

# Revitalizing the Legal Values of Marriage in the Konjo Bulukumba Community to Prevent Family Disintegration: The Perspective of Maqashid Al Syariah

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## Abstract

Marriage in the Konjo Bulukumba community has social and spiritual values that serve to maintain family integrity, but globalization poses challenges in the form of increased potential for family disintegration and the weakening of traditional values. This study aims to analyze the legal values of marriage in the Konjo community, their implementation in preventing divorce, and their relevance to the principles of maqāṣid al-syarī'ah. This study uses a qualitative approach with a sociological-empirical method. Data were obtained through field observations, in-depth interviews with four informants selected purposively (traditional leaders, religious leaders, and married couples), and documentation review, then analyzed using an interactive model through a process of reduction, presentation, and conclusion drawing. The results of the study show that the practice of pudeppo (traditional advice before marriage), the involvement of the extended family in resolving domestic conflicts, and an emphasis on responsibility and mutual cooperation are effective cultural instruments in reducing divorce rates while maintaining social solidarity. From the perspective of maqāṣid al-syarī'ah, these values are in line with the objectives of protecting religion (ḥifẓ al-dīn), life (ḥifẓ al-nafs), offspring (ḥifẓ al-nasl), and property (ḥifẓ al-māl). These findings confirm that the marriage practices of the Konjo community not only function as a customary mechanism but also have a normative basis in Islamic law. Academically, this research enriches the study of marriage law based on local wisdom integrated with Sharia principles, while practically it can be a reference for traditional leaders, religious leaders, and local governments in formulating policies to preserve cultural values of marriage that support family resilience in the contemporary era.

**Keyword:** Legal Value of Marriage; Konjo Community; Family Disintegration; Maqashid al-Syariah.

## Abstrak

Perkawinan pada masyarakat Konjo Bulukumba mengandung nilai sosial dan spiritual yang berfungsi menjaga keutuhan keluarga, namun arus globalisasi menghadirkan tantangan berupa meningkatnya potensi disintegrasi keluarga dan melemahnya peran nilai tradisi.

Penelitian ini bertujuan untuk menganalisis nilai-nilai hukum perkawinan masyarakat Konjo, implementasinya dalam pencegahan perceraian, serta relevansinya dengan prinsip *maqāṣid al-syarī'ah*. Penelitian ini menggunakan pendekatan kualitatif dengan metode sosiologis-empiris. Data diperoleh melalui observasi lapangan, wawancara mendalam dengan empat informan yang dipilih secara purposive (tokoh adat, tokoh agama, dan pasangan suami istri), serta telaah dokumentasi, kemudian dianalisis dengan model interaktif melalui proses reduksi, penyajian, dan penarikan kesimpulan. Hasil penelitian menunjukkan bahwa praktik *pudeppo* (nasihat adat sebelum pernikahan), keterlibatan keluarga besar dalam penyelesaian konflik rumah tangga, serta penekanan pada tanggung jawab dan gotong royong merupakan instrumen kultural yang efektif dalam menekan angka perceraian sekaligus menjaga solidaritas sosial. Dari perspektif *maqāṣid al-syarī'ah*, nilai-nilai tersebut sejalan dengan tujuan perlindungan agama (*ḥifẓ al-dīn*), jiwa (*ḥifẓ al-nafs*), keturunan (*ḥifẓ al-nasl*), dan harta (*ḥifẓ al-māl*). Temuan ini menegaskan bahwa praktik perkawinan masyarakat Konjo tidak hanya berfungsi sebagai mekanisme adat, tetapi juga memiliki landasan normatif dalam hukum Islam. Secara akademik penelitian ini memperkaya kajian hukum perkawinan berbasis kearifan lokal yang terintegrasi dengan prinsip syariah, sementara secara praktis dapat menjadi rujukan bagi pemangku adat, tokoh agama, dan pemerintah daerah dalam merumuskan kebijakan pelestarian nilai budaya perkawinan yang mendukung ketahanan keluarga di era kontemporer.

**Kata Kunci:** Nilai Hukum Perkawinan; Masyarakat Konjo; Disintegrasi Keluarga; *Maqashid al-Syariah*.

## Introduction

Indonesia is a country rich in cultural diversity, including in marriage practices. Marriage is a crucial element in human life for maintaining the continuity of generations.<sup>1</sup> Through it, families are formed, which then develop into networks of relatives and social communities.<sup>2</sup> In various regions, marriage traditions are not only viewed as a formal bond between two individuals, but also as a means of preserving social, spiritual, and customary values.<sup>3</sup> One of the interesting examples is the Konjo people in Bulukumba, South Sulawesi, whose marriage traditions are rich in symbolic meaning and noble values. However, the increasingly strong currents of globalization and modernization have influenced this cultural order, including the legal values of marriage. This phenomenon is characterized by increasing divorce rates and the weakening of the family institution, which has the potential to lead to social disintegration at the local and national levels.

Normatively, Islam provides clear guidance on family formation through marriage. In the *maqashid al-syariah*, the goal of Islamic law is to safeguard the five main aspects of human life, namely religion (*din*), soul (*nafs*), reason (*aql*), descendants (*nasl*), and property

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<sup>1</sup> Siti Mas'udah, "Familial Relationships and Efforts in Retention of Marriage Among Atomistic Families in Indonesia," *Cogent Social Sciences* 8, no. 1 (2022): 2046313, <https://doi.org/10.1080/23311886.2022.2046313>.

<sup>2</sup> Wardana Said et al., "Marriage Traditions and Family Resilience in Bugis Bone Society: A Study of Islamic Law and Islamic Education," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 3 (2024): 1372–90, <https://doi.org/10.22373/sjhk.v8i3.23227>.

