



plISSN 1410-4687
eISSN 2685-5216
<https://ejournal.uinib.ac.id/fasya/index.php/ijtihad/>



The Shift in the *Maisi Sasuduk* Tradition Regarding Marriage in Minangkabau: A Case Study in Payakumbuh City

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Received: 01 February 2026

Revised: 28 Mie 2026

Accepted: 29 June 2026

Abstract

While traditional Minangkabau marriage customs have received extensive attention in Islamic family law studies, research specifically addressing the structural shift in the *maisi sasuduk* tradition from the provision of household furnishings to cash payments remains limited. This study aims to analyze the socio-legal factors driving this shift in the Padang Datar Tanah Mati Urban Village, Payakumbuh City, and to evaluate its legal implications from the perspectives of Islamic family law (*al-'adah muhakkamah*) and "living law". Employing a qualitative socio-legal approach with a case study design, the research involved ten key informants, including *ninik mamak* (traditional leaders), religious scholars, community figures, and married couples who were selected via purposive sampling. Data were collected through in-depth interviews, field observations, and documentation, then analyzed using thematic analysis techniques comprising data condensation, data presentation, and normative verification. The findings indicate that the shift from household furnishings (such as beds and rattan chairs) to cash (*piti sasuduk*) is driven by economic monetization, urbanization, and a transition in residential patterns toward independent nuclear households. Although an inability to fulfill the *maisi sasuduk* requirement no longer results in the absolute cancellation of the marriage, it triggers informal social sanctions that impact a man's dignity and social identity. From the perspective of Islamic family law, *maisi sasuduk* functions as '*urf sahih* (valid custom) that complements the *mahar* (dowry), provided its determination prioritizes the principle of consultation and avoids harm (*maslahah*). These findings offer a theoretical contribution to the integration of legal pluralism and Islamic jurisprudence (*fiqh*) within the context of Indonesian family law.

Keywords

Maisi Sasuduk; Customary Marriage; *Al-'Adah Muhakkamah*; Minangkabau Custom; Islamic Family Law.

Introduction

The Minangkabau community is known for a customary order that is harmoniously integrated with Islamic religious doctrine through the philosophical principle of "*Adat Basandi Syarak, Syarak Basandi Kitabullah*" (ABS-SBK), meaning "custom is based on Sharia, and Sharia is based on the Book of (Asmaniar, 2018; Benda-Beckmann & Benda-

Beckmann, 2013). This philosophy asserts that all norms, traditions, and customary legal structures governing social life must be grounded in the teachings of the Qur'an and the Sunnah (Jazil, 2014; Navis, 1984). One of the social spheres in which the interaction between customary and Sharia norms is most prominently displayed is the institution of Marriage (*baralek*) (Abadi, 2021; Nurjannah & Nazif, 2024).

Within the framework of Minangkabau custom, Marriage is not merely interpreted as an individual civil union between a man and a woman; rather, it is a communal bond that unites two extended kinship groups (*parut* or *kaum*) within a matrilineal kinship structure (Bowen, 2003; Peletz, 2002). In the Luhak Limo Puluah Kota region, specifically in the Padang Datar Tanah Mati urban village of Payakumbuh City, there is a pre-marital customary obligation imposed on the prospective groom (*marapulai*) known as the *maisi sasuduk* (or *maisi sasuduk*) tradition (Busyro et al., 2024; Wati, 2024). Etymologically, this tradition means “filling the corner of the house”; it requires the prospective husband to furnish the bride's room as a symbol of his economic readiness and moral commitment to establishing a household (Wati, 2024).

From a normative-doctrinal perspective, Marriage under Islamic Sharia is viewed as a solemn and binding covenant (*mithaqan ghalizhan*) aimed at establishing a family characterized by tranquility (*sakinah*), love (*mawaddah*), and affection (*rahmah*) (Nita, 2021; Sanjaya & Faqih, 2017). Within the framework of Indonesian positive law, specifically Law Number 1 of 1974 concerning Marriage, in conjunction with Articles 2 and 3 of the Compilation of Islamic Law (KHI), a marriage is deemed valid if solemnized in accordance with the laws of the respective religions of the parties involved (Syarif, 2014; Wahyudi, 2014). However, in the legal reality of the community (*“living law”*), the application of religious norms frequently intersects with local customary requirements (Hooker, 2008). In the context of the *maisi sasuduk* tradition in Padang Datar Tanah Mati Urban Village, a fundamental sociological shift has occurred (Latifa & Febrianto, 2025). Contributions that formerly consisted of physical items for the bridal chamber, such as beds, mattresses, wardrobes, and rattan or bamboo chairs, have now largely shifted to a cash sum known as *“sasuduk money”* (Umulhusni & Fathoni, 2020; Wati, 2024). This shift in the form of customary obligations has sparked dynamics within family law, particularly when disagreements arise regarding the monetary amount demanded by the bride's family relative to the prospective groom's financial capacity (Busyro et al., 2024).

