

Legal Pluralism in The Practice of Underage Marriage: The Interaction of State Law, Islamic Law, and Bugis Customary Law in Mattiro Sompe

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Abstract

Child marriage remains a persistent legal and social issue in Indonesia despite regulatory reforms establishing a minimum legal age of marriage of 19 years under Law Number 16 of 2019. The persistence of child marriage indicates that legal compliance is shaped not only by state law but also by religious interpretations and customary norms embedded within local communities. This study aimed to analyze the interaction among state law, Islamic law, and Bugis customary law in the practice of child marriage in Mattiro Sompe District, Pinrang Regency, and to identify forms of negotiation, adaptation, and integration among these legal systems. The study employed qualitative field research using socio-legal and normative juridical approaches. Data were collected through in-depth interviews, observations, and document analysis involving religious leaders, customary leaders, government officials, and community members and were analyzed using the interactive model of Miles, Huberman, and Saldaña. The findings revealed that child marriage practices reflected a condition of legal pluralism in which state law, Islamic law, and Bugis customary law simultaneously influenced community decision-making. The interaction among these legal systems did not always generate conflict but also involved processes of negotiation and adaptation. The Bugis cultural value of *siri'* could be reconstructed as a principle of responsibility for safeguarding children's dignity and future well-being, while Islamic legal considerations could be interpreted through the objectives of Islamic law (*maqāṣid al-sharī'ah*). The study concluded that effective prevention of child marriage requires dialogical integration among formal legal frameworks, Islamic legal principles, and local customary norms to strengthen legal legitimacy and ensure sustainable child protection.

INTRODUCTION

Child marriage remains a legal and social issue that continues to receive considerable attention in Indonesia (Gunawan & Bahri, 2023; Rosyadi et al., 2025; Susilowati et al., 2023). Although the government implemented legal reforms through Law Number 16 of 2019, which established the minimum legal age of marriage at 19 years for both men and women, child marriage continues to occur in various regions (Judiasih & Rubiati, 2022). This phenomenon demonstrates that the effectiveness of law is not determined solely by the existence of legislation but is also influenced by social norms, cultural values, and religious beliefs embedded within society. In this context, child marriage is not merely a matter of compliance with state law but also reflects the dynamic relationship among multiple legal

systems operating simultaneously within society (Orias & Zaenal, 2024).

The coexistence of multiple legal systems within a single social space is a common feature of Indonesian society (Choirunnisa & Khusna, 2022). As a country characterized by diverse cultures and traditions, legal practices are shaped not only by state law but also by religious and customary laws that have developed as forms of living law. This condition reflects legal pluralism, in which more than one legal system exists and operates within the same society (Hariati et al., 2023). From the perspective of legal pluralism, individuals' legal behavior does not always strictly conform to state regulations but may instead result from negotiations among various norms perceived as possessing social, moral, and religious legitimacy (Mukhid & Muthiah, 2024).

This phenomenon is evident in the practice of underage marriage in Mattiro Sompe District, Pinrang Regency, South Sulawesi. In this region, communities operate at the intersection of state law, which establishes a minimum legal age for marriage; Islamic law, which emphasizes the validity and objectives of marriage; and Bugis customary law, which continues to uphold the cultural value of *siri'* as a principle associated with honor, dignity, self-respect, and social standing. These three legal systems do not always operate harmoniously. In some cases, customary considerations and religious interpretations may take precedence over state law, resulting in marriage decisions that are shaped more strongly by social and cultural considerations than by the administrative and statutory requirements established by the state.

State law, particularly Law Number 16 of 2019, establishes a minimum marriage age as a legal mechanism for protecting children from various social, health, educational, and economic risks associated with child marriage. In social practice, however, underage marriage may be perceived as a response to concerns regarding family honor, social pressure, and premarital pregnancy. At the same time, some communities may interpret Islamic law as placing greater emphasis on fulfilling the essential elements and legal requirements of marriage than on the specific minimum age established by state law. These differing normative orientations create a space for legal negotiation, demonstrating how communities may select, interpret, or combine different legal systems when making decisions concerning marriage.

