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ARTICLE (REFEREED)

Reconstructing Marriage Annulment in *Dui' Pappenre* within Bugis Customary Law

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Abstract

This article explores the intersection of national law and Bugis customary tradition through *Dui' Pappenre* in marriage annulment cases. Using a normative legal approach, it identifies a legal vacuum: while *Dui' Pappenre* symbolizes respect and social standing in Bugis culture, it remains unrecognized in both the Marriage Law and the Compilation of Islamic Law, creating legal uncertainty and inconsistent rulings. Misinterpreted as a mandatory dowry, *Dui' Pappenre* often places disproportionate social and economic burdens, reinforcing gender and class inequalities. The lack of legal clarity not only marginalizes cultural values but also exemplifies broader challenges of legal pluralism in Indonesia's multicultural society. The study advocates for reform that explicitly distinguishes *Dui' Pappenre* from dowry, provides judges with cultural training, and promotes public education to counter misconceptions. These recommendations contribute to global debates on harmonizing customary practices with modern legal frameworks while ensuring cultural preservation and substantive justice.

Keywords

Cultural Heritage Law; Legal Pluralism; Customary Marriage; Traditional Knowledge; Bugis Customary Tradition

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Introduction

The background of this research stems from a deep understanding of the philosophy of *Dui' Pappenre* in the Bugis tradition of marriage, which not only serves as a symbol of respect for women but also as a marker of social status and cultural identity that is passed down from generation to generation. (Pelras 1997; Millar 1989). In Bugis society, *Dui' Pappenre* or *uang panai* is a gift from the man to the woman as a key requirement for traditional marriage, unlike the dowry in Islam, which is given directly to the bride as a requirement for a valid marriage (Syulistiani 2023).

Traditionally, the meaning of *Dui' Pappenre* is not merely a material transaction but also a form of respect for the dignity and honour of Bugis women, who are regarded as the crown of the family (*tau rip Siri*). *Dui' Pappenre*'s nominal value is determined through consultation with the extended family, considering the prospective bride's family's social status, level of education, and economic status (Mas'ud 2024). High values for *Dui' Pappenre* are often used as a measure of social status and prestige, so it is not uncommon for marriages to be delayed or even cancelled due to the economic burden felt by the male party (Rahman 2022).

This phenomenon has created a new dynamic in contemporary Bugis society, where the tradition of *Dui' Pappenre* has shifted in meaning from spiritual value to a venue for prestige and cultural capitalization. Many people outside Sulawesi view this tradition as a form of 'selling' girls, while for the Bugis people themselves, *Dui' Pappenre* is still considered a form of respect and seriousness on the part of men in building a family.

From a sociological-anthropological perspective, *Dui' Pappenre* can be understood as a social institution that reflects relations of power, gender, and status in Bugis society. In classical anthropological terminology, Naderil (2016) highlights that giving material before marriage in Bugis society cannot be fully categorized as bridewealth or dowry. Through a ritual performativity approach, Naderil emphasizes that gender identity, kinship, and social status are dynamically reproduced through the *Dui' Pappenre* procession. Hence, its meaning and implications go beyond mere economic or symbolic transactions (Naderil 2016).

In addition, recent studies such as those conducted by Nurul Ilmi Idrus (2016) provide a comprehensive picture of how the concepts of *siri*' (honour/shame), gender, and sexuality shape Bugis marriage practices. Idrus emphasized that *Dui' Pappenre* is an arena for negotiation between custom, religion, and the state and is the primary determinant in forming women's identity and power relations in Bugis households (Idrus 2016).

In a legal context, *Dui' Pappenre* has a different status from *Mahar* in Islamic law and the provisions of the Marriage Law. *Mahar* is a valid requirement for marriage given to women, while *Dui' Pappenre* is more oriented towards financing the wedding party and is given to the woman's family (Mas'ud 2024). This poses a problem when a marriage is cancelled after traditional ceremonies such as *mappettuada*, where the money that has been given is generally considered 'spent money' and cannot be reclaimed unless the cancellation occurs before the marriage contract and has not been used for the wedding expenses (Syulistiani2023; Ruslan 2023).