<sup>3</sup> Suhairi Suhairi, "The Impact of the Sesan Customary Practice on the Traditional Marriage of the Lampung Pepadun Society in Instilling Sharia Social Values," *Journal of Social Studies Education Research* 12, no. 3 (2021): 225–47, <https://www.learntechlib.org/p/219962/>.

(mal).<sup>4</sup> Marriage, in this context, plays a crucial role as a mechanism to maintain individual honor and produce high-quality offspring.<sup>5</sup> However, in social practices, there has been a shift in roles and meanings. On the one hand, values such as mutual cooperation, respect for parents, and husband and wife responsibilities are still upheld by some indigenous communities.<sup>6</sup> On the other hand, these values are starting to fade among the younger generation due to changes in modern lifestyles. This creates a dilemma between maintaining tradition and adapting to the demands of the times.<sup>7</sup>

The Konjo people are known for their life philosophy based on the *Pasang Ri Kajang* teachings, which serve as a reference for ethics and customary law. In the context of marriage, values such as *siri'* (self-respect), *sabara'* (patience), and *kasipalli* (abstinence) are the main pillars of household harmony.<sup>8</sup> However, rapid social transformation has caused a number of traditions, such as the *Pudeppo* procession and the active role of the family in household mediation, to be abandoned. Changing gender roles, the dominance of individualistic values, and the penetration of foreign cultures exacerbate the weakening of the family structure. These changes require a revitalization of marital values to remain relevant and maintain their essence.

Changes in modern lifestyles, economic pressures, and the influx of foreign cultures have influenced the shifting cultural values of the Konjo people. Previously highly respected traditional traditions are being abandoned. Within the family structure, the roles of husband and wife, which were once rigid and traditional, are now undergoing change. Husbands are no longer the sole decision-makers, while wives, who previously focused solely on domestic work, now play a role in the family economy and decision-making process.<sup>9</sup> The data from the Bulukumba Religious Court shows a continuing trend of divorce rates increasing year after

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<sup>4</sup> Chamim Tohari, Hudzaifah Fawwaz, and Isma Swadjaja, "The Ijtihad Construction Of Islamic Law Based On The Maqâshid Al-Syar'Ah Approach In The Indonesian Context," *Prophetic Law Review* 4, no. 2 (2023): 195–221, <https://doi.org/10.20885/PLR.vol4.iss2.art4>.

<sup>5</sup> Herlina Herlina et al., "Pemenuhan Hak-Hak Anak Pasca Kelahiran Dalam Perspektif Islam: Strategi Membangun Keluarga Sejahtera Di Era Kontemporer," *Moderasi: Journal of Islamic Studies* 4, no. 2 (2024): 105–24, <https://doi.org/10.54471/moderasi.v4i2.69>.

<sup>6</sup> Catherine E Burnette, "Family and Cultural Protective Factors as the Bedrock of Resilience and Growth for Indigenous Women Who Have Experienced Violence," *Journal of Family Social Work* 21, no. 1 (2018): 45–62, <https://doi.org/10.1080/10522158.2017.1402532>.

<sup>7</sup> Ncihur Fronika Solin, "Perubahan Budaya: Dampak Westernisasi Melalui Media Sosial Pada Anak Muda," *Jurnal Insan Pendidikan Dan Sosial Humaniora* 2, no. 1 (2023): 123–30, <https://doi.org/10.59581/jipsoshum-widyakarya.v2i1.2256>.

<sup>8</sup> Riswanto, "Implementasi Adat Perkawinan Tana Toa. Di Desa Tana Toa, Kecamatan Kajang, Kabupaten Bulukumba," *TOMALEBBI: Jurnal Pemikiran, Penelitian Hukum, Pendidikan Pancasila Dan Kewarganegaraan (PPKn)* 1, no. 1 (2016): 1–23, <https://ojs.unm.ac.id/tomalebbi/article/view/1920>.

<sup>9</sup> Risa Nurhalisa, "Tinjauan Literatur: Faktor Penyebab Dan Upaya Pencegahan Sistematis Terhadap Perceraian," *Media Gizi Kesmas* 10, no. 1 (2021): 157–64, <https://doi.org/10.20473/mgk.v10i1.2021.157-164>.

year.<sup>10</sup> This situation demonstrates the urgency to re-examine, revitalize, and align the values of Konjo traditional marriage with the substantive principles of Islamic law.

The phenomenon of increasing divorce rates in Indonesia, including in South Sulawesi, indicates a tension between formal legal norms and local socio-cultural values in maintaining family resilience. Efforts to resolve the issue through positive legal channels, although regulated by Law Number 1 of 1974 and the Compilation of Islamic Law, have not been fully effective because they are still oriented towards legalistic aspects without considering the socio-cultural dimensions of society. Several previous studies have demonstrated the importance of the *maqashid al-syariah* approach in resolving and preventing divorce. Mashdurohatun (2018) emphasized that the application of *maqashid* in divorce mediation can reduce family conflict by prioritizing the principle of benefit,<sup>11</sup> while Fikri et al. (2023) assessed the need for reformulation of Article 116 letter (f) of the Compilation of Islamic Law to better align with the protection of religion, life, intellect, descendants, and property. On the other hand,<sup>12</sup> the study by P Reski et al. (2021)<sup>13</sup> and Rezky Juniarsih Nur et al. (2024)<sup>14</sup> highlighted the revitalization of Bugis-Makassar traditional values, such as *siri' na pacce*, which embodies the ethics of responsibility and honor in maintaining household integrity. Meanwhile, Joko Tri Haryanto (2022)<sup>15</sup> and Feky Manuputty et al. (2024)<sup>16</sup> emphasized the importance of integrating custom and Islam through family deliberation and strengthening cultural values as a preventative measure in addressing household disintegration due to modernization. Based on these findings, this study seeks to explore the relevance and revitalization of the Konjo people's marital law values using the *maqashid al-syariah* approach. This approach not only assesses custom as a cultural heritage but also evaluates its

<sup>10</sup> Kepaniteraan Mahkamah Agung Republik Indonesia, "Putusan Pengadilan Agama Bulukumba Perceraian," Direktori Putusan Mahkamah Agung Republik Indonesia, 2024, <https://putusan3.mahkamahagung.go.id/direktori/index/pengadilan/pa-bulukumba/kategori/perceraian.html>.

