



"Uang Panaik" as Makassar ethnic marriage customary from the perspective of Islamic law

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ABSTRACT

It is believed that 'Uang Panaik' was essentially deemed part of the Makassar ethnic marriage custom in Bantaeng Regency and is not mandatory for every marriage. Nevertheless, the study found no marriages without 'Uang Panaik.' It originated as proof of a man's seriousness in proposing to a woman from the female side of the family and was only applied to nobles. However, it is now enforced by every social class. 'Uang Panaik' can be a subsidy for prospective brides because women are passive, as opposed to men, who are actively looking for partners and consequently are not financially/materially prepared to carry out the wedding ceremony. Although some people still use these traditions, it has been adjusted or trimmed as time passes due to other activities and work that keep families busy. Eventually, the marriage continues as planned without reducing the intended value.

Keywords: Uang panaik, dowry; marriage; Makassarrese

1. INTRODUCTION

Marriage is one of the gifts that God gives to humans as a manifestation of His love and as one of the signs of His greatness because the word marriage begins their bond as spouses to build a family with consent among the bride's guardian and the groom. Marriage is a bond that protects humanity from things that can lead to deviant behavior and rule violations.

It has become God's will (*Sunnatullah*) that human beings of different sexes, that is, men and women, are endowed by Allah SWT with the same desire to know, observe, and love each other, even when these things lead humans to make decisions and continue the relationship in a marriage bond. Marriage is one of Allah SWT's gifts to humans as a

manifestation of love and outpours the love of fellow humans and a door or bridge to enter married life for a man and a woman whose goal is to have a happy life.

Marriage, which is preceded by a series of customs, has been prescribed by the Islamic religion to its adherents as part of an effort and means of worship, given that marriage is a communal bond of living together between a man and a woman to obtain the next generation to ensure that the life of a family or the descendants is not extinct.¹

The first step in a marriage is determining and selecting a partner to live together in a marriage bond. After finding a mate by religious preferences and instructions, proceed to the next stage by conveying the wish or proposing to the future wife he has chosen. This marriage bond should bring people peace and tranquillity in living the lives God has given to each of his servants. Allah explains in Surah Ar-Rum verse 21: And one of His signs is that He created for you spouses from among yourselves so that you may find comfort in them. And He has placed between you compassion and mercy. Indeed, these are signs for people who reflect.²

This verse shows that marriage is a sign of greatness by witnessing a man and a woman who previously could not have known each other or had different places of residence, but with marriage, ties bind the two of them to live in one house or even one room and bed. This bond is intended to provide husband and wife with pleasure and peace and a place for nurturing affection, a positive value in human values.

Marriage is a sacred and strong bond, "mitsaqan ghalizah," that is glorified by religion and custom, and in recognition of the importance of the consequences, the state has issued the Marriage Law since 1974, which regulates that marriage or marriage can be carried out and carried out by Indonesian citizens according to the rules that have been determined either according to religious guidance, customary norms, and or orderly administration of the government. In practice, marriage has pillars and conditions that both parties have to fulfill, one of which is the provision of a dowry as evidence of binding relations with each other after the contract is signed. Mahar is a financial right for the wife, a man's obligation. Dowry is divided into two types: musamma dowry and misil dowry. Meanwhile, the most important lesson in dowry law for a man is a tribute to the humanity of women. Meanwhile, the most important lesson in dowry law for a man is as a tribute to women's humanity. Mahar is also a symbol of love given to a future wife by her prospective husband.³ In addition to the dowry, Uang Panaik is a sum of money the prospective husband gives to the prospective wife's family, usually used to pay for wedding receptions in Makassar tribal custom. (*walimatul 'ursy*).

¹ Arya Astra, "Pengertian Perkawinan Adat", (Jakarta: 2012), h. 43.

² Kementerian Agama RI, *Al-Qur'an dan Terjemahnya* (Jakarta: Sinergi Pustaka Indonesia, 2012), h. 572

³ Muhammad Shuhufi, "Mahar dan Problematikanya", *Diktum: Jurnal Syariah dan Hukum*, Vol. 2 (2015). h.

Giving dowry to prospective wives is required by Islamic law, and it is recommended that women do not request excessive dowry. Meanwhile, *Uang Panaikis* is not addressed in depth or globally in Islam. Deliberation between the two parties at the application program determines the amount of *Uang Panaik*, eventually leading to an agreement. Since there are no lower and upper limits on the size of *Uang Panaik* in Islamic law, each region can determine the amount of *Panaik* money; it is even unknown that such a requirement exists.