The legal dynamics surrounding *Dui' Pappenre* become increasingly complex when linked to legal pluralism in Indonesia. The Marriage Law and the Compilation of Islamic Law reflect the government's efforts to accommodate customary law within the national legal system. However, their implementation in practice, particularly in marriage annulment cases involving *Dui' Pappenre*, remains highly controversial. The use of Bugis customary terms in legal documents can indeed help bridge the gap between formal law and the understanding of Indigenous peoples, but it should be noted that Indonesia consists of hundreds of ethnic groups, each with their terms and traditions, so legal recognition of customary terms must be done selectively and contextually (Norfazilah et al. 2024).

In dispute resolution practices, the Bugis prioritize deliberation and consensus through traditional institutions before bringing cases to state courts. This peaceful approach requires good faith from all parties and a spirit of justice from traditional mediators ([Mattulada 1974](#); [Rahmatiar et al. 2021](#)). Customary settlement is preferred, and only if no agreement is reached can the case be brought to court. This shows that Bugis customary law is still alive and is the primary reference in the community's social life, including in matters of marriage and annulment.

Dui' Pappenre in Bugis philosophy is also closely related to the concept of *siri' na pacce*, which is self-respect and social solidarity. These values form the moral foundation of the Bugis' actions ([Rahmatiar et al. 2021](#)). These values demand respect for women and the maintenance of harmonious family relationships. However, in practice, the high nominal value of *Dui' Pappenre* often causes psychological pressure on men and their families and can even hinder the realization of a harmonious marriage ([Syulistiani 2023](#)).

The study on *Dui' Pappenre* is also relevant in protecting the rights of women and children, especially in marriage annulment cases. Previous studies have shown that marriage annulment can have legal and social implications for women and children, thus requiring adequate legal protection to avoid injustice ([Turatmiyah et al. 2015](#)). In cases of cancellation after the traditional ceremony, the party cancelling the marriage is usually required to bear the costs incurred by the other party by the principle of fairness in civil law.

The urgency of this research lies in the effort to reconstruct the law of marriage annulment in the context of *Dui' Pappenre*, emphasizing that annulment does occur and has specific legal implications in Bugis custom. In practice, the cancellation of a marriage plan after the *mappettuada* procession, which involves the handover of *Dui' Pappenre*, requires the party cancelling the marriage to bear the costs incurred by the other party, either through customary deliberation or, if no agreement is reached, through the courts under the principle of compensation in national law. This demonstrates that cancelling a marriage in the *Dui' Pappenre* tradition is customary and can result in tangible legal consequences, including protecting women's and children's rights.

In addition, this study offers novelty by holistically examining the social, economic, and legal dynamics of *Dui' Pappenre* and its implications for contemporary Bugis society. This research also contributes to preserving intangible cultural heritage by documenting and analyzing the *Dui' Pappenre* tradition as a legal and cultural phenomenon. This effort aligns with integrating local knowledge into modern legal systems, enabling traditions to adapt without losing their inherent noble values while providing practical benefits for Indigenous communities, policymakers, and national cultural preservation.

Thus, understanding *Dui' Pappenre's* philosophy and its implementation dynamics in contemporary Bugis society, where it is often seen only as spending money in a contemporary sense, rather than having cultural meaning in a traditional sense, is crucial for addressing the challenges of legal pluralism, gender justice, and cultural preservation in Indonesia. This study is expected to make a tangible contribution to formulating more inclusive and sensitive regulations regarding Indigenous diversity in Indonesia and strengthening the position of customary law within the national legal system.

Research Methods

This study uses normative legal research to analyze doctrinal law through a literature review. The normative method is applied through a literature review to examine legislation and legal doctrine ([Syarif et al. 2024](#)) and relevant literature on marriage annulment and the phenomenon of *Dui' Pappenre* in Bugis custom. A legislative approach was used to analyze the hierarchy and consistency of regulations related to marriage and its annulment. In contrast, a case approach was applied to examine court decisions related to marriage annulment, particularly those involving aspects of Bugis custom. Normative research is highly relevant and essential for analysing customary law because this approach allows researchers to systematically examine

the principles, norms, and doctrines of customary law within the framework of national law without always having to conduct empirical research in the field.