Previous sociological studies of Minangkabau family law and custom have examined various transactional dimensions in traditional marriage. Abadi

(2021) examines the social changes in Minangkabau society in creating a *sakinah* family and underlines the flexibility of customs in responding to modernization. Umulhusni & Fathoni (2020) studied the giving of *sasuduk money* in Nagari Situjuah Gadang and concluded that this tradition is maintained as a measure of men's financial readiness. Furthermore, Wati (2024) explored the interaction between custom and Islamic law in determining the amount of *sasuduk money*, which is influenced by the prospective bride's educational and employment status. In addition, Latifa & Febrianto (2025) discuss *sasuduik money* negotiations, which trigger the risk of postponing marriage if a common ground between families is not reached.

Even though the literature has discussed the sociological aspects of *sasuduk money*, there are still gaps in the study. Previous studies have mostly focused on the dynamics of commercial negotiations and ritual descriptions, but have not critically analyzed the shift in the *Maisi Sasuduk* tradition through the lens of legal pluralism and the position of the *al-'adah muhakkamah* doctrine and its impact on the legal certainty of marriage and the construction of men's civil identity (Agha et al., 2024; Lukito, 2013). The novelty offered in this research lies in a comprehensive analysis of the interaction of three layers of law (three-tiered legal framework), namely Minangkabau customary law, Islamic law (*fiqh/qawa'id fihiyyah*), and Indonesian positive law, on the dynamics of the shift in *maisi sasuduk* from goods to cash in Padang Datar Tanah Mati Village, Payakumbuh City (Amri et al., 2026; Jalili, 2026).

This research draws on the theoretical basis of *al-'adah muhakkamah* (customs/habits considered as law) as well as the concepts of living law and legal pluralism developed by Benda-Beckmann & Benda-Beckmann (2009); Huis (2024); Ma'u et al., (2025); and Timmer (2018). This theoretical basis is useful for examining the extent to which the shift in tradition remains within the corridor of *'urf sahih* (valid custom) or has shifted to *'urf fasid* (damaging custom) due to commercialization and impositions that exceed the limits of benefit (Ma'u et al., 2025; Mualim et al., 2025).

Based on the background and study gaps above, this research focuses on two main problems:

1. What are the sociological and economic factors that have caused a shift in the implementation of the *maisi sasuduk* tradition from giving furniture to giving cash in Padang Datar Tanah Mati Village, Payakumbuh City?
2. What are the legal and social impacts of the shift in the *maisi sasuduk* tradition on the position of marriage agreements,

customary social sanctions, and the affirmation of men's civil identity from the perspective of Islamic family law and positive law in Indonesia?

Method

This study employs qualitative field research utilizing a socio-legal approach (Creswell, 2014; Fittipaldi & Timoshina, 2017; Irianto, 2011). The socio-legal approach was selected to analyze Islamic legal norms and customary law not merely from a normative-textual perspective, but also to examine how these norms are practiced, interpreted, and lived out by the community within a social context often referred to as “living law” (Jalili, 2026; Umar et al., 2026). The research explores the interplay between Sharia teachings, Minangkabau customary norms, and the socio-economic realities of the community in Padang Datar Tanah Mati Urban Village, West Payakumbuh District, Payakumbuh City, West Sumatra Province.

A case study design was adopted, with Padang Datar Tanah Mati Urban Village selected through purposive sampling (Creswell, 2014). This location possesses unique historical and sociological characteristics, having been formed by the merger of two former villages (Padang Datar and Tanah Mati). At the same time, the community preserves the *maisi sasuduk* tradition, while the area undergoes rapid modernization and urbanization typical of urban settings. Informants were selected using a purposive sampling technique to identify participants who possess a deep understanding, hold customary authority, or have direct involvement in the execution of customary marriages and the *maisi sasuduk* tradition (Creswell, 2014). The key informants for this study include: 1) *Ninik Mamak* (Customary Leaders/Chiefs); 2) *Alim Ulama* (Religious Scholars/Figures); 3) *Cadiak Pandai* (Intellectuals/Community Leaders); and 4) the general public specifically those involved in marriages, such as married couples and parents who have directly experienced the *sasuduk* monetary negotiation process. Data collection was conducted comprehensively using three primary techniques: in-depth interviews, field observations, and documentary studies. Interviews utilized semi-structured guidelines to explore the history, negotiation mechanisms, the background of the shift from goods to monetary payments, and the implications of customary social sanctions. Field observations involved directly witnessing customary deliberation processes (*mufakat mamak*), inter-family social gatherings (*manjapuik marapulai* or pre-wedding negotiations), and the presentation of *maisi sasuduk* at the bride's home (Nurjannah & Nazif, 2024). Meanwhile, documentary studies gathered secondary data, including population archives from the Padang Datar Tanah Mati Urban Village Office, data from the Payakumbuh City

Population and Civil Registration Agency, regional monographs, copies of marriage registration records, customary agreement documents (*trombo adat*), and relevant legal literature.

Data analysis employed the interactive analysis model (Creswell, 2014). The analysis stages comprised data condensation involving the organization and coding of interview transcripts; data display presented through logical narratives, comparative matrices, and statistical population tables; and conclusion drawing/verification. The researchers critically analyzed empirical findings by juxtaposing them with the theory of *al-'adah muhakkamah*, the principle of *maslahah mursalah*, the Compilation of Islamic Law (KHI), religious court rulings, and relevant legislation. Data credibility was tested through source triangulation and triangulation of data collection techniques to ensure scientific validity.

