

Customary Marriage and Social Stratification: The Role of 'Urf in Determining Marriage Partners in the Kajang Indigenous Community of South Sulawesi

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Abstrak

This study aims to analyze the influence of social stratification on the selection of marriage partners in the perspective of 'urf in Tanah Toa Village, Kajang District, Bulukumba Regency. The indigenous people of Ammatoa are known to have a strong social structure, which distinguishes between the Puang (nobles) and the Ata (common people), and this has a significant impact on the practice of marriage. This research uses a qualitative method with a theological-normative approach. The main data source is in the form of in-depth interviews with traditional leaders, religious leaders, and local residents. In addition, secondary data were obtained from customary documentation and literature related to social stratification and Islamic law. Data collection techniques are carried out through observation, interviews, and literature studies. The instruments used were a semi-structured interview guide and a voice recording device. Data processing is carried out through the stages of data reduction, data presentation, and conclusion drawn. The analysis was carried out by examining traditional practices and Islamic views on social stratification and inter-caste marriage. The results of the study showed that social stratification affects marriage patterns, where the Puang group tends to marry fellow Puang to maintain social status and lineage. Inter-caste marriages, such as those between Puang and Ata, although customarily possible, are often rejected by families and communities. This norm comes from a long-standing custom. In the perspective of Islamic law, the prohibition is considered 'urf fasid because it is contrary to the principles of justice and equality, which judge a person's glory based on piety, not social status. Islam also gives freedom in choosing a partner as long as it is based on faith and morals. Therefore, in the context of changing social dynamics, this prohibition needs to be reviewed so as not to cause injustice in the socio-religious life of the community.

Keywords: Marriage; Social Stratification; Urf; Kajang Indigenous Peoples; Selection of Marriage Partners.

Abstract

Penelitian ini bertujuan untuk menganalisis pengaruh stratifikasi sosial terhadap pemilihan pasangan nikah dalam perspektif 'urf di Desa Tanah Toa, Kecamatan Kajang, Kabupaten Bulukumba. Masyarakat adat Ammatoa dikenal memiliki struktur sosial yang kuat, yang membedakan antara golongan Puang (bangsawan) dan Ata (rakyat biasa), dan hal ini berdampak signifikan terhadap praktik pernikahan. Penelitian ini menggunakan metode kualitatif dengan pendekatan teologis-normatif. Sumber data utama berupa wawancara mendalam dengan tokoh adat, pemuka agama, dan warga setempat. Selain itu, data sekunder diperoleh dari dokumentasi adat dan literatur terkait stratifikasi sosial serta hukum Islam. Teknik pengumpulan data dilakukan melalui observasi, wawancara, dan studi pustaka. Instrumen yang digunakan adalah panduan wawancara semi-terstruktur dan alat perekam suara. Pengolahan data dilakukan melalui tahapan reduksi data, penyajian data, dan penarikan kesimpulan. Analisis dilakukan dengan mengkaji praktik adat dan pandangan Islam mengenai stratifikasi sosial dan pernikahan lintas golongan. Hasil penelitian menunjukkan bahwa stratifikasi sosial memengaruhi pola pernikahan, di mana golongan Puang cenderung menikah dengan sesama Puang untuk menjaga status sosial dan garis keturunan. Pernikahan lintas golongan, seperti antara Puang dan Ata, meskipun secara adat dimungkinkan, seringkali mendapat penolakan dari keluarga dan masyarakat. Norma ini bersumber dari adat yang telah berlangsung lama. Dalam perspektif hukum Islam, larangan tersebut dinilai sebagai 'urf fasid karena bertentangan dengan prinsip keadilan dan kesetaraan, yang menilai kemuliaan seseorang berdasarkan ketakwaan, bukan status sosial. Islam juga memberikan kebebasan dalam memilih pasangan selama berdasarkan iman dan akhlak. Oleh karena itu, dalam konteks dinamika sosial yang terus berubah, larangan ini perlu ditinjau kembali agar tidak menimbulkan ketidakadilan dalam kehidupan sosial-keagamaan masyarakat.

Kata Kunci: Perkawinan; Stratifikasi Sosial; Urf; Masyarakat Adat Kajang; Pemilihan Pasangan Nikah.

