



Inheritance Development Patterns in Multiethnic Societies in Indonesia: Between Custom, Religion, and State

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Abstract: This study aims to analyze the patterns for developing inherited assets in multiethnic communities in Pasaman and Dharmasraya (West Sumatra) and Mandailing Natal and Panyabungan (North Sumatra). The research focuses on the interaction between customary, religious, and state laws in inheritance practices and their implications for social relations, family cohesion, and economic orientation. Using a qualitative comparative case study approach, data were collected through in-depth interviews, participatory observation, and document analysis with inter-ethnic families. The research findings reveal three distinct patterns of heritage development. The collective-conservative pattern in Pasaman emphasizes family solidarity and asset preservation, while also reflecting internal power relations and potential conflicts of interest in decision-making. The customary-conservative pattern in Dharmasraya highlights the dominance of customary norms in heritage management, oriented toward social stability and cultural preservation, yet it can also reinforce traditional authority structures and symbolic subordination. Meanwhile, the individualistic-commercial pattern in Mandailing Natal prioritizes maximizing economic value and enhancing family economic mobility, but it may generate social differentiation and economic inequality among family members. These findings indicate that heritage development patterns are shaped not only by economic considerations but also by “ethnic logic” rooted in kinship structures, customary norms, and social relations. Across most locations, customary law remains the dominant framework, religious law provides moral legitimacy and distribution guidance, and state law is applied selectively. In conclusion, this study demonstrates that legal pluralism in Indonesia’s multi-ethnic context is not merely a normative reality, but also a socially chosen strategy.

Keywords: Customary Law, Inheritance Asset Development, Multi-Ethnic

Abstrak: Penelitian ini bertujuan untuk menganalisis pola pengembangan harta warisan dalam komunitas multi-etnis di Pasaman dan Dharmasraya (Sumatera Barat), serta Mandailing Natal dan Panyabungan (Sumatera Utara). Fokus penelitian ini adalah pada interaksi antara hukum adat, hukum agama, dan hukum negara dalam praktik pewarisan, serta implikasinya terhadap hubungan sosial, kohesi keluarga, dan orientasi ekonomi. Dengan menggunakan pendekatan studi kasus komparatif kualitatif, data dikumpulkan melalui wawancara mendalam, observasi partisipatif, dan analisis dokumen yang melibatkan keluarga lintas etnis. Temuan penelitian mengungkapkan tiga pola pengembangan warisan yang berbeda. Pertama, pola kolektif-konservatif di Pasaman, yang menekankan musyawarah, keharmonisan keluarga, dan pelestarian harta tradisional. Kedua, pola adat konservatif di Dharmasraya, yang memandang warisan sebagai jaring pengaman sosial, diatur oleh peran gender dan ditandai dengan tingkat komersialisasi yang minimal. Ketiga, pola individualistik-komersial di Mandailing Natal dan Panyabungan, yang memberikan otonomi penuh kepada ahli waris untuk mengelola harta secara pribadi dan produktif, dengan kecenderungan menggunakan hukum agama atau hukum negara dalam kasus sengketa. Variasi ini menunjukkan bahwa pola pengembangan warisan tidak semata-mata dipengaruhi oleh pertimbangan ekonomi, tetapi juga dibentuk oleh “logika etnis” yang berakar pada struktur kekerabatan, norma adat, dan hubungan sosial. Hukum adat tetap menjadi kerangka dominan di sebagian besar lokasi, sementara hukum agama berfungsi sebagai legitimasi moral sekaligus alat distribusi, dan hukum negara digunakan secara selektif. Penelitian ini menyimpulkan bahwa pluralisme hukum dalam konteks multi-etnis Indonesia bukan sekadar realitas normatif, melainkan juga strategi sosial yang dipilih secara rasional oleh masyarakat.

Katakunci: Hukum Adat, Pengembangan Harta Warisan, Multi-Etnis

Introduction

Indonesia is known for its ethnic and cultural diversity.¹ In Indonesia, there is no issue more sensitive for multiethnic families than inheritance. This problem brings together cultural values, religious guidance, and state regulations.²

¹ Imam Riyadi, Edo Arya Prabowo, and Dzikril Hakim, “Peran Bhinneka Tunggal Ika Dalam Keberagaman Adat Budaya Di Indonesia,” *Jaksa : Jurnal Kajian Ilmu Hukum Dan Politik* 2, no. 3 (April 30, 2024), p. 34–49; Anita Oktaviana et al., “Nilai Utama Dalam Pengasuhan Suku Bangsa Indonesia,” *Annual Conference on Islamic Early Childhood Education (ACIECE)* 5 (December 1, 2021), p. 81–88; Dedy Sumardi, “Islam, Pluralisme Hukum Dan Refleksi Masyarakat Homogen,” *ASY-SYIR’AH (Jurnal Ilmu Syari’ah Dan Hukum)* 50, no. 2 (2016), p. 481–504.

² Salmudin - Salmudin, Firman Muntaqo, and KN. Sopyan Hasan, “Tunggu Tubang as a Method for Peaceful Inheritance Distribution of Semende Indigenous Peoples/Tunggu Tubang Sebagai Metode Pembagian Harta Waris Secara Damai Masyarakat Adat Semende,” *De Jure: Jurnal Hukum Dan Syar’iah* 13, no. 1 (2021), p. 53–66.

The tension between customary law, which prioritizes kinship; religious law, which demands justice based on Sharia principles; and state law, which imposes formal regulations, becomes evident in this context.³ Indigenous communities in Indonesia demonstrate that each community possesses distinct normative mechanisms aligned with its cultural values through their inheritance distribution practices.⁴ One of the most dynamic representations of this diversity can be found in the region straddling the border between the provinces of the West and North Sumatra. In this study, this region encompasses Pasaman and Dharmasraya regencies in the West Sumatra and Mandailing Natal and Panyabungan regencies in The North Sumatra. It is a meeting point for various ethnic groups, including the Minangkabau, Mandailing, Javanese, and Batak.⁵ Each ethnic group brings its own system of values, traditions, and legal norms that are intertwined in society's daily socioeconomic life.⁶ This diversity is not only a social wealth, but also an arena for complex negotiations, particularly when it comes to managing inherited assets.⁷

Ideally, inheritance in multiethnic societies serves as an instrument that strengthens social cohesion and achieves economic sustainability across

³ Muhammad Husni, "Mencegah Potensi Konflik Dalam Pelaksanaan Wasiat Pembagian Harta, Mungkinkah?," *De Jure: Jurnal Hukum Dan Syar'iah* 11, no. 2 (2019), p. 90–99; Fahmi Fatwa et al., "Traditional Law vs . Islamic Law ; An Analysis of Muslim Community Awareness in Inheritance Issues Islamic Inheritance Law (Far ā ' i d) Has Been Regulated in Islam Clearly in the Distribution of Inheritance . Haries , in His Research on the Banjar Ulam," *Al-Ahkam* 32, no. 1 (2022), p. 109–30; Arbanur Rasyid, Rayendriani Fahmei Lubis, and Idris Saleh, "Contestation of Customary Law and Islamic Law in Inheritance Distribution: A Sociology of Islamic Law Perspective," *Al-Ahkam* 34, no. 2 (October 31, 2024), p. 419–48.

⁴ Salmudin, Muntaqo, and Hasan, "Tunggu Tubang as a Method for Peaceful Inheritance Distribution of Semende Indigenous Peoples/Tunggu Tubang Sebagai Metode Pembagian Harta Waris Secara Damai Masyarakat Adat Semende"; Nur Alfy Syahriana and Zaenul Mahmudi, "The Principle of Segendong Sepikul in the Inheritance Distribution System of the Muslim Community from the Perspective of Multidisciplinary Studies," *De Jure: Jurnal Hukum Dan Syar'iah* 14, no. 2 (December 30, 2022), p. 195–210.

⁵ Syafwan Rozi, "Konstruksi Identitas Agama Dan Budaya Etnis Minangkabau Di Daerah Perbatasan: Perubahan Identitas Dalam Interaksi Antaretnis Di Rao Kabupaten Pasaman Sumatera Barat," *Jurnal Masyarakat Indonesia* 39, no. 1 (2013), p. 215–45; Iim Fahimah et al., "Interfaith Inheritance in Muslim Families in Indonesia: Practices, Philosophy, and the Direction of National Inheritance Law Development," *AHKAM : Jurnal Ilmu Syariah* 24, no. 2 (December 31, 2024), p. 379–96,

⁶ Deka Maita Sandi, "Alak Pangtonang. Identifikasi Diri Etnik Mandailing Di Nagari Simpang Tonang Kecamatan Duo Koto Kabupaten Pasaman (2000-2018)," *Jurnal Education and Development Institut Pendidikan Tapanuli Selatan* 7, no. 2 (April 2019), p. 274–79.