According to customary law, marriage is about family, society, dignity, and person, as opposed to marriage in modern Western culture, which is solely focused on married people.⁴ The wedding party, known as *pa'bungtingan* in Makassar tribal custom, is heavily influenced by sacred rituals with traditional nuances to make the marriage run smoothly and receive blessings from Allah SWT with the presence of many people at the party. The prospective groom must go through several stages before carrying out the *pa'bungtingan* procession, including *A'jangang-jangang*, *A'suro*, and *Appa'nasa kana*. According to customary law, marriage is not only an important event for those still alive, but it is also an important event that is fully attended to and attended by the spirits of both parties' ancestors. Therefore, marriage is a broader relationship, according to custom, between groups of male and female relatives and even within communities. The societal norm system determines and monitors the relationships that occur.⁵

A'jangang-jangang is a confidential investigation conducted by the prospective groom to ascertain the background of the prospective bride. *A'suro* is the formal proposal of the groom to the bride. *Appa'nassa kana* is the wedding day's determination. In addition to the wedding date, the dowry and spending money were agreed upon. In the Makassar tribe, shopping money is known as *panaik* money.

Dowry and *Uang Panaik* have nearly identical meanings: both are obligations. These two things, however, are not the same. *Mahar* is a requirement under Islamic law, whereas *Uang Panaik* is a requirement under local customary traditions. *Panaik* money, also known as money shopping, is required in Makassar tribal customs. The basic practice is that the higher the prospective bride's social status, educational background, or pilgrimage status, the higher the value of the money the prospective bride's family requests. The value of the required *Uang Panaik* is greatly influenced by differences in social class. Among them are the woman's economic situation, physical condition, level of education, position, occupation, heredity, and other notable social strata.

The current shift in traditional *Uang Panaik* is due to material factors, specifically technology. In addition to material factors, there are also non-material factors, which include values, ideas, and ideology. Ultimately, the tradition of *Uang Panaik* in Makassar society, including in Bantaeng Regency, will always be an opportunity for bolstering

⁴ Syarifuddin Latif, *Fiqih Perkawinan Bugis Tellumpocoe* (Tangsel: Gunung Persada Press Jakarta, 2016), hal. 4

⁵ Purwadadi, *Upacara Tradisi Jawa, Menggali Untaian Kearifan Lokal* (Yogyakarta: Pustaka Pelajar, 2005), hal. 154

position and prestige. The desire for a luxurious and modern lifestyle is a strong motivating factor in determining the amount of money to be brought up. Whether we realize it or not, the prospective groom and the prospective bride's family have strengthened their position by addressing the prerequisites for *Uang Panaik*, which is not small or even above their average capacity.

The custom of *Uang Panaik* is one of the conditions for marriage. Since it is a common tradition, the Makassar people say that no *Uang Panaik* means no marriage because the obligation to give *Uang Panaik* is the same as the obligation to give Dowry. The giving of *Uang Panaik* is not in Islamic law but in the customary law of the Makassar tribe, including the people in Bantaeng Regency. Therefore, the research focuses on *Uang Panaik* in Customary Marriages of the Makassar Ethnic in Bantaeng from the Perspective of Islamic Law".

2. METHODS

Considering the background of the problems revealed, it can be stated that this research uses a library research approach. To provide a more comprehensive and clear understanding of the focus of a study and research and to avoid misunderstandings, it is essential to define the emphasis of the research, which consists as follows: First, there is '*Uang Panaik*,' which includes the urgency, process, and form. Second, Makassar ethnic marriage is the subject of the first. Third, an overview of Islamic law with regard to the '*Uang Panaik*' practiced in Makassar ethnic customs.

