Allah is Knowing and Acquainted".

The verse affirms that Islam rejects social constructs that measure human dignity primarily in terms of worldly status, wealth, or lineage. Instead, it establishes *taqwā* (piety) as the sole criterion of true honor before God. Accordingly, the contemporary practice of *uang panai*, when it reinforces excessive social stratification and class-based distinctions, warrants critical re-evaluation to ensure that it remains consistent with the egalitarian principles of Islam.[44]

From the perspective of Islamic family law, the escalating value of *uang panai* creates a significant tension between customary practice and the objectives of the Sharīʿah. While Qur'an 4:4 establishes *mahr* as a mandatory marital gift, Islamic legal principles—particularly *taysīr* (facilitation and ease)—emphasize that marriage should be made accessible rather than burdensome. Likewise, Islamic jurisprudence recognizes that a

[41] Imron Rosyadi and others, 'Realizing Post-Disaster Sakinah Families: Analysis of the Resilience of Semeru Eruption Survivors' Families at the Relocation Site from the Maqāṣid al-Sharī'ah Perspective', *El-Usrah: Jurnal Hukum Keluarga*, 7.2 (2024), p. 878, doi:10.22373/ujhk.v7i2.22560.

[42] Wiwin Wiwin and Saharuddin Saharuddin, *Kedudukan Hukum UangPanai'dalam Perkawinan Masyarakat Bugis-Makassar (Perspektif Perundang-undangan dan Hukum Islam)*, n.d.

[43] Ziadul Ulum Wahid, Handoko Budi Prasetiyo, and Tutik Hamidah, 'Ibn Asyur's Concept of Maqashid Al-Shariah and Its Urgency as a Basis for Contemporary Ijtihad', *Fonologi: Jurnal Ilmuan Bahasa Dan Sastra Inggris*, 3.2 (2025), pp. 14–26, doi:10.61132/fonologi.v3i2.1674.

[44] Nur Rofiq and M. Zidny Nafi Hasbi, 'A New Paradigm In Economy About Maqashid Al-Sharia Theory: Reformulation Of Ibn-Asyur', *PAMALI: Pattimura Magister Law Review*, 2.1 (2022), pp. 77–85, doi:10.47268/pamali.v2i1.817.

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wedding banquet (*walīmah*) is permissible (*mubāḥ*), provided that it is conducted in moderation and does not impose excessive financial hardship on the parties involved.[45] From this perspective, customary practices that transform marriage into an onerous financial obligation require careful reassessment in light of the higher objectives of Islamic law (*maqāṣid al-sharīʿah*), which prioritize justice, moderation, and public welfare.

وَاٰتُوا النِّسَآءَ صَدُقٰتِهِنَّ نِحْلَةً ۗ فَاِنْ طِبْنَ لَكُمْ عَنْ شَيْءٍ مِّنْهُ نَفْسًا فَكُلُوْهُ هَنِيْۤـًٔا مَّرِيْۤـًٔا

"And give the women (upon marriage) their (bridal) gifts graciously. But if they give up willingly to you anything of it, then take it in satisfaction and ease".

Within the *maqāṣid al-sharīʿah* framework, Ibn ʿĀshūr argues that one of the fundamental objectives of the Sharīʿah is to preserve a just, balanced, and harmonious social order. Accordingly, when a customary practice gives rise to social exclusivity, inequality, or imbalanced relationships within society, it should be critically reinterpreted to ensure its continued compatibility with the Islamic principles of justice and public welfare.[46]

In contemporary society, *uang panai* is increasingly perceived as a symbol of family prestige. The higher its monetary value, the greater the social honor presumed to be associated with the bride's family. As a result, the tradition has fostered a culture of social competition surrounding marriage, leading to a significant transformation in its original meaning. What was once intended as an expression of respect has gradually become an arena for social prestige; what originally symbolized appreciation has evolved into a marker of status; and what began as a customary requirement has increasingly become an instrument for legitimizing social standing.[47]

Field findings from Kendari City demonstrate that *uang panai* continues to be practiced as a cultural tradition intended to express respect and appreciation toward the bride and her family. Nevertheless, its contemporary implementation often imposes a considerable financial burden on prospective grooms, particularly those from lower- and middle-income families. Many participants acknowledged that the amount of *uang panai* is frequently determined not by mutual sincerity or practical considerations, but rather by prevailing social expectations, family prestige, and the bride's educational background and occupational status.