⁷ Alfarabi, Aldila Vidianingtyas Utami, and Anis Endang Sri Murwani, "Peran Komunikasi Antarbudaya Dalam Mengatasi Konflik Sosial Di Masyarakat Multikultural(Studi Pada Masyarakat Kecamatan Sukakarya Kabupaten Musi Rawas)," *Jurnal Khabar: Komunikasi Dan Penyiaran Islam* 4, no. 2 (2022), p. 125–39; Miftahul Huda, Niswatul Hidayati, and Khairil Umami, "Tradisi Fiqih Dan Adat Dalam Negosiasi Sengketa Warisan Di Masyarakat Mataraman, Jawa Timur," *Al-Ihkam: Jurnal Hukum Dan Pranata Sosial* 15, no. 2 (2020), p. 224–50.

generations.⁸ In a diverse social order, managing heritage assets is expected to evolve from a mere distribution process into a productive strategy.⁹ Processes for developing assets, such as converting land into rental properties or managing it collectively, should reflect a family's or community's ability to maintain interethnic relations and plan for a stable economic future.¹⁰ Therefore, heritage management should shift its focus to strategic practices that maintain and enhance the value of assets for the benefit of all.¹¹

In reality, the border region between the provinces of the West and North Sumatra is a complex arena of negotiations where ethnic diversity often poses challenges to the development of inherited assets.¹² This diversity reflects not only socio-cultural richness, but also presents unique challenges, particularly in the development of inherited wealth within families. In traditional societies, the management of inherited wealth is often based on ethnic and religious values passed down through the generations.¹³

Inter-ethnic marriages often give rise to tensions due to differing views on ownership, inheritance rights, and the spiritual value of assets.¹⁴ Inheritance now

⁸ Noviardi Noviardi and Syafwan Rozi, "Penerapan Nilai Toleransi Antar Budaya Dalam Pelaksanaan Hukum Kewarisan Islam Pada Masyarakat Perbatasan Di Rao Pasaman Sumatera Barat," *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan* 17, no. 1 (2017), p. 85; Ali Muhtarom and Yuli Sutoto Nugroho, "Grants as a Model of Inheritance Prospective Distribution in the Coastal Santri Community," *Al-Ahkam* 32, no. 2 (2022), p. 169–88; Ahmad SH Rajafi Fak Ushuluddin Adab dan Dakwah IAIN Manado Jl Sarundajang Kawasan Ring Road I Kota Manado, Program Magister Fakultas Syari, and ah UIN Sunan Kalijaga Jl Marsada Adisucipto, "KEWARISAN Produktif (Meramu Makna Adil Melalui Waris Produktif)," *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 16, no. 02 (December 1, 2016), p. 303–14..

⁹ Andre Indrasukma, "(The Management Of High Heritage Assets In Minangkabau: Case Study in Kubang Putih, Banuhampu District, Agam Regency, West Sumatra)," *Al-Ahwal* 14, no. 1 (2021), p. 99–111.

¹⁰ Niken Resty Ayunda and Rifqil Khairi, "Hukum Waris Dalam Bisnis Keluarga Syariah: Perencanaan Dan Pengelolaan Aset," *Multidisciplinary Journal of Religion and Social Sciences* 1, no. 1 (2024), p. 20–28.

¹¹ Azhari Akmal Tarigan and Jufri Naldo, *Analisis Sosiologis Perubahan Pola Pembagian Warisan Sebagai Modal Usaha Pada Masyarakat Minang di Kota Medan dan Kota Padang* (Medan, Indonesia: Merdeka Kreasi, 2021)

¹² Furziah Furziah, "Pengaruh Dinamika Sosial-Ekonomi Terhadap Resolusi Konflik Pembagian Warisan: Tantangan Dan Solusi," *Islamitsch Familierecht Journal* 4, no. 2 (November 24, 2023), p. 100–117; Husni, "Mencegah Potensi Konflik Dalam Pelaksanaan Wasiat Pembagian Harta, Mungkinkah?"

¹³ Supriyadi Supriyadi, "Pilihan Hukum Kewarisan Dalam Masyarakat Pluralistik (Studi Komparasi Hukum Islam Dan Hukum Perdata)," *Al-'Adalah* 12, no. 1 (2015), p. 553–68; Ahmad Irfan, "Analisis Perbandingan Pembagian Hak Waris Menurut Hukum Islam Dan Hukum Adat," *Jurnal Hukum Tata Negara*, 2022; S Yulianti and D Putra, "Management and Patterns of Cultural Inheritance in Indonesia," *ResearchGate*, 2017; S Hernawati, "Pergeseran Nilai Praktik Hukum Waris Di Lampung," *Jurnal Media Akademik*, 2023.

¹⁴ Siti Ropiah, "Integrasi Nilai-Nilai Syariah Dalam Sistem Kewarisan Di Era Modern: Kajian Terhadap Keberlanjutan Dan Tantangannya," *As-Salam: Jurnal Studi Hukum Islam &*

functions not only as a material asset but also as a symbol of ethnic and religious identity that must be continually negotiated.¹⁵ In this case, a multiethnic society refers to a community consisting of individuals or families from different ethnic backgrounds who live and interact together in the same social space.¹⁶ These differences cover not only cultural aspects such as customs, language, and kinship systems, but also value systems related to property rights, gender roles within the family, and views on inheritance.¹⁷ In the context of this study's region, not only do multiethnic communities live side by side geographically, they are also intertwined through close social relations, such as inter-ethnic marriages, economic cooperation, and cross-community religious and traditional activities.¹⁸

The focus of heritage management has shifted from mere asset distribution to asset development, along with social dynamics such as migration and economic development.¹⁹ Developing inherited assets, such as converting land into rental property or selling it for business capital, becomes a social strategy. Another example is managing assets collectively for productive returns.²⁰ This pattern

Pendidikan 14, no. 1 (July 2, 2025), p. 76–98; Faizatul Cholidah, “Pemenuhan Nafkah Keluarga Buruh Nelayan Pasca Pandemi Covid-19 Ditinjau Dari Hifz Al-Maal Dan Hifz Al-Nasl Menurut Jasser Auda.,” *El-Faqih: Jurnal Pemikiran Dan Hukum Islam* 9, no. 2 (2023), p. 285–306; Jamhir Jamhir and Syahriandi Gayo, “Sistem Pewarisan Masyarakat Adat Di Lingkungan Etnik Gayo,” *Media Syari'ah: Wahana Kajian Hukum Islam Dan Pranata Sosial* 22, no. 1 (May 6, 2020), p. 1–15.

¹⁵ Irga Safira and Alemina Br Perangin-angin, “Acculturation of Javanese and Malay Ethnic Marriage,” *ELS Journal on Interdisciplinary Studies in Humanities* 4, no. 2 (2021), p. 161–68.

¹⁶ Fredrik Barth, *Ethnic Groups and Boundaries: The Social Organization of Culture Difference*. (Waveland Press, 1969); John Smith and Karen Lee, “Understanding Multiethnic Marriages: Definitions and Social Implications,” *Journal of Ethnic Studies* 45, no. 2 (2021), p. 123–39; Amanda Jones, “Cultural Dynamics in Interethnic Marriages,” *International Journal of Multicultural Studies* 38, no. 3 (2022), p. 210–27; Chinedu Okafor, “Challenges in Multiethnic Marriages: A Global Perspective,” *International Journal of Cross-Cultural Marriage Studies* 11, no. 1 (2024), p. 10–29; Carla Alvarez, “Legal and Social Aspects of Multiethnic Marriages,” *Law and Society* 33, no. 1 (2023), p. 45–62.

¹⁷ parsudi Suparlan, “Menuju Masyarakat Indonesia Yang Multikultural,” *Antropologi Indonesia* 66 (2002), p. 98–105.

¹⁸ Hadirman, Musafar, and Indra Rahayu Setiawati, “Menimbang Kampung Moderat: Memaknai Kehidupan Sosial-Budaya Masyarakat Multietnik Di Desa Sea,” *Jurnal Ilmu Sosial Dan Humaniora* 12, no. 1 (2023), p. 178–88; Abd. Hafid, “Hubungan Sosial Masyarakat Multietnik Di Kabupaten Luwu Sulawesi Selatan,” *Al-Qalam* 22, no. 2 (2016).

¹⁹ Ayunda and Khairi, “Hukum Waris Dalam Bisnis Keluarga Syariah: Perencanaan Dan Pengelolaan Aset.”

²⁰ Tarigan and Naldo, *Analisis Sosiologis Perubahan Pola Pembagian Warisan Sebagai Modal Usaha Pada Masyarakat Minang di Kota Medan dan Kota Padang*.

demonstrates how families and communities manage differences, maintain harmony, and design economic sustainability within a diverse context.²¹

This research stems from the realization that few studies have examined how inheritance strategies are formed and implemented in multiethnic families. This issue is also closely related to inter-ethnic and inter-religious relations that are formed through formal and informal inheritance processes. Often, inheritance management reflects a family's or community's capacity to maintain social cohesion and respond constructively to diversity.