Introduction

Marriage in Islam is more than just a physical relationship; it is a way to maintain the purity of the heart and build a legitimate relationship in the eyes of Allah. Islam emphasizes marriage as a way to obtain blessings and goodness in life, as well as to create a just society.¹ Verses in the al-Qur'an emphasize that Islam does not differentiate social status in terms of the right to marry, promising blessings for those who marry with good intentions. Therefore, marriage is also seen as an effort to create social goodness as a whole. Marriage has important social, cultural, and economic dimensions. In terms of social aspects, marriage expands kinship networks and strengthens relationships between families.² Culturally, marriage functions as a medium to preserve traditions and customary values between generations. In terms of the economy, marriage can affect the economic status of the family through the combination of resources and cooperation between families.³ With strong social stratification

¹ Ali Sibra Malisi, "Pernikahan Dalam Islam," *SEIKAT: Jurnal Ilmu Sosial, Politik Dan Hukum* 1, no. 1 (2022): 22–28, <https://doi.org/10.55681/seikat.v1i1.97>.

² Heather H. Kelley, Ashley B. LeBaron, and E. Jeffrey Hill, "Family Matters: Decade Review from Journal of Family and Economic Issues," *Journal of Family and Economic Issues* 42, no. 1 (2021): 20–33, <https://doi.org/10.1007/s10834-020-09706-8>.

³ Nurul Wafiq Azizah, "Stratifikasi Sosial Dalam Pernikahan Adat Toraja Perspektif Hukum Islam," *Maddika: Journal Of Islamic Family Law* 5, no. 1 (2024): 14–30, <https://doi.org/10.24256/maddika.v5i1.5014>.

in society, the selection of a partner often becomes more complex. Many people choose partners from an equal social class to maintain their social status. Factors such as wealth, education, and family status are major considerations in determining a partner in traditional communities. This shows how differences in social status affect personal relationships, including marriage.⁴

For example, in the Batak Angkola community in Padang Sidempuan, economic conditions greatly determine the choice of partner. Families with greater resources have more influence in determining marriage.⁵ A similar phenomenon was also found in Kuala Makmur Village, Simeulue Timur District, where differences in social status, such as occupation and wealth, are important factors in obtaining marriage approval from the family.⁶ In the Bugis-Makassar community, the choice of a partner is often influenced by considerations of the extended family, social status, and level of education. The family plays an important role in determining the suitability of a partner to maintain family honor and preserve traditions.⁷ This reflects how cultural norms and social structures interact with individual preferences in choosing a partner.

Marriage traditions influenced by social stratification are also found in Tanah Toa Village, Kajang District, Bulukumba Regency. The social stratification system divides the community into two main strata, namely *Puang* (nobles) and *Ata* (commoners), which determines a person's social status. Determining a marriage partner often depends on the compatibility of the social status of the prospective bride and groom, which reflects local cultural values. However, this system also causes problems, especially because of customary rules that prohibit marriage between *Ata* and *Puang*. This limitation can have an impact on social justice because individuals from certain strata of society do not have the same freedom in determining their life partners. In addition, this rule can also narrow social mobility and strengthen the gap in society, thus raising questions about the relevance of social stratification in the context of increasingly inclusive social change.

⁴ Anette Eva Fasang and Silke Aisenbrey, "Uncovering Social Stratification: Intersectional Inequalities in Work and Family Life Courses by Gender and Race," *Social Forces* 101, no. 2 (2022): 575–605, <https://doi.org/10.1093/sf/soab151>.

⁵ Yusrida Yusrida and Sakti Ritonga, "Analisis Historis Stratifikasi Sosial Dan Pembatasan Perkawinan Dalam Masyarakat Batak Angkola Kota Padang Sidempuan," *JRTI : Jurnal Riset Tindakan Indonesia* 9, no. 2 (2024): 112–20, <https://doi.org/10.29210/30034735000>.

⁶ Aja Wardian SR, *Berbeda Strata Ekonomi Sebagai Hambatan Persetujuan Pernikahan (Penelitian Di Kecamatan Simuelue Timur Kabupaten Simeulue)* (Banda Aceh: Universitas Islam Negeri Ar Raniry Banda Aceh, 2021), <https://repository.ar-raniry.ac.id/id/eprint/18493/>.

⁷ Asrie Dwi Chaesty and Darmawan Muttaqin, "Studi Literatur: Uang Panai Dalam Adat Pernikahan Suku Bugis Makassar," *Jurnal Sinestesia* 12, no. 2 (2022): 701–7, <https://sinestesia.pustaka.my.id/journal/article/view/234>.

In this case, the concept of '*urf*, a custom recognized in Islamic law,⁸ plays an important role in the marriage tradition in Tanah Toa Village. '*Urf* refers to the accepted customs of society as long as they do not conflict with the basic principles of Islamic law.⁹ The tradition that prioritizes social status in choosing a partner can be considered '*urf*, but it is necessary to study further whether the rules prohibiting marriage between *Puang* and *Ata* are still in line with Islamic principles, especially in terms of equality and justice. If this tradition actually limits individual rights and strengthens social inequality, then it is necessary to question the extent to which this '*urf* is still relevant in a society that is constantly changing. Therefore, a study of '*urf* in the context of choosing a marriage partner influenced by social stratification is important to see whether this customary rule can continue to be maintained or needs to be adjusted to better reflect the values of justice in Islam.