From the perspective of symbolic sociology, this phenomenon illustrates how social identity is frequently constructed through material symbols. In the context of *uang panai*, a high monetary value functions as a representation of family honor, economic success, and social recognition. Such symbolic meanings reinforce the perception that financial capacity serves as an indicator of social worth within the marriage institution.

Critically, however, this social construction has the potential to shift the essential purpose of marriage in Islam. Rather than being founded upon the Qur'anic ideals of *sakinah* (tranquility), *mawaddah* (affection), and *raḥmah* (compassion), marriage risks being redefined in materialistic terms, where financial considerations and social image take precedence over spiritual commitment, mutual responsibility, and moral partnership. From the perspective of *maqāṣid al-sharīʿah*, such a transformation departs from the higher

[45] *Dialectical Engagement with Biblical Narratives in Ibn 'Ashur's Tafsīr Al-Taḥrīr Wa Al-Tanwīr: Study of Aaron, Jesus, and Noah's Wife Narratives | Research Journal in Advanced Humanities*, n.d. <https://www.royalliteglobal.com/advanced-humanities/article/view/2132> [accessed 10 May 2026].

[46] Hamid and Masnani, 'UANG PANAI' DALAM TINJAUAN FIQHI ISLAMI'.

[47] Hisam Ahyani, Haris Maiza Putra, and Aji Sofanudin, 'Birrul Walidain in Political Preferences: Harmonizing Family Values and Employment Law in Indonesia', *El-Usrah: Jurnal Hukum Keluarga*, 7.2 (2024), p. 923, doi:10.22373/ujhk.v7i2.22982.

objectives of Islamic law, which seek to facilitate marriage, promote justice, and preserve human dignity and social welfare.

From the perspective of *maqāṣid al-sharīʿah*, such practices may conflict with the objectives of *ḥifẓ al-māl* (the protection of wealth) and *ḥifẓ al-nasl* (the protection of lineage). Excessive *uang panai* demands can impose substantial financial burdens on prospective spouses, compel families to incur debt, delay marriage, and, in some cases, create conditions that increase the risk of social problems arising from the postponement of marriage. Consequently, when the financial requirements associated with *uang panai* exceed reasonable limits, the tradition no longer serves its original social purpose but instead generates harms that undermine the broader objectives of Islamic law.

The excessive symbolic value attached to *uang panai* therefore reflects a process of cultural transformation that warrants both critical academic examination and normative reassessment. Empirical findings from this study indicate that the increasing amount of *uang panai* has significant economic consequences, particularly for families from lower- and middle-income backgrounds. Rather than functioning solely as a cultural expression of respect for women and their families, the practice has, in many cases, evolved into a source of structural economic pressure that places considerable strain on prospective grooms and their households.

From the standpoint of *maqāṣid al-sharīʿah*, this issue is of particular importance because Islamic law seeks to prevent harm (*mafsadah*) from outweighing public benefit (*maṣlaḥah*). Ibn ʿĀshūr emphasizes that legal rulings and social customs should consistently promote the common good (*al-maṣlaḥah al-ʿāmmah*) and contribute to social justice and human welfare. Accordingly, when *uang panai* results in economic hardship, delays marriage, generates conflict between families, or reinforces social inequality, the tradition should be critically re-evaluated and reconstructed so that it may return to its original purpose as an expression of respect and appreciation rather than becoming a mechanism of financial burden and social exclusion.

Based on the foregoing analysis, it can be concluded that *uang panai* is not inherently incompatible with Islamic teachings. The primary issue arises when its implementation undergoes a transformation in meaning as a consequence of contemporary social constructions. A tradition that originally functioned as an expression of respect and appreciation has increasingly evolved into an instrument of social stratification, a symbol of prestige, and a source of economic pressure for prospective grooms and their families.

