

THE PROBLEMATICS OF TRADITIONAL MARRIAGE TRADITIONS IN THE PHILIPPINES: A CASE STUDY AND ITS IMPLICATIONS

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Abstract

The Dipasiala tradition is a significant cultural practice within the Bugis community of Air Solok Batu Village, South Sumatra. However, its coercive application frequently results in marital dissolution. This study aims to analyze the issues stemming from the Dipasiala custom and to position it within the framework of 'Urf (customary law) from an Islamic legal perspective. Employing a qualitative methodology, with in-depth interviews and participatory observation, the research investigates factors influencing customary implementation, such as evolving social values, conflicts between local traditions and Islamic legal principles, and challenges in preserving cultural heritage amidst modernization. The findings indicate that the 'Urf theory, applied in Islamic legal studies, suggests that the Pasiala tradition practiced by the Bugis community in Air Solok Village could be categorized as 'Urf fasid (corrupt custom) if implemented coercively, leading to divorce. The implications of this research are substantial for academics and practitioners of Islamic law, informing policy formulation that is more attuned to local cultural values. It also guides the community in sustaining this tradition while upholding principles of justice and harmony with Islamic law. Furthermore, this research contributes to efforts to maintain the relevance of the Dipasiala tradition in preserving the cultural identity of the Bugis people in South Sumatra in the era of globalization.

Keywords: *Dipasiala Tradition; Bugis Community; Customary Law ('Urf); Islamic Law and Local Culture; Modernization and Cultural Preservation*

Abstrak

Tradisi Dipasiala merupakan praktik budaya yang penting dalam masyarakat Bugis di Desa Air Solok Batu, Sumatera Selatan. Namun, penerapannya yang bersifat memaksa sering kali berujung pada perceraian. Penelitian ini bertujuan untuk menganalisis permasalahan yang muncul akibat pelaksanaan tradisi Dipasiala serta menempatkannya dalam kerangka 'Urf (hukum adat) menurut perspektif hukum Islam. Dengan menggunakan metode kualitatif melalui wawancara mendalam dan observasi partisipatif, penelitian ini menelusuri faktor-faktor yang memengaruhi pelaksanaan adat tersebut, seperti perubahan nilai sosial, benturan antara tradisi lokal dan prinsip hukum Islam, serta tantangan dalam menjaga warisan budaya di tengah arus modernisasi. Hasil penelitian menunjukkan bahwa berdasarkan teori 'Urf dalam kajian hukum

Islam, tradisi Pasiara yang diterapkan oleh masyarakat Bugis di Desa Air Solok dapat dikategorikan sebagai '*Urf fāsīd* (adat yang rusak) apabila pelaksanaannya dilakukan secara memaksa hingga menyebabkan perceraian. Temuan ini memiliki implikasi penting bagi kalangan akademisi dan praktisi hukum Islam dalam merumuskan kebijakan yang lebih selaras dengan nilai-nilai budaya lokal. Selain itu, penelitian ini memberikan panduan bagi masyarakat untuk tetap mempertahankan tradisi tersebut tanpa mengabaikan prinsip keadilan dan keselarasan dengan hukum Islam. Lebih jauh, penelitian ini turut berkontribusi pada upaya menjaga relevansi tradisi Dipasiara dalam melestarikan identitas budaya masyarakat Bugis di Sumatera Selatan di era globalisasi.

Kata kunci: *Tradisi Dipasiara; Masyarakat Bugis; Hukum Adat ('Urf); Hukum Islam dan Budaya Lokal; Modernisasi dan Pelestarian Budaya*

INTRODUCTION

The Bugis people socio-culturally uphold the cultural values that develop within their community. Failing to observe these customs is considered a breach of *Siri* and is subject to social sanctions. The custom of *mappakeade* is an inherent part of Bugis customary law. The Bugis traditional marriage process is extensive, involving several stages, and while implementations may vary slightly, the principal elements remain.¹

The Bugis people, originally from South Sulawesi, maintain their cultural traditions despite relocating. The Bugis community residing in Air Solok Batu Village, Banyuasin Regency, exemplifies this by continuing ancestral marriage and mate selection practices, which have been passed down through generations and have even spread to new territories. This persistence is partly attributed to the Bugis' historical inclination towards *Sompeq*, a migratory tradition that has facilitated their dispersal across various regions.² This includes Air Solok Batu Village, located in Banyuasin Regency, South Sumatra.

