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**The Integration of Islamic Law and Banjarese Customary Law in the
Distribution of Inheritance to the Chinese Muslim Community in
Banjarmasin, South Kalimantan**

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Abstract: Chinese Muslim community is part of the life of the nation and state as a whole, one of the many ethnicities that are the features of the social identity of the archipelago. The history of the development of Islam and Chinese in Banjarmasin has an affiliation. This study aims to discover the distribution of Chinese Muslim heritage in Banjarmasin. The method used was empirical legal research and field research, while the approach used was the sociology of law approach. The result of this study indicates the existence of legal integration, where women and men are equally domiciled as heirs. Such equal right is in contrast with Chinese customary law exclusively distributing to sons but it conforms to Islamic inheritance law and Banjar customary law. Since religions are not considered a barrier to inheritance, most Chinese Muslims prefer (to adhere to) the customary law. The Chinese Muslim descendants in Banjarmasin can distribute their inheritance by following one of three ways: traditional heir deliberation, undistributed inheritance, and distribution according to Islamic inheritance law. Despite the law that applies to them is Islamic inheritance law, Chinese Muslims in Banjarmasin are not totally subject to it. As diversity of religions within a family exists, they prioritize the concepts of harmony and kinship in order to avoid disputes.

Keywords: Inheritance system, Chinese muslims, legal integration

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Abstrak: *Komunitas muslim Tionghoa merupakan bagian dari kehidupan berbangsa dan bernegara secara keseluruhan, salah satu dari sekian banyak etnis yang menjadi ciri identitas sosial nusantara. Sejarah perkembangan Islam dan Tionghoa di Banjarmasin memiliki keterkaitan. Penelitian ini bertujuan untuk mengetahui persebaran warisan Tionghoa Muslim di Banjarmasin. Metode yang digunakan adalah penelitian hukum empiris dan penelitian lapangan, sedangkan pendekatan yang digunakan adalah pendekatan sosiologi hukum. Hasil penelitian ini menunjukkan adanya integrasi hukum, dimana perempuan dan laki-laki berkedudukan sama sebagai ahli waris. Hak yang sama ini bertentangan dengan hukum adat Cina yang eksklusif dibagikan kepada anak laki-laki namun sesuai dengan hukum waris Islam dan hukum adat Banjar. Karena agama tidak dianggap sebagai penghalang warisan, sebagian besar Muslim Tionghoa lebih memilih (untuk mematuhi) hukum adat. Keturunan Cina Muslim di Banjarmasin dapat mendistribusikan warisan mereka dengan mengikuti salah satu dari tiga cara: musyawarah ahli waris tradisional, warisan yang tidak dibagikan, dan pembagian menurut hukum waris Islam. Meskipun hukum yang berlaku bagi mereka adalah hukum waris Islam, namun Muslim Tionghoa di Banjarmasin tidak sepenuhnya tunduk padanya. Dengan keragaman agama dalam keluarga, mereka mengutamakan konsep kerukunan dan kekeluargaan untuk menghindari perselisihan.*

Kata Kunci: *Sistem pewarisan, muslim Tionghoa, Integrasi hukum*

Introduction

The Unitary State of the Republic of Indonesia is a country with diverse customs, tribes, languages, religions, and customary laws that bind its people. The Chinese are one of the various ethnic groups in Indonesia. Soekarno the founding father and first president of the Republic of Indonesia asserted that the Chinese, who were born and raised in the Dutch East Indies, held the nation's unity¹, and had negotiated, assimilated, and accommodated themselves to the cultures of the indigenous people.²

In Indonesia, numerous Chinese have converted to Christianity, Catholicism, Buddhism, and Confucianism. Muslims in the Chinese community, however, are a minority. The Chinese Muslim community in

¹ Beatrix Benni, "Pewarisan Pada Etnis Tionghoa Dalam Pluralitas Hukum Waris Di Indonesia," *Masalah-Masalah Hukum* 44, No. 1 (2015), p. 1–10.

² Eka Srimulyani, et. al., "Diasporic Chinese Community in Post-Conflict Aceh: Socio-Cultural Identities, and Social Relations with Acehnese Muslim Majority," *Al-Jami'ah* 56, No. 2 (2018), p. 395–420.

Indonesia (PITI or *Persatuan Islam Tionghoa Indonesia*) is one of the oldest. Chinese Muslim community in Indonesia, which has been supported by PITI, has developed in a truly creative, inventive, and dynamic manner. They frequently engage in dialogue, cooperation, da'wah, and social awareness in order to achieve social harmony and welfare for the Chinese Muslim community in particular and the Indonesian people in general.³

Despite having their customary law, Article 131 of the *Indische Staatsregeling* Regulation (I.S.) states that Chinese descent is one of the populations to which Indonesian civil law applies. Its application, however, contradicts the prevalent customary law of Chinese and Indonesian societies. Despite the fact that they are typically required to adhere to civil law, the majority of Indonesian Chinese continue to distribute inheritance according to Chinese customary law. This is due to the striking contrast of the cultural values, beliefs, and kinship systems between the Chinese and the Europeans—who drafted the Indonesian Civil Code.⁴

As for the distribution of inheritance, overseas Chinese follow patrilineal lineage or the agnatic type, in which sons are fully entitled to their parent's inheritance; sons are entitled as heirs over daughters. This is due to the incorporation of the patrilineal system into Chinese common law, which prioritizes men as heirs and makes the son responsible for the survival of the extended family, while daughters will become members of their husband's family.⁵

However, it cannot be denied that every society will change as a result of the society's development, as well as the changing time and territorial space. These changes can be observed in human behavior patterns that are susceptible to change. They can include shifting values or changing social norms and behavior. Similarly, changes also occur in inheritance system used by Chinese community in Banjarmasin, a large city where Muslim Banjars represent most of the ethnic community. It is a pluralistic city where its residents are willing to embrace diversity (pluralism) in order to live tolerantly in a society comprised of diverse tribes, religions, customs, and principles.⁶

³ Choirul Mahfud, "Chinese Muslim Community Development in Contemporary Indonesia: Experiences of PITI in East Java," *Studia Islamica* 25, No. 3 (2018), p. 471–502.

⁴ Isti Sulistyorini, "Pergeseran Hukum Pewarisan Masyarakat Tionghoa Di Kota Pekalongan," *Jurisprudence* 1, No. 2 (2013), p. 308–407.

⁵ Fokky Fuad and Ratrie, "Kedudukan Dan Hak Waris Bagi Perempuan Dalam Budaya Hukum Confucius," *Lex Jurnalica* 4, No. 3 (2007), p. 116–131.