In this context, the *maqāṣid al-sharīʿah* framework developed by Muḥammad al-Ṭāhir Ibn ʿĀshūr provides a particularly relevant analytical perspective because it evaluates legal and social practices not only through their textual foundations but also through their objectives, social consequences, and contributions to human welfare (*maṣlaḥah*). From this perspective, the legitimacy of a customary practice should be assessed according to its ability to promote justice, facilitate human affairs, and preserve the common good. Accordingly, the contemporary practice of *uang panai* requires critical reflection and contextual reinterpretation to ensure that the tradition remains culturally meaningful while remaining consistent with the higher objectives of Islamic law. Such a reinterpretation would enable *uang panai* to retain its original function as a symbol of respect and appreciation without undermining the Sharīʿah principles of justice (*al-ʿadl*), facilitation (*taysīr*), and public welfare (*maṣlaḥah*), thereby fostering a more equitable and sustainable model of marriage within contemporary Muslim society.

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Reflecting on the Practice of *Uang Panai* Through the *Maqāṣid al-Sharīʿah* Perspective of Ṭāhir Ibn ʿĀshūr

Social and cultural life is guided by a set of normative values that shape the implementation of local traditions, including the practice of *uang panai* in Kendari City. One of the Islamic principles most relevant to understanding and evaluating this tradition is the obligation to cooperate in righteousness and piety (*taʿāwun ʿalā al-birr wa al-taqwā*). This Qur'anic principle encourages mutual cooperation in promoting goodness and piety while prohibiting cooperation in sinful or harmful acts. Consequently, customary practices should be assessed not only on the basis of their cultural legitimacy but also according to the extent to which they contribute to social welfare and uphold Islamic ethical values.

An interview with the Head of the Office of Religious Affairs (*Kantor Urusan Agama* [KUA]) of Abeli District, Kendari City, revealed that although *uang panai* originated as a customary tradition of the Bugis community in South Sulawesi, it has become a widely discussed issue among the people of Kendari. According to the informant:

"*Uang panai is essentially a cultural tradition inherited from the Bugis community of South Sulawesi. Today, however, it has become a major topic of discussion and public concern in Kendari. We frequently receive complaints from people whose marriages have been postponed because they are unable to meet the required amount of uang panai. This situation demonstrates the urgent need to encourage a critical reflection on public understanding of the tradition. It should not be practiced merely as a customary obligation; more importantly, people need to understand its original purpose, meaning, and cultural significance."*[48]

The Head of the KUA further emphasized that *uang panai* should be understood as part of the historical and cultural heritage of the Bugis community that deserves preservation. At the same time, its implementation should be interpreted within its broader social context. According to the informant, three interrelated dimensions are essential for understanding the contemporary practice of *uang panai*: lineage or noble ancestry, social status, and economic capacity. These factors continue to influence the determination of *uang panai* and shape public perceptions of its significance within the marriage tradition.

The first-dimension concerns lineage and noble ancestry. According to the informant, the public should avoid applying a uniform standard in determining the amount of *uang panai*. Doing so may create serious social and economic consequences, particularly for individuals who do not come from aristocratic or noble family backgrounds. Prospective grooms from ordinary families should not be expected to provide excessively high amounts of *uang panai* that exceed their financial capacity merely to satisfy socially constructed expectations.

The second-dimension relates to social context. The informant emphasized that the practice of *uang panai* should be understood within the broader social realities of the community rather than being treated as an inflexible customary obligation. Excessive financial expectations may transform *uang panai* into a source of anxiety for prospective grooms and their families, creating fear and apprehension even before initiating formal marriage negotiations with the bride's family. Such circumstances undermine the original purpose of the tradition as a means of expressing mutual respect and strengthening family relationships.