Within the Bugis community of Air Solok Batu Village, Banyuasin Regency, marital partner selection, particularly for women deemed suitable as wives, is typically managed by parents or relatives. Fathers, especially, wield considerable influence in their daughters' marital decisions, exercising their patriarchal role to secure a suitable spouse. This selection is crucial for upholding or enhancing the family's social standing and honor, thus positioning marriage as a means for Bugis women to maintain family social stratification. Key factors considered by parents include genealogical lineage, economic status, and religious background. Often, the preferred choice for a future spouse is a relative, given first priority.

¹ Siska Lis Sulistiani, *Customary Law in Indonesia* (Jakarta: Sinar Grafika, 2018), p. 131.

² Suwerdi, Ismail, and dkk, *Islam and Customs, Customary Steadfastness in Religious Obedience* (Yogyakarta: Deepublish, 2018), p. 52.

For the Bugis community, marriage transcends the mere union of two individuals; it signifies the coming together of two extensive family lineages. The traditional criteria of seeds, bebet, weights (referring to lineage, social standing, and wealth) continue to significantly influence marital arrangements. Parents actively seek partners for their children, prioritizing individuals from families of comparable social standing and background.³ Matchmaking within the Bugis community is referred to as *Dipasiala* or *MaPasiala*, signifying the act of selecting a life partner. The initial step preceding marriage is known as *madduta* or *massuro*, which commences with an introduction phase called *Mabbaja laleng*. This phase involves gathering information about potential brides, followed by *mammanu'-manu'*, where family representatives, typically two or three respected men and women, formally approach the prospective bride's family. During the *mammanu'-manu'* process, direct introductions between the prospective groom and bride are uncommon. Often, the individuals involved may not know each other, or may have met without realizing their future marital connection. Information regarding the candidate's attributes is usually relayed by family members who are acquainted with them or who observed them during the *mammanu'-manu'* stage.⁴

The Pasiala tradition is designed to reinforce familial bonds through endogamous marriages, typically among relatives. Parents who arrange these unions through the Pasiala tradition aim to ensure a suitable partner for their child, relying on an observation process to vet potential spouses. However, due to the coercive nature often inherent in the Pasiala tradition regarding child marriages, many unions—initially intended to strengthen family ties and secure a good match—ultimately end in divorce. This outcome is frequently observed in Air Solok Batu Village, Banyuasin Regency, South Sumatra Province.

The Dipasiala tradition, as described, aligns with the theory of *'Urf*, which addresses legal gaps not explicitly covered in the Qur'an and Hadith. *'Urf* can serve as a legal source, provided it does not contradict Islamic scripture. It encompasses practices that are habitually applied, widely accepted, and deemed beneficial by the community.⁵

³ Ramli and Dkk., *Anthropology of Health Sociology* (Padang: PT. Global Technology Executive, 2022), p. 96.

⁴ Yanuarti Husnatunnisa et al., "A Review of Islamic Law on Marriage Due to Marriage (Arranged Marriage) in the Bugis Wajo Community: A Case Study in Mendahara Ilir Village, Mendahara District, East Tanjung Jabung Regency," *Wasatiyah: A Journal of Law*, 2021.

⁵ 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 Journal of Sharia and Law*, 2019, <https://doi.org/10.22515/alahkam.v4i1.1600>.

The concept of '*Urf*' can also refer to customs and traditions prevalent in a particular locale, which become widely adopted practices within the community, influencing words, actions, and omissions.⁶ Similarly, the recurring incidence of divorce stemming from the Dipasiala tradition among the Bugis community in Air Solok Batu Village, Banyuasin Regency, warrants further academic investigation. While the majority of scholars acknowledge '*Urf*' as a legitimate legal postulate, there remains a divergence of opinion regarding its classification as an independent legal principle.

Several academic works have explored Bugis marriage practices, particularly concerning the Dipasiala tradition. For instance, *Mursyid* investigated the interplay between Islamic law and local customs within the Bugis Bone community of South Sulawesi, Indonesia, specifically detailing the various stages and rituals of their marriage traditions.⁷ *Ipandang* and *Syamsul* examined the practice of *Passampo Siri'* within the Bugis community in East Kolaka, Indonesia, specifically addressing instances of premarital pregnancies. Their paper investigates the underlying reasons for such marriages from an Islamic legal-sociological perspective and explores their legal ramifications. The authors conclude that *Passampo Siri'* marriages may not align with the established legal tenets of Islamic marriage.⁸

The *Mappasikarawa* procession holds significant cultural and sacred importance within the wedding traditions of the Bugis Pattinjang tribe.⁹ Another study delves into the tradition of *Panaik Money* within the wedding customs of the Bugis community, specifically in Indragiri Hilir Regency, Riau Province. This research explores the historical, sociological, and philosophical underpinnings of the substantial amounts of *Panaik Money* and analyzes them from the perspective of *Sharia Maqasid*.¹⁰ The dynamics of *Sompa and Dui' Menre'* within the Bugis marriage tradition in Sidenreng Regency, Rappang, South Sulawesi, are explored. This investigation delves into the significance and underlying causes of the substantial value placed on *Sompa and Dui' Menre'* in Bugis marital customs, along with their implications from a

⁶ Romli, *Introduction to Ushul Fiqh Methodology for Determining Islamic Law* (Jakarta: Prenadamedia, 2019), p. 216.