This complexity is particularly evident in Mattiro Sompe District, Pinrang Regency, South Sulawesi, where underage marriage occurs within the social structure of the Bugis community. The community operates at the intersection of three legal systems: state law, Islamic law, and Bugis customary law. State law emphasizes the minimum marriage age as a mechanism for child protection, while Islamic law may be interpreted by some community members primarily through the fulfillment of the essential elements and requirements of a valid marriage and its religious legitimacy. Meanwhile, Bugis customary law places considerable emphasis on the cultural value of *siri'*, which encompasses family honor, dignity, self-respect, and social reputation. The interaction among these legal systems creates a complex normative environment in which decisions regarding marriage are shaped not only by state regulations but also by religious and cultural considerations.

From a socio-legal perspective, the phenomenon of underage marriage in Mattiro Sompe illustrates legal pluralism, in which multiple legal systems operate simultaneously within the same social environment. Legal pluralism recognizes that communities do not rely

exclusively on state-enacted law but may also recognize religious norms, customary values, and other forms of social authority as legitimate normative frameworks. In this context, the effectiveness of state law depends not only on the existence of legal rules but also on the extent to which those rules are accepted and internalized by society. When formal law conflicts with deeply rooted cultural or religious values, communities may negotiate, adapt, or prioritize alternative normative frameworks that they perceive as more socially meaningful. Therefore, examining underage marriage through the lens of legal pluralism provides a more comprehensive understanding of why statutory restrictions do not always produce the expected social changes.

Several previous studies have examined child marriage from different perspectives. Angelina et al. (2025) analyzed child marriage from the perspective of positive law, particularly focusing on the relationship between legal regulations and local traditions. Ramadhani et al. (2026) explored child marriage practices from the perspective of Bugis customary law, while Aliyyu (2023) examined underage marriage in relation to Islamic law and child protection principles. Furthermore, Aisyah Isnaini and Nur Hidayah (2022) found that the implementation of Law Number 16 of 2019 continues to face challenges arising from cultural influences, limited legal awareness, and community perceptions of marriage practices. These studies provide valuable insights into specific dimensions of child marriage; however, most examine state law, Islamic law, or customary law separately rather than analyzing how these legal systems interact within a single social context.

Despite increasing scholarly attention to child marriage, a significant research gap remains regarding the mechanisms of interaction, negotiation, and adaptation among state law, Islamic law, and customary law in shaping community decisions. Existing studies have not sufficiently explained how communities reconcile potentially conflicting normative expectations arising from national marriage regulations, religious interpretations, and customary obligations, particularly within Bugis communities that maintain strong customary identities. Addressing this gap is important because understanding child marriage requires moving beyond a binary perspective that treats customary and religious norms merely as obstacles to state law. Instead, it requires examining how these legal systems interact and whether their interaction can contribute constructively to socially legitimate approaches to child protection.

The urgency of this research stems from the need to develop more effective strategies for addressing child marriage in culturally diverse societies. A purely legalistic approach that relies solely on formal prohibition may have limited effectiveness when community members continue to recognize other sources of normative legitimacy, including religious leaders, customary leaders, and family values. Previous findings indicate that legal effectiveness is influenced not only by legal substance and institutional enforcement but also by the legal culture of society. Therefore, policies aimed at reducing child marriage require an integrative approach that considers cultural sensitivity, religious understanding, and community participation. Research grounded in legal pluralism can provide valuable insights for policymakers and stakeholders in designing interventions that are socially acceptable while remaining consistent with child protection principles.

The novelty of this research lies in developing an integrated understanding of underage marriage through the interaction among state law, Islamic law, and Bugis

customary law rather than examining these legal systems independently. This study introduces a dialogical-contextual perspective that conceptualizes these legal systems not merely as competing normative authorities but as interacting systems capable of producing negotiation, adaptation, and potential integration. In particular, the study examines how the Bugis value of *siri'* may be reconstructed from an emphasis on preserving family honor toward a broader moral responsibility for safeguarding children's education, health, dignity, and future well-being. Through this approach, the study contributes to the literature on legal pluralism by exploring how local cultural values may support child protection when interpreted within a progressive and child-centered framework.

