

LAW & SOCIAL POLICY | RESEARCH ARTICLE

Problematic Nature of *Uang Panai* in Bugis-Makassar Marriages: A Case Study in South Sulawesi Province

Salle¹, Andi Risma², Dian Eka Pusvita Azis³

^{1,2,3} Department of Law, Faculty of Law, Universitas Muslim Indonesia, Makassar, Indonesia. Email: salle.salle@umi.ac.id¹, andi.risma@umi.ac.id², dianekapusvita.azis@umi.ac.id³

ARTICLE HISTORY

Received: December 4, 2025

Revised: April 08, 2026

Accepted: April 08, 2026

DOI

<https://doi.org/10.52970/grlspr.v5i2.1917>

ABSTRACT

Indonesia possesses a vast cultural diversity, including the Bugis-Makassar ethnic group in South Sulawesi, which maintains a unique marriage tradition known as *Uang Panai*'. Distinct from the dowry, *Uang Panai*' is a customary requirement representing a marriage endowment provided by the groom that serves as a symbol of social status, prestige, and a determinant for the success of a wedding, though its high cost often leads to canceled marriages or the occurrence of *Silariang*. This study aims to provide solutions to the issues surrounding the fluctuating and often exorbitant costs of *Uang Panai*' through a quantitative method using frequency distribution to measure the relationship between the uncertain value of *Uang Panai*' as the dependent variable and factors such as education, occupation, economic status, lineage, physical appearance, and social environment as independent variables. The results indicate that *Uang Panai*' significantly influences the implementation of marriages, with its amount being determined by the aforementioned social factors, leading to the conclusion that an ideal solution requires the establishment of regional regulations as a legal framework. Consequently, this study recommends the necessity of legal counseling regarding marriage requirements and urges local governments in South Sulawesi to formulate Peraturan Daerah to provide legal certainty and moderate the implementation of this tradition.

Keywords: *Uang Panai*', Bugis-Makassar Society, Marriage Tradition, Social Status, Regional Regulation.

I. Introduction

The national development priority of Indonesia, as outlined in the "ASTA CITA" of the President and Vice President (Prabowo-Gibran), emphasizes the reinforcement of legal reform. This vision is further operationalized in the National Medium-Term Development Plan (RPJMN) 2025-2029, which identifies the Transformation of the Supremacy of Law as a pivotal strategic move. Within this framework, customary law (*adat*) remains a vital pillar, serving as a reflection of the nation's personality and the manifestation of its collective soul across generations. In the context of South Sulawesi, one of the most urgent sociocultural and legal aspects affecting public welfare is the existence of *Uang Panai*', a mandatory tradition in Bugis-Makassar marriages. *Uang Panai*' is defined as the marriage endowment provided by the groom to fund the wedding

festivities organized by the bride's family. It is fundamentally distinct from the *mahar* (dowry), which is a gift from the groom that becomes the absolute property of the woman upon becoming a wife.

With the passage of time, the meaning of *Uang Panai'* has shifted from a symbol of a man's perseverance and the preservation of a woman's social status to a matter of mere social prestige. Empirically, recent trends show that the amount requested is often fantastic and arbitrary, driven by social mimicry rather than cultural substance. This shift has transformed marriage into a transactional affair, frequently leading to canceled unions or, more tragically, the occurrence of *Silariang* (elopement) when the groom cannot meet the financial demands. To achieve a blessed and stable marriage, the determination of *Uang Panai'* necessitates a legal framework—an "umbrella act"—to provide regulation and social order. This study aims to address the multi-faceted problems of *Uang Panai'* that burden grooms with limited financial capacity. Using a quantitative approach, the research identifies several independent variables—including education, occupation, economic status, lineage, and social environment—that significantly influence the fluctuating value of this endowment. By utilizing primary empirical data, the study seeks to justify which variables exert the strongest influence on these costs.