⁷ Mursyid Djawas et al., "The Integration between Syara' and Ade' in Wedding Tradition of Bugis Bone, South Sulawesi: Islamic Law Perspective," *Al-Ihkam: Journal of Law and Social Institutions*, 2023, <https://doi.org/10.19105/al-lhkam.v18i2.10373>.

⁸ Ipandang and Syamsul Darlis, "Passampo Siri' in the Bugis Marriage Practices in East Kolaka, Indonesia: A Sociological Perspective of Islamic Law," *Squirt*, 2022, <https://doi.org/10.22373/sjkh.v6i2.12874>.

⁹ Muhammad Ilham and Iva Ani Wijati, "Mappasikarawa Processes in the Wedding Customs of the Bugis Pattinjo Tribe in South Sulawesi," *European Journal of Humanities and Educational Advancements (EJHEA)* (2022).

¹⁰ Aliyas, Ahmad Syukri, and Bahrul Ma'ani, "The Urgency of Panaik Money in Bugis Marriage Customs in the Maqāshid Sharia Perspective in Indragiri Hilir District, Riau Province," *International Journal of Multicultural and Multireligious Understanding* 9, no. 10 October (2022): 356–361.

Maqasid al-Shariah perspective.¹¹ This paper exhibits substantial differences from the cited article in its analytical approach, methodology, and the specific geographic focus of its research.

METHOD

The research methodology employed aims to elucidate the study's scope, particularly in investigating a specific situation, its underlying causes, and subsequent consequences.¹² This study employs a qualitative methodology, which is characterized by its non-computational approach.¹³ To investigate these issues, the researcher employed an empirical research approach (field research) with a qualitative methodology. This choice facilitated a comprehensive exploration and in-depth understanding of the interactions between *'Urf* (customary law) and the traditional Dipasiala practices. The study was conducted in Air Solok Batu Village, Banyuasin Regency, South Sumatra Province, a location selected for its Bugis community's strong adherence to traditional customs. The study's participants included traditional leaders, community members, and individuals directly involved in marriage arrangements.

Data collection employed several techniques, including in-depth interviews with religious leaders, traditional leaders, parents who arranged marriages via the Dipasiala tradition, and individuals whose Dipasiala marriages ended in divorce. Observations were conducted through participation in wedding ceremonies and other traditional activities. Additionally, a documentation study involved analyzing traditional documents, local literature, and relevant historical records. Data were collected inductively to thoroughly describe the Dipasiala tradition. Qualitative data were then analyzed using a thematic approach to identify emergent patterns, themes, and relationships. This qualitative analysis relied on verbally articulated facts, meticulously researched to extract comprehensive insights.¹⁴

RESULTS AND DISCUSSION

The Dipasiala traditional practice in Bugis marriages

¹¹ Rusdaya Basri and Fikri Fikri, "Sompa and Dui Menre in Wedding Traditions of Bugis Society," *IBDA' : Journal of Islamic and Cultural Studies*, 2018, <https://doi.org/10.24090/ibda.v16i1.1101>.

¹² Achmad Nasrulloh, "A Review of Maslahah Mursalah on the Phenomenon of Determining Guardians of Children Out of Marriage at the Office of Religious Affairs," *Islamic Law*, 2022, <https://doi.org/10.24014/jhi.v22i2.16414>.

¹³ Sandy Wijaya, "Reinterpretation of the Kafa'ah Concept in Jasser Auda'S Perspective," *Conscience: Journal of Sharia and Society Studies* 21, no. 2 (1970): 307–16, <https://doi.org/10.19109/nurani.v21i2.10221>.

¹⁴ Nurlaelah Abbas et al., "Theological Impact of Marriage for Religious Minority Families in Bali and Makassar," *Samarah: Journal of Family Law and Islamic Law* 9 (2025), <https://doi.org/10.22373/sjkh.v9i1.21130>.