⁶ Firqah Annajiyah Mansyuroh, "Implementasi Hukum Waris Tionghoa Dalam Masyarakat Plural Di Kota Banjarmasin," *Perspektif* 25, No. 3 (2020), p. 159–167.

Historically, some Chinese travelers from three different ethnic groups those who speak Hokkien, Hakka, and Teochew traveled to Indonesia. Hokkien and Hakka are most frequent visitors to Banjarmasin. This turned the South Kalimantan to be referred to as “*parit Tionghoa*” (Chinatown). Further, Royal Chinese visits to Borneo have been documented since 977 A.D. Moreover, the Sultanate of Banjar is also mentioned in Chinese Chronicle Book 323's history of the Ming Dynasty (1368-1643).⁷

The interaction of Banjarese and Chinese immigrants in their trading and daily lives creates non-racist harmony and brotherhood. This is evidenced by the adoption of the dragon ornaments as one of the “Jukung Hias” (cultural festival's symbols in the Banjar community's River culture), demonstrating the blending of multiple cultures.⁸

The Chinese are Banjarmasin's fourth most populous ethnic group, following the Javanese and Madurese. *Kampung Pecinan* (Chinatown) is located near Veteran Street and Pierre Tandean in Banjarmasin, where most residents are Chinese descent. This Chinatown has existed in Banjarmasin since the Dutch colonial era.⁹ They typically work as self-employed merchants, entrepreneurs, dentists, and dental technicians. The religious beliefs of overseas Chinese are extremely diverse. They include followers of Confucianism, Taoism, Buddhism, Protestantism, Catholicism, and a sizeable number of Muslims. Many of the family members practice different religion, either due to their decision to convert privately or marriage to a native Muslim from the Banjar ethnic group.¹⁰

The Chinese Muslim community is one of the many ethnic groups that contribute to the life of the people and of the nation, constituting the archipelago's distinguished characteristics. In recent years, there has been a significant increase in the number of Chinese Muslims. In fact, Muslims in China have already established institutions and foundations. Initially, many

⁷ M. Rezky Noor Handy, “Orang Tionghoa Di Banjarmasin Dalam Sejarah Banjar,” in *Seminar Internasional Pendidikan Berbasis Etnopedagogi* (Banjarmasin: Universitas Lambung Mangkurat, 2015), p. 839–846.

⁸ M. Rezky Noor Handy, “Orang Tionghoa Di Banjarmasin Dalam Sejarah Banjar,” in *Seminar Internasional Pendidikan Berbasis Etnopedagogi* (Banjarmasin: Universitas Lambung Mangkurat, 2015), p. 839–846.

⁹ Muzainah, *Asas Kemanfaatan Tentang Kedudukan Perempuan Dalam Hukum Waris Adat Masyarakat Banjar*, p. 67.

¹⁰ Badan Perencanaan Pembangunan Daerah Kota Banjarmasin dan Badan Pusat Statistik Kota Banjarmasin, “Profil Dan Analisis Hasil Sensus Penduduk 2010 Dan Proyeksi Penduduk 2010-2020 Kota Banjarmasin” (Banjarmasin, 2013).

scholars believe that Islam originated in Arab (Hadramaut) and spread directly to Indonesia. Crawford and other Muslim historians have described this theory as the Arab theory. Then, the Indian theory where Islam spread to Indonesia from India (Gujarat) was promoted by Snouck Hurgronje. However, in a recent international seminar entitled “Chen Ho, Wali Songo, Muslim China,” held by the Muhammad Chen Ho Indonesia Foundation in Surabaya several years ago historians and academics discussed the history of Islamization in Indonesia and Chinese influence. In this instance, they disseminated that Chinese theory.¹¹

In this context, Chinese Muslim community presents an intriguing research topic. Since Chinese Muslims are a significant part of Indonesian society and Islam Nusantara, this issue is crucial. However, some groups continue to oppose the notion that Islam in China has a historical influence on Indonesia. Nevertheless, many contemporary Indonesian Islamic scholars are now considering China’s relation to Indonesian Islam.¹²

The development of Chinese Muslims in Indonesia is inseparable from its historical context, in which they established the Chinese Muslim Association of Indonesia (*Persatuan Islam Tionghoa-Indonesia*) on April 14th, 1961. Long before that year, the history of the Islamic development and Chinese in Banjarmasin has been closely related. For instance, the daughter of Goh Fattonio (a Chinese man with the title “Frog captain”) married Sheikh Muhammad Arsyad Al Banjari, a great scholar from Borneo during the time of Islamic kingdom of Banjar, and they had many descendants that became great scholars.¹³

Recently on August 27th, 2022, UIN Antasari Banjarmasin Research Center found a century-old handwritten book. The book was initially owned by Swadharma, the tenth descendant of the author. Accompanied by the Chairman of PITI South Kalimantan, H. Winardi Suthiono explained that Sheikh Muhammad Arsyad Al Banjari's possible lineage included both marrying Goh Fattonio's daughter and being a direct descendant of Chinese ancestors. There were four brothers of Chinese ancestors who came to Banjarmasin at that time. They later had sons, Phang Banto and Phang Bangtian who held the title Commander of Minting and known as Abdullah

¹¹ Choirul Mahfud, “Chinese Muslim Community Development in Contemporary Indonesia: Experiences of PITI in East Java.” *Studia Islamica* Vol 25, No. 3 (2018).

¹² Choirul Mahfud, “Chinese Muslim Community Development in Contemporary Indonesia: Experiences of PITI in East Java,” *Studia Islamica*, Vol 25, No. 3 (2018).