Based on this background, this study aims to analyze the interaction among state law, Islamic law, and Bugis customary law in the practice of underage marriage in Mattiro Sompe District, Pinrang Regency. Specifically, the study seeks to identify how these three legal systems influence community decision-making, examine the forms of negotiation and adaptation that occur among different legal authorities, and explore possibilities for integrating formal, religious, and customary norms in addressing child marriage. By applying a legal pluralism perspective, this research seeks to explain the relationship between legal norms and social realities within a culturally embedded community.

This research offers both theoretical and practical contributions. Theoretically, the study enriches the literature on the sociology of Islamic law and legal pluralism by providing empirical insights into how multiple legal systems interact within contemporary Indonesian society. Practically, the findings may assist government institutions, religious authorities, customary leaders, and child protection organizations in developing more effective strategies for preventing child marriage. The study emphasizes that child protection efforts should not depend solely on strengthening state regulations but should also involve constructive engagement with the religious and cultural values embedded within communities. Legal effectiveness requires not only formal regulatory authority but also social and cultural legitimacy. Accordingly, this research is expected to provide a foundation for developing collaborative approaches that harmonize state law, Islamic legal principles, and local customary values in protecting children's rights.

METHOD

This study employed qualitative field research using socio-legal and normative juridical approaches. The socio-legal approach was used to examine the interaction among state law, Islamic law, and Bugis customary law in the practice of underage marriage, while the normative juridical approach was used to examine the relevant legal framework, particularly Law Number 16 of 2019 concerning Marriage and Islamic legal principles related to child welfare and protection.

The study was conducted in Mattiro Sompe District, Pinrang Regency, South Sulawesi Province. The research site was purposively selected because underage marriage continued to occur despite the statutory minimum age for marriage. The local Bugis community also maintained the cultural value of *siri'*, which encompasses honor, dignity, and self-respect and influences social and family considerations surrounding marriage.

The study used primary and secondary data. Primary data were obtained through in-depth interviews with officials from the Office of Religious Affairs (Kantor Urusan Agama

[KUA]), religious leaders, customary leaders, village and subdistrict government officials, and community members with relevant experience or involvement in underage marriage practices. Secondary data were obtained from laws and regulations, legal literature, scholarly journals, official documents, and other relevant sources concerning legal pluralism, Islamic family law, and child marriage.

Data were collected through in-depth interviews, observations, and document analysis. Interviews were conducted to examine informants' perspectives on the application of state law, Islamic law, and Bugis customary law to underage marriage. Observations were conducted to examine the relevant social and cultural context, while document analysis included legal documents, marriage dispensation records, and other materials relevant to the study.

Data were analyzed using the interactive model of Miles, Huberman, and Saldaña, comprising data condensation, data display, and conclusion drawing and verification. The data were categorized according to themes related to legal pluralism and analyzed to identify patterns of interaction among state law, Islamic law, and Bugis customary law. The findings were subsequently interpreted through the theoretical framework of legal pluralism to examine forms of negotiation, adaptation, and integration among the three legal systems in the practice of underage marriage in Mattiro Sompe District.

RESULTS AND DISCUSSION

State Legal Perspectives on the Practice of Underage Marriage

From a state legal perspective, underage marriage is viewed as an issue related to the protection of children's rights and the development of quality human resources. The state's commitment to child protection is manifested through the amendment of Law Number 1 of 1974 to Law Number 16 of 2019, which sets the minimum age for marriage for men and women at 19 years. This policy is a form of state response to the high rate of child marriage which has the potential to cause various negative impacts, such as dropping out of school, poverty, psychological unpreparedness, and high reproductive health risks. Normatively, limiting the age of marriage shows that the state no longer views marriage solely as a civil relationship between a man and a woman, but also as an instrument for protecting the best interests of *the child*. Therefore, determining the minimum age for marriage is based on considerations of the physical, mental, social, and economic maturity of the prospective bride and groom so that the objectives of marriage as mandated by laws and regulations can be optimally achieved.