Through normative legal research, the relationship between legal rules, principles, and court decisions related to customary law can be constructed and analysed critically, thereby identifying gaps or disharmony between customary law and national law and providing a strong theoretical justification for the position and protection of customary law in the Indonesian legal system (Irwansyah 2020; Juliardi et al. 2023). In addition, the normative approach also provides space for comparison, systematization, and harmonization between customary law norms and positive law norms, as well as highlighting the dynamics of changes in customary law due to social, cultural, and economic interactions without losing objectivity and depth of legal analysis. Thus, normative research can still produce significant and critical findings in the development of customary law and even become an important foundation for policymakers in formulating regulations that are responsive to legal diversity in Indonesia so that there are no methodological reasons that can limit the relevance and contribution of normative research in the study of customary law.

Results and Discussion

LEGAL LOOPHOLES IN MARRIAGE ANNULMENT REGULATIONS RELATED TO *DUI' PAPPENRE*

The analysis of existing laws and regulations shows a significant legal vacuum in Indonesia's Undang-Undang Perkawinan, (Marriage Law) particularly concerning marriage annulment in cases involving the Bugis tradition of *Dui' Pappenre*. While the Undang-Undang Perkawinan provides a general framework for annulment, it fails to address specific customary practices like *Dui' Pappenre*, which plays a crucial role in Bugis culture as a symbol of respect and family honour. This gap creates legal uncertainty and challenges in resolving disputes when marriages involving *Dui' Pappenre* are annulled, highlighting the need for more inclusive legal provisions considering Indonesia's diverse cultural landscape.

This issue highlights the broader tension between national law and customary practices, where the dualism of the legal system in Indonesia often gives rise to conflicts of interest and legal uncertainty for indigenous peoples. This tension arises because national law tends to be uniform and centralized, while customary law is highly diverse, vibrant, and closely tied to communities' identity and local needs. In many cases, the state's recognition of customary law is often limited or conditional, meaning that the rights of indigenous communities can be disregarded if they conflict with national interests or regulations. This situation not only leads to marginalization but also highlights the fundamental challenges in efforts to harmonize and protect the rights of Indigenous communities amid the tide of modernization and the dominance of state law. Thus, the tension between national and customary law reflects the challenges of legal pluralism in Indonesia, which requires comprehensive and inclusive solutions to ensure substantive justice for all citizens. The absence of specific regulations regarding *Dui' Pappenre* complicates legal adjudication and risks marginalizing customary traditions with deep cultural significance. Addressing this gap is essential to harmonize state law with living law, ensuring that legal frameworks are culturally sensitive and capable of achieving justice. This alignment would safeguard intangible cultural heritage while promoting equitable solutions for all parties involved in marriage annulment cases.

Article 22 of the Undang-Undang Perkawinan states that 'perkawinan dapat dibatalkan jika para pihak tidak memenuhi syarat-syarat untuk melangsungkannya' ('The marriage can be annulled if the parties do not fulfill the requirements for it to take place'). However, this provision is general and does not explicitly regulate situations related to the transfer of *Dui' Pappenre* in Bugis custom. The fundamental difference between *Dui' Pappenre* (non-mandatory spending money) and dowry (religious obligation) is a source of critical legal discrepancies. In practice, *Dui' Pappenre*, which philosophically represents a voluntary financial contribution to the cost of the wedding celebration, is often misinterpreted as dowry by the courts, even

though substantively the two differ in purpose, function, and legal basis. Dowry is mandatory as a condition for a valid marriage under Islamic law, while *Dui' Pappenre* is a customary tradition that is voluntary and more related to social respect. This misinterpretation creates systemic injustice, for example, when courts refuse to return *Dui' Pappenre* after marriage annulment because 'the money is gone' (as with dowry), even though in Bugis custom, a partial return is still possible through customary deliberation if the annulment occurs before the marriage contract. The gap between positive law and custom not only reflects the failure of the national legal system to accommodate local complexities but also disregards the principle of restorative justice for women who should be protected when a marriage is annulled. This highlights how the harmonization of national law with local wisdom remains hindered by the rigidity of legal interpretations that disregard the unique philosophy of customary law, thereby exacerbating the tension between the uniformity of state law and the pluralism of customary law in Indonesia.