¹³ Kurnia Widiastuti and Anna Oktaviana, “Bentuk Dan Makna Rumah Tinggal Etnis Tionghoa Di Banjarmasin,” *Info Teknik* 16, no. 2 (2015), p. 1689–1699.

as his Muslim name. His father, Abdullah Phang Bangtian also known as Panglima Minting was a Chinese ancestor and known as Muhammad Arsyad Al-Banjari or Datu Kalamayan.¹⁴

During the Banjar Kingdom prior to the formation of Indonesia, the Banjarese distributed their inheritance according to their customary inheritance law. According to the principle of concordance, the provisions of Indonesian law follow the legal system of the Dutch colonial government, namely *Burgerlijk Wetboek* (henceforth BW), the Civil Code of the Netherlands. According to the transitional rules stipulated in the 1945 Constitution, all state bodies and existing legislation remain in force until a new one is enacted under this law. Based on KUHPdt 163, which classifies the population into three groups, it is evident that the Islamic heritage law defines Islamic heritage for Indonesian Muslims based on their professed religion rather than their ethnicity, personal will, or nationality. Civil inheritance law is the body of law that applies to Chinese descendants. It demonstrates that Chinese Muslim Indonesian citizens have the option of selecting their inheritance law. On the other hand, numerous studies have found that the Chinese community in Indonesia follows traditional inheritance law which was passed down from generation to generation in Chinese society rather than civil inheritance law.¹⁵

Chinese-Indonesian society is a partial society comprised of clans or tribes that are not geographically or territorially bound. Chinese natives continue to experience cultural shifts but still adopt more Chinese customs in their heritage distribution. In Chinese culture, inheritance is passed down from generation to generation, and the distribution of inheritance to sons over daughters is emphasized. Sons should resurrect the ashes of ancestors and the whereabouts of deceased parents. This way, it ensures that Chinese customs are passed down from generation to generation. In Chinese culture, the family is a communal cell and the fundamental unit of cohesion in such society. Unity is synonymous with family, and vice versa thus families are groups of people who cannot be separated from one another. This leads to the presence of multi-religion in Chinese families, further leading inheritance between followers of different religions to be possible. For example, if Chinese heirs are Muslims

¹⁴ Ahmad Riyadi, "Diduga Memuat Silsilah Datu Kalampayan, PITI Kalsel Serahkan Buku Berumur Ratusan Tahun," *Jejak Rekam*, 2022, <https://jejakrekam.com/2022/07/29/diduga-memuat-silsilah-datu-kalampayan-piti-kalsel-serahkan-buku-berumur-ratusan-tahun/>.

¹⁵ Sriono, "Sistem Pewarisan Pada Warga Negara Indonesia Keturunan Tionghoa (Cina) Muslim," *Jurnal Ilmiah Advokasi* 05, no. 02 (2017), p. 110–112.

and non-Muslim heirs are Muslims, or vice versa, hence Muslim heirs are Muslim and the non-Muslim heirs is the public. Although heirs' religion is unproblematic in Chinese traditional inheritance system, it is vital in Islamic principles that must be respected by Chinese Muslim community.¹⁶

In association with the Islamic inheritance system, it is critical to believe that the Chinese who have their own inheritance system while simultaneously merging with Indonesia's indigenous tribes can also be researched and developed within the scope of legal research. Indeed, the dearth of research on the Chinese inheritance system may further illustrate the point above. In fact, religion, which represents a community's social identity, clearly influences the distribution of heritage, including that of overseas Chinese in Banjarmasin.

Chinese, both Muslims and non-Muslims, have lived in Banjarmasin for long. The customary inheritance law of the Chinese Muslim community was potentially influenced since Banjarmasin has a diverse population and the interaction between the local tribes has led to dynamization. This is especially true because Banjarese now has its own inheritance law.

This study was constrained to and concentrated on the integration of Islamic and customary law, using the theory of Islamic and customary law contact on the inheritance of the Chinese Muslim community of Banjarmasin. The study was derived from the fact that the relationship between the Chinese traditional law and the Banjarese customary law gained attention, particularly on the existence of legal integration because of their interaction. Such integration may be applicable to the distribution of inheritance, especially to the overseas Chinese who have converted to Islam.

This research was categorized into field research or empirical legal research. The researchers employ sociological, empirical, and legal anthropology approaches in this study that consider the reality of the law in society.¹⁷ The research was conducted in Banjarmasin, Indonesia. This study targeted respondents from the Banjarmasin Muslim communities who were raised in China and have either participated in or observed the inheritance distribution. The informants were those who were familiar with Chinese customs and/or Islamic inheritance. The researchers conducted interviews

¹⁶ Yuliana Ira Ekawaty, et.al., "Pembagian Harta Warisan Muslim Tionghoa: Studi Komparatif," *Amanna Gappa* 28, no. 1 (2020), p. 21–30.

¹⁷ Suteki and Galang Taufani, *Metodologi Penelitian Hukum (Filsafat, Teori Dan Praktik)* (Depok: Raja Grafindo Persada, 2018).

since that was the best way to get the information needed. Furthermore, qualitative analysis was employed to analyse the data.

This study investigated legal acts through the lens of empirical legal research. This includes legal behavior, precisely the actual conduct of individuals or groups in conformity with what is deemed appropriate under applicable law. Therefore, the subjects of the study who also functioned as informants were the Chinese Muslim community of Banjarmasin together with their leaders, and the Chinese religious leaders.

The Integration of Islamic and Customary Law in Indonesian Inheritance Distribution

Regarding legal pluralism, the existence of the legal reform movement in Indonesia has gone too far. One of them is the recognition of indigenous people's rights, as stipulated in the Constitution. Considering that Indonesian inheritance law is pluralistic; thus, for those who fight for justice undoubtedly wonder which inheritance law should be applied most effectively in inheritance matters. People will typically utilize the state-provided judicial system to pursue justice. Western inheritance law or BW positive law applies to non-Muslim families or families who choose not to apply Islamic inheritance law. Individuals who adhere to customary law may apply it, whereas Muslims apply Islamic inheritance law in accordance with the Islamic Law Framework (KHI). However, regardless of what legislation being enacted, a sense of fairness and deliberation is of utmost importance.¹⁸

The plurality of Indonesian inheritance laws is clearly reflected in the legal choices of all survey respondents. The criteria for Muslims are the Islamic Law of Succession as stipulated in Article 7 of 1989, Islamic law, and the Inquisition Court's Order. The Judiciary Law no. 3 of 2006. The Western Civil Code (KUHPert) applies to Chinese/non-Muslims, whose Civil Procedure Code is under the jurisdiction of the District Court based on Law no. 2 of 1986 and for people who are subject to criminal law. The Judiciary Law No. 49 of 2009. Customary law regarding inheritance applies to indigenous peoples and other communities subject to customary law.