The Bugis tribe has a long-standing tradition of arranged marriages, referred to as *siala*, which signifies mutual taking.¹⁵ This tradition interprets marriage as a reciprocal bond between two individuals of different sexes, forming a partnership aimed at fostering love, affection, peace, and prosperity.¹⁶ The specific practice of matchmaking within the Bugis community is known as *Dipasiala*.¹⁷ Originating from South Sulawesi, the Bugis people are known for their *sompe* or migratory customs, with a significant population settling in areas like Air Solok Batu Village, Banyuasin Regency, South Sumatra. Despite their migration,¹⁸ the Bugis community in this region has diligently preserved its cultural identity, with the *Dipasiala* custom being a notable example.¹⁹

According to Herman Attas²⁰, a respected traditional leader in Air Solok Batu Village, the *Sisalaed* tradition, while historically sacred, has seen a decline in adherence over time. Its contemporary application is often viewed as neutral, meaning that non-compliance no longer carries significant legal or social repercussions. The implementation of the *Pasiala* tradition in Air Solok Batu Village involves several distinct stages:

1. *Mammanu 'manu'*

This initial stage of the Bugis traditional wedding procession involves the prospective groom's family discreetly searching for a suitable partner. This search is likened to a bird's flight, as two representatives are sent to the woman's family to assess potential candidates based on various criteria. Once a suitable candidate is identified, the next step involves thoroughly investigating her background to ascertain her eligibility for marriage. This investigative process is termed *Mappese-Pese*.

2. *Mappese-pese*

Following the initial identification, this stage entails a more detailed inquiry into the woman's background. If the prospective groom and his family concur on the chosen woman, a close relative of the bride-to-be is enlisted to facilitate a meeting with her family. This relative, accompanied by the prospective groom, visits the bride's family,

¹⁵ Rizki Awalia, *Behind the Dusk of Fort Rotterdam* (Jakarta: Guepedia, 2021), p. 79

¹⁶ Rusma Noortiyanti, *Struktur Narasi Perkawinan Dayak Maanyan*, (Malang: Meddia Nusa Creative, 2016), 6.

¹⁷ Amrul Muzan et al., "Mitigation of Domestic Conflict in an Effort to Maintain the Integrity of the Sakinah Family," *Islamic Law*, 2023, <https://doi.org/10.24014/jhi.v22i2.21434>.

¹⁸ Ismail Ali and Ismail Suardi Wekke, *Dynamics and Diversity of Customs, Traditions, Beliefs and Religions of Seafarer Tribes in West Papua, Indonesia* (Indramayu: Adab, 2022), p. 123.

¹⁹ Yusriadi, *Bugis people in the Kakap River, West Kalimantan* (Pontianak: IAIN Pontianak Press, 2015), p. 42

²⁰ Herman Attas, Interview with Traditional Leaders of Air Solok Batu Village (September 20, 2023)

presenting gifts and articulating their intentions. A positive reception, or green light, from the bride's family signifies approval to proceed to the more formal and sacred stage of proposal, known as *Massuro*.

3. *Massuro*

This proposal stage involves the groom's family designating a highly trusted individual, known as a *Mabbaja Laleng* or pathfinder, to act as a spokesperson. This representative must possess strong negotiation skills and is typically a traditional leader or a person well-versed in customs. During this meeting between the two families, discussions often include the *Panaik Money*, which can be subject to delicate bargaining in the Bugis language. The amount of this money is contingent upon the social status of the bride-to-be and can even surpass the traditional dowry. Once the proposal is accepted by the woman's family, the subsequent stage involves finalizing all marriage requirements, commonly referred to as *Mappettu Ada*.

4. *Mappettu Ada*

Conducted after the proposal, this stage determines the wedding date, the *Sompa*, and the *Doi Menre*. The bride's family typically sets the wedding date, considering auspicious timings. *Doi Menre* is a financial contribution from the prospective groom to the bride-to-be, intended to cover wedding expenses. Similar to the *Panaik Money*, its value is influenced by the woman's social standing, educational attainment, and her family's reputation within the community. The dowry for Bugis women can be in the form of money or objects, serving as a legal prerequisite for marriage. The *Mappettu* stage also includes the presentation of jewelry to the bride-to-be.

5. *Mappasau Botting*

This is a private grooming ritual performed by the bride-to-be before her wedding day, often spanning three consecutive days leading up to the event. During this ritual, the bride-to-be is cleansed using a herbal concoction of pandan leaves, which emits hot steam, believed to purify her body of impurities. Symbolically, pandan leaves represent fragrance and marital harmony. The ritual concludes with the application of a black powder made from lime and tamarind, intended to enhance the bride's skin clarity and radiance.

6. *Mappanre Lebbeh*

Literally meaning to feed the end, this tradition is associated with individuals who have completed the recitation of the Qur'an. It signifies the Bugis community's practice of honoring those who achieve this milestone by providing them with a meal. This tradition is also frequently observed on the eve of the wedding day, with the bride-to-be reciting sacred verses from the Quran. This recitation can take place at the residence of each bride-to-be or at a single location, typically the bride's home, depending on family agreements.