Previous studies have discussed similar themes in different contexts. A study by Ronny Mahmuddin, Saifullah bin Anshor, and Hamdan Ngaja (2022) raised the issue of inter-caste marriage in Ngafan Village, North Maluku, by highlighting the concept of *kafa'ah* (*sekufu*) in law.¹⁰ Meanwhile, Ni Putu Ganis Pradnyawati et al. (2022) discussed the position of Balinese women in inter-caste marriages and how patriarchal culture reinforces this inequality.¹¹ Gantarang's (2022) study examined the relevance of the quantity of dowry in marriages in the Bugis Parepare community from a social stratification perspective,¹² and Lalu Tambéh Wadi (2017) examined the prevention of marriage due to differences in social class according to Islamic law.¹³ Meanwhile, Syarifuddin (2017) researched the *a'matoang* culture in the Turatea community, which showed the influence of social status on the amount of gifts given in marriage.¹⁴

⁸ Sunan Autad Sarjana and Imam Kamaluddin Suratman, "Konsep 'Urf Dalam Penetapan Hukum Islam," *Tsaqafah: Jurnal Peradaban Islam* 13, no. 2 (2018): 279–96, <https://doi.org/10.21111/tsaqafah.v13i2.1509>.

⁹ Isnain La Harisi, Abd Muthalib, and Kurniadi Kurniadi, "Peran Urf Dalam Menentukan Hak Dan Kewajiban Suami-Istri Demi Mewujudkan Keluarga Sakinah," *Al-Usariyah: Jurnal Hukum Keluarga Islam* 2, no. 1 (2024): 1–24, <https://doi.org/10.37397/al-usariyah.v2i1.585>.

¹⁰ Ronny Mahmuddin, Saifullah bin Anshor, and Hamdan Ngaja, "Tinjauan Hukum Islam Terhadap Pernikahan Beda Kasta (Studi Kasus Desa Ngafan Kabupaten Maluku Tenggara)," *BUSTANUL FUQAHA: Jurnal Bidang Hukum Islam* 2, no. 1 (April 2021): 148–59, <https://doi.org/10.36701/bustanul.v2i1.314>.

¹¹ Ni Putu Ganis Pradnyawati, Widjajanti Mulyono Santoso, and Mia Siscawati, "Posisi Perempuan Bali dalam Perkawinan Beda Kasta," *Dharmasmrti: Jurnal Ilmu Agama dan Kebudayaan* 22, no. 1 (April 2022): 78–85, <https://doi.org/10.32795/ds.v22i1.2757>.

¹² Gantarang Gantarang, "Relevansi Penentuan Kuantitas Mahar Dalam Pernikahan Masyarakat Bugis Parepare (Stratifikasi Sosial Kontemporer)" (IAIN Parepare, 2022), <https://repository.iainpare.ac.id/id/eprint/3341/>.

¹³ Lalu Tambéh Wadi, "Perbedaan Stratifikasi Sosial (Gelara Kebangsawanan) Sebagai Penyebab Terjadinya Pencegahan Perkawinan Perspektif Hukum Islam," *Al-Ihkam: Jurnal Ahwal Al-Syakhshiyah* 9, no. 1 (2017): 106–33.

¹⁴ Syarifuddin, "Stratifikasi Sosial dalam Budaya A'matoang Masyarakat Turatea Kabupaten Jeneponto," *Equilibrium: Jurnal Pendidikan* 5, no. 1 (2017): 1–4, <https://doi.org/10.26618/equilibrium.v5i1.966>.

Although the theme of stratification and marriage has been widely studied, this study is important because it focuses on the unique traditions of the Tanah Toa community that have not been widely revealed, as well as the analytical approach of '*urf* in the perspective of Islamic law that is still rarely used for local contexts like this. Different from previous studies that emphasize formal law or social impacts, this study examines in depth how the prohibition of inter-group marriage in *Ammatoa* indigenous is categorized as '*urf fāsīd*, and how this is contradicted by Islamic principles of justice and equality.

The purpose of this study is to analyze how social stratification in the Tanah Toa community affects the customary marriage system, especially in the prohibition of marriage between *Puang* and *Ata*. In addition, this study aims to examine the concept of '*urf* in the tradition of determining marriage partners in the Tanah Toa community and assess its suitability with Islamic principles. By understanding the position of '*urf* in this context, this study is expected to provide a scientific contribution in seeing the relevance of these customary rules in the midst of the social dynamics of society, as well as being the basis for considering whether these rules need to be maintained or adjusted to be in line with the values of justice in Islam.