Due to legal pluralism, Indonesia acknowledges the national legal system, *fiqh* (Islamic jurisprudence), and customary law. Legal pluralism emphasizes the harmonization and integration of laws over conflict. Thus, various practices such as the distribution of inheritance in Acehese society,

¹⁸ Adelina Nasution, "Pluralisme Hukum Waris Di Indonesia," *Al-Qadha* Vol, 5, No. 1 (2018), p. 20–30.

such as “*patah titi*” and “surrogate heir,” can be traced to the KHI, *fiqh*, and customary law. In customary law, “*patah titi*” refers to inheritances in which the heir predates the testator; consequently, the heir's descendants are not granted inheritance rights. Although *patah titi* in traditional practice shares similarities with *fiqh*, namely the absence of replacement heirs, inheritance rights are replaced in *fiqh*. In this case, scholars and traditional leaders hold differing opinions regarding the provision of inheritance to the community; some agree while others disagree. Those who disagree tend to use the term “testamentary,” pointing out that although grandchildren do not receive an inheritance, they occasionally receive property through a will. In addition, the purpose of Islamic law, which aims for justice and benefit, recognizes the surrogate of the heir as stated in the KHI, even though he or she is not found in the literature of *fiqh* and customary law. Diversity of legal practice in the context of legal pluralism is a common occurrence, as it is illustrated in the negotiation and incorporation of customary law, *fiqh*, and KHI as the state law in a homogeneous society.¹⁹

The characteristics of customary inheritance law can be compared to the principles of Indonesian inheritance law, which include:

1. In the customary law, inheritance is not an entity that can be valued in terms of money. Instead, it is an either indivisible or divisible entity, but only in accordance with the types and interests of the heirs. However, in the systems of Western and Islamic law, inheritance is regarded as an entity that can be valued in terms of money;
2. As opposed to Western and Islamic inheritance law, customary inheritance law does not recognize the principle of *legitieme portie* or absolute portion;
3. The right of heirs to demand immediate distribution of an inheritance is not recognized by customary inheritance law.

This legal integration was demonstrated in research conducted by Miftahul Huda, et.al., on negotiation models for preventing inheritance disputes in the Mataraman community of East Java. They attempt to address the fact that inheritance disputes are prevalent in the Mataraman community

¹⁹ Khairuddin Hasballah et al., “Patah Titi and Substitute Heirs: A Study of Legal Pluralism on the Inheritance System in Aceh Community,” *AHKAM : Jurnal Ilmu Syariah* 21, no. 2 (2021), p. 299–324.

of East Java and frequently are serious social problem for families. Using field research on seven families involved in the inheritance distribution process, this article categorizes three procedural models in the negotiation process for resolving inheritance disputes within the Mataraman community. These models are negotiations with religious theology procedures, negotiations with fiqh cum tradition, and negotiations with local wisdom procedures. The fiqh cum tradition model is both a solution and an offer, when compared to the other two formulations. This is a compromise for resolving inheritance disputes in society to preserve the integrity of the property and maintain family harmony. In a multicultural society, this category also serves as a model for the negotiation process in the resolution of inheritance disputes with social dimensions.²⁰

There are three models of negotiation formation to avoid inheritance disputes in Mataraman society. This is due to the fact that they may feel uncomfortable being labeled as deviating from religious law, particularly in inheritance law systems that prioritize customary law over religious rules. b) Fiqh customary law procedures offer the chance to create good relations between families and provide the flexibility to fit local customs and traditions on inheritance distribution. Consequently, this model serves as an alternate template for the closing procedure. c) Disputes are resolved using traditional Javanese values through the application of commonsense-mainstream procedures. This model allows local traditions to resolve conflicts by returning to local wisdom and cultural diversity. Nevertheless, although not being directly related to religious preach, the negotiation process often progresses peacefully since the parties share the same purpose of maintaining the integrity of their assets and harmonious family relationships.²¹

Distribution of Heritage in Indigenous Banjar and Chinese in Banjarmasin

The Chinese community in Banjarmasin, as in other cities in Indonesia, consists of several tribes and origins of various *she* (clans). Most of the Chinese descents in Banjarmasin were born in Indonesia, mixed with indigenous people, and tend to be less influenced by the culture of their ancestors. Their daily life mostly involves Bahasa Indonesia or the local

²⁰ Miftahul Huda, Niswatul Hidayati, and Khairil Umami, "Fiqh and Custom Negotiation in Avoiding Inheritance Dispute Tradition among Mataraman Society East Java," *Al-Ihkam* 15, no. 2 (2020), p. 224–250.

²¹ Huda, Hidayati, and Umami.

language, i.e., Banjar, and their legal understanding is no longer based on Chinese legal framework, most of them adhere to holy religions (Catholic, Protestant, Islam).

In addition to the diversity inherent in overseas Chinese in Indonesia, legal pluralism exists as well. Legal pluralism in Indonesia is strongly influenced by the culture of Indonesian society which is very plural and diverse. During the colonial period, legal pluralism in Indonesia was governed by the role of customary and religious law, however it was driven by the role of religion and the state during the independence. By the state is still alive or continues to be done by indigenous peoples of Indonesia.²²

However, the Banjarmasin Chinese family is minority consisting of diverse religions and nations. Among the 14 respondent families, Chinese Muslims in Banjarmasin had non-Muslim family members, and some were married to Banjarese. This allows them to choose a law that aligns with their family's agreement when distributing their inheritance.

Based on the interviews, there is a considerable difference between the distribution of inheritance according to Chinese customary law, BW, and Islamic law.²³ According to the Chinese *Totok* customary law, women have no inheritance rights, and the eldest son is the main heir. In the core family, the father and son(s) play an important and powerful role. After the death of the father, core family members were led by the eldest son. The reason behind this is that they will be the heirs of the clan's next generation. Therefore, having a son is a pride in the Chinese community.²⁴

The reason for the large percentage of inheritance is that the son is responsible to provide his wife and children. While daughters will have husbands who will be responsible for them and their families. As traditional Chinese law does not grant inheritance rights to women, it adheres to the individual patrilineal common law system; where inheritance is concentrated on the male side and inheritance is granted if there is only one daughter accepted as the heir.

Based on the interview result, most respondents chose the customary law on distribution of inheritance. The legal basis for the application of customary succession law is stated in Article 131 I.S verse 2 b (Staatblad 1925 number 415 in conjunction with 577), which includes the application of

²² Nasution, "Pluralisme Hukum Waris Di Indonesia."p. 20

²³ Interview with Y, a Chinese resident in Banjarmasin, June 17, 2021

²⁴ Interview with A, a Chinese resident in Banjarmasin, September 3, 2021

customary succession law. This group of people is subjected to legal restrictions due to their religion and customs.”²⁵

In general, according to customary law, religious differences are not impediments to inheritance, hence it is not a problem. Each custom differs in rules and laws, thus there is no legal certainty about when the customary law should be enforced. Patrilineal society, like Chinese in general, distributes larger shares of inheritance to men. Customary law does not divide by mathematical calculations (numbers), but through the form of objects and is always based on considerations; taking into account the needs of the heirs involved. The law of joint inheritance recognizes the principle of equality, but this does not necessarily imply that all heirs receive the same amount, same price value, or same amount of inheritance after the number of parts has been determined.²⁶

The inheritance law implementation for overseas Chinese Muslims in Banjarmasin cannot be separated from the practice of inheritance distribution of the community. Therefore, considering that the existence of overseas Chinese in Banjarmasin existed before the Indonesian country, their customs could not be resisted, and they have become a common practice that is generally accepted by many. Similarly, this applies to Indonesia’s current inheritance law. In other words, the inheritance will only be granted when a person dies. Western civil law regulated inheritance applied to Chinese community, but their descent will not be subject to it.