While previous literature has explored this phenomenon, such as the work of Nirmawati, Bahtiar, and Anggraini (2021) regarding social identity and identity in marriage, most studies remain descriptive. Other scholarly efforts, including research by Juhansyah (2021) in Jeneponto, revealed that *Uang Panai'* is not merely a financial burden but also carries deep implications for family dynamics and social prestige. Furthermore, Sardari (2025) analyzed the tension between *Uang Panai'* and Islamic law, while Rinaldi (2022) highlighted the pressure of maintaining a woman's "self-worth" through these payments in Bone. Practical adaptations like "installment payments" for *Uang Panai'* have also been documented by Aswah (2021) in Bantaeng. The cultural weight of this issue is so profound that it has even permeated popular media through films that depict the psychological and social toll of these demands. The novelty of this research lies in its practical output. Despite numerous academic discussions on the subject, no previous study has culminated in the creation of an Academic Paper (*Naskah Akademik*) or a Draft Regional Regulation (*Rancangan Peraturan Daerah*) specifically addressing *Uang Panai'*. Currently, no Regency or City in South Sulawesi possesses a local regulation to serve as a legal umbrella for this tradition. This study fills that void, aiming to harmonize social practices with legal awareness, ultimately contributing to societal stability and legal discipline through a concrete government policy.

II. Literature Review and Hypothesis Development

2.1. Theoretical Framework

This research is grounded in the theories of legal enforcement and legal effectiveness as formulated by Lawrence M. Friedman, Soerjono Soekanto, and Selo Soemardjan. According to Friedman (1975), the success of a legal system is determined by three essential pillars: legal substance (the actual rules and regulations), legal structure (the institutions and personnel who enforce the law), and legal culture (the shared values and public attitudes toward the law). This framework is crucial in analyzing how a regional regulation regarding *Uang Panai'* would interact with the deeply rooted traditions of the Bugis-Makassar people. Complementing this, Soerjono Soekanto (2002) posits that law enforcement is influenced by five interconnected factors: the substance of the law, the legal structure, legal culture, public legal awareness, and supporting facilities or infrastructure. These factors provide a comprehensive lens to evaluate whether a formal regulation can effectively moderate the fluctuating and often excessive demands of marriage endowments.

The perspective of Selo Soemardjan offers a sociological depth to legal effectiveness. Soemardjan emphasizes three critical elements for the successful implementation of law within a society: (1) the active efforts to instill legal norms through human resources, organizations, and methods that ensure citizens acknowledge and obey the law; (2) the reaction of the community, which is dictated by their value systems—

where people may comply with or resist laws based on identification, internalization, or perceived interests; and (3) the duration required for these legal norms to be socialized and produce tangible results. These theories collectively suggest that addressing the *Uang Panai'* problem requires more than just a written rule; it requires a systematic approach to shifting social values and ensuring institutional support.

2.2. Research Hypotheses

Based on the theoretical foundations and the empirical problems identified, this study proposes the following hypotheses:

- H1 : Uang Panai' has a significant influence on the implementation of marriages within the Bugis-Makassar community in South Sulawesi.*
- H2 : The fluctuation in the value of Uang Panai' is significantly influenced by variables such as education, occupation, economic status, lineage (nobility), physical appearance (beauty), and the surrounding social environment.*
- H3 : The ideal concept to resolve the problematic variations in Uang Panai' is the establishment of a formal regulation in the form of a Regional Regulation (Perda) to serve as a legal umbrella and standardized guideline for the community.*

III. Research Method

3.1. Research Type

This study employs an empirical legal research (non-doctrinal) approach. This method focuses on analyzing empirical facts regarding the practice of *Uang Panai'* within the Bugis-Makassar community. It aims to observe the law in action by examining the social phenomena and the independent variables that influence these customary practices.

3.2. Research Location

The research is conducted across five regencies and cities within South Sulawesi Province: Makassar City, Pangkep Regency, Wajo Regency, Bulukumba Regency, and Palopo City. These locations were purposively selected due to the high frequency and significant social impact of *Uang Panai'* cases.

3.3. Types and Sources of Data

As an empirical study, the data used are categorized as follows:

- a. Primary Data: Information obtained directly from respondents at the research sites using closed-ended questionnaires, where both questions and answer options are pre-defined to ensure consistency.
- b. Secondary Data: Information gathered from relevant government and private institutions, including official documents, legal reports, and statistical data that have been previously processed.