Previous studies have examined inheritance issues from various perspectives. For instance, Khairun Nisa's study on inheritance in multiethnic families found that inheritance distribution in multicultural societies tends to be flexible and largely dependent on family agreement. However, in practice, such arrangements do not always conform to Islamic inheritance law.²² Noviardi and Rozi emphasized the role of cultural tolerance and legal pluralism in Rao border community, where customary law, Islamic law, and national law are combined in the distribution of inheritance.²³ Meanwhile, Febbe Joesiga demonstrated that inheritance practices within Chinese communities place greater emphasis on family consensus and deliberation as mechanisms for maintaining social cohesion.²⁴ Additionally, research conducted by Aliem Zainuddin, Nur Hadi Cahyono, and Haidar Khairullah highlighted the complexity of implementing inheritance law in multicultural families, underscoring the need for a flexible and contextual legal approach.²⁵

A second strand of research focuses on the process of cultural acculturation in interethnic marriages. Safira and Perangin-angin demonstrated that Javanese–Malay marriages tend to produce cultural integration strategies.²⁶ Similarly, Suhaimar Lisa and Susi Fitria Dewi illustrated the adoption and

²¹ Sri Lumatus Sa'adah, Saifuddin Zuhri Qudsy, and Nur Quma Laila, "Sigar Semongko and Gilir Waris: The Controversy of Customary Law and Islamic Law in The Inheritance System," *AHKAM: Jurnal Ilmu Syariah* 23, no. 2 (2023), p. 403–22.

²² Khairun Nisa, "Sistem Pembagian Warisan Pada Masyarakat Multikultural: Studi Di Desa Teluk Panji Ii Kecamatan Kampung Rakyat Kabupaten Labuhan Batu Selatan Sumatera Utara," *Al-Ahwal: Jurnal Hukum Keluarga Islam* 8, no. 2 (August 23, 2016), p. 161–74.

²³ Noviardi and Rozi, "Penerapan Nilai Toleransi Antar Budaya Dalam Pelaksanaan Hukum Kewarisan Islam Pada Masyarakat Perbatasan Di Rao Pasaman Sumatera Barat."

²⁴ Febbe Joesiga, "Pelaksanaan Pembagian Warisan Secara Adat Pada Masyarakat Tionghoa Di Kota Surakarta," (2008), p. 1–77.

²⁵ Aliem Zainuddin, Nur Hadi Cahyono, and Haidar Khairullah, "Kajian Fiqh Waris Dalam Pembagian Harta Pada Keluarga Multikultural Di Indonesia: Pendekatan Sosiologis Dan Hukum.," *Jurnal Multidisipliner Bharasa* 3, no. 2 (2024), p. 115–24.

²⁶ Irga Safira and Alemina Br. Perangin-angin, "Acculturation of Javanese and Malay Ethnic Marriage," *ELS Journal on Interdisciplinary Studies in Humanities* 4, no. 2 (2021), p. 161–68.

adaptation of cultural elements in Mandailing–Minangkabau marriages.²⁷ Mina Elfira highlighted the tension between matrilineal principles and assimilation interests in interethnic relations in Padang region.²⁸ Jumaini Siregar and Alemina Br. Perangin-angin argued that more educated communities are inclined to support exogamy as a form of cultural openness.²⁹ Nabila Quway underscored multicultural integration as a process grounded in mutual respect that does not necessitate the loss of ethnic identity.³⁰ Furthermore, Fitri Andriani and Yeni Rachmawati emphasized that religious values and tolerance constitute the primary foundations of child-rearing patterns in multiethnic families.³¹

A third strand of research examines the distribution, management, and utilization of inherited assets. Irfani Basri and Ellya Ratna showed that the management of Minangkabau inherited property is often marked by conflicts of interest. Nevertheless, their study also highlighted the significant role of women in maintaining the stability of inheritance governance.³² Efrizon et al. emphasized that the cultural values and customary knowledge of Minangkabau community function as social capital in resource management and sustainable development.³³ Indra Rahmat found that high-value inherited assets are managed through customary collective mechanisms, including communal land administration and the conversion of assets into other forms, such as gold.³⁴ Muhammad Amirul Fahmi demonstrated that the productive utilization of inherited assets can enhance the welfare of heirs, despite limitations in capital and experience.³⁵ Finally,

²⁷ Suhaimar Lisa and Susi Fitria Dewi Dewi, “Akulturasi Budaya Pada Perkawinan Etnis Mandailing dan Minangkabau Di Nagari Sontang,” *Journal of Civic Education* 1, no. 2 (2018), p. 116–22.

²⁸ Mina Elfira, “Minangkabau Mothers and Daughters in Contemporary ‘Rantau’ Society; Regaining Power with Modified Matrilineal Principles and Patriarchal ‘Rantau’ Norms,” *Wacana: Journal of the Humanities of Indonesia* 24, no. 2 (2023), p. 225–50.

²⁹ Jumaini Siregar and Alemina Br Perangin-angin, “The Perception of Educated People with Different Ethnic Groups towards Exogamy,” *Tradition and Modernity of Humanity* 1, no. 1 (2021), p. 50–59.

³⁰ Nabila Quway, “Integrasi Multikultural Dalam Masyarakat Multietnis (Jawa, Cina Dan Arab Keturunan) Di Kota Semarang,” *Jurnal Ijtima'iyah* 2, no. 1 (2018), p. 90–110.

³¹ Fitri Andriani and Yeni Rachmawati, “Etnoparenting: Pengasuhan Orang Tua Perkawinan Multi Etnis,” *Jurnal Obsesi : Jurnal Pendidikan Anak Usia Dini* 6, no. 5 (2022), p. 4669–80.

³² Irfani Basri and Ellya Ratna, “Sistem Pengelolaan dan Pemanfaatan Harta Pusaka Masyarakat Minangkabau dalam Karya Wisran Hadi,” *Lingua Susastra* 1, no. 1 (2020), p. 1–9.

³³ Efrizon Efrizon et al., “The Role of Minangkabau Cultural Values in HR Development,” *Jurnal Ekonomi* 11, no. 03 (2022), p. 1957–64.

³⁴ Indra Rahmat, “Pengelolaan Harta Pusaka Tinggi Dalam Masyarakat Adat Minangkabau (Studi Di Kecamatan Batipuh Kabupaten Tanah Datar),” *Bakaba : Jurnal Sejarah, Kebudayaan Dan Kependidikan* 8, no. 1 (July 1, 2019), p. 15–24.

³⁵ Muhammad Amirul Fahmi, “Analisis Pemanfaatan Harta Waris Dalam Meningkatkan Kesejahteraan Ahli Waris Di Desa Puguk Kecamatan Sungai Ambawang,” *Jurnal Muamalat Indonesia - JMI* 4, no. 1 (2024), p. 486–96.

Zulham Wahyudani and Muhammad Firdaus argued that social transformations, including economic and gender-related factors, significantly influence inheritance distribution practices.³⁶

Overall, previous studies suggest that inheritance systems in Indonesian society are shaped by legal pluralism, cultural acculturation, and socioeconomic dynamics. However, these studies tend to remain fragmented, focusing separately on normative distribution and conflict, cultural acculturation, or asset management within relatively homogeneous cultural settings. While they provide important insights into normative arrangements, they pay limited attention to the strategic economic dimension of inheritance practices. In particular, the development of inheritance as a strategic economic practice within multiethnic families-situated at the intersection of customary, religious, and state legal systems-has received insufficient comparative and empirical examination.

To address this gap, this article aims to: (1) analyze and compare inheritance development strategies in multiethnic communities within the research area; and (2) examine how social relations (e.g., kinship ties) and the legal pluralistic landscape-understood as the interaction of customary, religious, and state law-simultaneously shape these strategies. Building on this analysis, the study proposes an analytical framework for understanding inheritance development strategies within the broader context of legal pluralism in Indonesia.

This study used a qualitative descriptive approach to thoroughly examine individuals' perceptions, experiences, and strategies regarding inheritance management. Combining normative and social analysis (socio-legal research) with a comparative case study design allows for contextual analysis and comparison of locations to identify patterns, differences, and similarities. The research locations were purposefully selected to capture the dynamics of multiethnic communities in two provinces with contrasting customary systems: The West Sumatra (the West Pasaman and Dharmasraya), which has a matrilineal Minangkabau tradition; and The North Sumatra (Mandailing Natal, particularly Panyabungan), which has a patrilineal tradition. This contrast forms the basis for an analysis of how social structures influence inheritance development practices.

This study involved 25 informants selected through purposive sampling and subsequently expanded using snowball sampling techniques. Informants were identified based on specific criteria, including multiethnic families who actively manage or utilize inherited assets, as well as community leaders who possess authority and formal recognition within the customary structure. These community leaders include the Head of the Minangkabau Customary Council (abbreviated as LKAAM in Indonesian), the Head of the Cultural Customary

³⁶ Zulham Wahyudani and Muhammad Firdaus, "Faktor – Faktor Perubahan Sosial Yang Mempengaruhi Pembagian Harta Warisan Di Banda Aceh, Indonesia," *Journal of Sharia Economics* 3, no. 1 (2022), p. 13–33.

Preservation and Development Forum (abbreviated as FPPAB in Indonesian), the Head of the Nagari Customary Council (abbreviated as KAN in Indonesian), traditional elders, and local customary experts. Meanwhile, the multiethnic families involved as informants comprised 19 households, including Mandailing–Javanese, Javanese–Minangkabau, and Batak–Minangkabau family combinations. The distribution of informants covered the regions of Pasaman (6 informants), Dharmasraya (3 informants), Mandailing Natal (8 informants), and Panyabungan (8 informants). The number of informants was determined based on the principle of data saturation, that is, when the data collected exhibited recurring patterns and no longer generated new conceptual categories. Therefore, this study emphasizes conceptual representativeness rather than statistical representativeness in order to understand variations in inheritance management practices within the context of multiethnic families.