3. RESULTS AND DISCUSSION

A. The Status of *Uang Panaik* in Makassar Ethnic Marriage Customs in Bantaeng Regency

The Makassar ethnic group's customary marriage procession in Bantaeng district can be divided into three phases, including the First: Pre marriage ceremony, Second Marriage ceremony, and Third: Post marriage ceremony, with an overall 12 phases, frequently each requiring its own time and involving many people from the family.⁶

Someone who wishes to marry a woman in a Makassar ethnic marriage in Bantaeng Regency must follow several customary procedures, as adat in the Makassar tribe plays a significant role in the pre-wedding procession. The Makassar tribe's custom in Bantaeng Regency is known as the Sampulo Anrua custom (Twelve Customs), and while there are no longer any rules covered in Lontara, the nuances and colors are still used in traditional processions, including arranging and covering wedding processions.⁷ All of the following are included:

- a. Marriage purpose

⁶ Syamsul Dg. Rewa, (Ketua Dewan Adat Gantarangeke, Bantaeng)

⁷ Sappara, (Tokoh Adat Desa Bonto Tallasa, Kecamatan Uluere Kabupaten Bantaeng)

- b. Preliminary Family Introduction
- c. *Accini Anara*
- d. *Appesak-pesak*
- e. *A'jangang-jangang*
- f. *A'pa'nassa kana (Assuro')*
- g. *Uang Panaik and Dowry agreement*
- h. *Timing and Submission of Uang Panaik (Settlement of Marriage Requirements)*
- i. *A'buritta*
- j. *Marriage Procession*
- k. *A'matoang*
- l. *A'bangngi Tallu Bangngi*

B. The Implementation of 'Uang Panaik' in Makassar Ethnic Marriage Customary in Bantaeng Regency

The traditional marriage ceremony of the Makassar ethnic in Bantaeng is carried out by the cultural values that have become habits and contain positive expectations without ignoring the rules of the religion adhered to by ensuring a series of fascinating occurrences cannot be separated from manners, courtesy, and mutual respect by involving many family members and a moment to keep in the loop. Each stage of the procedure contains aesthetics, from the clothes used to the stages of implementing wedding customs. During the marriage proposal process, the agreed-upon amount and type of '*Uang Panaik*' for the families of both parties is the issue that primarily determines the continuation and sustainability of the marriage process in Makassar ethnic customs.

'*Uang Panaik*', which is agreed upon and given by the groom to the bride as a tribute and used for the bride's wedding expenses, has become an essential issue in the Makassar marriage tradition in Bantaeng Regency.⁸ It becomes an important factor, considering marriages involve a series of parties, and organizing such a series of parties requires significant resources. Logically, since the desire for marriage begins with the man and the woman is naturally passive, the man has made marriage preparations. As a result, the man has moral responsibility for financially supporting a series of parties the woman plans.⁹ The man's family is automatically responsible for carrying out the entire series of marriage processions. Still, it is necessary to negotiate the burden needed since everyone has different abilities. It is necessary to adjust according to abilities to ensure it does not become a burden after the party is over, which may result in a new problem.

The woman's condition can be considered materially unprepared to carry out the marriage with the series of parties because the procession requires several meeting

⁸ All traditional leaders who were interviewed and became informants by researchers, none among whom required '*uang panaik*' in Makassar ethnic marriages, particularly in Bantaeng Regency. However, no marriage events were held between the man and the woman and carried out in Bantaeng Regency without '*uang panaik*'. This indicates that money is required, but both families can still negotiate the amount.

⁹ A. Rakhmad, AB

activities of the two families to reach an agreement to implement the marriage. It automatically involves the Participation of the female side of the family to welcome the male family.¹⁰

Penaik money with dowry is a different issue in a traditional Makassar marriage in Bantaeng. Mahar refers to money or goods the groom gives to the bride and later becomes the bride's property. In contrast, *Uang Panaik* refers to money given as a form of respect for the bride and used for processional purposes from pre- to post-marriage. Compared with '*Uang Panaik*,' which is dominated by money that is precise and suited to its purpose as the marriage process evolves, dowry is durable because it is proof of the groom's sincerity and love for the bride. *Uang Panaikis* are also reduced and may even be depleted for marriage purposes.

Uang Panaik is not only money to cover the costs of the bride's wedding; it demonstrates the seriousness of the groom's dedication and devotion to the bride he adores. *Uang Panaik* is not a small issue; if a man wishes to marry a Makassar woman, he must be serious and hardworking.¹¹