Research Methods

This study employed a descriptive qualitative method because it is appropriate for understanding complex social phenomena in a local context. The theological-normative approach was chosen to examine the relationship between religious and customary norms in the selection of marriage partners in Tanah Toa Village, Kajang District, Bulukumba Regency. This approach was relevant because the problem being studied concerned religious practices bound by traditional community values. This type of research and approach was chosen scientifically because it was able to capture meanings, values, and social practices that cannot be measured quantitatively.

The data sources in this study consisted of primary data obtained through in-depth interviews with customary leaders, community leaders, and religious leaders in order to capture the direct perspectives of customary actors and religious leaders regarding the practice of selecting a spouse. Secondary data was obtained from relevant literature, such as books, journals, and customary documents, which supported theoretical and contextual analysis. The data collection techniques were carried out through field observations, semi-structured interviews, and library studies, with the help of instruments in the form of

interview guides to maintain the focus of the discussion and recording devices as data documentation. The data analysis process included three stages: data reduction to sort out relevant information, presenting data in narrative or visual form for easy understanding, and drawing and verifying conclusions to ensure the accuracy, consistency, and validity of research findings. Thus, this method became a scientific basis for assessing the validity and quality of research.

Results and Discussion

1. The Concept of 'Urf and Its Role in the Traditional Marriage System

'Urf is a custom or tradition that applies in a community and is recognized in Islamic law as long as it does not conflict with sharia. In the fiqh study, 'urf is divided into '*urf sahih* (which does not conflict with sharia) and '*urf fāsid* (which conflicts with sharia). In the context of Islamic law, 'urf can be a source of law if it meets certain criteria, such as being widely accepted and ongoing. In the indigenous communities of Tanah Toa, Kajang, and Bulukumba, 'urf has an important role in various aspects of life, including in the traditional marriage system. Customary rules that are passed down from generation to generation are still maintained as a form of strong cultural identity.

Marriage in the Tanah Toa indigenous community follows strict customary norms and rules. The matchmaking system is still a common practice, although it has been adjusted to the times. This matchmaking is carried out based on family agreement and the blessing of traditional elders. In addition, 'urf in Tanah Toa also regulates the amount of *panai* or dowry given by the man to the woman, which is usually determined based on social status and family position. The wedding procession includes several customary stages, such as *appa'lala* (proposal), *assiro* (agreement), and *mappettuada* (marriage contract), which contain customary values that are maintained from generation to generation. In addition, in the Amma Toa community, customary provisions require marriages to be carried out between members of the community or marriages that are carried out if they are still in the same caste. This aims to maintain the purity of their culture and traditions.¹⁵

From the analysis above, it can be concluded that the concept of 'urf has a significant role in the traditional marriage system in the Amma Toa community, Kajang. This tradition

¹⁵ Rudianto Rudianto, Akram Ista, and Nurhikmah Nurhikmah, "Implementasi Hukum Adat Tentang Perkawinan Beda Kasta Dalam Perspektif Hukum Positif," *Jurnal Tana Mana* 4, no. 2 (December 2023): 314–21, <https://doi.org/10.33648/jtm.v4i2.463>.

persists despite experiencing several changes due to the influence of Islamic law and modernization. Studies in the last five years have shown a shift in values in the practice of traditional marriage in Kajang, but the main principles held remain rooted in customary values. Therefore, understanding the concept of 'urf in traditional marriage in Kajang is important to maintain the balance between custom and Islamic law in an ever-evolving social context.

2. Social Stratification and Its Influence on the Selection of Marital Partners

The social stratification system in Tanah Toa Village is still applied today, influenced by hereditary factors and social roles. Outside *Ammatoa*, social status is determined by hereditary lines that are passed down from generation to generation, while within *Ammatoa*, stratification is more dependent on the role of individuals in society. According to Mr. Mail, the Spokesperson for *Ammatoa*, the people in this area were classified based on their descent into two main groups, namely *Puang* and *Ata* (Mail, 2024). *Puang* is a noble class that has an honorable position and an important role in maintaining social harmony. Apart from being traditional leaders, they are also influential in political and economic aspects, especially through land ownership and relationships with local rulers. The title *Puang* is passed down from generation to generation and is still respected today as a symbol of honor and unifying customs. Agustina and Iqbal's (2023) study discussing social stratification confirms that the title of nobility in the Bugis community, including *Puang*, not only indicates social status but also reflects the preservation of cultural values. In both Bugis and Tanah Toa communities, the title remains relevant in the modern era as a guardian of tradition and cultural identity amidst the current globalization.¹⁶