Primary data sources in this study consisted of respondents and informants were collected through in-depth interviews, both face-to-face and online, while secondary data were obtained from documentary studies related to customary law, Islamic law (*fara'id*), and Indonesian positive law. Data analysis followed the interactive patterns of Miles, Huberman, and Saldaña.³⁷ The analysis stages included reduction, presentation, and drawing and verifying conclusions. The final results were examined through the lenses of multiethnicity, rational choice, social relations, legal pluralism, and property development theories.

Development Patterns of Inherited Assets in Multiethnic Families

1. Conservative Collective Patterns in West and East Pasaman Regencies

In the context of the rich ethnic diversity of the West and East Pasaman Regencies, inherited assets play a crucial role in fostering family bonds.³⁸ Managing these assets involves more than maximizing economic value; it also involves consciously preserving the noble values passed down from generation to generation. Families deeply understand that these assets are not only material possessions, but also symbols of family history and identity that must be preserved. To ensure the sustainability of these assets, families apply conservative management principles.

³⁷ Matthew B Miles, Michael A. Huberman, and Johnny Saldaña, *Qualitative Data Analysis: A Methods Sourcebook* (SAGE Publications, 2013).

³⁸ Arbanur Rasyid, Rayendriani Fahmei Lubis, and Idris Saleh, "Contestation of Customary Law and Islamic Law in Inheritance Distribution: A Sociology of Islamic Law Perspective," *Al-Ahkam* 34, no. 2 (2024), p. 419–48; Rhian Powell, "Figuring out Fairness: The Social Construction of Inheritance Entitlements in Close Relationships," *Sociological Review* 72, no. 2 (2024), p. 378–93; Deri Eka Putra and Riyanta, "Ignoring Islamic Law for Family Harmony: The Practice of Delaying Inheritance Distribution in the Indigenous Muslim Community of Kampar, Riau," *Asy-Syir'ah Jurnal Ilmu Syari'ah Dan Hukum* 58, no. 1 (2024), p. 141–73.

The principle of kinship ensures that inheritance strengthens family ties rather than causing division.³⁹ Families here recognize the importance of instilling sound financial management values in the younger generation. From an early age, children are taught about the importance of saving, investing, and valuing every penny. This way, future generations can continue the tradition of managing inherited assets wisely and responsibly. This allows the value of inherited assets to grow over time, providing greater benefits for future generations.

The economic approach to inheritance in this region is heavily influenced by the belief that land and agricultural produce are ancestral gifts that must be managed responsibly and carefully. Therefore, conservative management principles are consistently upheld. This is evident in the management of rice paddy and field harvests, most of which are used to meet the family's daily food needs. Any surplus harvest is held as reserves or invested in more stable and strategic assets, such as gold and land.

Most of the harvest from rice fields is used to meet daily needs. The rest is held as reserves for emergencies or used for long-term investments, such as buying land in strategic locations. Among the community, purchasing gold has become a popular investment choice. Besides its relatively stable economic value, gold holds symbolic value as a form of asset protection and a symbol of inherited wealth. This practice blends traditional values with a modern understanding of financial management. In every decision-making process related to the management of inherited assets, the family involves all members. Consensus is key to reaching a fair agreement that respects the interests of each family member.

People choose to invest in gold because of its stable economic and symbolic value, which makes it an ideal way to protect family wealth. Furthermore, asset utilization taps into the potential of vacant land. Hendri, one of the sources, corroborated these findings, stating:

*“Any income from inherited assets, such as rice paddies or fields, is saved. Besides using it for food, any excess can be invested in gold or land to increase wealth. If there is vacant land that can be used for farming, use it as a field. The proceeds will then be passed on to children or nieces.”*⁴⁰

As reflected in the interview data, inheritance management in West and East Pasaman Regencies exhibits a pattern of protective accumulation grounded in kinship ties. Instead of channeling production toward commercial expansion, assets are converted into stable forms such as gold and land. Agricultural yields

³⁹ Ahmad Sukris et al., “Restorative Justice Principles in Banjar Customary Inheritance Disputes: A Normative Analysis of Out-of-Court Settlement Institutions through Adat Badamai,” *El-Mashlahah* 15, no. 2 (2025), p. 415–36; Miftahul Huda, Niswatul Hidayati, and Khairil Umami, “Fiqh and Custom Negotiation in Avoiding Inheritance Dispute Tradition among Mataraman Society East Java,” *Al-Ihkam: Jurnal Hukum Dan Pranata Sosial* 15, no. 2 (2020), p. 224–50.

⁴⁰ Interview with Hendri Hendri, in Pasaman, 2024.

are primarily used to meet basic needs while serving as low-risk and secure investments. Rather than being liquidated for short-term consumption, assets are transformed into crisis-resistant forms that are easily transferred across generations and retain symbolic value. This strategy reflects a strong orientation toward intergenerational security, positioning inherited assets as mechanisms of economic protection, particularly within female kinship networks. The management logic prioritizes future generations over present actors, reinforcing principles of family sustainability and intra-family redistribution. Even unused land is brought into productive use, illustrating a model of kinship-based economic rationality. Consequently, the emerging economic rationality is not individualistic or market-driven, but collective and conservative, integrating economic, symbolic, and kinship considerations.

The above data shows that inheritance management in the West and East Pasaman regencies is a blend of traditional and modern values. It shows a limited yet productive vision oriented toward the internal well-being of the family, especially the next generation of women. The primary foundations of inheritance management are conservative principles, kinship, and consensus. Thus, inheritance serves not only as a source of economic well-being, but also as a valuable cultural legacy for future generations.

In the West and East Pasaman, communities utilize vacant land for farming. This land provides a source of food and serves as a gathering place where family members can engage in community service. Sharing agricultural produce with children and nieces demonstrates concern for the well-being of all family members and strengthens kinship bonds. These strong social ties are founded on the principles of deliberation and consensus, which serve as the primary foundation for every decision-making process related to inheritance. This ensures that every decision involves all family members so that no one feels disadvantaged or left out. This forum indirectly serves as an educational platform for the younger generation, teaching them the importance of saving, investing, and appreciating ancestral heritage.

Here, collaboration in the use of inherited assets is more familial than businesslike. For example, construction of facilities on family land is carried out without a sale or purchase transaction. This demonstrates that these assets are considered communal property that should be used for the common good, not personal gain. This principle aligns with the local community's strong values of mutual cooperation and kinship. The use of these assets often prioritizes family needs and reflects customary principles that emphasize cultural preservation and social harmony.

The familial nature of inheritance far outweighs the commercial nature. Inherited assets, especially customary ones such as land or traditional houses, are considered cultural heritage that must be preserved. For example, if a family member wants to open a business, such as a shop, on family land, they must follow

certain procedures. This process does not involve a sale or purchase transaction. Rather, it is based on a spirit of mutual cooperation and collective support. Ijun, an East Pasaman resident married to a Javanese woman, explains this mechanism:

“It’s usually between family members if someone has extra money. If they have the money, they can build a shophouse. If they don’t have land, they’ll give them land, but they don’t consider it a sale.”⁴¹

As reflected in the data, the use of inherited assets in West and East Pasaman Regencies demonstrates a pattern of asset de-commodification, whereby inheritance is not treated as an object of market exchange but as a collective resource allocated through kinship structures. Rather than being bought and sold, family land is shared among relatives and assigned to those in need according to kinship obligations. This mechanism reflects a customary model of collective ownership and a non-commercial economic rationality oriented toward sustaining family cohesion. Land is considered collectively owned by the family and must be used for the collective benefit.

Although the collective-conservative pattern of inheritance management in the West and East Pasaman Regencies emphasizes togetherness, consensus, and family solidarity, the findings indicate that this practice has the potential to conceal power relations and conflicts of interest that are not always obvious. A collective orientation that prioritizes family interests over individual interests strengthens social cohesion but can also limit individual autonomy in decision-making regarding the use of inherited assets. In family deliberations, decisions regarding the management and use of inherited assets formally involve all members. However, this process does not always occur equally, as certain individuals—such as senior figures, customary authorities, or those with greater economic resources—tend to exert greater influence over the outcomes. This dynamic indicates that collective decision-making is not entirely free from social hierarchies and intra-family power relations.

Furthermore, a conservative approach to maintaining family assets, such as land and agricultural produce, may generate tension between collective preservation interests and individual economic needs. Some family members, particularly those from the younger generation, may prefer to utilize or develop these assets more productively. However, such preferences are often constrained by family norms that prioritize asset stability and preservation. This dynamic suggests a latent conflict between individual economic rationality and customary collective rationality.

The findings also indicate that the distribution of benefits derived from asset management is not always equitable. Although inheritance is considered communal property, access to certain assets may be shaped by close kinship ties, social position within the family, or level of participation in management.