7. Mappacci

Following *Mappanre Lebbeh*, *Mappacci* is a traditional Bugis wedding ritual symbolizing the purification of the bride-to-be's spirit and body from past transgressions. This ritual begins with the escorting of the bride and groom to the wedding ceremony, which is adorned with various ritualistic items. These include pillows, symbolizing respect; silk sarongs, representing pride; jackfruit leaves and banana leaf shoots, denoting sustainable life; a plate of rice, signifying favorable development; a lit candle, symbolizing enlightenment; pacci leaves, representing cleanliness; and a bekkeng, symbolizing marital unity. Subsequently, each attending relative and guest applies pacci to the palm of the bride-to-be. Guests invited to participate in *Mappacci* typically hail from families of high social standing.

8. Mappenre Boting and Madduppa Boting

This procession involves the groom, accompanied by both parents and a retinue of twelve close relatives, being escorted to the bride's house. This retinue carries hantaran or erang-erang. These wedding gifts are not merely symbolic expressions of love but also signify the groom's future responsibility to provide for his wife and family. Beyond basic necessities, the erang-erang also symbolizes the groom's commitment to loving and remaining loyal to his future bride. These gifts typically include a set of prayer tools, toiletries, makeup, party supplies, sleeping essentials, and clothing.

9. Dipasiala: This constitutes the main event following the marriage contract.

10. Mappasikarawa

In this ritual, the groom is guided to the bride's private room to meet his wife. The tradition commences with a knock on the door, a gesture of seeking permission to enter. The initial encounter between the newlyweds culminates in the *Mappasikarawa* ritual, typically guided by elders or parents knowledgeable in customs. The bride and groom perform their first touch as husband and wife, beginning with a gentle touch on the

shoulder, symbolizing equality within the household, and then proceeding to the crown, chest, or abdomen. Afterward, they don sarongs that have been sewn with the intention of ensuring the longevity of their married life. The event continues with a sungkem ceremony to parents and elders. This is followed by Mapparola, a return visit by the bride to the groom's residence. Finally, a pilgrimage to the ancestral grave, usually undertaken by the bride and groom the day after the wedding, serves as a mark of respect for their deceased ancestors. The series of Bugis traditional wedding processions concludes with massita beseng, a meeting between the two bridal families to strengthen their newfound relationship.²¹

Customary issues are widely disseminated throughout the Bugis community

Ummul Makwa, a religious leader in Air Solok Batu Village, South Sumatra, stated that while the tradition of arranged marriage is permissible under certain legal and marital conditions, its continued application in the modern era appears incongruous. He highlighted potential negative repercussions, noting that many arranged marriages frequently culminate in separation, causing significant detriment to both parties. This is particularly problematic given the comparatively high dowry demands within the Bugis community.²²

Abdurrasyid Thoyib, Head of KUA Air Saleh District, similarly affirmed the acceptability of the Dipasiala tradition if executed ethically and in accordance with Sharia principles, yielding positive outcomes. However, he strongly disapproved of its implementation through coercion or violence, recognizing the adverse consequences such methods entail.²³ Maryati, a parent who arranged her child's marriage, justified this practice by citing the preservation of customs and the desire to secure the most suitable partner for her child. She admitted that if her child resisted the arrangement, she, as a parent, would exert pressure, believing that defiance would be seen as disobedient and sinful, contradicting parental wishes.²⁴

Andi Zainal Abidin, another parent involved in an arranged marriage, explained his decision as a means of maintaining family ties and upholding traditions. He emphasized the importance of preserving the noble lineage by ensuring that the marital candidate belonged to

²¹ Herman Attas, "Interview with Traditional Leaders of Air Solok Batu Village, Banyuasin Regency" (September 20, 2023).

²² Ummul Makwa, "Interview with Religious Leaders of Air Solok Batu Village, Banyuasin Regency," (September 20, 2023).

²³ Abdurrasyid Thoyib, "Interview with the Head of KUA Air Saleh District, Banyuasin Regency," (September 20, 2023).

²⁴ Maryati, "Interview," (September 20, 2023).

the same clan, thereby preventing the dissolution of their clan system.²⁵ This illustrates the persistent influence of forced marriages within the community.²⁶ Marriages in Air Solok Batu Village, facilitated by the Pastiala tradition, exhibit two distinct outcomes: some result in harmonious unions, while others end in divorce.