<sup>11</sup> Anis Mashdurohatun, "Transfer of Intellectual Property Rights (Studies on the Division of Joint Property (Gono-Gini) Post-Divorce)," in *International Conference on Law Reform (INCLAR 2019)* (Atlantis Press, 2020), 70–75, <https://doi.org/10.2991/aebmr.k.200226.014>.

<sup>12</sup> Fikri Fikri et al., "Transformation of Maqāsid Shari'ah in Divorce Mediation in Religious Courts: Revitalization of the Bugis-Mandar Customs, Indonesia," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 1 (2023): 431–54, <https://doi.org/10.22373/sjhk.v7i1.9141>.

<sup>13</sup> P Reski, Rahmat Nur, and Cucu Widayati, "Local Wisdom of Bugis Makassar Siri 'na Pacce from Millennials Glasses," in *2nd International Conference on Social Sciences Education (ICSSE 2020)* (Atlantis Press, 2021), 323–28, <https://doi.org/10.2991/assehr.k.210222.053>.

<sup>14</sup> Rezky Juniarsih Nur, Siti Komariah, and Wilodati Wilodati, "Siri'Na Pacce and The Reconstruction of Gender Roles: The Dynamics of Modern-Day Womanhood in Bugis-Makassar Society," *Potret Pemikiran* 28, no. 1 (2024): 104–21, <https://doi.org/10.30984/pp.v28i1.2893>.

<sup>15</sup> Joko Tri Haryanto, "Moderasi Beragama Pada Tradisi Perang Centong Dalam Prosesi Pernikahan Di Kabupaten Brebes Jawa Tengah," *Harmoni* 21, no. 1 (2022): 25–44, <https://doi.org/10.32488/harmoni.v21i1.585>.

<sup>16</sup> Feky Manuputty, Afdhal Afdhal, and Nathalia Debby Makaruku, "Membangun Keluarga Harmonis: Kombinasi Nilai Adat Dan Agama Di Negeri Hukurila, Maluku," *Jurnal Ilmu Sosial Dan Humaniora* 13, no. 1 (2024): 93–102, <https://doi.org/10.23887/jish.v13i1.73080>.

potential for harmonization with Islamic sharia principles to create a preventive, adaptive, and contextual model of marital law.

This study aims to uncover and analyze the legal values contained in the marriage traditions of the Konjo people in Bulukumba, and how these values play a role in preventing family disintegration through entrenched social and customary systems. By examining the suitability of these values from the perspective of *maqashid al-syariah*, this study is expected to contribute to the preservation of local culture in harmony with Islamic teachings. The implications of this study are not only limited to the academic aspect, but also in the practical realm, particularly in supporting the formulation of socio-religious policies that are adaptive to the cultural context of the community and relevant to the principles of Islamic law, thereby strengthening family resilience and preventing broader social disintegration.

## Research Methods

This study was field research with a qualitative descriptive approach, which aimed to describe in detail the social reality regarding the legal values of marriage in the Konjo people in Bulukumba and their application in maintaining family resilience from the perspective of *maqashid al-syariah*. This type of study was chosen to provide a factual and in-depth description of the shifting values of marriage due to the influence of modernization, while also assessing their compliance with the principles of Islamic law.

This study was conducted in Balong Village, Ujung Loe District, Bulukumba Regency, South Sulawesi. This location was chosen because the people in this area still maintained traditional marriage practices, despite being influenced by social change. This local context provided the researcher with the opportunity to comprehensively analyze the dynamics of customary legal values in contemporary Konjo people.

The study approaches used were sociological-empirical and theological-normative. The sociological-empirical approach was used to understand legal phenomena as social behavior that lived and developed within society.<sup>17</sup> This approach positioned marriage customs as a social product influenced by cultural, social, and economic structures. The theological-normative approach, meanwhile, was used to examine these customary values within the framework of Islamic law, specifically based on the *maqashid al-syariah*.

The data sources consisted of primary and secondary data. Primary data was obtained through direct observation of traditional wedding ceremonies and in-depth interviews with

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<sup>17</sup> Fahriana Nurrisa and Dina Hermina, "Pendekatan Kualitatif Dalam Penelitian: Strategi, Tahapan, Dan Analisis Data," *Jurnal Teknologi Pendidikan Dan Pembelajaran* | E-ISSN: 3026-6629 2, no. 3 (2025): 793–800, <https://jurnal.kopusindo.com/index.php/jtpp/article/view/581>.

traditional leaders, religious figures, officials from the Office of Religious Affairs, and the general public. Secondary data was obtained from written documents such as books, journals, previous studies, traditional documents, and divorce statistics reports from the Bulukumba Religious Court.

The data collection techniques were carried out using three main methods. First, participant observation, in which researchers were directly involved in observing traditional wedding ceremonies and social interactions in the community.<sup>18</sup> Second, in-depth interviews using semi-structured interview guidelines to obtain more flexible and exploratory information. Third, documentation, by collecting written documents, photographs, and traditional notes related to the marriage practices of the Konjo people.