The third-dimension concerns economic capacity. Although *uang panai* remains an important element of Bugis customary tradition and continues to function as a customary prerequisite for marriage, its implementation should take into account the financial

[48] Muhammad Syukur, Interview with the Head of the Office of Religious Affairs (KUA), Abeli District, Kendari City, January 6, 2026.

circumstances of the prospective groom. The informant therefore stressed the importance of encouraging the people of Kendari to critically re-evaluate the meaning and purpose of *uang panai* so that its practice returns to the substantive values embodied in *mahr* under Islamic law—namely, a mandatory marital gift that is given sincerely, in accordance with the groom's financial ability, and without imposing excessive hardship. Such a reinterpretation would preserve the cultural significance of *uang panai* while ensuring its compatibility with the principles of justice, moderation, and public welfare promoted by *maqāṣid al-sharīʿah*.[49]

A return to the ethical principles embodied in Qur'an 4:4 represents an important starting point for reconciling cultural values with the principles of the Sharīʿah in contemporary marriage practices. When *uang panai* becomes the primary reason for the cancellation or postponement of marriage, the practice no longer serves its original cultural purpose but instead conflicts with the higher objectives of Islamic law (*maqāṣid al-sharīʿah*), particularly the protection of wealth (*ḥifẓ al-māl*) and the protection of lineage (*ḥifẓ al-nasl*). Excessive financial demands may place prospective grooms and their families under severe economic pressure, leading to indebtedness, the postponement or cancellation of marriage, and, in some cases, unintended social consequences such as pregnancies outside marriage resulting from prolonged delays caused by customary requirements. Moreover, such pressures may adversely affect family harmony even after marriage has taken place.[50]

This discrepancy highlights the need to critically reinterpret the Bugis tradition of *uang panai* so that it remains consistent with the objectives of *maqāṣid al-sharīʿah*. Such efforts may include the formulation of locally grounded religious guidance or educational initiatives by Muslim scholars that emphasize the Islamic ideal of simplicity and moderation in marriage and *walīmah* (wedding celebrations). Through these measures, the cultural significance of *uang panai* can be preserved while preventing the practice from contradicting Sharīʿah principles or imposing excessive psychological and financial burdens on prospective grooms.[51]

As a component of Bugis cultural tradition, *uang panai* may be understood as an expression of the groom's responsibility and commitment within the institution of marriage. From the perspective of Sharīʿah economics, however, *uang panai* should not be regarded merely as a financial transaction. Rather, it should be understood as part of a broader ethical responsibility that encourages mutual cooperation and shared commitment between both families in establishing a stable, prosperous, and harmonious household. This understanding is consistent with the Qur'anic principles of mutual responsibility and family welfare articulated in Qur'an 2:233:

لَا تُكَلَّفُ نَفْسٌ اِلَّا وُسْعَهَا ۚ لَا تُضَاۤرَّ وَالِدَةٌ ۢبِوَلَدِهَا وَلَا مَوْلُوْدٌ لَّهٗ بِوَلَدِهٖ وَعَلَى الْوَارِثِ مِثْلُ ذٰلِكَ ۚ فَاِنْ اَرَادَا فِصَالًا عَنْ تَرَاضٍ مِّنْهُمَا وَتَشَاوُرٍ فَلَا جُنَاحَ عَلَيْهِمَا ۗ

"No person is charged with more than his capacity. No mother should be harmed through her child, and no father through his child. And upon the (father's) heir is (a duty)

[49] 'Integration of Tradition and Sharia: Dowry and Dui Menre in the Marriage of the Bugis Community in Bone Regency | El-Mashlahah', n.d. <https://e-journal.iain-palangkaraya.ac.id/maslahah/article/view/4712> [accessed 29 June 2026].

[50] Busyro Busyro and others, 'The Reinforcement of the "Dowry for Groom" Tradition in Customary Marriages of West Sumatra's Pariaman Society', *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 7.1 (2023), pp. 555–78, doi:10.22373/sjhk.v7i1.15872.

[51] Nurnazli Nurnazli and others, 'Productive Dowry and Women's Economic Empowerment and Their Influence on Marital Assets in Bandar Lampung', *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 8.2 (2024), pp. 954–79, doi:10.22373/sjhk.v8i2.19887.

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like that (of the father). And if they both desire weaning through mutual consent from both of them and consultation, there is no blame upon either of them".