Couples experiencing successful arranged marriages often exhibit genuine acceptance of the arrangement. For instance, Melinda reported being properly consulted from the outset and embraced the arranged marriage as a way to honor her parents and avoid perceived sin. She also saw it as an opportunity to improve her family's economic situation, coming from a disadvantaged background. Melinda firmly believed her parents desired her happiness with a suitable partner who could provide a stable life. Consequently, her marriage remains harmonious, despite occasional minor disagreements, which she considers a natural part of married life. Her kinship with her husband's family has also deepened.²⁷

Similarly, Rahmawati recounted that her mother had long prepared her for an arranged marriage, making her acceptance unsurprising. After meeting and growing close to her future husband, they married and now enjoy a happy household, with no regrets about the arrangement.²⁸ Shindi Yuli also accepted her arranged marriage, driven by a desire to please her parents and a conviction that their choice was a virtuous individual. Her marriage has remained harmonious, and her relationship with her husband's family has strengthened.²⁹

Budiman expressed contentment with his arranged marriage, believing it to be the optimal path. He attributed their marital harmony to mutual openness, respect, and acceptance of each other's strengths and weaknesses. While conflicts occasionally arise, they are minor and resolvable.³⁰ Yuliana shared that after high school, she accepted an arranged marriage to a relative due to financial constraints preventing her from pursuing higher education.³¹ Their marriage has since remained felicitous. Dewi, initially reluctant to accept an arranged marriage during her minority, was eventually persuaded. She understood her parents' economic difficulties and their concerns about her potential involvement in promiscuity. Furthermore, her prospective husband was a relative, a respected resident from a reputable

²⁵ Andi Zainal Abidin, "Interview," (September 20, 2023).

²⁶ Achmad Muhlis and Mukhlis, *The Law Of Forced Marriage Underage (A Review Of Positive Law And Islam)* (Surabaya: Jakad Media Publishing, 2019), p. 25.

²⁷ Melinda, "Interview," (September 20, 2023).

²⁸ Rahmawati, "Interview," (September 20, 2023).

²⁹ Shindi Yuli, "Interview," (September 20, 2023).

³⁰ Budiman, "Interview," (September 21, 2023).

³¹ Yuliana, "Interview," (September 21, 2023).

family, leading her to accept. Their household has endured and maintained harmony. Lastly, Rahmi accepted her arranged marriage due to her parents' wishes, and her union has remained harmonious to this day.³²

Conversely, marriages arranged through matchmaking that culminate in divorce frequently lack the mutual consent of the prospective spouses.³³ When coercion from family is a factor, the marital household often experiences significant dysfunction. The following accounts detail interviews with divorced couples whose unions originated from arranged marriages. Andi Yuli, for instance, reported having been widowed twice, with both arranged marriages ending in divorce. She expressed bewilderment at her parents' continued insistence on arranged marriages, given the unfavorable outcome of her first union. Despite her rejection of parental matchmaking attempts, she was compelled to accept, leading her to attempt self-harm by consuming poison as a protest. Her married life was characterized by daily disputes, ultimately resulting in separation. Her relationship with her former husband's family also deteriorated.³⁴

Princess Gracia adamantly opposed her arranged marriage, particularly as she was already involved with another individual. However, her parents and family vehemently disapproved of her existing relationship and persistently pressured her into the arranged union. She never assented to the proposal, yet her family proceeded with the matchmaking process, culminating in marriage without her consent. Post-marriage, she refused intimacy and found herself unable to develop affection for her husband. Similarly, her husband was unwilling to tolerate her perceived harsh and self-centered demeanor. Their inability to comprehend each other's dispositions ultimately led them to divorce.³⁵

Andini was initially coerced into an arranged marriage with a relative, despite her fervent objections. Due to the foundational compulsion, their household lacked harmony; they never shared a room, nor did she fulfill her spousal duties. Within approximately three months of marriage, they opted for separation. This also resulted in a strained relationship with her former husband's family.³⁶ Novi Alawiyah, who initially capitulated to an arranged marriage, subsequently discovered her husband's volatile and abusive nature. He was prone to physical violence, frequent unprovoked anger, habitual late-night returns, and an unwillingness to

³² Dewi, "Interview," (September 21, 2023).

³³ Team of the Indonesian Islamic Family Law Lecturers Association, *The Progress of Islamic Family Law in Indonesia* (Yogyakarta: CV. Palace Agency, 2020), p. 172.

³⁴ Andi Yuli, "Interview," (September 22, 2023).

³⁵ Putri Gracia, "Interview," (September 22, 2023).