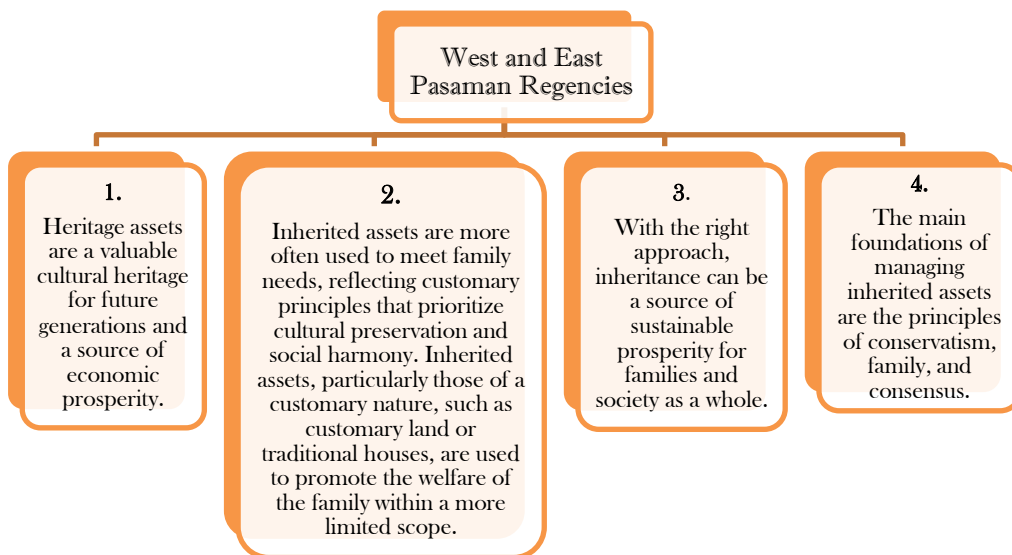
⁴¹ Interview with Ijun, in Pasaman, 2024.

Therefore, the principle of collectivity does not automatically guarantee an equal distribution of benefits among family members.

In the context of legal pluralism, this conservative collective pattern demonstrates that inheritance management functions both as an economic mechanism and as a means of reproducing social structures and legitimizing family authority. Practices that emphasize harmony and solidarity may simultaneously maintain traditional power structures and limit the space for negotiation available to family members with weaker social positions.

Thus, the conservative collective pattern in Pasaman reflects a strategy of asset management based on family solidarity. However, it also constitutes an arena for negotiating interests, distributing authority, and creating potential internal family inequality. This analysis suggests that seemingly harmonious practices must be understood as social processes involving dynamic power relations and conflicting interests.

Figure 1
Development of the West and East Pasaman Heritage Properties



2. Conservative Customary Pattern in Dharmasraya Regency

The people of Dharmasraya Regency, particularly the Melayu Banai ethnic group, have a tradition of inheritance management that prioritizes preserving traditional values and ensuring family well-being over economic growth. Traditional leaders in the region consistently express this view. Saiupul Anwar Dt. Sari Batuah and Rodi Dt. Malintang Sati, who are both traditional leaders, offer consistent insights into this practice.

“To us, managing inherited assets is more important for maintaining traditions and ensuring the family’s well-being than simply pursuing economic growth.”⁴²

The interview data indicate that inheritance management in Dharmasraya follows a conservative customary pattern, in which customary norms serve as the primary basis for economic decision-making. Customary values function as the authoritative framework guiding inheritance management. Rather than being positioned as an instrument of capital accumulation, inheritance is understood as a mechanism for preserving cultural values and maintaining family well-being. Its central objective is to ensure family welfare. This reflects the dominance of normative-cultural rationality, which prioritizes the continuity of tradition and social stability over economic growth.

Consequently, there have been no significant efforts to develop these assets thus far. Saipul Anwar, Dt. Sari Batuah, the chair of the Nagari Banai Customary Council, bluntly stated:

“So far, no efforts have been made to develop the inherited assets because the assets left to heirs are intended to protect them from having insufficient assets.”⁴³

This opinion is supported by Rodi Dt. Malintang Sati, who stated:

“There are none here because the heirs inherited the assets to fulfill their living needs.”⁴⁴

Interview data indicate that inheritance management in Dharmasraya reflects a subsistence-conservative pattern. In this pattern, inheritance functions both as an economic protection mechanism for heirs and as a family social safety net, rather than as an instrument for capital accumulation. Its primary purpose is to protect heirs from deprivation and meet their basic living needs. The absence of speculative development reflects an anti-risk economic rationality shaped by an agrarian economic structure and a focus on preserving cultural values. The local economic context prioritizes long-term stability over investment, maintaining assets in their original form and thereby safeguarding ancestral heritage and cultural practices. Thus, inheritance operates as a social institution that ensures family economic stability while transmitting traditional values across generations.

The community’s decision to avoid speculative development is influenced by its economic conditions. The community relies heavily on agriculture and plantations, where stability is prioritized over investment risk. The community hopes to preserve its cultural heritage and ancestral values by preserving inherited assets in their original form. The decision not to develop these assets is also

⁴² Interview with Anwar & Rodi, in Dharmasraya, 2024.

⁴³ Interview with Saiupul Anwar, in Dharmasraya, 2024.

⁴⁴ Interview with Rodi, in Dharmasraya, 2024.

influenced by the community's economic situation and lifestyle choices. Many people in this area still rely on agriculture and plantations for their livelihood. They prefer to maintain family economic stability rather than take risks with speculative investments. Furthermore, their simple lifestyle means they do not need significant additional income. Nevertheless, the Dharmasraya community faces challenges associated with modernization.

Growing economic pressures and changing lifestyles may disrupt traditional inheritance management practices. Some younger generations may prefer to sell their inheritances and use the money for consumption or modern investments. To address this challenge, we must bridge the gap between tradition and modernity. One approach is to educate the community about sound financial management while maintaining traditional values. Furthermore, local governments can support community economic development by providing access to wider markets and modern agricultural technology.

This arrangement indicates that inheritance functions as a social institution that perpetuates gender relations and family authority across generations, while limiting absolute individual ownership. The data above shows that inheritance management in Dharmasraya Regency reflects the local community's focus on family preservation and well-being a defining feature of this practice. However, it is crucial to continuously evaluate and adapt to changing times to ensure that inheritance remains relevant and continues to provide benefits for future generations.

In Dharmasraya Regency, particularly within the Melayu Banai community, women are at the center of inheritance management. This tradition has been passed down through generations. Women have rights to inheritance and are responsible for safeguarding and utilizing it wisely. While women play a primary role, men in the family also play a crucial one. They protect the inheritance from external threats, such as conflict or theft. Furthermore, men can collaborate with women to use the inheritance to meet the family's needs. This collaboration strengthens family ties and ensures the inheritance is used effectively and efficiently. Tradition provides a clear framework for managing inheritance. However, family needs are constantly changing in the context of modern life. Collaborating allows families to adapt inheritance management to current conditions without neglecting traditional values.

The management structure features a distinctive pattern of gender collaboration. Men are primarily responsible for ensuring the proper care of inherited assets. However, they can also participate in utilizing these assets through clear customary mechanisms. Saiupul Anwar Dt. Sari Batuah explains:

*"The only way is to ask women for permission to participate in utilizing assets to fulfill their daily needs in urgent situations."*⁴⁵

⁴⁵ Interview with Anwar, in Dharmasraya, 2024.

Interview data suggest that inheritance management reflects gender-based governance, in which rights and access to assets are structured according to the division of social roles between men and women. Women hold primary authority over asset use, while men perform custodial functions and gain access only through customary consent mechanisms. This kind of collaboration ensures that inherited assets are used effectively and efficiently for the family's well-being. It also strengthens social ties and preserves cultural values amidst changing times.

When making decisions about how to use inherited assets, both men and women should always uphold the principles of justice and mutual agreement. Women may be more involved in the day-to-day management of agricultural land, while men can support the maintenance of agricultural equipment and marketing of the harvest. When families wish to invest, both men and women can discuss and make decisions together, considering each other's opinions and experiences. Duties in managing inherited assets can be divided based on each family member's abilities and interests, including those of both men and women. The collaboration between men and women in managing inherited assets reflects the Dharmasraya community's strong value of mutual cooperation. Saiupul Anwar Dt. Sari Batuah (Melayu Banai Tribe) and Chair of the Banai Nagari Customary Council in the 9th District of Koto. He explained:

*"Men are still responsible for protecting inherited property, but they can collaborate with women to use it. Men can use inherited property, but only with a woman's permission, specifically to meet daily needs in times of emergency."*⁴⁶

The data indicate that inheritance management in Dharmasraya Regency involves both men and women, who hold different but complementary roles. This arrangement demonstrates that inheritance functions as a social institution that regulates gender relations, distributes authority, and ensures family economic stability, while simultaneously reproducing gender roles legitimized by customary norms. Gender collaboration in managing inherited assets supports family welfare, strengthens social ties, and sustains cultural continuity. Thus, the conservative customary pattern in Dharmasraya is not egalitarian in the modern sense; rather, it represents a form of permission-based heritage management that positions men in an economically subordinate role within the household structure.