However, state law does not impose an absolute prohibition. Law Number 16 of 2019 still provides space through a marriage dispensation mechanism submitted to the court if there are urgent reasons accompanied by sufficient supporting evidence. Furthermore, this mechanism is strengthened by Supreme Court Regulation Number 5 of 2019, which stipulates guidelines for adjudicating marriage dispensation applications, emphasizing the principles of child protection, the child's best interests, and consideration of psychological, health, educational, and social aspects.

In the context of Mattiro Sompe District, the implementation of state law is evident through the role of the Religious Affairs Office (KUA), which administratively rejects the registration of marriages that do not meet the legal age limit. The presence of the KUA as a

representative of the state demonstrates that the marriage age limit has been formally implemented in the marriage service process. However, research shows that the existence of this regulation has not completely eliminated the practice of underage marriage in society. Some families choose to apply for dispensation to the religious court, while others resort to unregistered marriages when facing administrative obstacles. This situation indicates that the effectiveness of state law still faces challenges in social implementation.

The findings of this study align with those of Aisyah Isnaini & Nur Hidayah (2022), who found that the implementation of Law Number 16 of 2019 has not been optimal due to the strong influence of local culture, low levels of public education, and families' perceptions that child marriage is a solution to various social problems. This research shows that legal effectiveness is determined not only by the existence of regulations but also by the law's ability to be accepted and internalized by society. Similar findings were seen in Mattiro Sompe, where some residents are aware of the existence of the minimum age for marriage regulation, but do not always use it as the primary basis for decision-making regarding child marriage.

The results of this study also reinforce the findings of Aditya et al. (2025), who stated that social, cultural, and environmental factors remain the primary causes of high rates of child marriage in various regions of Indonesia. In the context of Mattiro Sompe, the existence of state law often clashes with considerations of family honor, local cultural values, and religious understandings that are more dominant in community life. As a result, state law has not fully become the primary source of legitimacy in determining marriage decisions.

Theoretically, this condition can be explained through Disantara's (2021) perspective, which states that legal effectiveness is influenced by several factors: legal substance, law enforcement officers, means and facilities, society, and legal culture. In this study, the legal substance is clearly provided through Law Number 16 of 2019 and its various derivative regulations. Law enforcement officers have also carried out their duties by refusing to register marriages that do not meet the age limit. However, the legal culture factor in society remains a major challenge because some people do not view the age limit for marriage as a necessity that must be fully complied with. In other words, the main obstacle lies not in weak legal regulations, but in the process of internalizing legal values in society's social life.

This view aligns with Friedman & Hayden's (2026) legal system theory, which explains that the success of a legal system is determined by three main elements: legal structure, legal substance, and legal culture. In the case of underage marriage in Mattiro Sompe, the legal structure has functioned through the existence of the Religious Affairs Office (KUA) and the Religious Court, while the legal substance has been realized through the regulation of the minimum age for marriage. However, the legal culture of society does not fully support the objectives of state law because there are still other social norms that are considered more relevant and urgent in everyday life.

According to the author, the main problem facing state law regarding the practice of underage marriage is not weak regulation, but rather the differing sources of legal legitimacy within society. The state bases the marriage age restriction on the principles of child protection and long-term well-being, while some communities prioritize family honor, social pressure, and immediate resolution of problems. Under these circumstances, state law is often viewed as an administrative rule negotiable through dispensation or other mechanisms. As a

result, compliance with state law tends to be pragmatic and not fully borne of autonomous legal awareness.

From a national legal perspective, the practice of underage marriage is a phenomenon that needs to be controlled through a child protection approach and law enforcement oriented toward long-term well-being. However, the success of this goal requires the support of a broader social system, including the involvement of religious leaders, traditional leaders, families, and the community in building legal awareness. Therefore, national law cannot simply be understood as a set of formal rules; it must also be able to achieve social legitimacy to function effectively in society.