This is in accordance with the findings of interviews that the researchers found with Chinese Muslim respondents in Banjarmasin. Banjarese tends to distribute inheritance according to customary law, allowing the distribution of inheritance regardless of religious differences as religious pluralism exists in all families. However, they also do not abide by the traditional Chinese law, which does not distribute the inheritance to daughters. Daughters in Banjarmasin Chinese society inherit less than sons.²⁷

The overseas Chinese inheritance law of Banjarmasin has different characteristics from other Indonesian regions when viewed from a legal perspective for overseas Chinese Muslim communities living in the region, as well as countries with different Muslim majority populations. This discrepancy results from one region’s stronger legal culture than another. The author analyzes the application of Chinese Muslim inheritance law in

²⁵ Nasution, “Pluralisme Hukum Waris Di Indonesia.” p. 24

²⁶ Nasution, “Pluralisme Hukum Waris Di Indonesia,” p. 26.

²⁷ Interview with informant 2, a Chinese resident in Banjarmasin, August 18, 2021

Banjarmasin using correspondence, legal knowledge, and understanding of Islamic and customary inheritance law (Chinese and Banjar).

In addition, as stated in the previous section, the discussion of the *urang* Banjar law (Banjarese law) cannot be separated from the discussion of customary law as a whole. The law used by *urang* Banjar is the original law of Indonesia, although it is not written in the form of the Unitary State of the Republic of Indonesia (NKRI) the law of, generally containing elements of religion. This law is universally influenced by Islamic law, applied among the tribes in Kalimantan, especially the Banjarese who tend to be religious.

In addition, when considering common law, it is very difficult to distinguish between custom and what is called usage or custom, and we establish the general law explicitly to define this custom as inseparable. Thus, if it is associated with Islamic law, according to the Banjarese, then the provisions of the religion are blended with the Banjarese common law. In this framework, we can find social institutions that are regarded as religious institutions but are part of Islam because tracing the sources of Islamic preachings (Quran and Hadith) but does not find a basis for them.²⁸

The main purpose of the Banjarese is almost the same as the Chinese tradition in Banjarmasin, where heirs and other heirs dispute in the form of “barabat” (fight) inheritance. Despite believing that a dispute troubles the heirs of the deceased. The obedience of heirs and other heirs is therefore based on a sense of obedience and respect for parents (the principle of unity) to gain security throughout the stages of their afterlife. Thus, the actions of the heirs and other heirs contrary to the will of the testator are considered to cause double effects. In addition, heirs and other heirs usually feel haunted by their parents (deceased) in their dreams and thus felt less calm and peaceful in life.

In addition, it was emphasized that the Islamic and customary inheritance laws applied by respondents did not utilize Dutch colonial law (BW), a law that always sought contradictions and differences between Islamic and customary inheritance law. In other words, the inheritance will not belong entirely to each heir according to their own will but is divided by all the relatives. All respondents then said that disputing inherited property in court is a taboo thing to do. Even though according to BW inheritance law, they have the right to do so.

This is also in accordance with the practice of *Badamai Urang-Banjar* in resolving disputes through peaceful deliberation without litigation

²⁸ Tim Peneliti Puslit Universitas Lambung Mangkurat, *Hukum Adat Kalimantan* (Banjarmasin: BAPEDA Tingkat I Kalimantan Selatan, 1990), p. 43.

involved.²⁹ Respondents mentioned that the prestige of the family is also a legacy needing to be preserved and upheld (in common law, inheritance is not limited to material things). Moreover, they believe that fighting in court or claiming inheritance rights makes them perceived as greedy and unloving of their families. This will defame their family and their business will not run smoothly, since most of them work in the business sector. If any issue arises that someone is disputing the inheritance, their business partner may perceive this as a bad reputation and may end their partnership.

The Chinese Muslim community of Banjarmasin usually turns to relatives first in terms of inheritance. They asked the eldest member of the family to act as a social mediator in the dispute. In general, there are two types of inheritance distribution practices. First, a discussion amongst the heirs if there is no controversy. Second, if there is a dispute between the heirs over their position as heirs or the number of shares, the court decides the heirs and the distribution. Whether there is a dispute or not in the distribution of inherited property in the Chinese Muslim society of Banjarmasin, everything is resolved through a non-judicial procedure; that is equality between the parties.

This is an example of legal pluralism, choosing to submit to the common law without going to court (neither state's nor religion's) despite having the right to do so. This reflects the tendency of most people to resolve conflicts peacefully. The culture of mediation and consultation is a community value closely related to the distribution of inheritance.

Needless to say, going through formal litigation is relatively expensive due to energy, costs (both court and attorney fees), and time wasted on organizing formalities. Another reason is that some admit to being reluctant for outsiders in their families to know the amount of their wealth. Some respondents also mentioned they were afraid that their divided property would decrease due to public taxes and law enforcement "taxes."

This conforms to the Banjar customary law for resolving inheritance issues with the *Badamai* to avoid severing familial relations and preventing future disputes over the family's property. The advantages of deliberate decision-making vastly differ from those of court-based dispute resolution. Alternative dispute settlements offer heirs many advantages in resolving disputes regarding the distribution of inherited property. Instead of addressing

²⁹ Ahmadi Hasan, "Penyelesaian Sengketa Hukum Berdasarkan Adat Badamai Pada Masyarakat Banjar Dalam Kerangka Sistem Hukum Nasional" (Universitas Islam Indonesia, 2007).

inheritance disputes in court, heirs are better equipped to handle inheritance problems through alternative dispute resolution, such as mediation. This inheritance dispute concerns family relationships. bring any benefit to this inheritance dispute. In this dispute, the heirs not only resolve disputes regarding the distribution of inherited property but also establish friendships and maintain a harmonious relation with other heirs. Islamic inheritance law also emphasizes that inheritance disputes must be resolved in a deliberative manner, and family relationships must not be compromised.