Although inheritance management practices in Dharmasraya are often portrayed as reflecting customary harmony that ensures family well-being and cultural preservation, the findings indicate that these patterns also embody complex power relations. Women's dominance in managing and utilizing inherited assets does not necessarily imply an egalitarian structure. Rather, it must be understood within the broader context of customary legitimacy and social authority. In practice, women occupy central roles in controlling and managing

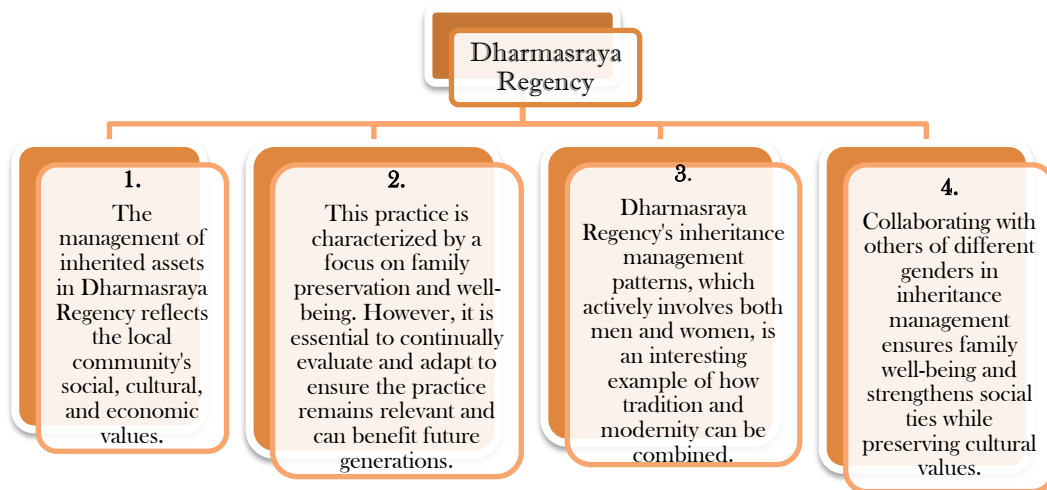
⁴⁶ Interview with Anwar, in Dharmasraya, 2024.

family assets, particularly land and economic resources. However, strategic decision-making remains framed by customary norms and guided by traditional authority structures. These include the influence of customary leaders and kinship systems historically shaped by male leadership. This arrangement highlights a separation between symbolic ownership and structural control over assets.

These findings suggest that women’s dominance in heritage management primarily serves to maintain family stability and perpetuate customary values, rather than redistribute power. In other words, women act as guardians of assets and traditions, and the legitimacy of their management remains framed by customary authority. Moreover, a strong orientation toward preserving customs and family stability can constrain the economic mobility of both men and women. While management strategies that discourage speculative development and emphasize asset conservation may strengthen social cohesion, they also tend to sustain a relatively static economic structure and limit opportunities for economic transformation within families.

From a legal pluralism perspective, this customary-conservative pattern demonstrates that heritage management functions both as an economic distribution mechanism and as an arena for reproducing social structures and legitimizing authority. Consequently, seemingly harmonious practices can reinforce traditional power configurations and produce structural inequalities that are not always visible in everyday practice.

Figure 2
Development of Dharmasraya Heritage



3. Commercial-Individualistic Pattern in Mandailing Natal Regency and Panyabungan District

In Mandailing Natal and Panyabungan, economic and social development is strongly influenced by an individualistic approach to inheritance, where each

heir has significant autonomy. Research on inheritance management in Mandailing Natal Regency indicates a strong tendency toward individualism in managing inheritance assets. While there are some small examples of collaborative efforts, the community generally prefers to manage inheritance assets independently. Tradition, economic values, and local economic conditions also influence this inheritance management practice. The Mandailing Natal community's tradition of managing personal assets individually is reflected in inheritance management. Each individual tends to have a high degree of autonomy in managing their portion of the inheritance. Many individuals believe they can manage their inheritance effectively without involving others.

A lack of communication and coordination among family members often hinders the collective management of an inheritance. Many people are reluctant to manage inheritances collectively due to fear of conflict or disputes. Relatively limited economic conditions in some areas of Mandailing Natal may also influence the decision to manage inheritances individually. Despite the dominant individualistic approach, there is potential for more collaborative inheritance management. According to Ali Rahman Nasution, the chair of the Forum for the Preservation and Development of Customary and Cultural Heritage (abbreviated as FPPAB in Indonesian) of Mandailing Natal Regency, there are no specific efforts to increase the value of inheritances in general because this is considered a personal matter for each owner. He stated:

“Regarding the increase in the value of inherited assets, there are basically no special efforts involved. It all comes down to the individual heirs. They decide whether to sell, build on the property, or leave it as is. So, it’s a personal matter, not a collective one.”⁴⁷

Shaman and Sa’diah families in Panyabungan showed that most inheritance owners do not make additional efforts and often immediately exploit or sell their assets. They stated:

“Most people don’t. When they receive an inheritance, most people here just use it immediately. Some live in the property, while others sell it quickly. There’s rarely any effort to increase its value because it’s considered a given.”⁴⁸

This orientation reflects an economic rationality that emphasizes private property rights and individual autonomy in asset management. The findings indicate an individualization process, signaling a shift from family-based control toward personal ownership. Such a shift has implications for the weakening of inheritance's social function in strengthening family ties and may also encourage the commercialization of family assets.

⁴⁷ Interview with Ali Rahman Nasution, in Mandailing Natal, 2024.

⁴⁸ Interview with Shaman and Sa’diah, in Panyabungan, 2024.

In contrast, Kasman, an advisor to PUJAKESUMA Mandailing Natal, provided a concrete example from a Javanese community where family members established a legacy through a school foundation, providing significant added value. He stated that:

Here's an example from the Javanese family next door that I find quite unique. Instead of simply sharing their inheritance, they developed it by establishing a school foundation. Not only is this heritage preserved, but it also provides significant benefits to the wider community."⁴⁹

As the data indicate, inheritance management practices have evolved into a form of social investment, rather than being merely consumptive or individualistic. In some cases, inheritance has developed into educational institutions that provide economic and social benefits to families and communities. Inheritance thus functions not only as a personal economic asset but also as social and institutional capital. Its development is aimed not solely at financial gain but at expanding broader social impact. This practice can be understood as inheritance transformed into social investment—the management of family assets that generates collective benefits. This pattern demonstrates that an individualistic-commercial orientation does not necessarily equate to pure commercialization but can evolve into a strategy combining economic rationality with social responsibility. The implication is that inheritance serves not only as a source of family welfare but also as a means of social mobility and community contribution. However, such development is generally feasible only for families with substantial economic and social resources, potentially creating social differentiation among those without similar capacities.

The Jureid family, who married Syarifah, a Minang woman from the West Panyabungan, acknowledged a similar issue. They said that, in general, there were no special efforts to improve the management of inherited assets because most of the use was for personal needs.⁵⁰

The approaches to improving inheritance management vary among the families and individuals interviewed. Kasman, a PUJAKESUMA Mandailing Natal Advisory Board member, explained that they are making efforts to appoint competent individuals to manage assets rather than relying solely on family relationships.⁵¹ This reflects a more professional and organized approach to asset management. The families of Julian Simamora and Yulia Ritonga in Pidoli Lombang reported that sons often convert inherited land into buildings. They reported occasional efforts to improve management, but these efforts are inconsistent. When unoccupied, the buildings are often rented out or sold to increase their value.

⁴⁹ Interview with Kasman, in Mandailing Natal, 2024.

⁵⁰ Interview with Jureid, in Panyabungan, 2024.

⁵¹ Interview with Kasman, in Mandailing Natal, 2024.

The family of Asril, a Mandailing man married to Siti, a Javanese woman, follows the basic provisions of Islamic law regarding inheritance distribution. Asril and Siti's family in Natal revealed that they increased the value of their inheritance by developing the land they received and renovating the house they inherited. They stated:

*"We could build on the land we received or repair the house. We felt that inherited land shouldn't be left unattended. After receiving the inheritance, we took the initiative to build on it. Some of the buildings are rental houses, and some are small businesses. We repaired any damage to inherited houses as well."*⁵²

The data indicate that Asril and Siti's families manage their inheritance productively. They maintain it as a family symbol while developing it to enhance its economic value. For example, developing inherited land through rental houses or businesses reflects economic rationality, emphasizing the optimization of asset benefits. This transformation shifts inheritance from a conservative asset to a productive one integrated with market logic. Inheritance now serves both as a symbol of family continuity and as an instrument of economic mobility. This practice illustrates a shift from preservation-based to development-based management. However, such asset development strategies can generate economic inequality among family members or community groups, as the capacity to develop assets depends heavily on access to capital and economic resources. Thus, inheritance management reflects not only families' economic rationality but also contributes to social differentiation in multicultural societies.

The Alimuddin and Sifa families in Pidoli Lombang, Panyabungan reported that while some management efforts were made, they were rare. They stated that inheritance management tends to be private with little effort made to maximize collective benefits. This reflects the individualistic tendencies within their community regarding inheritance management.⁵³ The Nanang and Annisa families of Panyabungan stated that they occasionally convert inherited assets into productive ones.⁵⁴ However, the Satria and Syamsiah families said that they have not seen any specific efforts in this regard. In Parbangunan, the Datuk Imam Marzuki and Multazimah families said that no specific efforts have been made to improve inheritance management. In contrast, the Arminsyah and Dian Utami families noted that, despite management efforts, not all heirs are willing to participate.

Kasman, a member of the PUJAKESUMA Mandailing Natal Advisory Board and an expert on Javanese customs in the region, explained that some families choose to manage and develop their inheritance collectively through a

⁵² Interview with Asril and Siti, in Mandailing Natal, 2024.