Result

History and Transformation of the *Maisi Sasuduk* Tradition

Historically, the *maisi sasuduk* tradition in Payakumbuh City originated from the institutionalization of customary marriage regulations during the leadership of Datuak Parpatiah Nan Sabatang and Datuak Katumanggungan, under the auspices of Bundo Kanduang Alam Minangkabau (Navis, 1984; Wati, 2024). Within the customary framework, there is a mandatory requirement for a prospective husband known by the phrase “*nan talotak dari pado patuk*”, this refers to the moral and financial obligation to furnish or stock the corner of the wife’s room, a practice known as *maisi sasuduk* (Busyro et al., 2024). The specific corner in question is the interior area within the prospective bride’s room in the *rumah gadang* (traditional Minangkabau house) (Wati, 2024).

Interviews with the *Ninik Mamak* (traditional leaders) of Padang Datar Tanah Mati Ward revealed that during the era of Datuak Parpatiah Nan Sabatang and Datuak Katumanggungan, under the leadership of Bundo Kanduang Alam Minangkabau, husbands were subject to the obligation known as “*talotak dari pado patuk*”, specifically *maisi sasuduk*. In contrast, Islamic teachings, which may align with this *maisi sasuduk* custom, stipulate that the only obligation or debt incumbent upon the male party is the payment of the *mahar* (dowry). Furthermore, this custom is grounded in the principle of ABS-SBK (Custom is based on *Syara'* [Islamic law], and *Syara'* is based on the *Kitabullah*. Thus, *syara'* provides the stipulations, while custom implements or practices them (Ninik Mamak of Padang Datar Tanah Mati Ward, 2025).

Before the economy became fully monetized, the items required for *sasuduk* were obtained through the exchange of agricultural produce

(barter) or purchased using ancient currency (Latifa & Febrianto, 2025). The *Ninik Mamak* (traditional leaders) of Padang Datar Tanah Mati Urban Village added that in the past, payment for purchased goods did not involve money; instead, items were exchanged based on the seller's needs, such as rice, chili peppers, or other daily necessities (Ninik Mamak of Padang Datar Tanah Mati Urban Village, 2025).

At that time, the *sasuduk* contribution consisted of basic, modest bridal chamber furnishings such as a wooden bed frame, mattress, wardrobe, and a guest table and chairs crafted from local natural materials like rattan, bamboo, or *manau*. Male relatives would openly transport these physical items to the prospective bride's home and display them before the *ninik mamak* (traditional leaders) and guests as proof that the prospective groom had fulfilled his customary obligations (Busyro et al., 2024).

However, due to rapid modernization, economic development, and the shift in family settlement patterns from communal *rumah gadang* dwellings to independent nuclear-family homes, the practice of *maisi sasuduk* has undergone significant transformation (Abadi, 2021; Umulhusni & Fathoni, 2020). Today, most people no longer provide physical furniture items; instead, they substitute them with a cash payment known as *sasuduk money* (Wati, 2024). A comparative matrix illustrating this shift in tradition is presented in Table 1.

Table 1. Comparative Matrix of the Shift in the Maisi Sasuduk Tradition

Comparative Indicator	Traditional Practices	Contemporary Practice
Form of Submission	Physical items (bed frames, mattresses, wardrobes, rattan/bamboo/ <i>manau</i> chairs)	Cash (<i>uang sasuduik</i>) or modern imported/factory-made equipment.
Transaction Mechanism	Handing over physical goods directly to the woman's house and showing them to the public	Handing over cash in a traditional envelope/container during the pre-wedding procession.
Economic System	Often involves bartering of agricultural goods (rice, chilies) or limited cash	Rupiah nominal based cash transactions agreed between families.
Settlement Patterns	The husband lives in the room of the female family's house (matrilocal).	Couples often live independently outside their parents' home (neolocal).
Customary Sanction Level	Very tight; Disagreements can delay or cancel a marriage	More flexible; The position of agreement is based on negotiation and compromise.

Source: *Processed by the author based on data from Padang Urban Village and*

Implementation Mechanism of the *Maisi Sasuduk* Tradition

The *maisi sasuduk* tradition in the Padang Datar Tanah Mati Urban Village is carried out through a structured series of customary deliberations (Wati, 2024). The first stage begins with a family visit (*silaturahmi*) between the prospective groom's and bride's families to convey marriage intentions and familiarize themselves with each other's family backgrounds, a process known as *manjahuik kato* (Nurjannah & Nazif, 2024). Interviews with the *ninik mamak* of Padang Datar Tanah Mati reveal that the initial phase of *maisi sasuduk* involves establishing this familial bond; the groom's family visits the bride's family home to foster mutual acquaintance. Subsequently, the bride's family reciprocates by visiting the groom's family home to reach a mutual agreement.

The second stage proceeds to deliberations among the customary leaders (*mamak*) from both sides. Once the family bond is established, the process advances to the *mamak* to *mamak* interaction level. Guided by the adage "*bulek aia dek pambuluah, bulek kato dek mufakat*" (consensus), the *mamak* confirm that a mutual agreement has been reached between the two families.