This phenomenon is in line with the theories of historical and cultural accounts that recognize the concept of law as a product of culture, customs, traditions, and all beliefs existing in a society. According to these accounts, law is rooted in socioeconomic aspects of societies as well as members’ past and present attitudes, rather than being an imposed set of abstract rules.³⁰

The attitudes between interviewees varied because they displayed religious reasoning and chose the Islamic inheritance law that reflected their knowledge and understanding of it. As Muslims, they choose to submit to the Islamic inheritance system, hence their knowledge and understanding are expressed in their attitude towards it. However, few choose Islamic inheritance law.

Pattern of Distribution of Banjarmasin Chinese Muslim Inheritance

As the researchers pointed out, the issues described by some respondents as mentioned in the previous Matrix (Matrix II) are the results of interviews of the two Chinese ethnicities’ heirs in Banjarmasin. Further details can be seen in table 1, “Details of the Interview Respondents” below:

Table. 1 Details of Respondents' Interviews

Respondents	Customary Law	Islamic Inheritance Law	Religion is not a Barrier	Inheritance	
				Distributed	Undistributed
I	√	-	√	-	√
II	√	-	√	-	√
III	√	-	√	-	√
IV	√	-	√	-	√
VV	√	-	√	√	-

³⁰ Ilhamsyah Lubis, “Pemikiran Filusuf Mazhab Sejarah Hukum Di Dalam Pembentukan Kesadaran Hukum Dan Karakter Empat Pilar Kebangsaan,” *Jurnal Surya Kencana Satu: Dinamika Masalah Hukum Dan Keadilan* 6, no. 2 (2017), p. 109–126.

VI	√	-	√		√
VII	√	-	√	√	-
VIII	√	-	√	-	√
IX	√	-	√	√	-
X	-	√	-	√	-
XI	-	√	√	√	-
XII	√	-	√	√	-
XIII	√	-	√	√	-
XIV	√	-	√	√	-

From table 1 it can be classified that:

1. Respondents I, II, III, IV, VI, and VIII' undistributed assets in the form of buildings were decided based on mutual agreement of each heir. This is due to the many memories left there, and all heirs are welcomed to utilize or use them to reminisce.³¹
2. Respondents X and XI's assets have been distributed; hence each heir gets a share based on the provisions of Islamic *faraidh* law (Islamic Inheritance law).³²
3. Respondents V, VII, IX, XII, XIII, and XIV's property have been divided equally, based on prior agreement or deliberation among the heirs regardless their religions. Hence the religious differences are not a barrier to receiving inheritance.³³

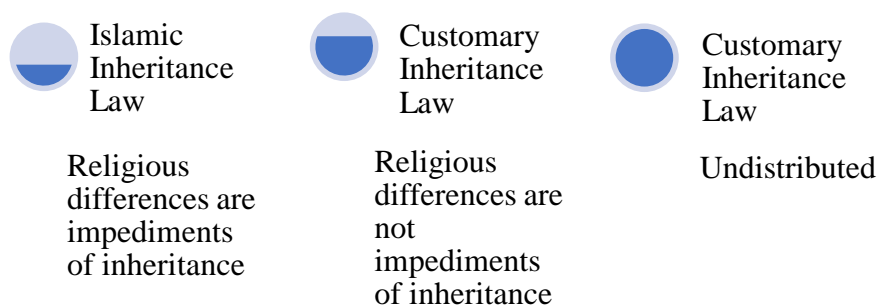
³¹ Interview with Informant 1, a Chinese resident in Banjarmasin, September 28, 2021; interview with informant 2, a Chinese resident in Banjarmasin, August 18, 2021; interview with informant 3, a Chinese resident in Banjarmasin, June 15, 2021; interview with informant 4, a Chinese resident in Banjarmasin, July 3, 2021; interview with informant 6, a Chinese resident in Banjarmasin, July 4, 2021; interview with informant 8, a Chinese resident in Banjarmasin, August 25, 2021.

³² Interview with informant 10, a Chinese resident in Banjarmasin, August 8, 2021; interview with informant 11, a Chinese resident in Banjarmasin, July 12, 2021.

³³ Interview with informant 5, a Chinese resident in Banjarmasin, May 6, 2021; interview with informant 7, a Chinese resident in Banjarmasin, August 25, 2021; interview with informant 9, a Chinese resident in Banjarmasin, May 8, 2021; interview with informant 12, a Chinese resident in Banjarmasin, September 23, 2021; interview with informant 13, a Chinese resident in Banjarmasin, September 24, 2021; interview with informant 14, a Chinese resident in Banjarmasin, September 25, 2021.

The pattern of inheritance distribution among Chinese Muslim descendants of Banjarmasin basically consists of three main schemes, namely (1) distribution according to traditional inheritance advice, (2) distribution of undistributed inheritance, and (3) distribution according to the provisions of Islamic inheritance law. The application of Banjarmasin inheritance law to Chinese Muslims is not fully regulated by Islamic law, but the inheritance law that applies to them is nonetheless (or should be) Islamic inheritance law. This happens due to the families' religious diversity and the upholding of principles of harmony and kinship to avoid conflicts. Therefore, the inheritance system adopted by Chinese community of Banjarmasin is individual and collective in nature. Conforming to the Banjar inheritance system, the inheritance may or may not be distributed. Further, women and men entitled equally as heirs. This differs from Chinese customary law which exclusively distributes to men, and is identical to Islamic and Banjar customary law. As religious differences are not an impediment to inheritance, customary law is the choice for most Chinese Muslims in Banjarmasin.

Picture 5.1. Banjarmasin Chinese Muslim Heritage Distribution Pattern



The findings on the 14 respondents as discussed above are indeed inseparable from their customs or habits used in solving problems, including the distribution of inheritance (for ethnic Chinese). Mutual agreements as results of deliberations are one of the best ways in decision making. It will further lead to a positive start of the future avoiding any hostility between families.

This conforms with the legal basis for the application of succession in customary law contained in 131 I.S (*Indische Staatsregeling*) verse 2b (Staatblad 1925, No. 415 in conjunction with 577). The Indonesian inlanders (*Bumiputera*), Foreign Eastern groups (*Vreemde Oosterlingen*), and some of

other tribes are subject to legal restrictions based on religion and customs.”³⁴ However in general, according to customary laws, religious differences are not impediments to inheritance, hence this is not a problem in such framework. As every custom has different rules and many different laws, there is no legal certainty about when the customary law should be enforced. Further, customary law considers inheritance as indivisible by mathematical calculations (numbers); it always considers the shape of properties and the needs of the heirs involved instead.