The above perspective was reinforced by one of the religious counselors from the Office of Religious Affairs (KUA) of Abeli District, Kendari City, who stated:

"*Uang panai should never become a burden. The fundamental principle of Islam is to facilitate, not to create hardship. Both families should reach a mutual agreement so that neither party feels excessively burdened*."[52]

This statement reflects the core Islamic principles of *taysīr* (facilitation) and *ʿadālah* (justice), which underpin all aspects of social life, including marriage. Although uang panai may legitimately function as a cultural expression of respect for the bride and her family, its amount should remain within reasonable limits and should never become an obstacle to the sincere intention of establishing a family. Continuous public education is therefore essential to encourage communities to determine *uang panai* based on the *Sharīʿah* principles of justice, mutual consent, and financial capability rather than on social prestige or material expectations.

A traditional community leader similarly emphasized the importance of balancing cultural preservation with religious principles:

"*Custom (adat) has existed for generations and constitutes a long-standing legal and cultural heritage. Regardless of how advanced knowledge and technology become, our ancestral traditions should not simply be abandoned or erased. At the same time, cultural leaders must be able to respond to social change and the rapid development of knowledge. The interpretation of customary law should therefore remain dynamic. As academics and community leaders, we must avoid taking one-sided positions. We should neither undermine customary law nor disregard the principles of Islamic law*.[53]

With regard to *uang panai*, it should never become a matter of prestige. There should be no fixed or excessive amount; rather, it should be determined through mutual agreement between the families of the prospective bride and groom. In this way, customary traditions and Islamic teachings can coexist harmoniously, because Islam came not to abolish beneficial cultural traditions but to guide and refine them."

These findings suggest that the practice of *uang panai* continues to exert a substantial social influence within the community. On the one hand, it serves as a cultural mechanism for preserving the dignity of the bride's family while reinforcing local identity, social solidarity, and customary values. The amount of *uang panai* is frequently perceived as reflecting the social status, educational attainment, and family honor of the prospective bride. Consequently, the tradition remains an important marker of cultural identity within Bugis communities, including those living in Kendari City. However, as demonstrated in the preceding discussion, its implementation requires continual reinterpretation to ensure that its symbolic value does not evolve into a source of social inequality or economic hardship that conflicts with the higher objectives of *maqāṣid al-sharīʿah.*[54]

The purpose of this reflection is to ensure that the practice of *uang panai* embodies the fundamental objectives of *maqāṣid al-sharīʿah*, including the protection of religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-ʿaql*), lineage (*ḥifẓ al-nasl*), and wealth (*ḥifẓ al-māl*). By aligning the tradition with these objectives, *uang panai* can continue to serve as a

[52] Iksan Aga, Interview with a Religious Counselor in Poasia District, January 5, 2026.
[53] Beccerang, Interview with a Traditional Community Leader, January 4, 2026.
[54] Mawardi Mawardi and others, 'The Tradition of "Uang Hantaran" in Riau Malay Marriage: An 'Urf-Based and Maqāṣid Al-Sharī'ah Analysis', *QONUN: Jurnal Hukum Islam Dan Perundang-Undangan*, 10.1 (2026), pp. 247–62, doi:10.21093/qj.v10i1.13137.

cultural institution that promotes justice, social welfare (*maṣlaḥah*), and harmonious family relationships for both the newly married couple and the wider community.[55]

One of the community members interviewed shared the following personal experience regarding *uang panai*:

"*I have never opposed the existence of uang panai because my parents always taught me that customary law (adat) is the oldest form of law and should therefore be respected by every community. However, I personally experienced the cancellation of my marriage because I was unable to meet my prospective bride's family's request. They asked for uang panai amounting to IDR 150 million, while I was an orphan responsible for supporting my widowed mother. Because the amount demanded was far beyond my financial capacity, I eventually withdrew from the marriage, and the wedding was cancelled."*[56]

This testimony illustrates how a cultural practice originally intended to express respect and appreciation may, under certain circumstances, become a source of economic hardship and social exclusion. From the perspective of Ṭāhir Ibn ʿĀshūr's *maqāṣid al-sharīʿah*, *uang panai* should embody moral and ethical values such as respect, honor, and responsibility rather than being reduced to a purely financial obligation. When its implementation exceeds reasonable limits and results in *mafsadah* (harm)—including delayed marriages, indebtedness, or social injustice—the practice requires critical reinterpretation so that it remains consistent with the higher objectives of Islamic law.