The current issue is the persistence of traditional customs that set the nominal value of *Dui' Pappenre* in the range of 20 million to 100 million rupiah, and in some cases even reaching hundreds of millions or billions of rupiah, depending entirely on the social status of the woman's family, the educational level of the prospective bride, and other socio-economic factors. It is important to critically emphasize that *Dui' Pappenre* is merely a customary gift given to the bride's family and is by no means a requirement or obligation under positive law, whether in the *Kompilasi Hukum Islam* (Compilation of Islamic Law) or the Marriage Law. The absence of regulations regarding *Dui' Pappenre* in the Compilation of Islamic Law or the Marriage Law indicates that this practice is a social-cultural construct, not a legally binding national norm. Therefore, it is important to emphasize that the determination of *Dui' Pappenre* should not be used as a criterion for the validity of a marriage, and the state must intervene to clarify misunderstandings and prevent customary practices that contradict the principles of justice and the protection of the human rights of every citizen.

This phenomenon reflects the complexity of the interaction between customary law, Islamic law, and contemporary socio-economic realities in Bugis society. On the one hand, *Dui' Pappenre* represents deep and respected cultural values. On the other hand, this practice poses challenges in the modern context, especially related to gender equality and social justice. The high rate of *Dui' Pappenre* reflects a deep-rooted cultural divide, which has the potential to limit women's freedom and reinforce power imbalances in marital relationships.

Furthermore, this phenomenon is contrary to international efforts to eliminate discrimination against women as stipulated in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). In addition, there is a tension between efforts to preserve cultural heritage and the demands of modernity and social justice. The legal vacuum in Indonesia's Marriage Law and regulations regarding the status and return of *Dui' Pappenre* in the case of annulment of marriage is also a significant challenge for the judicial system in handling disputes involving this tradition. This demonstrates the need for a more inclusive and culturally context-sensitive approach to formulating policies and laws related to marriage while ensuring that the principles of justice and gender equality are maintained in preserving cultural traditions.

Although *Dui' Pappenre* holds considerable social and economic importance in Bugis society, excessive amounts can create significant legal and financial complications, particularly when marriages are annulled. The lack of a clear foundation in Islamic law and national regulations leaves this respected tradition without legal certainty, often turning cultural respect into a source of dispute and hardship. Viewed through the lens of legal vacuum (*rechtsvacuum*) theory, the absence of explicit rules regarding the status and return of *Dui' Pappenre* not only generates uncertainty but also increases the potential for conflict and injustice among the parties involved. This situation highlights the urgent need for national legal reform that accommodates local traditions, establishes clear legal standards, and ensures both legal certainty and substantive justice in the regulation of *Dui' Pappenre*.

The legal vacuum related to *Dui' Pappenre* is a problem that can be analyzed using the theory of legal vacuum (*rechtsvacuum*). In this context, the incompleteness of the regulations regarding the status and return of *Dui' Pappenre* in the event of a marriage annulment creates legal uncertainty. This not only has the potential to cause disputes between the parties involved but can also result in confusion in the application of the law and potentially cause injustice (Taqiuddin 2019). This theory of legal vacuum emphasizes the importance of clear legal rules to avoid diverse interpretations and ensure legal certainty for all parties involved in the practice of *Dui' Pappenre*.

The implications of the legal vacuum related to *Dui' Pappenre* in the annulment of marriage are profound and reflect the complexity of the interaction between customary law, Islamic law, and national law in Indonesia. First, if the marriage is annulled, the party who has given the *Dui' Pappenre* will be in legal uncertainty. This is due to the absence of clear rules regarding the status and return of *Dui' Pappenre* in the Marriage Law and the Compilation of Islamic Law. This uncertainty can cause material harm and injustice, especially for parties with significant costs for *Dui' Pappenre*. Second, this legal vacuum creates a significant challenge for the justice system. The judge will face difficulties in deciding the annulment of the marriage involving *Dui' Pappenre* because of the need for a clear legal basis. As a result, court decisions can be inconsistent and cause a sense of injustice in society. This can also result in diverse interpretations of the law, weakening public trust in the legal system. This situation highlights the need for a more inclusive and culturally context-sensitive approach to formulating marriage policies and laws in Indonesia. Efforts are needed to bridge the gap between customary, religious, and national law to create a more comprehensive and fairer legal framework (Atmadianti & Rizal 2024; Harahap 2022).