The third stage involves finalizing the agreement and handing over the *maisi sasuduk*, which may consist of household furnishings or cash (*sasuduk money*) during the pre-wedding procession or the marriage solemnization ceremony (*akad nikah*). During these negotiations, should differences in customs or customary perspectives arise, the *ninik mamak* of Padang Datar Tanah Mati emphasize a specific resolution principle: one must not engage in argumentative disputes over these customary differences, as such conflict could lead to harm or even division. Therefore, the appropriate approach is to follow the custom, provided it does not conflict with *Syara'* (Islamic law). This principle of flexibility is reaffirmed by the Datuak Pucuk of the Bendang clan, who states that conflicts are resolved through compromise and deliberation without damaging familial bonds. This dynamic demonstrates that the Minangkabau customary tradition in Payakumbuh prioritizes the principles of the common good and social harmony.

Discussion

Socio-Economic Determinants of the Shift in the *Maisi Sasuduk* Tradition

The shift in the *maisi sasuduk* tradition, from providing physical bedroom furniture to handing over cash (*sasuduk money*), in the Padang Datar Tanah Mati Urban Village did not occur in a sociological vacuum (Latifa & Febrianto, 2025). This phenomenon is driven by a combination of

economic commercialization, the pace of urbanization, and transformations in family structures (Umulhusni & Fathoni, 2020). Socio-legal theory posits that law and traditions existing within a society (living law) constantly adapt to the changing material needs of that society (Ehrlich, 1936; Rahardjo, 1980).

Post-marital residence patterns for Minangkabau men are traditionally matrilocal: the husband moves into and resides in the *rumah gadang* (traditional communal house) of his wife's family (Navis, 1984; Peletz, 2002). Within this matrilocal structure, the provision of a bed and bedroom furniture by the groom's side served a pressing practical function: filling the empty living spaces within the *rumah gadang* (Wahyudi, 2014). However, contemporary conditions in Padang Datar Tanah Mati show that the majority of young couples now opt for a neolocal residence pattern, independently building or renting their own home outside the *rumah gadang* (Abadi, 2021). Consequently, transporting physical furniture to the bride's family home has become logistically inefficient (Busyro et al., 2024).

Providing *maisi sasuduk* in cash offers flexibility (portability) and efficiency for the prospective couple (Wati, 2024). The cash provided can be allocated flexibly, whether for purchasing modern furniture that suits the couple's tastes, covering rent, or serving as initial capital to establish the household's economic foundation. Sociologically, this shift reflects the monetization of customary obligations, in which symbols of customary respect are transformed into financial exchange values without losing their essence (Benda-Beckmann & Benda-Beckmann, 2009; Latifa & Febrianto, 2025).

The Validity of *Maisi Sasduik*: *Al-'Adah Muhakkamah* and *Maslahah*

From the perspective of Islamic civil law, the validity of a marriage is determined by the fulfillment of its essential pillars (*rukn*) and conditions (*syarat*): the presence of the prospective husband, the prospective wife, a marriage guardian (*wali*), two upright male witnesses, and the pronouncement of the offer and acceptance (*ijab* and *qabul*) (Nita, 2021; Sanjaya & Faqih, 2017). In addition to these pillars, Islamic law mandates the provision of a dowry (*mahar*) by the groom to the bride as the wife's absolute right (QS. An-Nisa [4]: 4) (Syarif, 2014). Customary obligations such as *maisi sasuduk* fall outside the essential pillars of marriage; thus, from a normative-doctrinal standpoint, they do not determine the validity or nullity of the marriage contract under Sharia (Busyro et al., 2024).

Nevertheless, Indonesian Islamic family law, which is oriented towards the public interest (*maslahah*), recognizes Custom (*adat*) as a secondary source of law based on the fundamental legal maxim:

Al-'adah muhakkamah

الْعَادَةُ مُحَكَّمَةٌ

Custom may be established as law

For a customary tradition to be classified as '*urf sahih*' (a custom that is valid and accepted under Islamic law), it must meet several criteria: (1) it is practiced generally and consistently within the community; (2) it does not contradict explicit texts (*dali*) from the Qur'an and Sunnah; (3) it does not nullify rights established by Sharia; and (4) it does not cause severe hardship (*masyaqqah*) to the parties involved (Rizhan, 2024; Susanty et al., 2025).

The *maisi sasuduk* tradition in the Padang Datar Tanah Mati Urban Village essentially meets the qualifications of '*urf sahih*'. This tradition serves as a customary offering that is complementary in nature (*at-ta'awun*), intended to supplement the *Shari'a*-mandated dowry (*mahar*) (Umulhusni & Fathoni, 2020). This offering reflects the fulfillment of the male leadership mandate (*qawwamah*) to provide financial support (*nafaqah*) and housing (*maskan*) for the wife (QS. An-Nisa [4]: 34) (Syarifuddin, 2014). The link between *maisi sasuduk* and *Shari'a* teachings is also reflected in the philosophy of *Syara' Mangato Adat Mamakai* (*Shari'a* dictates, Custom implements), wherein *Shari'a* establishes the fundamental principle of responsibility for financial support. At the same time, Custom provides the technical mechanisms for its implementation in accordance with local wisdom.