Meanwhile, *Ata* are ordinary people (commoners) whose status is passed down from generation to generation and who generally work for the *Puang* without always experiencing oppression. Based on the results of interviews with community leaders in Tanah Toa Village, *Ata* is divided into two types, namely *Ata Sila* and *Ata Puppusu*. *Ata Sila* is a group born from a marriage between *Puang* and *Ata*, reflecting a mixed status in the social system of Tanah Toa Village. They are between two social strata with rights that are not entirely equal to *Puang* but higher than *Ata*. As social intermediaries, *Ata Sila* plays an important role in bridging communication between the nobility and the common people. Although in modern

¹⁶ Selfia Agustina, Moch Iqbal, and Ismail Ismail, "Antropologi Suku Bugis," *DAWUH: Islamic Communication Journal* 5, no. 2 (2024): 71–86, <https://doi.org/10.62159/dawuh.v5i2.1255>.

communities, their status is starting to fade, the existence of *Ata Sila* remains relevant in understanding the social and cultural dynamics of the Kajang tribe. Meanwhile, *Ata Puppusu* is a group born from a marriage between *Ata* and has a pure social status without any mixture of noble blood. They generally work in the agricultural, fisheries, or domestic sectors, with status that is passed down from generation to generation. Although traditionally, their position depended on relationships with other groups, modern social changes have opened up more equal opportunities in education and economics, allowing for more inclusive social mobility for the entire community (Sapriadi, 2024).

Marriage in Tanah Toa Village is strictly regulated by customs as part of the *Ammatoa* customs. Marriage rules reflect local wisdom that has been passed down from generation to generation. In addition to being an individual bond, marriage also has a social dimension that maintains community harmony and respect for customs. This is in line with the results of an interview with *Ammatoa* as the Customary Head, who said:

"If you get married here, it is not just marrying carelessly. We pay attention to the prevailing customs. Each group has its own responsibilities. There are rules called the Rules in Kajang, as a place to save customary provisions that apply in the Kajang area."

Ammatoa emphasized that marriage in Tanah Toa Village is not only a personal bond but also part of an important customary practice. Every social group has a responsibility in the marriage process to maintain social balance. Therefore, its implementation must follow customary rules with full responsibility. *Ammatoa* emphasized that *Pasang ri Kajang* is a customary rule that is the basis of the life of the *Ammatoa* community, including marriage. This rule regulates the rights, obligations, and customary procedures that must be followed in every marriage procession. By following *Pasang ri Kajang*, the marriage is considered valid and has the blessing of the community and ancestors.

Social strata of community or social stratification have a big influence in determining the choice of a partner in marriage. The choice of a partner in the Tanah Toa Village community is greatly influenced by customs and traditions passed down from generation to generation. This process involves the extended family and considers the suitability of social background and customary rules that apply in the community, based on the results of an interview with Mr. Mail as the Spokesperson for *Ammatoa*, who said:

Some people from the *Puang* group in the outer Kajang tend to choose to marry within their own group. This is done because they do not want their descendants to be far from the *Puang* lineage. However, there are also some people from the *Puang* group who marry *Ata'*. However, this kind of marriage usually has difficulty getting the blessing of their parents. If

the man is from the *Puang* group and the woman is from the *Ata* group, such marriages still often occur. This is because the status of the woman and her children can later be changed or adjusted. On the other hand, if the woman is from the *Puang* group and the man is from the *Ata* group, cases like this are very rare. Even if there are, often, the marriage must be carried out secretly (*silariang*), and in the past, there were even those who were expelled by their families.

"Some Puang groups in Tanah Toa Village choose to marry other Puang to maintain the authenticity of their lineage and family social status. According to Mr. Mail, marriages between Puang and Ata make it difficult to obtain family approval and community acceptance because of the strong tradition that regulates social status based on descent. The Puang, who are considered superior because of their traditional knowledge, are worried that marriage with Ata could change the existing social structure. Although the Ata are now more educated, differences in status are still a major obstacle to social acceptance. The desire to maintain tradition makes inter-group marriages difficult to accept because they are considered to disrupt the long-standing order."

Mr. Mail's statement is in line with Sapriadi's statement as a Community Leader of Tanah Toa Village, who said: "Marriages between the *Puang* and *Ata*' groups do exist, but such marriages often do not get the blessing of the family and are difficult for the wider community to accept. This shows that there are still quite strong social boundaries in the prevailing customary structure (Sapriadi, 2024)." Sapriadi described the challenges faced by individuals who want to establish a relationship with someone from a different group. Although they have similar values and understandings, the biggest obstacle is the difficulty in getting support from the family and broad acceptance from the community.