The instrument of this study was the researcher himself, who acted as the main tool for collecting and analyzing data, with the help of additional instruments in the form of interview guidelines, field notes, cameras, and voice recorders to support the accuracy of the data obtained. Data analysis techniques were carried out through the stages of data reduction, data presentation, and drawing conclusions.<sup>19</sup> Data reduction was carried out to sort data that was relevant to the focus of the study. Data presentation was carried out in the form of a systematic descriptive narrative, while drawing conclusions was done by identifying thematic patterns related to the values of customary marriage law and *maqashid al-syariah*.

## Results and Discussion

### 1. Legal Values of Marriage in the Konjo People in Bulukumba

The word "marriage" comes from the Arabic word نَكَحَ (*nakaha*), which means to mix or unite. Terminologically, "marriage" is a legal contract between a man and a woman to legitimize the husband-wife relationship and give rise to rights and obligations between them. Marriage is not only a physical bond, but also a spiritual one, aimed at building a harmonious family in accordance with religious teachings.<sup>20</sup> According to Article 1 of Law Number 1 of 1974, marriage is a physical and spiritual bond between a man and a woman as husband and wife to form a happy and eternal family based on the One Almighty God. Thus, marriage is a sacred contract encompassing both physical and spiritual aspects, as embodied in the term marriage or "*tazwīj*." According to the Compilation of Islamic Law, marriage is a very strong contract (*mitsaqan ghalīzan*) to obey God's commands and is a form of worship. Article 3

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<sup>18</sup> Cholid Narbuko and Abu Achmadi, *Metode Penelitian, Bumi Aksara* (Jakarta: Bumi Aksara, 2013).

<sup>19</sup> H M Sukardi, *Metodologi Penelitian Pendidikan: Kompetensi Dan Praktiknya (Edisi Revisi)* (Jakarta: Bumi Aksara, 2021).

<sup>20</sup> Sabir Maidin, "Nikah Mut'ah Perspektif Hadis Nabi SAW," *Mazahibuna: Jurnal Perbandingan Mazhab* 1, no. 2 (2019): 216–33, <https://doi.org/10.24252/mh.v1i2.11649>.



states that the purpose of marriage is to establish a peaceful, loving, and blessed household. Marriage can be defined narrowly as a contract that permits physical relations between a man and a woman, and more broadly as a physical and spiritual bond to form a family that is peaceful, loving, and compassionate.

In the Konjo people in Bulukumba, marriage is viewed as a sacred bond that not only connects two individuals but also unites two extended families within a single social network. The wedding ceremony is based on a deep religious understanding, where all things are returned to God's sovereignty (*Turie' A'ra'na*). This belief serves as the primary foundation that married life must be lived with faith and submission to God's will.

In addition to the religious dimension, the values of unity and cooperation are essential in Konjo marriages. The principle of "*A'lemo sibatua'bulo sipappa. Tallang sipahua manyu' siparape, sipkatau tang sipakasiri, bunting sipahasa, mate siroko' bualeng*", which means, maintaining unity and oneness with full family spirit, emphasizes the importance of mutual need and mutual strengthening between husband and wife. In this teaching, marriage is understood as a collective collaboration, not only for the personal interests of the couple, but also for the harmony of the extended family and community. The values of mutual cooperation, mutual assistance, and shared responsibilities are integral to building a strong household.

Firmness in decision-making and patience in facing marital trials are also central values in family life. This is reflected in the principle of *Lambusu kigattang sa'bara ki peso'na*, which requires each individual to be firm, patient, and steadfast in their faith amidst various challenges. This value instills the importance of facing problems with a cool head, not making rash decisions, and remaining dependent on God's help.

In the traditional structure of the Konjo people, adherence to customary rules is an absolute obligation. The principle "*Sallu rijauka ammunu riadakkang Ammaca' ere' anrepe' batu, alla, buirurung, alla batu cideng*" teaches the importance of upholding customary provisions inherited from ancestors. Each stage of the marriage procession is regulated by *Pasangri Kajang*, which serves as a moral compass and unwritten law within the community. Adherence to custom is not merely a formality, but rather part of respect for the cultural values and collective spirit of the community.<sup>21</sup>

The social responsibility of upholding personal and family honor is also emphasized through the principle of "*Nan digaukan sikontu passuroang to ma'butayya*". This value

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<sup>21</sup> Musfirawati, "Nilai-Nilai Islam Pasang Ri Kajang (Ilalang Embayya) Di Desa Tanah Toa Kecamatan Kajang Kabupaten Bulukumba)," *Institut Agama Islam Negeri Parepare* (2021), <https://repository.iainpare.ac.id/id/eprint/4264/>.

encourages individuals to shoulder social responsibilities consciously and responsibly. The concept of *Siri'* (self-respect) serves as a marker of one's dignity, and violations of this principle can result in severe social sanctions. Furthermore, the concept of *Kasipalli* (customary taboos) serves as a moral guide to maintain social balance and order within the community.

Marriage in the Konjo people is more than just the union of two individuals, but rather a way to maintain social harmony. In some families, the practice of arranged marriages (*A'duta*) is still maintained as a mechanism for selecting partners from similar social, cultural, and economic backgrounds. The goal is simple: to reduce the potential for conflict that could arise from significant differences in these aspects. From a sociological legal perspective, this reflects the role of law in fostering social integration and community stability.