According to Ibn ʿĀshūr, social customs should uphold the principles of *al-fiṭrah* (human nature), *al-musāwah* (equality), *al-samāḥah* (tolerance and moderation), and *al-ḥurriyyah* (freedom). Accordingly, *uang panai* should function as a cultural expression of mutual respect rather than as a mechanism that creates financial hardship or reinforces social inequality. Ultimately, the preservation of family harmony constitutes one of the principal objectives of Islamic law, as marriage is intended to cultivate affection, compassion, and mutual responsibility between husband and wife. Any customary practice that undermines these objectives should therefore be re-evaluated in light of the broader aims of *maqāṣid al-sharīʿah*.[57]

A similar perspective was expressed by the mother of a prospective bride, who acknowledged the dilemma between preserving cultural tradition and considering the financial capacity of the prospective groom:

"*If we were to follow the tradition strictly, the amount of uang panai could reach tens of millions of rupiah. However, I told my family that we should also consider the young man's financial circumstances. We should not allow his sincere intention to marry to fail simply because of money."*[58]

This testimony demonstrates that, even within communities that strongly uphold customary traditions, there is growing awareness of the need to balance cultural preservation with the Islamic values of justice, compassion, and moderation. Rather than rejecting the tradition itself, many community members advocate for a more flexible and contextual implementation that takes into account the economic realities faced by prospective couples.[59]

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[55] Misran Ramli and others, 'Unveiling Illegal Marriages in Aceh: Examining the Role of Unofficial Qadi', *El-Mashlahah*, 14.2 (2024), pp. 409–30, doi:10.23971/el-mashlahah.v14i2.8887.

[56] Andi Ikram, Interview with a Community Member, January 8, 2026.

[57] M. Tahir Maloko and others, 'Sompa Tanah in Makassar Bugis Customary Marriages: Legal, Religious, and Cultural Perspectives', *Jurnal Ilmiah Peuradeun*, 12.3 (2024), pp. 1213–36, doi:10.26811/peuradeun.v12i3.1309.

[58] Nur Sutrawati, Interview with a Local Community Member, January 7, 2026.

[59] *RECONSTRUCTING THE LEARNING PARADIGM OF ISLAMIC RELIGIOUS EDUCATION BASED ON PROBLEM-BASED LEARNING FROM THE PERSPECTIVE OF ISLAMIC EDUCATIONAL*

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From the perspective of *maqāṣid al-sharīʿah*, the ultimate objective of Islamic law is to realize *maṣlaḥah* (public welfare) and prevent *mafsadah* (harm), thereby ensuring human well-being in both worldly life and the Hereafter. Accordingly, legal norms and social customs should be evaluated not merely on the basis of their formal validity but also in terms of their capacity to promote justice, social harmony, and the common good. Within Ibn ʿĀshūr's conception of *maqāṣid al-sharīʿah*, the formulation and interpretation of Islamic law are grounded in four interrelated foundational principles: *al-fiṭrah* (human nature), *al-musāwah* (equality), *al-samāḥah* (tolerance and moderation), and *al-ḥurriyyah* (freedom). These principles provide an important analytical framework for assessing the contemporary practice of *uang panai*, ensuring that the preservation of cultural traditions remains consistent with the higher objectives of the Sharīʿah and contributes to justice, human dignity, and social welfare rather than imposing unnecessary hardship.[60]