3.4. Population and Sampling

The research population consists of key stakeholders, including legal practitioners, community leaders, religious figures, academics, and academic staff. The sampling technique involves selecting 10

representative respondents from each of the 5 locations (5 regencies/cities × 10 respondents), resulting in a total sample size of 50 respondents.

3.5. Data Collection Procedures and Techniques

The data collection process begins with the distribution of closed-ended questionnaires at the designated locations, followed by data editing and recapitulation. Additionally, any normative data found during the process are documented using a block note system to serve as comparative material during the legal analysis phase.

3.6. Data Processing and Analysis Techniques

The empirical data are analyzed quantitatively using descriptive methods through frequency distribution analysis. This technique is used to test the influence of independent variables on the dependent variable. The formula used for this analysis is:

$$\begin{aligned} P &= \text{Percentage} \\ f &= \text{Frequency of responses} \\ n &= \text{Total number of samples} \end{aligned}$$

In this model, the Dependent Variable (Y) is the value of *Uang Panai'* (low to high), while the Independent Variables (X) include Education, Occupation, Economic Status, Lineage, Physical Appearance (Beauty), and Social Environment.

IV. Result and Discussion

This section presents the findings derived from primary data collected through questionnaires.

4.1. Empirical Facts Regarding Uang Panai' and Its Influence on Marriage

The primary data illustrates a significant correlation between *Uang Panai'* and the marriage process among the Bugis-Makassar community. The following frequency distribution summarizes these findings:

Table 1. Empirical Influence of Uang Panai' on Marriage Implementation

Influence Category	Percentage (%)
Influential	90
Less Influential	10
Not Influential	0
Total	100

As indicated in Table 1, a vast majority of respondents (90%) confirm that the value of *Uang Panai'* directly influences the execution of marriages in South Sulawesi. In contrast, only 10% believe it is less influential, and no respondents consider it non-influential. This data underscores that *Uang Panai'* remains a pivotal, yet often problematic, determinant in the marriage tradition.

4.2. Factors Influencing the Value of Uang Panai'

The research identifies six primary independent variables that determine the amount of *Uang Panai'* requested. The empirical results for each factor are summarized below:

Table 2. Recapitulation of Factors Influencing Uang Panai'

No	Variable	Influential (%)	Less Influential (%)	Not Influential (%)
1	Education	82	14	4
2	Occupation	86	10	4
3	Economic Status	90	8	2
4	Lineage (Nobility)	62	30	8
5	Physical Appearance	54	26	20
6	Social Environment	66	28	6

The data confirms that Economic Status (90%) and Occupation (86%) are the most dominant factors. However, social factors such as the Social Environment (66%) and Lineage (62%) also play a significant role in sustaining high demands. These factors collectively serve as the basis for calculating the "price" of prestige in a marriage.

4.3. The Ideal Concept for a Regulatory Solution

To address the chaos caused by fluctuating *Uang Panai'* costs, a normative approach is required. Legal instruments serve several critical functions: creating and renewing law, integrating pluralism, providing legal certainty, and legitimizing government policy. Therefore, the ideal solution is the formulation of a Regional Regulation (Perda) regarding *Uang Panai'*. As an "Umbrella Act," this regulation would provide a clear legal framework to standardize practices, ensuring that this tradition fulfills the principles of justice, certainty, and social benefit rather than becoming an economic burden that leads to social instability.

4.4. Theoretical Analysis

The findings of this research validate the hypotheses and align with established legal theories:

- a. Legal System Theory (Lawrence M. Friedman): Friedman posits that a legal system consists of substance, structure, and culture. This study proves that Legal Culture (the community's customs regarding *Uang Panai'*) is the most influential factor currently governing marriage practices, often overriding formal legal considerations.
- b. Legal Enforcement Theory (Soerjono Soekanto): Soekanto identifies five factors for effective law enforcement. The results highlight that Legal Culture and Public Legal Awareness are the primary hurdles. Without a formal regulation (substance), the customary culture continues to create social disparities.
- c. Sociological Perspective (Selo Soemardjan): Soemardjan emphasizes that legal effectiveness depends on how law is "planted" in society and the community's reaction based on their values. The research shows that high *Uang Panai'* is a reaction to a value system centered on prestige (*Gengsi*). To shift this, a long-term regulatory effort is needed to internalize new, more balanced norms.