However, interpretations of Islamic civil law also impose strict limits based on the principles of *maslahah mursalah* (public interest) and the protection of civil rights (Candra et al., 2023; Suadi, 2022). If the determination of the *sasuduk money* amount is rigid, excessive, or forced by the bride's family to the point of exceeding the prospective groom's economic capacity, the tradition risks shifting into '*urf fasid*' (corrupt or invalid Custom) (Susanty et al., 2025; Wati, 2024). Disproportionate financial burdens conflict with the principle of ease in marriage, as stated by the Prophet Muhammad SAW.: the marriage with the greatest blessing is the one with the lightest burden (Sanjaya & Faqih, 2017). Therefore, the role of *ninik mamak* (customary leaders) and *alim ulama* (religious scholars) is vital in ensuring that negotiations regarding *maisi sasuduk* remain within the bounds of fairness and the mutual consent of both

parties (*'an taradin*) (Abadi, 2021; Jazil, 2014).

Informal Social Sanctions and the Stakes of Dignity (Self-Esteem)

Within the framework of the sociology of law (specifically the concept of “living law”), the validity of customary law within a community does not always rely on the coercive power of formal law enforcement agencies; rather, it rests on mechanisms of informal social control sustained collectively (Timmer, 2018). Minangkabau customary sanctions within the *maisi sasuduk* tradition do not take the form of physical criminal punishment or court-enforced civil judgments; instead, they manifest as moral sanctions and public psychological pressure (Asmaniar, 2018). In the social order of the Padang Datar Tanah Mati urban village, a prospective groom’s willingness and ability to provide the *maisi sasuduk* is viewed as a primary benchmark of the male family’s moral integrity, honor (*muru’ah*), and civil reputation in the eyes of the bride’s kin.

As articulated by Datuak Pucuk of the Kampai Clan, the link between fulfilling the *sasuduk* obligation and a man’s dignity is clearly evident in the history and social practices of the Payakumbuh community. Datuak Pucuk noted that the *maisi sasuduk* once served as a community gauge for the self-worth of men intending to marry; men who failed to provide this *sasuduk* payment were often looked down upon by the community. In fact, in the past, to preserve the male party’s dignity, the female party would sometimes shoulder the burden of the *sasuduk* contribution themselves.

This excerpt highlights the crucial role of honor or self-worth within this tradition. If a prospective groom fails to fulfill the agreed-upon *maisi sasuduk* without a rational explanation, the resulting informal social sanctions range from accusations of a lack of seriousness and social scorn to an erosion of trust from the bride’s family elders (*ninik mamak*). The value placed on dignity within the *raso jo pareso* philosophy was so profound that, in certain pre-modern cases, the bride’s family would willingly make discreet efforts to help finance the *sasuduk* to prevent the prospective groom’s family from suffering public humiliation. From the perspective of the theory of *al’adah muhakkamah* (custom as a source of law) and the principle of *maslahah mursalah* (public interest), these informal social sanctions serve as an instrument for maintaining social equilibrium (Jazil, 2014). Moral sanctions encourage prospective husbands to plan their marriages thoroughly and avoid neglecting financial responsibilities. However, proponents of Islamic family law stipulate that such informal social sanctions must not devolve into excessive ostracism (*dharar*) when a man’s inability to pay stems from

genuine poverty.

The synergy between customary social sanctions and Sharia principles demonstrates that the Minangkabau customary order bases a man's dignity not merely on material wealth, but on his commitment to honoring customary obligations, specifically the concept of *mambangik batang tarandam* (reviving a submerged legacy/upholding ancestral honor) (Abadi, 2021; Jalili, 2026). Fulfilling the *maisi sasuduk* obligation serves as a symbolic moral commitment, signifying the man's readiness to protect and honor his wife (Nurjannah & Nazif, 2024). Thus, informal social sanctions act as a safeguard for customary norms, ensuring that values regarding family honor are upheld within the framework of legal pluralism in Indonesia.

Affirmation of Civil Identity and Male Readiness

In the Minangkabau matrilineal kinship system, men occupy complex, dual roles. A man serves as a *ninik mamak* responsible for his own matrilineal kin (*kaum*) while simultaneously acting as an in-law (*orang semenda*) within his wife's family home (Asmaniar, 2018; Navis, 1984). This dual status necessitates the affirmation of his civil identity and concrete proof of economic readiness before marriage (Bowen, 2003; Peletz, 2002). The *maisi sasuduk* tradition serves as a strategic social declaration that the prospective groom (*marapulai*) possesses the financial competence and personal maturity to shoulder household responsibilities (Umulhusni & Fathoni, 2020).

Interviews with religious scholars (*alim ulama*) from the Padang Datar and Tanah Mati sub-districts indicate that, while not deemed strictly essential, the *maisi sasuduk* tradition remains necessary due to its deep-rooted status in the local community. This custom also concerns a man's dignity in the eyes of the bride's family, given its long-standing practice across generations in the area. The scholars' explanations underscore that *maisi sasuduk* serves to validate social identity. The presentation of *sasuduk money* (customary furnishing funds) demonstrates that the man arrives not as a burden (*sumando burung puyu*) to the bride's family, but as a responsible protector and provider of housing (*sumando ninik mamak*).