This is different from Harun's statement as a religious figure and also an employee of the Office of Religious Affairs OF Kajang District, who said:

"In the present day, such class-based differences should no longer be relevant. If, in the past, it was thought that the Puang class had a better understanding of customs and had higher knowledge, now there are also many Ata' who have advanced, are educated, and understand the customs that apply in the Kajang area."

Mr. Harun's statement criticized the differences between the *Puang* and *Ata* groups in Tanah Toa Village, which are considered no longer relevant in the modern era. Society, especially the *Ata* group, is now more advanced, educated, and understands customs, so social restrictions based on descent should no longer be a barrier in community life. In the past, class differences were based on the assumption that the *Puang* were more experienced in customs and culture, but the development of education has allowed the *Ata* group to gain equal understanding. This shows that social status no longer has to depend on descent because all levels of society now have equal access to knowledge and customs. This is in line with a study conducted by Nurul (2022), which also discussed social stratification in a different

research location, namely in Makassar. Magfirah's study results showed that in this modern era, descent is no longer the only factor that determines a person's social position, and the *Ata* group also has equal potential in understanding and maintaining cultural customs, which are the basis for the formation of social stratification.¹⁷ Mr. Harun, a religious leader, also said:

"Although there are different views on the fairness of the social division, the customs that apply in Kajang remain an important part of the community's life. As members of the community and religious leaders, we can only respect and honor these deep-rooted traditions. The law in Indonesia also recognizes the existence of local traditions like this. Therefore, as part of a community that respects each other, it is only right that we continue to respect the existing customs while opening up space for dialogue so that these traditions can be adjusted to the values of justice and the development of the times."

The customs prevailing in Kajang are part of the cultural identity that has been passed down from generation to generation and is recognized in the Indonesian legal system as part of customary law. Although there are differences of opinion regarding the aspect of justice in the social system applied, this tradition remains an important element in the lives of the local community. As part of a society that respects cultural diversity, it is important to maintain an attitude of mutual respect for existing customs while opening up space for constructive discussion. This approach allows for the adjustment of traditions with values that are more inclusive and in line with the times without eliminating the essence of the culture that is the identity of the Kajang community.

Harun also emphasized that both personally and as a representative of the Office of Religious Affairs, there is no difference between the *Puang* and *Ata* groups in marriage. According to him, marriage will be carried out in accordance with the pillars of a valid marriage without considering social status or class because the essence of marriage in religion is the intention and seriousness to build a harmonious family, not social status. This principle of equality emphasizes that every individual has the same right to marry according to religious guidance (Harun, 2024).

This is in line with the study by, which analyzed the influence of modernization on marriage customs in the Kajang community and found that despite external influences, customary principles are still upheld.¹⁸ In contrast to the closed stratification system in Tanah Toa Village, which has similarities with Syandri's study in 2020, discussed social stratification

¹⁷ Nurul Magfirah, "Stratifikasi Sosial Masyarakat Di Kota Makassar," *OSF Preprints*, 2022, 1–13, <https://doi.org/10.31219/osf.io/82hd7>.

¹⁸ Syahrin Nur, Qadir Gassing, and Musyifah Ilyas, "Analisis Pemahaman Masyarakat Suku Kajang terhadap Perceraian Ditinjau dari UU No. 16 Tahun 2019," *Qadauna: Jurnal Ilmiah Mahasiswa Hukum Keluarga Islam* 4, no. 3 (2023): 632–46, <https://doi.org/10.24252/qadauna.v4i3.29167>.

in Pao Village, Gowa Regency, showed social stratification based on descent but with different structures. In Pao Village, stratification is more complex, with four levels, namely *Puang*, *Karaeng*, *Daeng*, and *Ata*. While in Tanah Toa Village, it is only divided into two, namely *Puang* and *Ata*. This difference shows that although both are based on descent, Pao Village has a more detailed social structure, while Tanah Toa Village has more direct social dynamics between the upper and lower classes.¹⁹

3. The Interaction between 'Urf and Social Stratification in Shaping Marriage Practices

The interaction between 'urf and social stratification in marriage practices often forms norms that regulate who can marry whom, especially in the context of marriage between castes. In a society that still adheres to a social stratification system, such as in Tanah Toa Village, marriage practices tend to maintain certain lineages and social statuses. The prohibition on marrying outside a certain social group is part of the 'urf that is passed down from generation to generation, although in Islam, the principle of *kafa'ah* emphasizes equality based on piety, not social status. This phenomenon shows how 'urf can be contrary to Islamic teachings if it perpetuates injustice and discrimination in marriage.