Konjo wedding rituals, such as the *Mappacing* ritual, are not only seen as ceremonial events but also as a means to legitimize social status and prepare the bride and groom mentally and spiritually. *Mappacing*, for example, symbolizes the bride and groom's readiness to begin married life. This demonstrates that in Konjo society, marriage is not merely a mundane event but also a sacred one requiring thorough preparation, both physically, psychologically, and spiritually.

Family involvement in every stage of marriage is also a characteristic of the Konjo people. Families play a role not only in finding a partner but also in providing advice, guidance, and moral support to newlyweds. In the context of family law, this reflects the concept of the "extended family," where each family member has a collective responsibility for maintaining the integrity of the household.<sup>22</sup>

The Konjo people also have a robust approach to resolving internal conflicts, involving traditional leaders and families. Dispute resolution is carried out through deliberation and mediation as a first step, prioritizing peaceful resolution. This aligns with the concept of "living law" in legal anthropology, where customary law plays a crucial role in regulating community behavior and resolving disputes more harmoniously.<sup>23</sup>

Although modernization has brought changes to the form of marriage ceremonies, making them more practical and simpler, the noble values of Konjo marriage customs remain. Changing gender roles in the household, the introduction of technology, and the simplification of rituals have not completely eliminated traditional principles. Instead, these

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<sup>22</sup> Luis J Martín-Antón et al., "Influence of Some Personal and Family Variables on Social Responsibility among Primary Education Students," *Frontiers in Psychology* 11 (2020): 1124, <https://doi.org/10.3389/fpsyg.2020.01124>.

<sup>23</sup> Andi Dewi Pratiwi, "Hukum Adat Dalam Perspektif Antropologi Hukum," *Jurnal Hukum Unsulbar* 4, no. 2 (2021): 2021, <https://doi.org/10.31605/j-law.v4i2.2662>.



values continue to function as social instruments that strengthen family resilience, prevent disintegration, and preserve the cultural identity of the Konjo people amidst the challenges of the times.

Furthermore, the values of mutual cooperation and extended family solidarity are evident in every stage of the wedding process, from preparation to resolving household issues. Family and community involvement emphasize the importance of maintaining social stability through strong marital bonds. The value of *sa'bara'* (patience) is taught as a key principle in navigating the dynamics of married life, both in happy and sad situations. These values are an unwritten legacy passed down from generation to generation to maintain harmony within society.

## **2. Implementation of Customary Legal Values in Preventing Family Disintegration**

The deeply rooted customary values in the Konjo people have been shown to play a significant role in preventing family disintegration. One of the implementations is the customary resolution of domestic conflicts through family deliberation mechanisms. Furthermore, the Konjo people also have a family conflict resolution mechanism that prioritizes deliberation and a family-oriented approach. When disputes or problems arise in the household, the extended family and traditional leaders play an active role as mediators to help couples find fair and wise solutions. The mediation process emphasizes the importance of prioritizing good communication, mutual understanding, and prioritizing the interests of the family, especially children. This mechanism aims to prevent divorce and maintain family unity by providing moral and practical support to couples facing problems.

In an interview with Mr. Syahiruddin, a religious figure in Balong Village, he explained that in Konjo, every dispute that occurs between husband and wife must first be resolved at the extended family level.

*"We believe that family issues are best resolved within the extended family, avoiding direct involvement in formal legal proceedings such as religious courts. We encourage couples to return to the principles of siri' and social responsibility, which are the foundation of married life here."*<sup>24</sup>

Community leaders and parents from both parties typically act as mediators to help the couple reach reconciliation. This principle is considered crucial for maintaining family harmony and resolving disputes peacefully before taking legal action. In the dynamics of domestic life, conflict is an unavoidable inevitability. Differences in background, perspectives, and expectations between husband and wife often give rise to tensions that, if not managed properly, can lead to family disintegration. In this context, mediation is a crucial and effective

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<sup>24</sup> Syahiruddin (51 years old), Religious Figure, Interview, Balong Village, Ujung Loe District, February 3, 2025

mechanism for resolving domestic problems.<sup>25</sup> Mediation is a dispute resolution process involving a neutral third party whose task is to assist the parties in reaching a fair agreement without pressure or coercion.

In the tradition of the Konjo people in Bulukumba, for example, the process of mediation within households has long been recognized and carried out according to custom through the role of family leaders, traditional elders, or even religious figures. The value of *siri' na pacce*, which upholds shame and self-respect, serves as a moral foundation for resolving household issues privately and with dignity, without the need for external parties such as state legal institutions. This aligns with the Islamic principle of *ishlah*, which is highly recommended in resolving conflicts, as stipulated in Surah An-Nisa/4:128, which encourages efforts for peace within the household whenever possible.

*"If a woman fears indifference or neglect from her husband, there is no blame on either of them if they seek 'fair' settlement, which is best. Humans are ever inclined to selfishness. But if you are gracious and mindful 'of Allah', surely Allah is All-Aware of what you do."*

In addition, one of the very important traditions is *Pudeppo*, a religious figure or traditional elder providing marriage advice to newlyweds. This advice covers various essential aspects of married life, such as the responsibilities of husband and wife, the importance of effective communication, patience in facing challenges, and maintaining family harmony and unity. *Pudeppo* is seen as an effective means of equipping the newlyweds with a deep understanding of their respective roles and responsibilities, while also providing practical guidance on building a strong and lasting family foundation.

In an interview with the village head in Balong Village, he explained the *Pudeppo* tradition, still preserved by the Konjo people. According to him, *Pudeppo* is a traditional message given to the bride and groom before their wedding. The content of *Pudeppo* includes moral guidance, family ethics, and social responsibilities that must be carried out by both husband and wife. He added that through this tradition, prospective couples are reminded to always prioritize values such as patience, steadfastness, and maintaining the honor of the extended family.