From an Islamic legal perspective, the obligation to provide housing (*maskan*) and basic furnishings is an integral part of the doctrine of *qawwamah* (male guardianship/leadership) and the husband's duty of maintenance (*nafkah*), as enshrined in Surah An-Nisa [4]: 34 and Article 80 of the Compilation of Islamic Law (KHI) (Candra et al., 2023; Syarifuddin, 2014). The shift in the form of *maisi sasuduk* from physical

furnishings to cash (*piti sasuduk*) in Padang Datar Tanah Mati does not erode the essence of *qawwamah* (male guardianship and responsibility) (Latifa & Febrianto, 2025). On the contrary, this transformation reinforces the man's civil standing in the modern economic era, where financial readiness is measured by capital liquidity that allows for flexible allocation.

The role of *maisi sasuduk* in affirming a man's civil identity also aligns with the principles of Indonesian positive law—specifically, Article 34 of Law No. 1/1974—which mandates that a husband protect his wife and provide for all household needs within his means. By fulfilling the *maisi sasuduk* agreement, the prospective husband both symbolically and practically meets the threshold of legal capacity (*ahliyyah*) under Islamic civil law. This robust civil identity provides a stable psychological and social foundation for young couples as they embark on their new family life.

Theoretically, the affirmation of civil identity through *maisi sasuduk* demonstrates the convergence of three legal orders (Amri et al., 2026; Lukito, 2013). Customary norms provide a cultural framework through *sasuduk*; Islamic norms offer legitimacy based on the doctrines of *nafkah* (maintenance) and *murū'ah* (personal honor/integrity); and positive law reconstructs the protection of the family's civil rights (Otto, 2010). Consequently, the shift of *maisi sasuduk* from goods to cash does not diminish a man's honor; rather, it reconstructs his civil identity to remain relevant to the demands of the times.

Position in Pre-Nuptial Agreement (Customary Requirements)

Within the frameworks of contract law and *fiqh muamalah* (Islamic jurisprudence on transactions), the *maisi sasuduk* custom functions as a customary pre-nuptial agreement, a requirement distinct from the primary marriage contract (*akad nikah*). Historically, this customary agreement held decisive weight; a disagreement over the amount or an inability to deliver the *sasuduk* could lead the bride's family to freeze, postpone, or even cancel the wedding plans (Latifa & Febrianto, 2025). In the contemporary era, however, the status of this customary requirement has undergone significant legal flexibilization.

Interviews with Bundo Kanduang (female traditional leaders) and newlywed couples reveal a shift in this agreement. They state that while the practice of *maisi sasuduk* persists, it is no longer as rigid as it once was; its implementation is often adapted to family agreements and the specific circumstances of the parties involved. This indicates that the role of *maisi sasuduk* in pre-nuptial agreements has shifted from an inflexible,

mandatory requirement to a compromise-based, negotiable arrangement. *Ninik mamak* from both sides now prioritize the principle of mutual consent (*'an taradin*) and ease of execution, ensuring that customary requirements do not obstruct the sacred bond of marriage.

Through the lens of the legal maxim *al-'adah muhakkamah* (custom as a basis for legal ruling), the validity of customary pre-nuptial agreements is recognized, provided they do not contravene Sharia law. If the *maisi sasuduk* requirement were to serve as an absolute barrier (*mani*) that invalidates a marriage despite the fulfillment of the essential pillars of marriage (*rukun nikah*), that customary norm would risk being classified as *'urf fasid* (corrupt or invalid custom) (Zuhdi, 2016). Religious court jurisprudence in Indonesia consistently affirms that disputes over customary requirements or premarital contributions cannot serve as legal grounds for annulling a marriage valid under religious law and registered with the state (Wahyudi, 2014).

From the perspective of Indonesian positive law (Law No. 1/1974, Article 2, and the Compendium of Islamic Law/KHI, Article 4), the validity of a marriage rests entirely on the respective religious laws. The *maisi sasuduk* agreement is regarded as an external customary obligation lacking the judicial force to dissolve a marriage contract solemnized at the Office of Religious Affairs (KUA) (Khaira & Yahya, 2018). This stance provides legal certainty and protects the civil rights of the husband, wife, and children born of the marriage (Candra et al., 2023).

Thus, the reconceptualization of the status of *maisi sasuduk* within premarital agreements reflects a harmony between “living law”, Islamic law, and national law. The *maisi sasuduk* tradition continues to be respected and preserved as an expression of customary appreciation, yet its legal status is proportionately positioned as a flexible, complementary requirement. This reconciliation ensures that the preservation of Minangkabau cultural heritage proceeds alongside the protection of human rights and legal certainty regarding Islamic family law in Indonesia.