Bugis Customary Perspective on the Practice of Underage Marriage

In Bugis society, marriage is viewed not only as a relationship between two individuals, but also as a social event related to family honor, social status, and the continuity of kinship ties. Therefore, the decision to marry is often not solely based on the individual considerations of the prospective bride and groom, but rather involves the extended family and surrounding social community. In this context, the value of *siri'* holds a crucial position as a value system that regulates community behavior and serves as a basis for decision-making regarding marriage.

Siri' in Bugis culture is generally understood as self-respect, honor, and dignity that must be maintained by every individual and family. This value serves as a social mechanism that controls community behavior to ensure it remains in accordance with prevailing norms (Safitri & Suharno, 2020). Violations of *siri'* not only impact the individual concerned but can also affect the image and honor of the family as a whole. Therefore, Bugis society tends to pay close attention to any form of action that has the potential to cause shame or tarnish the family's reputation.

The research results show that the value of *siri'* still has a strong influence on the practice of underage marriage in Mattiro Sompe District. In some cases, families choose to marry their children at an age below the legal age due to concerns about the social stigma that arises if the relationship between a man and a woman is deemed to exceed the prevailing norms. Premarital pregnancy, excessively close relationships, and concerns about the possibility of violating religious norms are often seen as threats to family honor. In such circumstances, marriage is considered the quickest solution to restore and maintain the family *siri'*.

These findings align with research by Anjana et al. (2025), who found that the culture of *siri' na pacce* significantly influences the practice of early marriage in South Sulawesi. The study showed that fear of losing family honor is often the primary reason parents marry off their children at a young age. From the Bugis perspective, maintaining *siri'* is seen as a moral obligation that must be prioritized, even when such a decision potentially conflicts with state law.

In addition to family honor, kinship also plays a role in maintaining the practice of underage marriage. In Bugis society, marriage is often viewed as a means of strengthening family ties and maintaining social solidarity. When a proposal is accepted, social pressure arises to immediately marry as a sign of respect for the proposer. Rejecting an accepted proposal is often perceived as an act that can cause shame and damage social relations

between families. As a result, the age of the prospective bride and groom is sometimes overlooked compared to the importance of maintaining social relations and family honor.

Research findings also indicate that some communities still view marriage as a symbol of parents' success in fulfilling their social responsibilities. Informants' statements about the pride they feel in marrying off their children at a young age demonstrate that marriage has not only legal and religious dimensions, but also social dimensions related to status and recognition in society.

Theoretically, this phenomenon can be explained through the concept of *living law*, which states that the law that truly lives in society is not always identical to the law made by the state, but rather social norms that are accepted, obeyed, and implemented in everyday life (Hewitt & Churchill, 2020). In the context of Mattiro Sompe, the value of *siri'* functions as a *living law* that has a strong social binding force because it is supported by collective acceptance of society. The existence of this norm explains why some people consider the social consequences of violating customary law more than the legal consequences established by the state.

This view can also be understood through the theory of legal pluralism, which states that societies often live within multiple legal systems operating concurrently. In the practice of underage marriage, Bugis customs do not always directly conflict with state law, but often serve as an alternative source of legitimacy that influences community legal choices. When tension arises between the state-set marriage age limit and social demands to maintain family honor, some communities tend to choose norms that are considered more capable of addressing the immediate social needs they face.

However, the research findings indicate that Bugis customs cannot be understood statically. The value of *siri'* is not only related to efforts to conceal shame through marriage, but also encompasses the values of responsibility, respect for human dignity, and protection of family members. From this perspective, *siri'* can be interpreted more progressively as a moral obligation to safeguard children's futures through education, health, and preparation for entering married life. Research findings indicate that some community leaders are beginning to develop this understanding by positioning child protection as part of efforts to maintain family honor.

According to the author, the main problem lies not in the existence of Bugis customs themselves, but rather in how the value of *siri'* is understood and applied in social life. When *siri'* is interpreted solely as an obligation to cover shame through marriage, this value can be a factor that encourages underage marriage. Conversely, if *siri'* is interpreted as a responsibility to safeguard the future and well-being of children, this value can actually become social capital that supports the goal of child protection as mandated by state law.