To overcome this legal vacuum, judges can use the legal discovery method (*rechtsvinding*) by exploring the legal values and sense of justice in Bugis society. This is in line with Satjipto Rahardjo's progressive legal theory, which emphasizes that the law must continue to develop to serve society's interests (Faisal 2023). This legal discovery method allows judges to integrate customary values into their legal considerations to make decisions more responsive to society's social realities (Hakim 2016). In the context of annulment of marriage, Article 27 paragraph (2) of the Marriage Law states 'perkawinan dapat dibatalkan jika terjadi salah sangka mengenai diri suami atau istri' ('a marriage can be annulled if there is a misunderstanding regarding the husband or wife'). However, the phrase 'misinterpretation' in the article has several significant weaknesses. First, this phrase is too general and does not provide a clear definition or criteria for what 'misinterpretation' means. Second, there is no explicit mention of cases involving customary traditions such as *Dui' Pappenre*, an integral part of the Bugis community's marriage culture. The generality of this phrase has the potential to give rise to various interpretations among law enforcement and the community, which can result in legal uncertainty in handling cases involving *Dui' Pappenre*, including that *Dui' Pappenre* is merely spending money. Furthermore, without specific mention, important aspects of the *Dui' Pappenre* tradition have the potential to be overlooked in legal considerations, which can result in decisions that do not follow the local cultural context. Therefore, a more specific and comprehensive formulation is needed to accommodate the complexity of customary traditions such as *Dui' Pappenre* in the context of marriage annulment and to ensure legal certainty and justice for all parties involved.

In the Compilation of Islamic Law, Article 72 paragraph (2) has tried to accommodate this by mentioning 'penipuan atau salah sangka mengenai diri suami isteri' ('deception or misunderstanding about the husband and wife') as a reason for marriage annulment. However, there has been no further explanation regarding the forms of fraud that can be the basis for the annulment of marriage, including in the context of *Dui' Pappenre*. The absence of a specific explanation regarding *Dui' Pappenre* in existing laws and regulations can result in difficulties implementing the law, especially in cases involving complex customary traditions.

To address the problems related to *Dui' Pappenre* in the context of marriage annulment, a comprehensive revision of the Marriage Law and the Compilation of Islamic Law is needed that takes into account various aspects, including customary values, the socio-economic reality of the Bugis and other Indigenous

communities, and the principles of justice and gender equality. This revision must contain more detailed regulations regarding the status and mechanism for returning *Dui' Pappenre* in marriage annulment cases, provide legal certainty for the Bugis Indigenous people, and make it easier for judges to decide related cases.

In this context, it is important to consider fatwa MUI Sulawesi Selatan (fatwa of the Indonesian Ulema Council (MUI) of South Sulawesi) about *Uang Panai (Dui' Pappenre)* (Bride Price (Dui' Pappenre)) published on July 1, 2022 ([Detiksulsel 2022](#)). The fatwa states that *Uang Panai* (Bride Price) is legally allowed as long as it does not violate Sharia principles. The Sharia principles in question include facilitating marriage and not burdening the male side, honouring women, being honest and not manipulative, and the amount being reasonable and agreed upon by both parties and as a form of commitment and responsibility for the prospective husband ([Manggenre 2022](#)). This fatwa can be an important reference in revising the national Marriage Law.

Legal pluralism, which recognizes the diversity of legal systems in society, including customary law, and seeks to integrate them with national law, needs to be considered in formulating regulations on marriage annulments. Thus, the resulting regulations will be more responsive to the needs and social realities of the diverse Indonesian people.

The *Dui' Pappenre* tradition in the Bugis community highlights local traditions' uniqueness and opens up a space for discussion of their international relevance (Wiwin 202). This practice reflects the complexity of the relationship between customary law, religion, and modernity faced by many societies in different parts of the world ([Mor 2015](#)), for example, the challenge of balancing cultural rights with gender equality, as stipulated in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

Further studies are needed to consider customary aspects in formulating regulations or unique articles on marriage annulment, and other aspects of the Marriage Law, in Indonesia. The study should involve a wide range of stakeholders, including legal experts, indigenous leaders, and communities, to ensure that the resulting regulations can accommodate the interests of all parties and reflect the values of justice that live and thrive in Indonesia's diverse society.