*"Pudeppo is very important. It's not just advice, but also a foundation for running a household properly."*<sup>26</sup>

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<sup>25</sup> Sulistiyawati Sulistiyawati and Erie Hariyanto, "Peran Itikad Baik Mediasi Dalam Proses Penyelesaian Konflik Keluarga," *Mahkamah: Jurnal Kajian Hukum Islam* 6, no. 1 (2021): 79, <https://doi.org/10.24235/mahkamah.v6i1.7577>.

<sup>26</sup> Irsan Arif Samra, (39 years old), Community Leader, Interview, Balong Village, Ujung Loe District, January 25, 2025

According to him, *Pudeppo* also emphasizes that mental and spiritual readiness is the main foundation before entering married life. The *pudeppo* tradition, which emphasizes loyalty and patience, has proven to be an initial filter in choosing a partner and raises awareness of the importance of maintaining marital bonds. Furthermore, family involvement in domestic life is not seen as a form of negative interference, but rather as a collective responsibility to uphold family honor. Thus, these values effectively reduce the risk of divorce, infidelity, and domestic violence, which are increasingly prevalent in modern society.

In Islam, marriage advice is highly recommended because marriage is not only a physical relationship, but also a spiritual bond and a sacred divine trust. The Prophet Muhammad Saw. frequently gave advice to his companions who were about to marry, emphasizing the importance of choosing a partner based on their religious beliefs and advising husbands to treat their wives well and be fair. These principles demonstrate that counseling serves not only as spiritual motivation but also as a reminder of the social and moral responsibilities of husband and wife in maintaining the continuity of the household.<sup>27</sup>

In the context of modern society, which is vulnerable to family disintegration due to economic pressures, social change, and communication crises, the role of marriage counseling is increasingly relevant. It reinforces values and guides couples so they remain steadfast when facing challenges. Advice that is consistently shared not only during the early stages of marriage but also throughout the marriage journey can act as a bulwark against destructive conflict.

Not only that, the *Mange Besang* tradition, which involves bringing the bride to the groom's house after the marriage ceremony, also plays an important role in strengthening family ties and providing social support to the bride and groom in starting their new married life. More than just a ceremony, *Mange Besang* symbolizes the unification of two extended families through marriage, as well as a form of prayer and hope for happiness and prosperity in the household.

*"In this place, mutual cooperation, mutual respect, and responsibility are part of life. As a family, we discuss everything together—financial matters, important decisions—and share everything equally. That's what keeps the household harmonious and long-lasting."*<sup>28</sup>

The author concludes that local wisdom values such as mutual cooperation, mutual respect, responsibility, and loyalty are also important foundations for building harmonious,

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<sup>27</sup> Gholamreza Rajabi and Ghodratollah Abbasi, "The Effectiveness of Premarital Counseling Based on a Relationship Education Program on the Idealistic Expectations of Single Young Adults," *Iranian Journal of Psychiatry and Clinical Psychology* 25, no. 4 (2019): 384–95, <https://doi.org/10.32598/ijpcp.25.4.3>.

<sup>28</sup> Jawariah, (53 Years Old), Community, Interview, Balong Village, Ujung Loe District, January 27, 2025

prosperous, and lasting families in the Konjo people. These values are implemented in various aspects of domestic life, from the division of roles and responsibilities to financial management to joint decision-making. Thus, these customary legal values and practices collectively play a crucial role in creating a stable, harmonious, and supportive family environment in the Konjo people, thereby minimizing the risk of family disintegration.

In domestic life, values such as mutual cooperation, mutual respect, and responsibility are not merely moral teachings but have become an integral part of daily life. Within a family, no one functions alone; all members support and cooperate with one another. Tasks and roles are divided fairly, not based on who is stronger, but on a sense of togetherness and caring. Mutual cooperation in the household is evident when household chores are not solely assigned to one party, but rather are undertaken together with full awareness and sincerity.

Mutual respect is key to maintaining a warm and harmonious relationship. Every family member's opinion is heard, both on small matters and important decisions. Differences in opinion are not grounds for conflict, but rather a learning opportunity for mutual understanding and growth.<sup>29</sup> When it comes to finances, for example, everything is discussed together; not out of distrust, but because of the belief that shared decision-making will strengthen bonds and avoid prejudice. Transparency and honesty are the foundations that strengthen mutual trust in the household.<sup>30</sup>

Responsibility is not limited to formal roles such as "husband as breadwinner" or "wife as housekeeper," but is understood as a shared moral obligation to maintain the continuity, happiness, and peace of the family. When these values are lived and practiced together, with mutual assistance, respect, and responsibility, the household becomes not just a place to live, but also a place to return to, filled with love and tranquility. This is what keeps the household harmonious and lasting, despite the various trials of life.

Nevertheless, challenges remain. The influence of globalization and modernization has brought about lifestyle changes among the younger generation, with values of individualism, freedom to choose a partner without family interference, and an emphasis on personal freedom becoming stronger. This has led to the erosion of some traditional values, making efforts to revitalize traditional values urgently necessary to maintain family sustainability.

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<sup>29</sup> Kiki Ardasiah and Habibi Al Amin, "Keharmonisan Rumah Tangga Para Pasangan Pernikahan Dini (Studi Kasus Di Desa Sodo Kecamatan Pakel Kabupaten Tulungagung)," *Jurnal Sains Student Research* 2, no. 4 (2024): 224–40, <https://doi.org/10.61722/jssr.v2i4.1993>.