The amount of '*Uang Panaik*' has been mostly determined by external factors from the internal circumstance of one of the bride and groom or both the bride and groom, and this is determined based on heredity, education, occupation, looks, and social status. The higher the degree, the more money a man has to pay. However, the provisions for the *uang panaik* continue to depend on the agreement of the two families.¹² If the man cannot afford to fulfill the amount determined by the woman, the wedding will be canceled or postponed until he can. However, this does not preclude it from being discussed at all; following all, there are still families who do not set an excessively high price increase, in other words, indicating that they can still negotiate.¹³ There is a situation in society related to '*Uang Panaik*' that is not agreed upon by the men but becomes acceptable on the part of the woman's family by making a closed internal agreement that only the agreed *Uang Panaikis* brought, but what is agreed upon in the discussion is what the female side requests. This approach is a win-win solution for both parties as it fulfills the woman's request and maintains the woman's dignity and honor in line with custom.¹⁴ Despite being regarded as a solution, this method should be avoided because there is a deception charge in carrying out a marriage Shari'a ritual. Should minimize actions or words that are contrary to religious norms and values because they can have direct or indirect negative effects on the household's sustainability.

CONCLUSION

- 1) '*Uang Panaik*' was essentially deemed part of the Makassar ethnic marriage custom in Bantaeng Regency and is not mandatory for every marriage. Nevertheless, the study

¹⁰ A. Rakhmad, AB

¹¹ Sappara

¹² Sappara

¹³ A. Rakhmad, AB

¹⁴ Sainuddin Kabai

found no marriages where it was not provided. It originated as proof of a man's seriousness in proposing to a woman from the female side of the family and was only applied to nobles. However, it is now enforced by every social class. '*Uang Panaik*' is also intended as "subsidy" support to the families of women who are passive in their intention to get married since they are not ready to conduct a series of traditional marriage processions with characteristics inherent to a series of Makassar traditional cultural marriage processions, and this reaches twelve steps to complete the entire series. Although these processions are still used today, the various activities and routine work that keep various families busy have led these stages to change and be trimmed or arranged in several meeting times. Both parties can agree and marry without lowering the intended value.

- 2) '*Uang Panaik*,' which is agreed upon and given by the groom to the bride as a tribute and used for the bride's wedding expenses, has become an essential issue in the Makassar marriage tradition in Bantaeng Regency. The amount of '*Uang Panaik*' is influenced by the social status of the bride's family or the personality status inherent in a woman and the groom's family. However, the final decision of the amount agreed is determined in a family discussion dialogue. '*Uang Panaik*' could be used to refuse a proposal by enlarging the amount of *Uang Panaik* requested by the bride's family. *Uang Panaik* is analogized to money that has been burned by fire because the bride's family uses all of the money offered by the groom's family to fulfill the requirements for all the marriage processes that will be conducted. However, *Uang Panaik* can still be returned in whole or in part if, after the marriage process, even though it has been spent in conducting the procession of all marriage series, it turns out to be a problem so that the two partners cannot be together, due to various unexpected factors.: 1. Arranged married, despite the fact that the bride-to-be had accepted her parents' arranged marriage when she completed the marriage, she changed her mind, and she decided on an unfinished wedding party, with all the consequences her family had to bear. 2. Masculinity and sexual function of men and women have problems. Even though they have spent days together as a couple, the fact that they cannot get sexual satisfaction is the main reason for breaking the marriage bond.

The views of religious leaders and community leaders who are members of the Bantaeng Regency MUI (Indonesian Ulema Council) management, who believe that *Uang Panaik* is a local wisdom for the community, and it is widely accepted that *Uang Panaik* is present in the Makassar tribe's marriage customs in Bantaeng Regency, with the consideration of minimizing the opposing sides that may arise include: 1. Do not increase the amount of the *Uang Panaik* to the point where the prospective male's family will be unable to fulfill it. 2. *Uang Panaik* is used negatively, specifically wastefulness and excessive behavior when preparing for a wedding. The wedding reception should be an effort to bring together relatives, friends, and relatives to ask for blessings so that the marriage can be happy in the framework of *sakinah, mawaddah, and warahmah*. 3. Even if there is an early failure in terms of continuing family relations as husband and wife after completing the *ijab-qabul* as a sign of the end of the bond as husband and wife before living together, the man should not request any more money that has been given, since

the *Uang panaik* is spent money, it will cause problems unless there are signs of fraud on the part of the woman. Even though *Uang Panaik* is an absolute in a series of wedding processions within the Makassar customary tribe in Bantaeng Regency, It is necessary to find a solution to ensure that *Uang Panaik* does not become the only indicator of a marriage's success during the marriage process and by allowing it to skip the entire series in each particular procession, it ought to minimize the value of money so that its priority does not have negative consequences in social life.

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