Thus, from a Bugis customary perspective, the practice of underage marriage cannot be understood simply as a violation of state law. This phenomenon is part of a social construct shaped by a long-standing value system within the community. Therefore, efforts to reduce the practice of underage marriage cannot be achieved solely through a legalistic approach; they also require dialogue with local cultural values to create harmony between child protection and family honor in Bugis society.

Islamic Law Perspective on the Practice of Underage Marriage

From an Islamic legal perspective, marriage is an institution that plays a crucial role in maintaining the continuity of human life, forming harmonious families, and realizing the welfare of individuals and society. Marriage is understood not only as a relationship that legalizes the bond between a man and a woman, but also as a means to achieve the goals of sharia (*maqāṣid al-syarī'ah*) through the formation of a family that is peaceful, loving, and compassionate. Therefore, Islamic law views marriage as an event that requires physical, mental, social, and moral readiness from the parties involved.

Unlike state laws that stipulate a numerical minimum age for marriage, Islamic law does not explicitly specify a minimum age for marriage. Classical Islamic jurisprudence (fiqh) literature generally links eligibility for marriage to indicators of puberty and the ability to carry out household responsibilities. Consequently, some communities understand that a person who has reached puberty is eligible to marry as long as the pillars and requirements of marriage are met. This understanding is still found in some Mattiro Sompe communities, where the validity of a marriage is often more closely linked to the fulfillment of fiqh requirements than to the age requirement stipulated by state law.

Research results show that some religious leaders still view underage marriage as justifiable if the prospective bride and groom have reached puberty and the marriage is considered capable of preventing religiously prohibited acts. This view stems from the understanding that Islam encourages marriage as a means of maintaining self-respect and avoiding behavior that could lead to adultery. In certain circumstances, particularly when premarital pregnancy occurs or relationships are deemed to violate social and religious norms, marriage is seen as a better solution than allowing greater moral violations to occur.

These findings indicate that Islamic law in social practice is not always understood uniformly. Some communities tend to emphasize the legal-formal aspects of the marriage contract, while psychological maturity, economic readiness, and marital sustainability often receive less attention. As a result, underage marriage is often viewed as acceptable as long as it does not violate the requirements and pillars of marriage according to Islamic law.

The findings of this study align with M. Fauzi's (2021) research , which explains that the application of Islamic law in society is strongly influenced by the social and cultural context in which it is practiced. According to Fauzi, the effectiveness of Islamic law is determined not only by normative texts but also by the interpretive processes undertaken by the community and religious leaders in responding to emerging social issues. In the context of Mattiro Sompe, religious understanding of marriage cannot be separated from the influence of local culture and the social realities faced by society on a daily basis.

However, from the perspective of contemporary Islamic law, the assessment of a marriage cannot be based solely on fulfilling the formal requirements of the marriage contract. A number of modern scholars emphasize the importance of the concept of *rusyd*, or maturity, as the basis for a person's readiness to enter into married life. This maturity encompasses not only biological aspects but also emotional readiness, economic capacity, social responsibility, and the ability to resolve various problems within the family. Thus, the success of a marriage is determined not only by the validity of the contract but also by the couple's ability to realize the goals of marriage as mandated by Islamic law.

This perspective is increasingly gaining a stronger basis through the theory of *maqāṣid al-syarī'ah*. According to Rani et al. (2025). In the context of underage marriages, legal assessment is not only directed at the validity of the contract, but also at the extent to which the marriage is able to realize the protection of the five main objectives of the Shari'a.

Based on the perspective of *maqāṣid al-syarī'ah*, the practice of underage marriage that results in school dropout, economic dependence, domestic conflict, reproductive health problems, or psychological unpreparedness can be seen as contrary to the objectives of sharia. Marriages conducted before reaching adequate maturity have the potential to threaten the protection of reason (*ḥifẓ al-'aql*) because they hinder children's education, disrupt the protection of the soul (*ḥifẓ al-nafs*) due to higher health risks, and threaten the protection of offspring (*ḥifẓ al-nasl*) because the family being built is not yet sufficiently prepared to carry out the parenting function optimally. Therefore, the measure of benefit is a more important consideration than simply fulfilling the formal requirements of marriage.