<sup>30</sup> Maria Agustin and Fabiola Hendrati, "Hubungan Kemandirian Istri Dengan Keharmonisan Perkawinan Pada Tahap Awal Perkawinan Di Kelurahan Pagentan Kecamatan Singosari Kabupaten Malang," *Jurnal Psikologi Tabularasa* 8, no. 2 (2013): 1–23, <https://jurnal.unmer.ac.id/index.php/jpt/article/view/212>.

### 3. Review of *Maqashid al-Shari'ah* on the Values of Marriage in the Konjo People

Marriage in Islam is prescribed to create a harmonious family in accordance with religious values. According to Badran Abu Al-Ainai Badran, the family is an important institution that binds men and women emotionally and spiritually, and serves as the basis for legitimate offspring. Through marriage, families are formed that play a role in building a stable society.<sup>31</sup> Due to the importance of the family in social life, Islam pays special attention to the laws governing marriage and the household. Islamic Sharia stipulates more detailed provisions for establishing and maintaining family unity than other legal aspects.<sup>32</sup>

*Maqashid al-Syariah* is a basic concept in Islamic law that focuses on the main goal of legal administration, namely creating benefits (*maslahah*) and preventing harm (*mafsadah*). This concept ensures that every rule in Islam has a broader purpose, providing benefits to individuals and society. Scholars such as Al-Ghazali and Asy-Syatibi developed this principle, emphasizing that Islamic law regulates not only worship, but also social, economic, and political life for the welfare of the people.<sup>33</sup> In *Maqashid al-Shariah*, there are five main principles, namely *al-Dharuriyyat al-Khams*, which include: preserving religion (*hifz ad-din*), preserving the soul (*hifz an-nafs*), preserving reason (*hifz al-aql*), preserving descendants (*hifz an-nasl*), and preserving property (*hifz al-mal*). *Hifz ad-din* aims to preserve faith and Islamic teachings, while *hifz an-nafs* protects human life by prohibiting killing and fulfilling basic needs. *Hifz al-aql* ensures the preservation of reason, prohibits substances that damage the mind, and encourages the pursuit of knowledge.<sup>34</sup>

*Hifz an-nasl* aims to safeguard legitimate offspring and family honor by regulating a proper marriage system and prohibiting adultery. This principle also protects children's rights and family well-being. *Hifz al-mal* serves to safeguard the wealth and economy of the community by regulating fair economic transactions, preventing usury (*riba*), and encouraging equitable distribution of wealth through *zakat* (alms) and *sadaqah* (charity). The

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<sup>31</sup> Badran Abu Al-Ainai Badran, *Al-Fiqh Al-Muqaran Li Al-Ahwal Al-Syakhshiyah* (Beirut: Dar al-Nahdah al-'Arabiyyah, 1988).

<sup>32</sup> Odelia Christy Putri Tjandra and Kevin Kusumaatmaja Hasugian, "Interfaith Marriage In Terms Of Islamic Law And Positive Law In Indonesia," *Res Nullius Law Journal* 5, no. 1 (2023): 35–46, <https://doi.org/10.34010/rnlj.v5i1.7335>.

<sup>33</sup> Suhaimi, Muhammad Rezi, and Maman Rahman Hakim, "Al Maqashid Al Syariah; Teori Dan Implementasi," *Sahaja: Journal Sharia and Humanities* 2, no. 1 (2023): 153–70, <https://doi.org/10.61159/sahaja.v2i1.13>.

<sup>34</sup> Zulhasari Mustafa, "Problematika Pemaknaan Teks Syariat Dan Dinamika Maslahat Kemanusiaan," *Mazhabuna: Jurnal Perbandingan Mazhab* 2, no. 1 (2020): 36–58, <https://doi.org/10.24252/mh.v2i1.14282>.

implementation of these five principles applies not only to Islamic law but also forms the basis for social and economic regulation in modern life.<sup>35</sup>

According to community leaders, village imams, and the Konjo people, there is no conflict between local cultural values and Islamic teachings in their wedding ceremonies. Konjo cultural values incorporate many Islamic teachings that align with the principles of *Maqasid al-Shariah*. Each stage of a Konjo marriage reflects the application of Islamic teachings aimed at safeguarding the well-being of individuals and families.

Marriage in the Konjo people in Bulukumba holds a crucial position as a sacred institution that unites not only two people but also two extended families. The traditional ceremonies accompanying a wedding serve not only as cultural symbols but also as imbued with noble moral, spiritual, and social values. Customs such as *mappettu ada* (family deliberation), *pudeppo* (premarital counseling), and the involvement of parents and traditional leaders in every stage of the ceremony are part of local wisdom that serves to maintain household stability and harmony.

In the context of *Maqashid al-Syariah*, these customary values align closely with the five main objectives of Islamic law: safeguarding religion (*hifz al-din*), life (*hifz al-nafs*), reason (*hifz al-'aql*), offspring (*hifz al-nasl*), and property (*hifz al-mal*). One of the primary objectives of marriage, according to Islam, is *hifz al-nasl*, which is to maintain the continuity of legitimate offspring within a harmonious household.<sup>36</sup> The customary values of the Konjo community, which uphold loyalty, responsibility, and commitment between husband and wife, strongly support the achievement of this goal.