With this comprehensive approach, it is hoped that the revision of the Marriage Law and the Compilation of Islamic Law can produce a legal framework more responsive to local wisdom but still in line with the principles of human rights and gender equality. This will help bridge the gap between positive and customary law and create a more harmonious and equitable legal system for Indonesia's diverse society while contributing to global discussions on legal pluralism and cultural heritage protection.

WORLDWIDE CUSTOMS: EFFECTIVENESS OF LAW IMPLEMENTATION IN MARRIAGE ANNULMENT RELATED TO *DUI' PAPPENRE*

Implementing the law on marriage annulment in Indonesia is still not optimal in the field, especially in customs such as *Dui' Pappenre*. Article 22 of the Marriage Law states that 'Perkawinan dapat dibatalkan apabila para pihak tidak memenuhi syarat-syarat untuk melangsungkan perkawinan' ('A marriage can be annulled if the parties do not fulfill the requirements for carrying out a marriage'). The generality of this statement and other statements, for example in Article 27 as shown above, creates a legal loophole that can cause uncertainty in handling cases involving traditions in customary law. In the Compilation of Islamic Law, the key term is 'fraud' and a similar loophole is created because the Compilation does not detail forms of fraud that can be the grounds for marriage annulment. This also can create uncertainty, and in this case has the potential to lead to differing interpretations by judges, inconsistencies in rulings and obstacles to the pursuit of justice, as outlined above.

The effectiveness of legal implementation in marriage annulment cases involving *Dui' Pappenre* can be evaluated through Soerjono Soekanto's theory of legal effectiveness. This theory identifies five key factors influencing the effectiveness of law (Syahril 2018):

- The Legal Factor: The clarity and comprehensiveness of legal norms, which in this case are limited by the lack of specific provisions addressing Pappenre;
- The Law Enforcement Factor: The competence and consistency of judges and other law enforcers in interpreting and applying the law within the cultural context of Pappenre;
- The Facility or Means Factor: The availability of adequate resources, such as legal aid and court access, to support fair adjudication.
- The Community Factor: The level of public awareness and understanding of their rights and obligations concerning marriage annulment and Pappenre; dan
- The Cultural Factor: The influence of local customs, traditions, and values, such as *Dui' Pappenre*, on how laws are perceived and implemented.

Implementing the annulment law related to *Dui' Pappenre* in the 'Global Local Context' is an interesting example of how local traditions interact with the modern legal system in the era of globalization. *Dui' Pappenre*, as an integral part of the Bugis-Makassar marriage customs, reflects distinctive cultural values and faces challenges in the framework of national laws and international human rights standards. A gap exists between the formal rules and customary practices, a phenomenon that occurs not only in Indonesia but also in various countries that are trying to integrate customary law into the modern legal system. Law enforcement factors, especially judges, are crucial in bridging the formal law and customary practices gap. The challenges faced by judges in Indonesia in understanding and applying the concept of *Dui' Pappenre* in legal decisions reflect the global dilemma faced by the justice system in various countries bringing together formal law and indigenous law. This shows the importance of culturally insightful legal education and cultural sensitivity training for law enforcers. Legal facilities and accessibility are also important issues. The difficulty of accessing legal services, especially in remote areas, is a problem for Indonesia and a global challenge in realizing equitable justice. Efforts to improve access to justice through technological innovation and mobile legal services have grown in various countries. Socio-cultural factors should not be overlooked. In Indonesia, they show how traditional values such as *Dui' Pappenre* can be both a barrier and a facilitator in the legal process. The social stigma and cultural pressures that hinder marriage annulment applications illustrate the conflict between individual rights and collective norms. This phenomenon also occurs in many traditional societies facing legal modernization.