From the inheritance distribution findings illustrated above, we can see the connection between customary and Islamic law regarding the distribution of inheritance, particularly as seen in the case of overseas Chinese in Banjarmasin. Was it the customary law or the religious law that applied to this case? Customary law was influenced by Islamic law but is considered legal only if the former recognized it. Meanwhile, Islamic law applies to all Muslims, and customary law only applies if: it is permissible under Islamic law and as long as it does not contradict it. This is also stated in the rules of *Ushul Fiqh*, called “Al-'Adat Muhakkamah” where customs and traditions can serve as the basis for law establishment.

Al-Zarqa states that a convention whether applied generally ('adat al-'am) or specifically ('adat al-khash) is not sharia if not immediately applied in law enactment. In particular the text clause contradicts this. Thus, if there exists a convention or a tradition that does not contradict the argument provisions of the text, or differs its' provisions only in general sense, then the convention or tradition is accepted as sharia.³⁵

The theory of *Maslaha Mursalah* also emphasizes the benefits of law enforcement and its' nature of avoiding harm. This can further be noticed in Article 183 on the codification of Islamic law, which states that “heirs may collaboratively decide the distribution of inherited property after each acknowledges their shares.” This signifies that the parties cannot divide the inheritance according to the provisions of QS. An-Nisa verse 11, but sharing options are left to their choice. Further, we found that there is a principle of utility in the distribution of heredity, especially among overseas Chinese in Banjarmasin, that considers benefits of heredity more than gender.

³⁴ Nasution, “Pluralisme Hukum Waris Di Indonesia,” p. 24.

³⁵ Zarqa, Ahmad bin Muhammad *al-*, *Syarh al-Qawa'id Fikihiyyah*, Dimasyqi: Darul Ilmi, 1938, Cet. II, p. 220. Toha Andiko, *Ilmu Qawa'id Fikihiyyah Panduan Praktis dalam Merespon Problematika Hukum Islam Kontemporer*, Yogyakarta: Teras Cet. I Tahun 2011, p. 141.

Hence, it can be concluded that the distribution of traditional inheritance, particularly among the Chinese community/citizens in and around the city of Banjarmasin, conforms to the notion of “complex acceptance.” The effectiveness of the legal system should not be determined by the recognition of the legal system with different Islamic laws, but by the public legal consciousness, which clearly demands the application of the legal system.

The result of this study supports the legal framework of Abdurrahman Wahid; to integrate Islamic law and local law into a contextual legal framework, based on the concept that the prevailing Islamic law in Indonesia is a law that is appropriate and based on needs. The state is governed by the people of Indonesia, including customary law in accordance with the principles of Islamic law. Abdurrahman Wahid's legal concept is known as *fiqh* localization, which refers to *fiqh* that is formulated by taking into consideration local necessities without affecting the law itself.³⁶

Social integration is defined as the process of coordination between various elements existing in a community life in order to create a harmonious pattern of community life. Similarly, the integration of Islamic and customary law in the implementation of the distribution of the inheritance of the Chinese Muslim community of Banjarmasin is a process of coordination between the two legal systems. Adjustments were made by assimilation and acculturation between the two legal systems. Islamic and customary law can be integrated because both were used as the main basis for the distribution of inheritance. The long and close relationship between the two legal systems developed without any conflict so that they seemed to be one and the same entity.³⁷

The distribution of inheritance in the Chinese Muslim community of Banjarmasin represents legal awareness of the inheritance distribution once viewed from its actual implementation, with the majority of respondents choosing common inheritance law. However, if we look at each group of respondents, on the one hand, we can find three types of facts selected by respondents who have a good understanding of the Islamic inheritance law system that they share in Islamic law. The reason I recognize the application

³⁶ Suardi Kaco, H., “*Fiqh Lokalitas: Integrasi Hukum Islam Dan Budaya Lokal (Studi Pemikiran Hukum Kontekstual Abdurrahman Wahid)*,” *J-ALIF Jurnal Penelitian Hukum Ekonomi Syariah Dan Sosial Budaya Islam* 4, no. 1 (2019), p. 29–45.

³⁷ Asni Zubair, et.al., “*Integrasi Hukum Islam Dan Hukum Adat Dalam Pewarisan Masyarakat Bugis Bone*,” *Ar-Risalah Jurnal Ilmu Syariah Dan Hukum* 2, no. 1 (2019), p. 1–19. Anugrah Reskiana, et.al., “*Reform Methods of Islamic Inheritance Law in Indonesia in Jurisprudence*,” *Juris (Jurnal Ilmu Syariah)* 21, No. 1 (2022).

of Islamic law is because I understand Islamic law, which requires a comprehensive approach, including inheritance.

On the other hand, there are also those who apply customary inheritance law, which is contrary to or not in accordance with Islamic law, who are aware of their inheritance law. Therefore, they are considered to be customary inheritance law and Islamic inheritance law because they resemble Muslim (in this case the Banjar ethnic community) who do not distribute the inheritance.³⁸ This is in accordance with Gusti's work on the distribution of heirlooms in the Banjar community. According to Gusti, the inheritance usually goes to one of the surviving parents of either the husband (father) or the wife (mother) or the eldest child. An undistributed inheritance is due to the fact that the heirs do not want to share if one of the parents is still alive.

Third, the choice between Islamic and customary inheritance law implies that Islamic inheritance law is accepted as indigenous consciousness. This can be seen from those who accept heirs from non-Muslim families with the intention of distributing their inheritance in accordance with Islamic Sharia but do not allow religious differences to become an obstacle to succession.

This is of course contrary to the opinion of the majority of scholars referring to the hadith of the Prophet Muhammad:

لا يَرِثُ الْمُسْلِمُ الْكَافِرَ، وَلَا يَرِثُ الْكَافِرُ الْمُسْلِمَ

“A Muslim cannot be the heir of a disbeliever, nor can a disbeliever be the heir of a Muslim.” (Narrated: Bukhari, Muslim, Tirmidhi, and Abu Daud).³⁹

The scholars agree that non-Muslims cannot inherit property from Muslims. Similarly, according to the Prophet's Companions also called *Thabiin* and the majority of subsequent generations of scholars, Muslims should not inherit the property of non-Muslims, that is the proof of the hadith that I have. Jurists also argue that a disbeliever cannot inherit from a Muslim, and a Muslim cannot inherit from a disbeliever. Osama bin Zayed, Jabiru bin

³⁸ Gusti Muzainah, *Pembagian Harta Warisan Menurut Hukum Waris Adat Banjar* (Yogyakarta: Ardana Media, 2011).