Furthermore, the values of deliberation and family involvement in resolving domestic conflicts are concrete manifestations of *hifz al-nafs* and *hifz al-'aql*. Deliberation, or *mappettu*, reflects the principles of justice, wisdom, and peaceful resolution, all of which are highly valued in Islamic law. Having an internal family forum to discuss domestic issues can minimize the potential for conflict leading to divorce. This is crucial for maintaining the peace of mind and psychological balance of family members.<sup>37</sup>

The spirit of mutual cooperation and mutual respect upheld in Konjo households also aligns with the value of *hifz al-mal* (charity). In the Konjo people, decision-making, including

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<sup>35</sup> Ilham Tohari and Moh Anas Kholish, "Maqasid Syariah Sebagai Pijakan Konseptual Dalam Pembaruan Hukum Keluarga Islam Indonesia," *Arena Hukum* 13, no. 2 (2020): 314–28, <https://doi.org/10.21776/ub.arenahukum.2020.01302.7>.

<sup>36</sup> Farikhatul Aini Aprilia et al., "Tinjauan Maqashid Al Syariah Terhadap Perjanjian Pranikah Pada Masyarakat Kaliwates Jember," *Qadauna: Jurnal Ilmiah Mahasiswa Hukum Keluarga Islam* 5, no. 2 (2024): 1–20, <https://doi.org/10.24252/qadauna.v5i2.42601>.

<sup>37</sup> Kartini et al., "Maqasid Al-Shari'ah Perspectives in Solution of Divorce Cases for Early Marriage," *International Journal of Health Sciences ISSN* 6, no. 5 (2022): 1–13, <https://doi.org/10.53730/ijhs.v6nS5.11775>.



economic matters, is carried out collectively and thoughtfully. Husband and wife are positioned as equal partners in building a household. This reflects the principle of shared responsibility for safeguarding and managing assets and prevents family conflict stemming from economic inequality or dominance by one party.

Customary values also provide protection for *hifz al-din*, because the entire marriage process is carried out with a strong religious foundation. Custom and religion work in harmony in forming a marriage structure that is not only legally valid according to custom, but also in accordance with Sharia.<sup>38</sup> Customary ceremonies always begin or end with prayers and religious advice, showing that the Konjo people place spiritual values as the foundation of family life. Thus, customs in the Konjo community are not only in line with sharia but also serve as an effective medium in its implementation.

Therefore, when viewed through the lens of *maqashid al-sharia*, the marital values of the Konjo people in Bulukumba deserve not only to be preserved but also revitalized to remain relevant in facing the challenges of the times. The balance between custom and sharia reflected in Konjo marriage culture demonstrates that local traditions can be an integral part of the implementation of Islamic law that is contextual and deeply rooted in community life.<sup>39</sup> These values serve as a cultural and religious force in preventing family disintegration and fostering a civilized, prosperous, and harmonious society.

From the perspective of *maqashid al-syariah*, the legal values of marriage in the Konjo people in Bulukumba closely align with the primary objectives of Islamic law. The principle of *hifz ad-din* (protecting religion) is reflected in the instillation of *siri'*, which emphasizes the importance of maintaining the honor and dignity of the family in accordance with religious teachings. *Hifz an-nafs* (protecting the soul) is evident in efforts to peacefully resolve domestic conflicts through customary mechanisms that prioritize deliberation and reconciliation over violence or separation.

The principle of *hifz al-'aql* (protecting reason) is reflected in the moral education given to couples before marriage through the *pudeppo* procession, which instills rational thinking in managing a household. *Hifz an-nasl* (protecting offspring) is manifested in efforts to maintain legitimate and quality offspring through a marriage process that is strictly

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<sup>38</sup> Mohd Suhadi Mohamed Sidik, Md Noor Saper, and Nurul'Ain Mohd Daud, "The Application of Maqasid Shariah Elements in Family and Marriage Counseling," in *Proceedings of the 1st Progress in Social Science, Humanities and Education Research Symposium (PSSHRS 2019)*, vol. 464 (Atlantis Press, 2020), 713–18, <https://doi.org/10.2991/assehr.k.200824.160>.

<sup>39</sup> Kattya Nusantara Putri, "Tinjauan Maqashid Syariah Dalam Pengaturan Dispensasi Kawin: Perspektif Perlindungan Hak Anak Di Bawah Umur," *Jurnal Al-Qadau: Peradilan Dan Hukum Keluarga Islam* 11, no. 2 (2024): 199–213, <https://doi.org/10.24252/al-qadau.v11i2.53272>.

regulated by custom and religion. Meanwhile, *hifz al-mal* (protecting wealth) is seen in the tradition of mutual cooperation in building a household and managing family economic resources collectively. Thus, the customary values of Konjo marriage are not only aligned with the *maqasid al-sharia* but also enrich practical ways of upholding these objectives in the local context. Revitalizing these values, which integrate customary principles with sharia principles, is a strategic solution for maintaining family resilience amidst the challenges of globalization and rapid social change.

## Conclusion

This study shows that the legal values of marriage in the Konjo people in Bulukumba play a strategic role in maintaining family unity and preventing social disintegration. Traditions such as pudeppo (premarital counseling), family involvement in resolving domestic conflicts, and the principles of mutual cooperation, responsibility, and patience have been shown to strengthen the family institution culturally and spiritually. These values are not only rooted in local traditions but also align with the main objectives of the *maqasid al-sharia*, such as safeguarding religion (*hifz al-din*), life (*hifz al-nafs*), intellect (*hifz al-‘aql*), descendants (*hifz al-nasl*), and wealth (*hifz al-mal*). Revitalizing these values is crucial in facing the challenges of modernization, so that custom and sharia can work hand in hand as pillars of family resilience. This study recommends preserving local values relevant to Islamic law, as well as developing contextual social policies oriented toward cultural sustainability and family stability. The implications of this study extend beyond academics to practical areas, particularly in supporting the formulation of socio-religious policies that are adaptive to the cultural context of society and relevant to the principles of Islamic law, thereby strengthening family resilience and preventing broader social disintegration.

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