V. Conclusion

The empirical evidence from this study demonstrates that *Uang Panai'* plays a highly significant role and exerts a substantial influence on the marriage process within the Bugis-Makassar community. The fluctuating value of this marriage endowment is not arbitrary but is determined by a complex interplay of various social and personal factors, including education, occupation, economic status, lineage, physical beauty, and the surrounding social environment. To address the problematic variations in these costs, the ideal solution lies in a normative approach through the establishment of a Regional Regulation (*Peraturan*

Daerah) concerning *Uang Panai'*. Such a regulation would serve as a formal guideline and legal basis to ensure legal certainty, social justice, and collective benefit for all parties involved.

In light of these findings, it is recommended that the government take proactive steps to conduct socializations regarding the true philosophy of marriage—emphasizing the creation of a household based on the values of *Sakinah, Mawaddah, and Warahmah*. By fostering a deeper understanding of these spiritual and domestic foundations, it is hoped that factors like social status or financial prestige will no longer dictate the amount of *Uang Panai'* or act as a barrier to the sacred union of marriage. Furthermore, local governments in South Sulawesi should prioritize the formulation of specific regional regulations on *Uang Panai'* to provide a clear legal umbrella that balances traditional customs with the economic realities and welfare of the modern community.

References

- Alhamdani. (1980). *Risalah nikah hukum perkawinan Islam*. Pustaka Imani.
- Aswah, S. R. (2021). *Mencihil uang panai': Studi kasus tentang pernikahan di Kabupaten Bantaeng*
- Azhar, A. (1977). *Hukum perkawinan Islam*. Fakultas Hukum UII.
- Juhansyah. (2021). Fenomena dan implikasi uang panai' terhadap pernikahan di Desa Datara, Kec. Bontoramba, Kabupaten Jeneponto. *Repositori UIN Alauddin Makassar*. <https://repositori.uin-alauddin.ac.id/27009/>
- Martosedono, A. (2001). *Apa dan bagaimana Undang-Undang No. 1 Tahun 1974*. Grafindo Persada.
- Nawi, S. (2021). *Sosiologi hukum & teori efektifitas hukum*. Kretakupa Print.
- Nawi, S., dkk. (2019). *Litigasi dan non litigasi dalam penyelesaian konflik sosial*. Kretakupa Print.
- Nawi, S., dkk. (2022). *Penelitian hukum normatif versus penelitian hukum empiris*. Kretakupa Print.
- Nirmawati, Bahtiar, & Anggraini, D. (2021). *Uang panai' dalam perkawinan suku Bugis*. *SOCIETAL: Jurnal Pemikiran dan Penelitian Sosiologi*, 8(1).
- Nurdin, A. (1981). *Hukum perceraian menurut Undang-Undang Perkawinan (UU No. 1/1974)*. Pustaka Jaya.
- Rinaldi. (2022). *Uang panai sebagai harga diri perempuan suku Bugis Bone*. *Equilibrium: Jurnal Pendidikan*, 10(2). <https://journal.unismuh.ac.id/index.php/equilibrium/article/view/8411>
- Salle. (2023). *Materi perkuliahan "Hukum Perkawinan" (Hukum Perdata) [Bahan Ajar Perkuliahan]*. Fakultas Hukum.
- Sardari, A. A. (2025). *Belis dan uang panai' [Disertasi tidak dipublikasikan]*. *Berita Kota Fajar*. <https://beritakotamakassar.fajar.co.id/2025/02/04/ahmad-asif-sardari-raih-gelar-doktor-dengan-disertasi-belis-dan-uang-panai/>
- Siegel, S. (1988). *Statistik nonparametrik untuk ilmu-ilmu sosial*. Gramedia.
- Van Zanten, W. (1982). *Statistika untuk ilmu-ilmu sosial*. Gramedia.
- Wignyodipuerto, S. (1995). *Pengantar dan asas-asas hukum adat*. Gunung Agung.