This view aligns with research findings showing that some progressive religious leaders in Mattiro Sompe are beginning to understand the 19-year age limit as a form of state *ijtihād* that does not conflict with Islamic legal principles. They view limiting the age of marriage as an instrument to ensure the maturity necessary to build a healthy and sustainable family. From this perspective, state legal provisions are not positioned as restrictions on freedom of marriage, but rather as a means to realize the goals of sharia in the context of modern society.

According to the author, the debate regarding underage marriage in Islamic law should not stop at the question of whether or not there is an age limit in classical Islamic jurisprudence. A more important issue is how Islamic law can realize the goal of public welfare, which is the core of sharia. In the current social context, where education, health, and economic readiness are crucial factors in determining the success of a household, postponing marriage until sufficient maturity is actually closer to the goal of sharia than marrying simply for formality or social pressure.

Thus, the Islamic legal perspective on the practice of underage marriage demonstrates two tendencies of understanding. First, a legal-formal approach that emphasizes the validity of the marriage contract and the puberty status of the prospective bride and groom. Second, a substantive approach based on *the maqāṣid al-syarī'ah (the principles of Islamic law)* that emphasizes the importance of maturity and the benefit of marriage. In this study, the second approach is considered more relevant to addressing contemporary social challenges because it bridges Islamic values with the goal of child protection pursued by state law without ignoring the cultural context of the local community.

Integration of State Law, Islamic Law, and Bugis Custom in the Practice of Underage Marriage

The discussion of underage marriage practices in Mattiro Sompe District demonstrates that society does not live within a single legal system. Instead, three legal systems operate simultaneously: state law, Islamic law, and Bugis custom. These three legal systems have different sources of legitimacy, orientations, and regulatory mechanisms, but they all influence how society understands and makes decisions regarding marriage. In such circumstances, underage marriage practices cannot be explained solely through the

perspective of state law or religious law, but must be understood as the result of the interaction of various norms that exist within society.

From a state legal perspective, limiting the age of marriage is a child protection instrument aimed at ensuring the physical, psychological, educational, and economic maturity of prospective brides and grooms. Meanwhile, from an Islamic legal perspective, marriage is viewed as an institution aimed at realizing the common good and upholding human dignity. From a Bugis customary perspective, marriage has a social dimension closely related to the value of *siri'* (a marriage contract) as a symbol of family honor and dignity. These differences in orientation demonstrate that each legal system has its own rationale and legitimacy in social life.

The research results show that the relationship between the three legal systems is not always conflictual. In some situations, tensions were found between state laws that set minimum marriage ages and prevailing social demands. However, this study also identified spaces for dialogue and common ground that allow the three legal systems to support each other in regulating marriage practices. These findings demonstrate that legal pluralism does not always result in conflicting norms but can also foster processes of adaptation, negotiation, and legal integration.

This phenomenon aligns with the theory of legal pluralism proposed by Griffiths (2003). According to Griffiths (2003), law originates not only from the state but also from religious norms, customs, and various other social rules that exist within society. In pluralistic conditions, society often finds itself in a situation where various legal systems operate simultaneously and influence each other. Therefore, the effectiveness of law is determined not only by the formal power of the state but also by the ability of a legal system to obtain social legitimacy from the society that is its subject. In the context of Mattiro Sompe, state law, Islamic law, and Bugis customary law are three legal systems that each have their own legitimacy, so the relationship between them is more appropriately understood as a process of social negotiation rather than a hierarchical relationship.

The findings of this study also reinforce the view of Rusdaya Basri (2021), who stated that the relationship between Islamic law, customary law, and society in social life is not always antagonistic. In many cases, Islamic law and customary law mutually influence and shape patterns of legal behavior in society. Therefore, resolving social problems cannot be achieved by ignoring any of the legal systems existing within society. A more effective approach is to establish common ground between these various legal systems to ensure social acceptance and strong normative legitimacy.