³⁶ Andini, "Interview," (September 22, 2023).

work. Investigations revealed his drug addiction; moreover, he resisted change and confessed to never having loved her. Despite her in-laws consistently defending him, their marriage eventually ended in divorce, leading to a rupture in relations with his family. She now expresses profound regret over accepting the arranged marriage.³⁷

Ita Nuryani reluctantly entered an arranged marriage under constant pressure from her parents and siblings. Their marital life was plagued by incessant conflicts, including financial difficulties, incompatible perspectives, and her husband's prolonged absences, sometimes for months. These circumstances compelled her to dissolve the marriage.³⁸ Hasni initially resisted an arranged marriage and was surprised to discover the chosen groom was non-verbal. Nevertheless, the marriage proceeded due to her parents' insistence. Their household, however, lacked harmony due to her in-laws' persistent interference in their affairs and unfounded accusations of her having another romantic interest. This gossip extended to neighbors and other relatives. Consequently, they chose to separate and lead individual lives.³⁹

Sheptiana, despite having a partner, was not given parental blessing because her beloved was not of the Bugis tribe. She was subsequently matched and married. After the marriage, her husband exhibited emotional distance, refusing to share their bed and opting to sleep on the floor instead. He also withheld communication, causing her significant distress and daily tears. Approximately three and a half months into the marriage, her husband abruptly divorced her.⁴⁰ Sultan Sulek initially resisted his arranged marriage but yielded to his parents' relentless pressure, marrying their chosen partner with a heavy heart. He had hoped that mutual understanding would foster a functional household post-marriage. However, his wife consistently rejected him as a husband and repeatedly sought separation, leading to their eventual divorce.⁴¹

Heri Attas felt compelled to accept an arranged marriage due to a betrothal to a relative and his advanced age. Post-marriage, frequent arguments arose because his wife maintained secretive and inappropriate communication with her ex-boyfriend. He remained convinced that his wife had not moved on from her previous relationship. Disappointed, he ultimately chose separation. Their divorce inevitably strained the relationship between the two families.⁴² In summary, the interviews reveal that successful arranged marriages are typically

³⁷ Novi Alawiyah, "Interview," (September 23, 2023).

³⁸ Ita Nuryani, "Interview," (September 23, 2023).

³⁹ Hasni, "Interview," (September 23, 2023).

⁴⁰ Sheptiana, "Interview," (September 24, 2023).

⁴¹ Sultan Sulek, "Interview," (September 24, 2023).

⁴² Heri Attas, "Interview," (September 24, 2023).

characterized by the willing acceptance of both partners, leading to harmonious households. Conversely, divorced couples in arranged marriages generally entered the union under duress, resulting in marital dissolution.

The tradition of Pasiالا in Air Solok Village, Banyuasin Regency, South Sumatra Province, is categorized as '*Urf 'Amali*' or '*Urf fi 'li*' due to its direct association with parents' actions in arranging their children's marriages. Furthermore, its limited applicability to the Bugis Tribe designates it as *urf khash*. Several interviewees highlighted an element of *ijbar* within the Pasiالا tradition, wherein parents imposed marital partners despite their children's disapproval. Scholarly opinions diverge on the permissibility of *ijbar*. One perspective, advocating its invalidity, cites the *Kitab Adabu al-Syar'iyah wa al-Minhaj al-Mar'iyah*, which states that parents lack the right to compel a child into an unwanted marriage, asserting that refusal does not constitute disobedience.⁴³ This view is supported by a hadith narrated by Imam Muslim, granting a widow greater autonomy over herself than her guardian and requiring a virgin's explicit permission⁴⁴ (with silence interpreted as consent, acknowledging the virgin's natural modesty).⁴⁵

Conversely, proponents of *ijbar*'s validity interpret the aforementioned hadith differently, allowing a *wali mujbir* to arrange a marriage. They consider the requirement for a virgin's permission as merely an encouragement, not an imperative, provided no potential harm is foreseen. The *Kitab Al-Iqna' Fi Hal Alfazh Abi Shuja'* asserts that a girl's mere dislike, absent emergency or danger, does not invalidate the marriage, though it deems such coercion by the guardian *makruh*. Additionally, the Sunnah permits adult girls to provide consent, as evidenced by a Muslim hadith stating a father must seek his virgin daughter's approval, which is understood as a recommendation to respect her feelings.⁴⁶

From these perspectives, it can be inferred that while compelling a girl into marriage may be legally valid, it is considered *makruh*, and only permissible when no harm or negative consequences are anticipated. However, if parental permission is sought and the child willingly agrees to an arranged marriage without coercion, the legal ruling changes. Some scholars even extend the right of *ijbar* to male children who are minors or adults with mental

⁴³ Ibn Muflih, *Al-Adabu Al-Syar'iyah Wa Al-Minhaj Al-Mar'iyah* (Beirut: Dar Kutub Al-Ilmiyyah, 2003), p. 334.