Ibn ʿĀshūr's Maqāṣid Principle	**Reflection on the Practice of *Uang Panai***	**Emerging Issues**	**Maqāṣid Implications**
Al-Fiṭrah (Human Nature)	Fundamentally, *uang panai* represents an expression of respect for the bride and the groom's commitment and readiness to establish a family.	Excessively high *uang panai* may delay or prevent marriage, thereby contradicting the natural human disposition (*fiṭrah*) toward marriage.	*Uang panai* should facilitate marriage and support the realization of a *sakinah* (tranquil) family rather than becoming an obstacle to marriage.
Al-Musāwah (Equality)	In contemporary practice, *uang panai* is frequently associated with the bride's family's social status, educational attainment, and lineage.	This may reinforce social inequality and economic discrimination when it is used as a measure of family prestige and social worth.	The determination of *uang panai* should be based on justice (*ʿadl*) and public welfare (*maṣlaḥah*), rather than social prestige or customary stratification.
Al-Samāḥah (Tolerance and Moderation)	Islamic marriage is founded upon the principles of ease, moderation, and mutual understanding.	Excessive *uang panai* transforms a cultural tradition into a financial burden, creating hardship (*ʿusr*) for prospective grooms and their families.	The amount of *uang panai* should be proportionate to the groom's financial capacity so that it remains consistent with the Sharīʿah principle of facilitation (*taysīr*).
Al-Ḥurriyyah (Freedom)	Islamic law recognizes the individual's freedom to make responsible choices concerning	Excessive customary pressure regarding *uang panai* may restrict the freedom of prospective couples	The practice of *uang panai* should preserve individual freedom exercised responsibly and should

PHILOSOPHY. | Al-Risalah : Jurnal Studi Agama Dan Pemikiran Islam, n.d. <https://journal-uia.ac.id/alrisalah/article/view/5420> [accessed 29 June 2026].

[60] Ahmad Maulidizen and Ashilah Raihanah, 'The Technique of Determining Ijtihad and Its Application In Life: Analysis Of Istihsan, Maslahah Mursalah, 'Urf, and Syar'u Man Qablana', *Al-Ahkam: Jurnal Ilmu Syari'ah Dan Hukum*, 4.1 (2019), doi:10.22515/alahkam.v4i1.1600.

	marriage and family life.	and even lead to the postponement or cancellation of marriage.	never become a coercive mechanism that undermines the objectives of marriage in Islam.

The tradition of *uang panai* in Kendari City can be understood as part of the cultural heritage maintained by the Bugis-Makassar diaspora community. In practice, *uang panai* is not merely regarded as a financial contribution toward marriage expenses but also serves as a symbol of respect, family honor, social status, and the prospective groom's sincerity and commitment toward the woman he intends to marry. However, the socio-economic transformation of urban society has significantly reshaped the meaning of this tradition. What was originally a symbolic cultural practice has gradually evolved into an instrument of social prestige and status competition.[61] In this context, Ṭāhir Ibn ʿĀshūr's *maqāṣid al-sharīʿah* provides a valuable analytical framework for examining the contemporary social implications of *uang panai* in Kendari City.

a. Al-Fiṭrah (Human Nature)

The contemporary practice of *uang panai* in Kendari reflects a shift from its original function as a symbol of respect to a demanding social obligation. From the perspective of *al-fiṭrah*, this transformation may undermine the fundamental purpose of marriage as a natural human need. When individuals are compelled to postpone marriage solely because they are unable to meet excessive customary financial demands, the tradition departs from the humanitarian values that the Sharīʿah seeks to preserve. Rather than facilitating marriage, it risks becoming an obstacle to the fulfillment of a fundamental human disposition.

b. Al-Musāwah (Equality)

Within the social reality of Kendari, the amount of *uang panai* is frequently influenced by the bride's educational background, occupation, family status, and social standing. Such practices reflect a tendency to evaluate prospective marriages according to social class and economic prestige. From the perspective of *al-musāwah*, however, marriage should be founded upon equality, mutual respect, and human dignity rather than economic capacity or family prestige. Consequently, determining *uang panai* on the basis of social hierarchy is inconsistent with the egalitarian principles promoted by Islamic law.

c. Al-Samāḥah (Tolerance and Moderation)

The practice of *uang panai* in urban communities is increasingly shaped by social competition and the desire for prestige. As a result, marriage is no longer perceived primarily as an act of worship but is often viewed as an opportunity to demonstrate economic success and social standing. The principle of *al-samāḥah* emphasizes moderation, tolerance, and facilitation, requiring customary practices to remain balanced so that they do not impose unnecessary financial or psychological burdens on prospective spouses.

d. Al-Ḥurriyyah (Freedom)

Customary expectations surrounding *uang panai* in Kendari may also restrict individuals' freedom to determine the timing and circumstances of their marriage. Many couples encounter significant obstacles because of the high financial expectations imposed by their families or surrounding communities. From the perspective of *al-ḥurriyyah*, individual freedom is a fundamental value that should be protected, provided that it is exercised responsibly and contributes to the common good (*maṣlaḥah*). Customary

[61] Abdul Syatar and others, 'The Development of Fatwas Based on Local Wisdom to the National Level: A Case Study of Panaik Money Fatwa', *El-Mashlahah*, 13.2 (2023), pp. 133–50, doi:10.23971/el-mashlahah.v13i2.7373.