The prohibition on marriage between groups in Tanah Toa Village can be considered 'urf *fāsid* because it is contrary to the principle of equality in Islam. Islam emphasizes that a person's glory in the sight of Allah is determined by his piety, not by social status or origin, as reflected in Surah Al-Hujurat verse 13. The concept of equality (*kafa'ah*) focuses more on aspects of faith, morals, and ethics, not on social status. This is found in Surah Al-Hujurat/49:13.

"O humanity! Indeed, We created you from a male and a female, and made you into peoples and tribes so that you may 'get to' know one another. Surely, the most noble of you in the sight of Allah is the most righteous among you. Allah is truly All-Knowing, All-Aware."

This verse emphasizes that all humans are created from a male and a female, then made into nations and tribes so that they might know each other. According to Ibn Kathir's interpretation, this verse shows that glory before Allah does not depend on descent or social status but on a person's piety and good deeds.²⁰ Therefore, the concept of equality in Islam demands an understanding that there is no difference in rights in determining a life partner

¹⁹ Syandari and A Yunta, "Sistem Penguburan Masyarakat Desa Pao Kabupaten Gowa," *WAHATUL MUJTAMA': Jurnal Pengabdian Masyarakat*, no. Vol.1, No. 1 (2020): 33–41.

²⁰ Ahmad Izza Muttaqin, "Nilai-Nilai Pendidikan Multikultural Dalam Al-Quran:(Kajian Tafsir Al Misbah QS. Al Hujurat: 13)," *Jurnal Darussalam: Jurnal Pendidikan, Komunikasi Dan Pemikiran Hukum Islam* 9, no. 2 (2018): 283–93, <https://doi.org/10.30739/darussalam.v9i2.230>.

based on social class but rather on similarities in faith and morals. In addition, the Prophet Muhammad SAW said:

"Indeed, Allah does not look at your appearance and wealth, but He looks at your hearts and deeds." (HR. Muslim, No. 2564)²¹

This hadith explains that the measure of human nobility in Islam is not based on social status, wealth, or physical appearance but on sincerity of heart and good deeds.²² According to Imam Nawawi in *Syarah Sahih Muslim*, this hadith teaches that a person's virtue in the sight of Allah is only assessed from his inner side and good deeds, not from external things such as lineage or wealth.²³

The tradition that prohibits marriage based on social status hinders the individual's right to choose a partner based on faith, morals, and personal compatibility, which should be the basis of marriage. Surah An-Nur verse 32 also teaches to facilitate marriage without considering social status, which is contrary to the prohibition. Allah's Word in Surah An-Nur/24:32.

"Marry off the 'free' singles among you, as well as the righteous of your bondmen and bondwomen. If they are poor, Allah will enrich them out of His bounty. For Allah is All-Bountiful, All-Knowing."

Surah An-Nur verse 32 contains the command of Allah SWT to marry people who are still single, both free people and slaves. Allah emphasizes that if they are in a poor condition, then Allah will provide sufficiency from His grace. This verse shows that marriage should not be hampered by economic reasons or social status. In Tafsir al-Tabari, Imam al-Tabari explains that this verse is an encouragement to guardians and community leaders to facilitate the marriage process regardless of social status or wealth. He emphasized that poverty is not a reason to delay or prevent marriage because Allah has guaranteed sufficient sustenance for those who marry with good intentions.²⁴

In line with that, Tafsir al-Qurthubi states that this verse is a strong basis that wealth is not a valid requirement in marriage and that society should help facilitate the marriage process, not the other way around to become an obstacle. Al-Qurthubi considers that the act

²¹ Faqi Abdul M, *Al-Lu'lu Wal Marjan: Mutiara Hadits Sahih Bukhari Dan Muslim* (Jakarta: Ummul Qura, 2018).

²² Nadiyah Anggraini, "Karakter Muslimah Ideal Dalam Al-Qur'an (Kajian Atas Penafsiran M. Quraish Shihab Dalam Tafsir Al-Mishbah)" (Universitas PTIQ Jakarta, 2024).

²³ Imam An-Nawawi et al., *Terjemah Syarah Shahih Muslim* (Mustaqiim, 1994).