⁴⁴ Ibn Hajar al-Atsqolani, *Bulughul Marom* (Uni Emirate Arab: Rufoof, 1902), h. 945.

⁴⁵ Hamka, *Buya Hamka Talks About Women* (Jakarta: Gema Insani, 2014), p. 131.

⁴⁶ Syamsuddin Muhammad bin Muhammad Al-Khatib Al-Syarbini, *Al-Iqna' Fi Hal Alfazh Abi Shuja'* (Beirut: Al-Iqna' Fi Hal Alfazh Abi Shuja', 1971), p. 252.

retardation, as they may be unable to manage their their own affairs and require assistance.⁴⁷ Interviews conducted in Air Solok Batu Village revealed instances where parents coerced their children into marriage, despite refusals and potential adverse outcomes. Indonesian Islamic Law, specifically Article 71 of the Compilation of Islamic Law, stipulates that marriages involving coercion can be annulled.⁴⁸

Regarding the validity of *urf*, scholars categorize it into '*Urf Sahih*' and '*Urf Fasid*'.⁴⁹ The *Pasiala* tradition among the Bugis community in Air Solok Village can fall into either '*Urf Sahih*' or '*Urf Fasid*', depending on its implementation and implications for Islamic law and welfare. Instances of '*Urf Sahih*' in Air Solok Batu Village include arranged marriages where children, such as Melinda, Rahmawati, Shindi Yuli, and Budiman, willingly consent to their parents' choices, trusting their judgment and feeling compatible with their matched partners. Such practices tend to benefit both parents and children. Conversely, '*Urf Fasid*' encompasses coerced marriages, as exemplified by Andi Yuli, Putri Gracia, and Heri Attas, whose parent-arranged unions ended in divorce. While some scholars permit *wali mujbir* to arrange marriages without explicit consent, this is contingent on the absence of danger. Coercion, in these cases, negated benefits and inflicted harm, such as strained parent-child relationships or marital dissolution.

The *fiqhiyyah* rule, Refusing harm takes precedence over taking a benefit,⁵⁰ underscores the importance of preventing harm. This includes adverse outcomes stemming from children's rejection of arranged matches, such as familial disputes, divorce, and strained relationships with the betrothed family. Similarly, forcing widowed children into marriage, leading to conflict with parents, suicidal ideation, and eventual divorce, exemplifies '*Urf Fasid*'. Such practices contradict the aforementioned *hadith* and generate harm rather than benefit. Moreover, coercion within the *Pasiala* tradition is not limited to daughters; sons are also subjected to arranged matchmaking.

CONCLUSION

The *Pasiala* tradition in wedding ceremonies faces a dilemma between preserving cultural heritage and adapting to contemporary societal changes. This study suggests that certain

⁴⁷ Bilqis Nadia Tillah, "The Right of *Ijbar* in Choosing a Life Partner," August 16, 2022, <https://bata-bata.net/2022/08/16/Hak-Ijbar-dalam-Memilihkan-Pasangan-Hidup.html>.

⁴⁸ Jariyatur Rohmah, "The Concept of *Ijbar* of the Shafi'i School in KHI Article 71 Letter F," *Isti'dal : Journal of Islamic Law Studies*, 2020, <https://doi.org/10.34001/istidal.v7i2.2615>.

⁴⁹ Muhammad Noor Harisnudin, *Islam of Australia* (Surabaya: Pustaka Radja, 2019), p. 106-107.

⁵⁰ Amrullah Hayatullah, *Introduction to Fiqh Rules* (Jakarta: Amzah, 2018), p. 174.

traditional elements may no longer be relevant or practical within modern social contexts. Despite globalization pressures, the Pasiala wedding tradition remains a significant marker of cultural identity for the Bugis community in Air Solok Batu Village, Banyuasin Regency, South Sumatra Province. This highlights the importance of safeguarding cultural heritage while acknowledging that modifications might be necessary to maintain its relevance. This tradition also carries significant social implications, affecting family stability and social structures, as well as legal ramifications concerning individual rights within marriage. The research indicates that traditional practices frequently encounter internal conflicts due to evolving marriage customs. Resolving these conflicts necessitates a sensitive and inclusive approach to balance innovation and preservation. From the perspective of ‘urf in Islamic legal theory, the validity of the Pasiala tradition, as practiced by the Bugis community in Air Solok Village, could be classified as ‘*Urf Fasid*’ if it involves coercion and ultimately leads to divorce. Consequently, a holistic approach is essential when addressing issues related to traditional marriage customs, one that recognizes cultural values while also incorporating broader perspectives on justice, equality, and human rights.

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