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traditions should therefore support, rather than constrain, individuals' legitimate right to marry.

Accordingly, a *maqāṣid al-sharīʿah* reflection on the practice of *uang panai* in Kendari emphasizes the need to maintain an appropriate balance between preserving cultural traditions and safeguarding the individual's right to marry without excessive social or economic pressure. Custom (*ʿurf*) should function as a means of preserving cultural identity and family honor rather than as an instrument of social control that limits personal freedom or creates unnecessary hardship.[62] From the perspective of Ṭāhir Ibn ʿĀshūr's *maqāṣid al-sharīʿah*, *uang panai* should ideally represent substantive ethical values such as respect, appreciation, and the prospective husband's moral responsibility, rather than being reduced to a purely financial obligation. When the practice exceeds reasonable limits and gives rise to *mafsadah* (harm)—including delayed marriages, indebtedness, and social inequality—it requires critical reflection and contextual reinterpretation. Such a reconstruction should realign the tradition with the foundational *maqāṣid* principles of *al-fiṭrah* (human nature), *al-musāwah* (equality), *al-samāḥah* (tolerance and moderation), and *al-ḥurriyyah* (freedom), thereby ensuring that *uang panai* continues to preserve its cultural significance while promoting justice, public welfare (*maṣlaḥah*), and the higher objectives of Islamic law.[63]

C. Conclusion

This study demonstrates that the practice of *uang panai* in Kendari City remains an important cultural institution that symbolizes respect for women, family honor, and the groom's commitment to marriage. However, the findings reveal that its contemporary implementation has undergone a significant transformation. Rather than functioning solely as a symbolic expression of appreciation, *uang panai* has increasingly become a marker of social prestige, economic status, and family reputation. As a result, excessive financial demands often create economic hardship, delay or prevent marriage, reinforce social inequality, and generate psychological pressure for prospective grooms. These findings indicate that the current practice of *uang panai* may, in certain circumstances, diverge from the ethical objectives of Islamic law, particularly when it undermines justice, accessibility to marriage, and social welfare.

Using the *maqāṣid al-sharīʿah* framework of Ṭāhir Ibn ʿĀshūr, this study argues that the practice of *uang panai* should be reinterpreted through the principles of *al-fiṭrah* (human nature), *al-musāwah* (equality), *al-samāḥah* (tolerance and moderation), and *al-ḥurriyyah* (freedom). Such a reinterpretation does not seek to abolish the tradition but rather to restore its original ethical purpose as an expression of respect, responsibility, and mutual appreciation within marriage. This study contributes to the existing scholarship by offering a contextual *maqāṣid*-based reading of *uang panai*, demonstrating that local customs can be preserved while remaining consistent with the higher objectives of the Sharīʿah. Accordingly, strengthening public education, encouraging contextual religious guidance, and promoting culturally sensitive legal awareness are essential to ensuring that *uang panai* continues to function as a source of social harmony rather than as a cause of economic burden and social exclusion.

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[62] Mukhsin Aseri and others, 'Negotiating Authority and Knowledge: Religion, Science, and Politics in the Fatwa Transformations of the Indonesian Ulema Council', *Journal of Islamic Law*, 6.2 (2025), pp. 286–316, doi:10.24260/jil.v6i2.4702.

[63] Fathul Mu'in and others, 'Childfree in Modern Muslim Communities of Lampung and West Java Provinces: A Maqāṣid al-Sharī'ah Perspective', *El-Usrah: Jurnal Hukum Keluarga*, 7.2 (2024), p. 860, doi:10.22373/ujhk.v7i2.22400.

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