²⁴ Amhad Abdurrazik Al-Bakri et al., *Tafsir Ath Thabari Jami' Al Bayan Fi Ta'wil Al Qur'an Terjemah Bahasa Indonesia Jilid 18 Sesuai Dengan Manuskrip Asli Dan Revisi Serta Penyempurnaan Atas Naskah Syaikh Ahmad Muhammad Syakir Dan Syaikh Mahmud Muhammad Syakir* (Jakarta: Pustaka Azzam, 2022).

of rejecting marriage only because of differences in social status is contrary to the spirit of justice in Islam.²⁵

Meanwhile, M. Quraish Shihab in *Tafsir Al-Misbah* interprets this verse as an encouragement to expand access to marriage without discrimination. According to him, Allah's promise to fulfill the needs of married couples shows that marriage is an institution that must be maintained and should not be hindered by worldly considerations such as social status or wealth. He emphasized that Islam glorifies faith and morals as the basis for choosing a partner, not caste or descent.²⁶ This verse, based on the above opinion, emphasizes the importance of facilitating marriage regardless of social status or economic conditions because Allah has guaranteed sufficient sustenance for those who marry with good intentions. All three agree that discrimination in marriage based on wealth or social status is contrary to Islamic teachings, which emphasize justice, equality, and the value of piety as the main basis for choosing a partner.

In addition, the principle of justice in Islam, as expressed in Surah Al-Maidah verse 8, is also violated by this prohibition, which prioritizes social status over religious values—the Word of Allah SWT in Surah Al-Maidah/5:8.

“O believers! Stand firm for Allah and bear true testimony. Do not let the hatred of a people lead you to injustice. Be just! That is closer to righteousness. Moreover, be mindful of Allah. Surely Allah is All-Aware of what you do.”

This verse emphasizes justice as a primary principle in Islam, which also applies to the application of customs or 'urf. The prohibition of marriage between *Puang* and *Ata* may contradict the principle of Islamic justice, which teaches that all humans are equal before Allah. Kasmita's study in 2021, which discussed Surah Al-Maidah verse 8, emphasized that justice must be applied in social life, including marriage, so that the 'urf, which prohibits inter-group marriage, needs to be evaluated based on this principle. Surah Al-Maidah verse 8 contains the basic principle of justice in Islam, namely justice that is universal and should not be influenced by subjective feelings such as hatred, love, or worldly considerations such as social status. In *Tafsir al-Tabari*, Allah commands believers to be upholders of justice solely for Allah's sake, not because of personal or group interests. Even against people who are hated, justice must still be upheld because that is the closest to piety. Imam al-Qurthubi in his interpretation also emphasized that this verse prohibits all forms of injustice, whether in law,

²⁵ Muhammad bin Ahmad Al-Qurtubi and Ahmad Al-Ansari, *Al-Jami'li Ahkam Al-Qur'an*, vol. 1428 (Beirut: Muassasah al-Risalah, 2006).

²⁶ Muhammad Quraish Shihab, *Tafsir Al-Mishbah: Pesan, Kesan, Dan Keserasian Al-Qur'an. Surah Al-Fatihah, Surah Al-Baqarah* (Jakarta: Lentera Hati, 2012).

social, or *muamalah*, and invites Muslims to prioritize divine values in all forms of interaction, including marriage.

In the context of this study, the prohibition of inter-group marriage due to social status can be seen as a form of injustice that is contrary to the teachings of the Al-Qur'an. M. Quraish Shihab in Tafsir Al-Misbah explains that justice is the highest moral value in Islam and must be the standard in assessing and treating fellow human beings. Therefore, limiting a person's right to choose a partner simply because of differences in caste or social status is not only unfair but also contrary to the spirit of piety and brotherhood in Islam, as emphasized in this verse. In the modern era, where access to education and information is increasingly widespread, the differences in knowledge that are the basis for this prohibition are shrinking. Islam teaches that piety is the only differentiator of status before Allah, so continuing this prohibition will only worsen injustice. Therefore, this prohibition of inter-group marriage needs to be evaluated so that it is more in accordance with the principles of justice and equality in Islam.

Conclusion

Marriage in Tanah Toa Village is strongly influenced by social stratification in *Ammatoo* customs. The *Puang* group tends to marry other *Puangs* to maintain status and lineage. Although inter-class marriages between *Puang* and *Ata* sometimes occur, this is rarely socially accepted and often faces challenges in the form of family approval and pressure from society. This social stratification plays an important role in marriage decisions to maintain customary harmony and social order. However, when viewed from the perspective of Islamic law, the prohibition of inter-class marriage based on social status is included in the category of '*urf fāsid*', because it contradicts the principles of justice and equality taught in Islam. Islam assesses a person's nobility based on their piety, as stated in Surah Al-Hujurat verse 13, and not on the basis of descent or caste. Islam also upholds the freedom to choose a partner based on faith and morals. Therefore, the tradition that limits marriage between groups in Tanah Toa, if it continues to be maintained without considering universal Islamic values, will give rise to social inequality and discrimination that is not in accordance with *maqāṣid al-syarī'ah*. Thus, this research emphasizes that these customary rules need to be reviewed and adjusted so that they are in line with the values of justice in Islam and the ever-changing social realities of society.

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Interview

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