To improve the effectiveness of implementation of laws, an approach that is sensitive to the local context but still in line with universal legal principles is needed. Revision of the Marriage Law (or indeed any law) and the Compilation of Islamic Law to accommodate *Dui' Pappenre* should consider international human rights standards and the principle of gender equality. This process can serve as a model for other countries to integrate customary law into modern legal systems. Furthermore, the development of jurisprudence that considers aspects of *Dui' Pappenre* in the annulment of marriage can be an example of how the legal system can adapt to local realities without sacrificing the principles of universal justice. This aligns with the global trend towards legal pluralism that recognizes the diversity of normative systems in society. Thus, the case of the implementation of the annulment law related to *Dui' Pappenre* is not only relevant in the Indonesian context but also offers valuable insights for global discussions on the harmonization of customary law and modern law and efforts to create a legal system that is responsive to cultural diversity while upholding the principles of universal justice.

Second, increasing judges' capacity and understanding of contemporary issues in customary practices, including cases involving *Dui' Pappenre*, is essential in the development of a modern legal system. This

can be done through ongoing training and seminars involving customary law experts. This increased understanding will help judges make fairer decisions and follow the community's socio-cultural context. This capacity-building program should include an in-depth understanding of specific customary practices, their implications for national law and ways to balance customary and national law.

Education and community outreach are crucial aspects that must be considered to increase the effectiveness of implementing the law on the annulment of marriage related to *Dui' Pappenre*. Such a comprehensive education program is urgently needed to reduce social stigma and increase people's legal awareness, especially in Bugis customs. This approach should be designed with cultural sensitivity in mind and using methods acceptable to the Bugis indigenous people to create a balance between respect for customary traditions and national law enforcement in the context of the annulment of marriage.

This need for educational programs is relevant in Indonesia's local context and reflects a global trend bridging the gap between customary and modern law. Many countries face similar challenges in integrating traditional values into national legal systems in different parts of the world. Indonesia's experience in educating the public about *Dui' Pappenre* and its implications in the Marriage Law can be a learning model for other countries facing similar dilemmas between maintaining local wisdom and upholding national and international legal standards.

Implementing these improvement measures is expected to increase the effectiveness of the law on the annulment of marriages related to *Dui' Pappenre*, create legal certainty, and ensure justice for all parties involved. With a comprehensive and culturally sensitive approach, a legal system can be created to accommodate the diversity of indigenous peoples in Indonesia while maintaining the integrity of national law. Furthermore, this effort can be an example of how a country can manage legal pluralism in an era of globalization, where local values and global standards must be harmonized.

In a broader context, Indonesia's approach to addressing the issue of *Dui' Pappenre* in the annulment of marriage can provide valuable insights for the international community on managing cultural diversity in the legal system. This is in line with universal human rights principles that recognize the importance of cultural identity while still upholding equality and justice. Thus, handling the *Dui' Pappenre* issue is not only a solution for the local Indonesian context but also contributes to a global discussion on harmonizing customary law, national law, and international standards in an increasingly connected world.

Conclusion

Dui' Pappenre tradition in Bugis society exemplifies the complex interplay between national law, customary practice, and socio-economic realities in contemporary Indonesia. The findings of this normative legal research reveal that the absence of explicit legal provisions regarding *Dui' Pappenre* in both the Marriage Law and the Compilation of Islamic Law has produced significant legal uncertainty and inconsistent judicial outcomes, particularly in marriage annulment cases. This legal vacuum not only marginalizes the lived experiences and cultural values of the Bugis community but also exacerbates economic and social pressures on families, especially when the nominal value of *Dui' Pappenre* is set according to social status and other socio-economic factors. The misinterpretation of *Dui' Pappenre* as equivalent to mahar (dowry) by some legal actors further entrenches systemic injustice, undermining both gender equality and the principle of restorative justice for women and families affected by annulment.

Addressing these challenges requires a more inclusive, pluralistic, and culturally sensitive approach to legal reform, one that explicitly distinguishes *Dui' Pappenre* from religious dowry, integrates local wisdom such as *siri' na pacce* into judicial reasoning, and provides clear guidelines for dispute resolution rooted in both national and customary law. Capacity building for judges, public education to clarify the legal and cultural status of *Dui' Pappenre*, and the development of context-sensitive jurisprudence are essential steps toward bridging the gap between formal law and the realities of Indonesia's multicultural society.

By fostering constructive dialogue and mutual recognition between state and customary law, Indonesia's experience offers valuable insights for cosmopolitan societies globally, illustrating how legal systems can adapt to cultural diversity while upholding universal principles of justice and human rights.

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