Conclusion

This research concludes that the shift in the *maisi sasuduk* tradition from giving furniture to cash (*sasuduk money*) in Padang Datar Tanah Mati Village, Payakumbuh City, is a living adaptation of law to monetization, urbanization, and neo-local housing patterns, providing flexibility without losing the essence of respecting Minangkabau customs. In Islamic law, this tradition is classified as *'urf sahih*, which complements the dowry and reflects men's responsibility for livelihood (*qawwamah*), with the determination of values based on deliberation and consent, which prevents it from becoming *'urf fasid*. The impact of this shift does not

legally nullify marriage contracts (UU No. 1/1974 and KHI), but rather takes the form of informal social sanctions that affect men's dignity. At the same time, traditional pre-nuptial agreements become more flexible and better aligned with the certainty of Islamic family law in Indonesia. This research recommends that Ninik Mamak, Bundo Kandung, and KUA Payakumbuh develop a moderate and humanist customary guide, and encourages further researchers to expand comparative studies across Minangkabau luhak using a quantitative approach or by analyzing religious court decisions.

References

- Abadi, I. (2021). Keluarga Sakinah (Perkawinan Menurut Adat dan Perubahan Sosial Masyarakat Minangkabau). *Journal Al -Ahkam*, XXIX(1), 37–52.
- Agha, K. D. M., Nafad, M. I. El, & Hadi, S. (2024). Unravelling the Threads: Bibliometric Exploration of Islamic Family Law Research in Southeast Asia (2004-2024). *NURANI: Jurnal Kajian Syari'ah dan Masyarakat*, 24(2), 345–359. <https://doi.org/10.19109/nurani.v24i2.24755>
- Amri, Ansar, L., Al Jauhari, S., Arifin, M., & Makkarateng, M. Y. (2026). Negotiating Conflicts between Islamic Law and Customary Law in Muslim Marriage Traditions in Papua, Indonesia. *Justicia Islamica*, 23(1), 221–252. <https://doi.org/10.21154/JUSTICIA.V23I1.12404>
- Asmaniar. (2018). Perkawinan Adat Minangkabau. *Binamulia Hukum*, 7(2), 131–140. <https://doi.org/10.37893/jbh.v7i2.23>
- Benda-Beckmann, F. von, & Benda-Beckmann, K. von. (2009). Contested Spaces of Authority in Indonesia. In *Spatializing Law: An Anthropological Geography of Law in Society*. Ashgate Publishing.
- Benda-Beckmann, F. von, & Benda-Beckmann, K. von. (2013). *Political and Legal Transformations of an Indonesian Polity: The Nagari from Colonization to Decentralization*. Cambridge University Press.
- Bowen, J. R. (2003). *Islam, Law, and Equality in Indonesia: An Anthropology of Public Reasoning*. Cambridge University Press.
- Busyro, Asmara, M., Wadi, F., Tarihoran, A. S., & Manap, N. A. (2024). Maisi Sasuduik: Restrengthening the Implementation of the Concept of al-Ba'ah in some Minangkabaunese Traditional Marriages. *Al-Istinbath: Jurnal Hukum Islam*, 9(1), 63–80.
- Candra, M., Sinaulan, R., Al Hasan, F., & Ramadhan, J. (2023). The Religious Court Trial of Wali Adhal Cases In The Indonesian Legal System: A Legal Analysis. *Jurnal Hukum dan Peradilan*, 12(1), 77. <https://doi.org/10.25216/jhp.12.1.2023.77-96>
- Creswell, J. W. (2014). *Research Design: Pendekatan Kualitatif, Kuantitatif, dan Mixed*. Pustaka Pelajar.
- Ehrlich, E. (1936). *Fundamental Principles of the Sociology of Law*.

Harvard University Press.

- Fittipaldi, E., & Timoshina, E. (2017). Theory of Custom, Dogmatics of Custom, Policy of Custom: On the Threefold Approach of Polish-Russian Legal Realism. *Ratio Juris*, 30(1), 105–122. <https://doi.org/10.1111/raju.12137>
- Hooker, M. B. (2008). *Indonesian Syariah: Defining a National School of Islamic Law*. Institute of Southeast Asian Studies.
- Huis, S. C. van. (2024). The Shadow of Legal Pluralism in Indonesian Islamic Courts: Child and Spousal Maintenance. *Indonesian Journal of Socio-Legal Studies*, 4(1). <https://doi.org/10.54828/ijsls.2024v4n1.4>
- Irianto, S. (2011). Praktik Penelitian Hukum Perspektif Sosiolegal. *Bphn.Go.Id*, 1–20.
- Jalili, I. (2026). Balancing Formalism and Purposivism in the Development of Islamic Family Law in Indonesia. *Taqrib: Journal of Islamic Studies and Education*, 4(1), 173–186. <https://doi.org/10.61994/taqrib.v4i1.1928>
- Jazil, S. (2014). Al-'Adah Muhakkamah: 'Adah dan 'Uruf sebagai Metode Istinbat Hukum Islam. *Prosiding Halaqah Nasional & Seminar Internaasional Pendidikan Islam Fakultas Tarbiyah dan Keguruan UIN Sunan Ampel Surabaya*, 319–330.
- Khaira, U., & Yahya, A. (2018). Pelaksanaan Upaya Perdamaian Dalam Perkara Perceraian (Suatu Kajian terhadap Putusan Verstek pada Mahkamah Syar'iyah Bireuen). *Jurnal Penelitian Hukum De Jure*, 18(10), 319–334.
- Latifa, L., & Febrianto, A. (2025). Negosiasi Piti Sasuduik dalam Perkawinan Adat Minangkabau. *Culture & Society: Journal Of Anthropological Research*, 7(2), 131–140. <https://doi.org/10.24036/csjar.v7i2.202>
- Lukito, R. (2013). *Legal Pluralism in Indonesia: Bridging the Unbridgeable*. Routledge.
- Ma'u, D. H., Wagiyem, Salma, & Taqwa, R. H. N. (2025). Interfaith Marriage Involving Muslims in Indonesia: Legal Pluralism and Maqāṣid al-Sharī'ah Perspectives. *Al-Ahkam: Jurnal Ilmu Syari'ah dan Hukum*, 10(2), 155–169. <https://doi.org/10.22515/alahkam.v10i2.11069>
- Mualim, Shaleh, C., & Rosadi, A. (2025). Al-'Urf and Al-'Adah al-Muḥakkamah as The Methodology of Istinbāt of Islamic Law: A Thematic Analysis from The Perspective of Sharia Economic Law. *Al-Amwal: Journal of Islamic Economic Law*, 10(2), 2541–3910. <https://ejournal.uinpalopo.ac.id/index.php/alamwal/index>
- Navis, A. A. (1984). *Alam Terkembang Jadi Guru: Adat dan Kebudayaan Minangkabau*. PT Grafiti Pers.
- Nita, M. W. (2021). *Hukum Perkawinan di Indonesia*. CV. Laduny