⁵³ Interview with Alimuddin, in Panyabungan, 2024.

⁵⁴ Interview with Nanang and Annisa, in Panyabungan, 2024.

foundation rather than share it. This is one example of a collective effort that can increase the benefits of inherited wealth.⁵⁵

Meanwhile, Asril's family in Natal reported that they are collaborating with their relatives to maximize the benefits of their inheritance. This shows their understanding of the importance of cooperation when managing an inheritance at the family level.⁵⁶ The Juliana Simamora and Ardi Raja Gukguk families in Huta Siantar both emphasized that there was no attempt to transfer management of the inheritance from individual to collective ownership. They continued to manage it individually without collaborating more broadly.⁵⁷

The Shaman family in Panyabungan mentioned that they were considering collective management of their inheritance, which would provide a shared income source, especially if they were not sharing it. This is another example of how inheritance can be used collectively for greater benefit. In some cases, they built new structures on the land they inherited. This suggests that transforming land into buildings is one pattern for increasing the value of an inheritance. Although there are efforts to manage inheritances collectively, this is not widely practiced, and many families prefer to hold inheritances privately.⁵⁸ In contrast, the Satria family in Panyabungan said collective efforts were rare and inheritances were usually held individually. This suggests that collective practices were uncommon among them.

Inherited assets can be used for various purposes besides residences or commercial assets. For instance, an inherited house could serve as a small business or a place for family gatherings. This demonstrates the flexibility of using inherited assets according to each family's needs and circumstances. While individual management remains common, some families work together to manage inherited assets. Some families, for instance, form joint ventures or collectively manage properties. These examples demonstrate the potential for more collaborative inheritance management.

Ali Rahman Nasution explained that, in general, the value of inherited assets is increased by building or improving the land. Once the construction is complete, the building is often rented out to generate additional income. Kasman explained that his family's foundation not only manages assets collectively, but also purchases cars and builds prayer rooms to increase the value and benefits of the existing inheritance.⁵⁹ Similarly, Asril's family in Natal converted an inherited house into a rental property. They expanded the house to increase their rental income, showing how renovations and practical uses can add value to an inheritance. This illustrates the collective ownership among the sibling heirs.

⁵⁵ Interview with Kasman, in Mandailing Natal, 2024.

⁵⁶ Interview with Asril and Siti, 2024

⁵⁷ Interview with Juliana and Raja Gukguk Ardi in Huta Siantar, 2024.

⁵⁸ Interview with Shaman and Sa'diah, 2024.

⁵⁹ Interview with Kasman, in Mandailing Natal, 2024.

They work together to manage the inheritance and maximize its benefits.⁶⁰ The Jureid family of the West Panyabungan added that they practice joint ownership among siblings. This indicates that some communities have adopted a collective approach to managing inherited property.⁶¹

The above data shows that the Mandailing Natal community is creative when it comes to managing inherited assets. Although many challenges remain, inheritance management can become more effective and efficient with continued support and efforts. This will improve community welfare and preserve the cultural values and customs passed down from their ancestors.

In Mandailing Natal Regency, inheritance management is still dominated by an individualistic approach. However, there is significant potential for more collaborative inheritance management. With the proper efforts, inheritance management could become a source of sustainable prosperity for the community. People in Mandailing Natal have various ways to increase the value and benefits of the inheritance they receive. Although individual inheritance management remains prevalent, various innovations are being implemented to maximize the economic potential of these assets. One common pattern is to change the physical form of the inheritance. Vacant land is often developed into homes or commercial buildings, and existing buildings are renovated or expanded. This increases property value and opens up opportunities for additional income through rentals.

Despite various efforts to increase the value of inherited assets, several challenges remain. One major challenge is the lack of awareness regarding the importance of professional inheritance management. Many people still rely on traditional methods to manage their inheritance, thus failing to achieve optimal results. Furthermore, a lack of access to information and resources is also a barrier. Many people are unaware of the investment and development opportunities available for their assets. To overcome these challenges, we need to provide the community with education and training in financial management, investments, and business development.

Unlike the earlier conservative-collective and customary patterns, commercial-individualistic inheritance management exhibits a stronger orientation toward personal ownership, the optimization of economic value, and the use of assets for individual benefit. While these patterns provide opportunities for enhanced well-being through productive asset development, the findings indicate that they also have the potential to generate economic inequality and social differentiation among family members.

In practice, inheritance tends to benefit family members with greater access to economic capital, market knowledge, and social networks. Those with these resources can more easily develop inherited assets into productive ventures

⁶⁰ Interview with Asril and Siti, 2024.

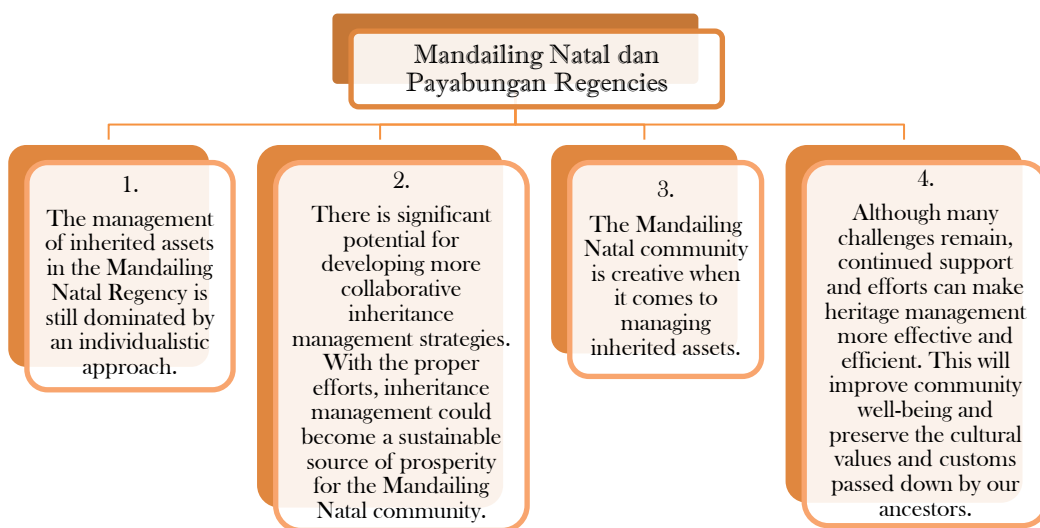
⁶¹ Interview with Jureid, 2024.

or commercial investments, while members with limited resources often remain passive beneficiaries or lose access to previously collective assets. This pattern suggests that market mechanisms in inheritance management can reinforce economic disparities within families. Furthermore, when inherited assets are converted into commodities or capital, family relationships may shift. Assets that once served as family bonds can become sources of competition, and differing interests between members who wish to retain assets and those who seek to sell them can generate conflict.

From a legal perspective, this pattern creates opportunities for economically or legally stronger parties to select rules that serve their interests. In a context of legal pluralism, where customary law, religion, and state law all serve as references, legal choices can be made strategically. Consequently, economically weaker or less legally literate family members may be disadvantaged. Thus, while the individualistic-commercial pattern allows room for economic growth, it also risks generating inequality within the family. Not all members benefit equally, and in some cases, this orientation can undermine solidarity and exacerbate inheritance conflicts.

Figure 3

Development of Inherited Assets in Mandailing Natal and Panyabungan



The Relationship Between Customary Law, Religion, and the State in the Development of Inheritance

In the context of multiethnic societies in the West and North Sumatra, inheritance management is inextricably linked to the intersection and clash of three legal systems: customary, religious, and state. This demonstrates the region’s complex reality. Inheritance is understood both as an economic asset with

productive value and as a social symbol, cultural identity, and glue for relationships between family members.⁶² This complexity becomes increasingly apparent when customary, religious, and state law coexist as normative frameworks shaping inheritance practices. This phenomenon illustrates legal pluralism, which Griffiths (1986) defines as the coexistence of more than one legal system within a single social space.⁶³

This study shows that, in the three research locations with varying levels of individualism or collectivism, customs have the most dominant influence in shaping inheritance development strategies

Table 1: Inheritance Property Development

No.	The West and East Pasaman	Dharmasraya	Mandailing Natal	Panyabuangan
1.	The heritage development patterns tends to be conservative	The development of inherited assets tends to be conservative,	The development of inherited assets tends to be conservative,	Conservative: The heritage development patterns tends to be conservative.
2.	Focus more on preserving the property than developing it.	Focusing more on preservation than growth.	Focusing more on preservation than growth.	Prioritizes preserving assets over developing them.

Data Source: Informant interviews

In the context of multiethnic societies in the West and North Sumatra, inheritance management is inextricably linked to the intersection and clash of three legal systems: customary, religious, and state. This demonstrates the region’s complex reality. Inheritance is understood both as an economic asset with productive value and as a social symbol, cultural identity, and glue for relationships between family members. This complexity becomes increasingly apparent when customary, religious, and state law coexist as normative frameworks shaping inheritance practices. This phenomenon illustrates legal

⁶² Salmudin, Muntaqo, and Hasan, “Tunggu Tubang as a Method for Peaceful Inheritance Distribution of Semende Indigenous Peoples/Tunggu Tubang Sebagai Metode Pembagian Harta Waris Secara Damai Masyarakat Adat Semende”; Syahrana and Mahmudi, “The Principle of Segendong Sepikul in the Inheritance Distribution System of the Muslim Community from the Perspective of Multidisciplinary Studies.”