³⁹ Muhammad bin Ismail Al Bukhari, *Shahih Bukhari* (Beirut: Dar Ibn Katsir, n.d.). No. 6267; Muslim bin al Hajjaj bin Muslim bin Kausyaz al-Qusyairi An-Naisaburi, *Shahih Muslim*, ed. Dede Ishaq Munawar (Jakarta: Pustaka As-Sunnah, 2010). No. 3027; Muhammad bin Isa At-Tirmidzi, *Sunan Tirmidzi* (Riyadh: Maktabatu Al Ma'arif, n.d.). No. 2033; Abu Daud Sulaiman bin Al-Asy'atsi Al-Sijistaanii, *Sunan Abu Daud* (Makkah: International Ideas Home, 1999). No. 2521.

Abdullah Ra', and this opinion is narrated by' Omar bin Usman, Ulwah, Az Zuri, Ata', Taus, Al Hasan, and Umar is also narrated. Ibn Abdul Aziz, Amr bin Dinar, Sufyan bin Asauri, Abu Hanifa, Malik, Syafiyi, the majority of fiqh experts.⁴⁰

The respondents said they knew this (Islamic law prohibits inheritance because of different believe or religion). However, they decided to adopt the opinion of minority scholars who allow Muslims to inherit property from non-Muslims. According to Ibn Taymiyyah and Yusuf Qaradawi⁴¹, there is an exception where Muslims can accept heirs from the disbelievers, but only from the *Dimmi* disbelievers, not from the *Harbi*.⁴²

The value of those who ignore religious differences in inheritance is also common law in principle. That is, the principle of divinity and self-control. This means that the recognition from heirs that having a fortune in the form of human wealth and taking care of it are gifts and God's belongings. Rejoice in the presence of wealth. The gods here have religion for the whole family and as an Indonesian citizen, the gods must have religion and belief. Furthermore, there lies the principle of equal rights and attribution, namely all heirs have the same position as those who are entitled to inherit the inheritance of the heirs, and each heir has the responsibility to inherit the inheritance in the form of rights and obligations.⁴³

Harmony and kinship are equally essential values. That is, the heirs maintain and uphold peaceful kinship relations. Similarly, there is also the principle of deliberation and consensus; the heirs divide the inheritance through deliberation led by the heirs who are considered older, and if there is an agreement on the distribution of inheritance, the agreement must be in good intention and with good words towards the heirs. Then, the last is the principle of justice. This includes family intentions that can be highlighted in the judicial system. This facilitates the creation of harmony in the family and minimizes the likelihood of damaging family relationships. Moreover, as long as the distribution is peaceful, most people do not apply Islamic inheritance

⁴⁰ Ibnu Qudamah, *Al-Mughni* (Libanon: Beirut, 1997), p. 165.

⁴¹ Yusuf Al Qardhawi, *Fikih Minoritas* (Jakarta: Zikrul Hakim, 2001), p. 173.

⁴² Terminologically *dzimmi* (ذمي, plural: أهل الذمة, *ahlul dzimmah*) are independent non-Muslims living in an Islamic state who, in return for paying individual taxes, receive protection and security. While *harbi* are the disbelievers who disturb and disrupt the security of Islam.

⁴³ Zainudin Ali, *Pelaksanaan Hukum Waris Di Indonesia* (Jakarta: Sinar Grafika Offset, 2008), p. 8.

law, assuming that the Shariah-regulated distribution of inheritance does not need to be perfect.⁴⁴

Conclusion

The Muslim community in Banjarmasin has the option of applying either customary inheritance law or Islamic inheritance law. Although the majority of Chinese Muslims still adhere to customary inheritance law, the Chinese Muslim community prefers Islamic law to resolve inheritance disputes. These two inheritance laws, customary and Islamic law, interact and are integrated within the community of Banjarmasin. The pattern of inheritance distribution among Chinese Muslim descendants of Banjarmasin basically consists of three main patterns, namely (1) distribution according to traditional inheritance advice, (2) distribution of undistributed inheritance, and (3) distribution according to the provisions of Islamic inheritance law. Although Chinese Muslims in Banjarmasin are subject to Islamic inheritance law, they do not rigorously apply it. This happens due to the diversity of religions within a family; thus, they promote the concepts of harmony and kinship to prevent disputes. As a result of inheritances that can be distributed or undistributed, the Chinese community in Banjarmasin adheres to both an individual and a collective inheritance system. According to the Banjar customary inheritance law system, women and men hold the same status as heirs. This is exactly proportional to Islamic inheritance law and inversely proportional to Chinese customary law, which grants inheritances only to sons. The majority of Chinese Muslims in Banjarmasin choose customary law due to the fact that religious differences are not a barrier to inheriting property.

⁴⁴ Tarmizi, "Inheritance System of Bugis Community in District Tellu Siattinge Bone, South Sulawesi (Perspective of Islamic Law)," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 4, no. 1 (2020), p. 179–208.

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Interviews

Interview with informant 2, a Chinese resident in Banjarmasin, August 18, 2021

Interview with Y, a Chinese resident in Banjarmasin, June 17, 2021

Interview with A, a Chinese resident in Banjarmasin, September 3, 2021

Interview with informant 5, a Chinese resident in Banjarmasin, May 6, 2021.

Interview with informant 7, a Chinese resident in Banjarmasin, August 25, 2021.

Interview with informant 9, a Chinese resident in Banjarmasin, May 8, 2021.

Interview with informant 12, a Chinese resident in Banjarmasin, September 23, 2021.

Interview with informant 13, a Chinese resident in Banjarmasin, September 24, 2021.

Interview with informant 14, a Chinese resident in Banjarmasin, September 25, 2021.

Interview with informant 10, a Chinese resident in Banjarmasin, August 8, 2021.

Interview with informant 11, a Chinese resident in Banjarmasin, July 12, 2021.

Interview with Informant 1, a Chinese resident in Banjarmasin, September 28, 2021.

Interview with informant 2, a Chinese resident in Banjarmasin, August 18, 2021.

Interview with informant 3, a Chinese resident in Banjarmasin, June 15, 2021.

Interview with informant 4, a Chinese resident in Banjarmasin, July 3, 2021.

Interview with informant 6, a Chinese resident in Banjarmasin, July 4, 2021.

Interview with informant 8, a Chinese resident in Banjarmasin, August 25, 2021.