In this research, it was found that a common ground between state law, Islamic law and Bugis customs could be built through the *maqāṣid al-syarī'ah* approach. From the perspective of state law, limiting the age of marriage aims to protect children from various social, economic and health risks. This goal is in accordance with the principles of *ḥifẓ al-naḥs* (protection of the soul), *ḥifẓ al-'aql* (protection of the mind), and *ḥifẓ al-nasl* (protection of descendants) which are part of the main goals of Islamic law. Thus, the marriage age limit set by the state can be understood as a contemporary form of *ijtihād* which is in line with the aim of Islamic law to realize benefits and prevent harm.

Furthermore, the value of *siri'*, often understood as an obligation to maintain family honor through marriage, also has the potential to be reconstructed. Research shows that *siri'*

does not necessarily imply an urge to marry off children immediately when faced with social pressure or premarital pregnancy. Instead, this value can be interpreted as a family's moral responsibility to safeguard their child's education, health, future, and dignity. From this perspective, ensuring children's optimal development opportunities is a more substantive form of protecting family honor than simply covering up shame through early marriage.

Based on these findings, this study proposes a dialogical-contextual model of legal integration. This model positions state law as an instrument of legal protection and legal certainty, Islamic law as a source of moral and normative legitimacy, and Bugis custom as a source of cultural legitimacy within society. These three legal systems are not positioned to replace each other, but rather complement each other in shaping public legal awareness. In this model, state law is supported by local religious and cultural values, while Islamic and customary law gain new relevance through an orientation toward child protection and social welfare.

According to the author, the failure of various policies to suppress the practice of underage marriage is often due to an overly legalistic approach. The state tends to position the law as a stand-alone instrument without considering other sources of legitimacy within society. However, the Mattiro Sompe community is not only subject to state law but is also influenced by the authority of religious leaders, traditional leaders, and social norms deeply rooted in their lives. Therefore, a more effective approach is not to pit state law against custom or religion, but rather to build synergy between the three through language and values that are acceptable to the community.

Thus, the integration of state law, Islamic law, and Bugis customs in the practice of underage marriage represents a constructive manifestation of legal pluralism. This integration demonstrates that child protection should not be understood solely as a state agenda, but also as part of the objectives of Islamic law and the noble values of Bugis culture. Through this integration, the law gains not only formal force but also the moral and social legitimacy necessary to function effectively in society.

CONCLUSION

This study concluded that the practice of underage marriage in Mattiro Sompe District reflected a condition of legal pluralism characterized by the coexistence and interaction of state law, Islamic law, and Bugis customary law, all of which simultaneously influenced the legal behavior of the community. State law established the minimum age of marriage as a legal mechanism for child protection, while Islamic law was understood through two approaches: a legal-formal approach emphasizing the validity and requirements of marriage and a substantive approach grounded in *maqāṣid al-sharī'ah*, which emphasizes welfare and the realization of benefit (*maṣlaḥah*). Meanwhile, Bugis customary law, particularly through the cultural value of *siri'*, functioned as a socially legitimate normative framework that influenced family decisions regarding marriage.

The main findings indicated that the relationship among these three legal systems was not merely conflictual but also involved processes of negotiation and adaptation that created opportunities for legal integration. Such integration could be pursued by reinterpreting *siri'* as a moral responsibility to safeguard children's dignity, welfare, and future; strengthening the *maqāṣid al-sharī'ah* approach in understanding the objectives of marriage; and positioning

state law as a child protection mechanism supported by social and religious legitimacy. Accordingly, child protection could be understood not only as a legal obligation of the state but also as consistent with the objectives of Islamic law and the protective dimensions of Bugis cultural values.

The scholarly contribution of this study lies in the development of a dialogical-contextual model of legal integration within a legally pluralistic society. The model demonstrates that legal effectiveness does not depend solely on the strength of formal regulations but also requires engagement with religious and customary norms that possess legitimacy within the community. These findings enrich the literature on legal pluralism by illustrating how multiple legal systems can interact constructively in addressing complex social issues. Future research could extend this study by examining the applicability of the proposed legal integration model in other customary communities in Indonesia or by analyzing the roles of local actors, including religious leaders, customary leaders, and government institutions, in promoting harmonization among state law, religious law, and customary law in child protection efforts.

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