⁶³ John Griffiths, “What Is Legal Pluralism?,” *Journal of Legal Pluralism and Unofficial Law* 18, no. 24 (1986), p. 1–55.

pluralism, which Griffiths defines as the coexistence of more than one legal system within a single social space.⁶⁴

In the Minangkabau community of Pasaman, customary law still governs inheritance. The matrilineal kinship system designates women as the primary recipients of significant inheritances, while men act as guardians. Assets such as customary land, traditional houses, and rice paddies are not merely treated as economic property but also as symbols of family identity and social cohesion. The community uses a consensus-based mechanism to determine the use of inherited assets, emphasizing the principle of family harmony over mere legal certainty in the distribution and management process. Although the community recognizes Islamic law, particularly for managing acquired inheritance or personal property, custom is the primary guideline for ancestral inheritance property. This allows the community to use Islamic law selectively. The state plays almost no role in this regard because customary institutions are considered more socially legitimate. This finding aligns with Hooker's (1975) view that customary law in Southeast Asia often functions more effectively than state law, particularly regarding family and inheritance issues.⁶⁵ Using social relations theory, analysis shows that deliberation is a decision-making mechanism and a means of strengthening bonding social capital (Putnam, 1993), thereby maintaining collectivity⁶⁶. This maintains collectivity. Conservative strategic choices, such as investing in gold or expanding land holdings, can be understood from a rational choice perspective (Coleman, 1990). From this perspective, families choose options that minimize the risk of conflict while maintaining social identity stability.⁶⁷

Meanwhile, the Melayu Banai community in Dharmasraya exhibits a similar pattern. They also prioritize custom in inheritance management, but they place a stronger emphasis on its social safety net function. They view inheritance as a family safety net that must be maintained, not commercialized.⁶⁸ Women play a dominant role in inheritance management. They are given authority over property management while men act as protectors and guardians of assets. This pattern demonstrates a complementary gender structure where each family member's role is regulated to strengthen social cohesion.⁶⁹ Although Islamic law

⁶⁴ John Griffiths, "What Is Legal Pluralism?"

⁶⁵ M. B. Hooker, *Legal Pluralism: An Introduction to Colonial and Neo-Colonial Laws* (Clarendon Press, 1975).

⁶⁶ R. D. Putnam, *Making Democracy Work: Civic Traditions in Modern Italy* (Princeton University Press, 1993).

⁶⁷ James Coleman, *Foundations of Social Theory* (Harvard University Press, 1990).

⁶⁸ Rajafi, "Kewarisan Produktif (Meramu Makna Adil Melalui Waris Produktif)"; Muhtarom and Nugroho, "Grants as a Model of Inheritance Prospective Distribution in the Coastal Santri Community."

⁶⁹ Harnides, Syahrizal Abbas, and Khairuddin Hasballah, "Gender Justice in Inheritance Distribution Practices in South Aceh, Indonesia," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 2 (2023), p. 1293–1316; Syaikhu, "Kewarisan Islam Dalam Perspektif Keadilan

is the normative standard, it is treated more as moral legitimacy than operational regulation, as the community relies more on customary rules in daily practice. The state rarely intervenes, except in contexts such as agricultural modernization or access to development programs. This finding aligns with Scott's (1976) ideas about the moral economy, in which rural communities prioritize security and sustainability over short-term economic gain.⁷⁰ This condition is an example of what Griffiths (1986) refers to as "strong legal pluralism," which is defined as the dominance of customary law in everyday community life.⁷¹ Merry (1988) stated that strong legal pluralism is a social condition in which customary law functions as the primary legal system.⁷² Social relations based on gender role division demonstrate how customs regulate ownership and foster social balance. This division demonstrates family balance and cohesion, which is why society is reluctant to promote inheritance as a market commodity. In Dharmasraya, for example, customary law is the primary pillar, religious law serves a mere symbolic function, and state law is only present in a minimal capacity.

Meanwhile, a significant shift toward individualism and commercialization in the management of inheritance is evident in Mandailing Natal and Panyabungan. Each heir is given full autonomy over their portion, enabling them to utilize it as they see fit. Consequently, many inherited assets are developed into rental houses, shops, and boarding houses or are sold. Some collective patterns remain, such as Javanese families managing assets jointly through educational foundations. However, the general trend is the dominance of individual interests. Legally speaking, Mandailing customs allow for more individualism than Minangkabau or Melayu Banai customs. Conversely, Islamic law holds a stronger position because inheritance distribution usually follows Sharia law. The state is also more frequently involved, especially when disputes arise between heirs. In these cases, formal law is used to provide legal certainty. This phenomenon aligns with Merry's analysis of forum shopping in legal pluralism, in which individuals choose the legal forum customary, religious, or state that benefits them most.⁷³ From a rational choice perspective, one can see that individuals choose individualistic and commercial strategies because they provide immediate economic utility, despite the potential to weaken family

Gender," *EL-Mashlahah* 8, no. 2 (2018), p. 122–34; Agus Suharsono, Nanik Prasetyoningsih, and Sunyoto Usman, "Women's Inheritance Rights in Indonesia from the Perspective of the Triangular Concept of Legal Pluralism," *EL-Mashlahah* 14, no. 2 (2024), p. 259–80.

⁷⁰ J. C. Scott, *The Moral Economy of the Peasant* (Yale University Press, 1976).

⁷¹ Griffiths, "What Is Legal Pluralism?"

⁷² Sally Engle Merry, "Legal Pluralism," *Law & Society Review* 22, no. 5 (July 5, 1988), p. 869–96.

⁷³ Sally Engle Merry, "Legal Pluralism."

cohesion.⁷⁴ Social relations in this community are weaker than in Pasaman and Dharmasraya, indicating a decline in bonding social capital and an increase in privatistic preferences.⁷⁵

In this context, legal pluralism operates competitively, with customary, religious, and state law being used selectively and strategically to advance individual interests. The three research locations illustrate three patterns of the relationship between customary law, religion, and the state in heritage management. Pasaman exhibits a collective-conservative patterns dominated by Minangkabau custom. In this patterns, religion plays a secondary role, and the state is minimal. Dharmasraya exhibits a customary-conservative patterns where the Melayu Banai emphasizes the social function and safety net of the family through custom, with religion playing a symbolic role and the state playing a minimal role. Meanwhile, Mandailing Natal and Panyabungan exhibit an individualistic-commercial patterns, balancing the roles of custom and religion, and involving the state only in the event of conflict. These differences reflect local variations as well as what Carsten calls “ethnic logics”: inherited ways of thinking of particular ethnic groups that shape their views on property and social relations.⁷⁶ In this context, Minangkabau custom emphasizes collectivity; Banai custom emphasizes social security; and Mandailing custom allows for individualism. These three systems then interact with religious and state law in different ways. This demonstrates that legal pluralism is a social pattern chosen by multiethnic societies according to their circumstances.⁷⁷

Conclusion

This study concludes that inheritance management in multi-ethnic communities is not merely a rational economic activity. Rather, it constitutes a dialectical arena in which customary law, religion, and state law intersect. Within this arena, three main patterns emerge: collective-conservative, customary-conservative, and individualistic-commercial. These patterns are shaped not only by economic rationality but also by kinship structures, customary norms, and the dynamics of legal pluralism. Together, these factors influence strategies for

⁷⁴ Mohammad Takdir et al., “The Takharrij Method as an Islamic Legal Solution for Customary Inheritance Practices among Muslim Communities in Pakamban Laok, Sumenep, Indonesia,” *Journal of Islamic Law* 4, no. 1 (2023), p. 104–22; Fahmi Fatwa Rosyadi Satria Hamdani et al., “Traditional Law vs. Islamic Law; An Analysis of Muslim Community Awareness in Inheritance Issues,” *Al-Ahkam* 32, no. 1 (2022), p. 109–30.

⁷⁵ Putnam, *Making Democracy Work: Civic Traditions in Modern Italy*.

⁷⁶ Janet Carsten, *After Kinship* (Cambridge University Press, 2004).

⁷⁷ Franz Von Benda-Beckmann, “Legal Pluralism and Social Justice in Economic and Political Development,” *IDS Bulletin* 32, no. 1 (2001), p. 46–56; Brian Z. Tamanaha, “Understanding Legal Pluralism: Past to Present, Local to Global,” *Legal Theory and the Social Sciences: Volume II*, 2017, 447–83..

managing family assets. Research findings suggest that collective and customary practices can strengthen family bonds and promote social stability. However, these practices do not always result in an equal distribution of benefits. In some cases, decision-making is shaped by social positions within the family, limiting individuals' autonomy in managing inheritance. From a gender perspective, women's prominent role in inheritance management does not necessarily translate into equitable relationships, as customary structures continue to constrain family members' economic choices. Moreover, while legal pluralism provides flexibility, it can also generate legal uncertainty and create opportunities for inequality, favoring those with greater social or economic power. Thus, heritage management strategies in multicultural societies have a dual impact. On one hand, they strengthen family stability and preserve cultural values; on the other, they can perpetuate social inequality. Accordingly, heritage management should be understood as both a cultural practice and a social process that influences family justice and well-being.

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