Alifatama.

- Nurjannah, R. Z., & Nazif, M. (2024). Tradisi Pernikahan di Minangkabau: Perbandingan Adat Maisi Sasuduik dan Bajampuiik. *Sakena: Jurnal Hukum Keluarga*, 9(2), 78–92. <https://journals.fasya.uinib.org/index.php/sakena/article/viewFile/651/388>
- Otto, J. M. (2010). *Sharia Incorporated: A Comparative Overview of the Legal Systems of Twelve Muslim Countries in Past and Present*. Leiden University Press.
- Peletz, M. G. (2002). *Islamic Modern: Religious Courts and Cultural Politics in Malaysia*. Princeton University Press.
- Rahardjo, S. (1980). *Hukum dan Masyarakat*. Angkasa.
- Rizhan, A. (2024). Kedudukan Al-'Adah Dan Al-'Urf sebagai Sumber Hukum Islam. *Jurnal Gagasan Hukum*, 6(01), 84.
- Sanjaya, U. H., & Faqih, A. R. (2017). *Hukum Perkawinan Islam Di Indonesia*. Gama media.
- Suadi, A. (2022). Protection of Women's and Children's Rights Based on System Interconnection: A New Paradigm of Execution of Women and Children's Rights after Divorce. *Jurnal Hukum dan Peradilan*, 11(3), 499. <https://doi.org/10.25216/jhp.11.3.2022.499-522>
- Susanty, W., Nurhayati, N., & Anggraini, T. (2025). Peranan 'Urf dan Adat dalam Pembentukan Hukum Islam Dan Implikasinya Terhadap Ekonomi Syariah. *Jurnal Ilmiah Manajemen, Ekonomi dan Akuntansi*, 5(1), 119–129. <https://doi.org/10.55606/jurimea.v5i1.895>
- Syarif, A. (2014). *Hukum Perkawinan Islam di Indonesia: Antara Fiqh Munakahat dan Undang-undang Perkawinan*. Kencana.
- Syarifuddin, A. (2014). *Hukum Perkawinan Islam di Indonesia Antara Fiqh dan Undang-Undang Perkawinan*. Kencana Prenadamedia Group.
- Timmer, J. (2018). Legal Pluralism. *The International Encyclopedia of Anthropology*, 1–2. <https://doi.org/10.1002/9781118924396.wbiea1374>
- Umar, Faisol, M., & Cahyo, L. N. (2026). Religious Diversity and Muslim Family Law: A Socio-Legal Study of Sunni–Shia Marriage in Indonesia. *Education and Sociedad Journal*, 4(1), 60–73. <https://doi.org/https://doi.org/10.61987/edsojou.v4i1.1985>
- Umulhusni, A., & Fathoni, S. N. (2020). Uang Sasuduik dalam Sistem Perkawinan di Nagari Situjuah Gadang Kecamatan Situjuah Limo Nagari Kabupaten Lima Puluh Kota Provinsi Sumatera Barat. *Jurnal Al-Ahwal Al-Syakhsyiah: Jurnal Hukum dan Peradilan Islam*, 1(1), 1–14.
- Wahyudi, M. I. (2014). Menuju Hukum Perkawinan Islam Progresif.

Jurnal Hukum dan Peradilan, 3(1), 59–68.

Wati, F. (2024). Tradisi Maisi Sasuduik dalam Perkawinan Masyarakat Minangkabau: Studi Interaksi Adat dan Hukum Islam. *As-Syar'i: Jurnal Bimbingan & Konseling Keluarg*, 6(1), 642–652. <https://doi.org/10.47476/as.v6i1.380>

Zuhdi, M. H. (2016). *Qawâ'id Fiqhiyyah*. Institut Agama Islam Negeri (IAIN) Mataram.