

TRANSFORMATION OF LOCAL NORMS IN INHERITANCE DIVISION IN PANTURA: A SOCIOLOGY OF LAW APPROACH

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ABSTRACT

This study investigates the transformation of local inheritance norms in Pantura, Central Java, Indonesia, through the lens of legal sociology. The problem addressed in this research is the persistence of legal uncertainty arising from the coexistence of customary law, state law, and Islamic law in regulating inheritance distribution. While inheritance in Muslim communities is normatively governed by Islamic principles, local practices often diverge, reflecting negotiation between tradition, religion, and modern legal frameworks. Employing a qualitative research design, this study draws upon in-depth interviews with 23 informants (male and female beneficiaries) from various villages across Pantura. The findings reveal that Islamic law remains the dominant reference in inheritance practices, with 60.8% of respondents prioritizing religious norms, followed by 34.7% referencing customary law and 4.3% adhering to state law. This pattern underscores the enduring legal pluralism in rural Java, where community values of fairness, kinship, and social harmony guide the practical application of inheritance rules. The study contributes to socio-legal scholarship by demonstrating how local communities actively reinterpret Islamic and customary norms to align with contemporary notions of justice and familial solidarity, thereby shaping a hybrid legal order. These insights not only illuminate the adaptive character of local legal culture but also enrich broader discussions on the dynamics of pluralism and legal transformation in postcolonial societies.

Introduction

The Pantura region (North Coast of Java) is renowned for its distinctive socio-cultural dynamics, including a strong coastal culture, acculturation of Javanese, Chinese, and Islamic traditions, regional dialects, and vibrant folk arts. These elements are shaped by a blend of local customs, religious teachings, and modernisation (Hadi, 2021). This cultural uniqueness influences the application of family law, particularly in the distribution of inheritance—property allocated after the death of the heir. In the context of inheritance division, local norms often play a pivotal role, with customs and community values serving as foundational principles (Astutik, 2019). However, these norms are not static. Interactions with formal legal systems—such as Islamic law and national civil law—alongside pressures of globalisation, have led to notable shifts in inheritance practices (Sinta et al., 2023).

In many Pantura communities, the distribution of inheritance for women is frequently unequal compared to that of men. Although Islamic law provides clear guidelines on inheritance rights (Nadwi, 2019), its implementation at the local level is often shaped by customary practices and the socio-economic interests of the extended family (Hidayah, 2024; Bahrami-Rad, 2021). This evolution of local norms reflects the community's efforts to reconcile tradition, religious doctrine, and the demands of modern life. This phenomenon exemplifies living legal pluralism, where multiple legal systems coexist and interact (Griffiths, 2015). The Pantura community—particularly in Rembang, Demak, and Jepara—is characterised by a maritime-agrarian lifestyle. Approximately 60% of the coastal population works as fishermen, while the remainder are primarily engaged in shrimp and milkfish farming. This way of life contributes to a strong cultural identity (Nainggolan et al., 2023). In Javanese customary inheritance practices, daughters typically receive a smaller share than sons.

In contrast, Islamic law prescribes a 2:1 ratio in favour of male heirs. However, under the influence of modernity and growing awareness of gender equality, inheritance distribution is increasingly conducted in a more balanced manner. Despite these shifts, inheritance disputes remain common, as illustrated in the following figure:

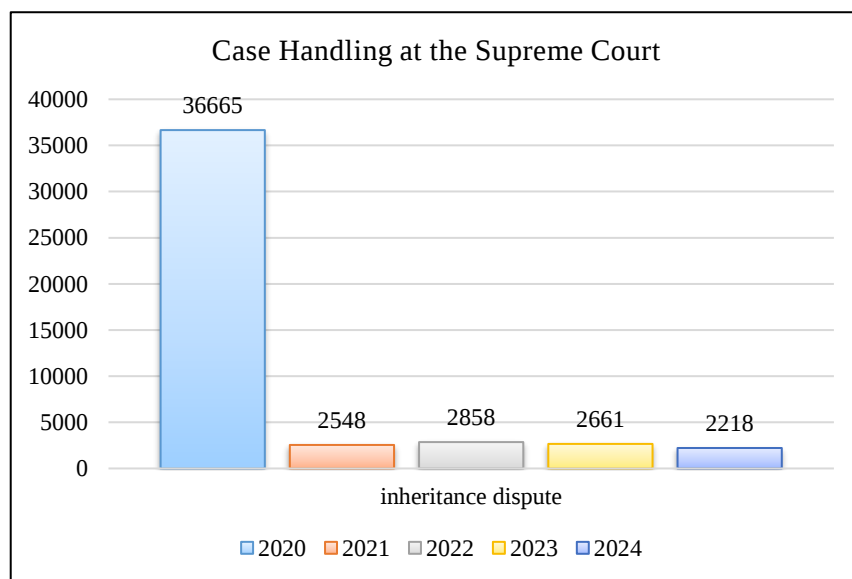


Figure 1. Inheritance Settlement in Indonesia's Supreme Courts

Based on data on the number of Islamic inheritance cases handled between 2020 and 2024, significant fluctuations were observed. In 2020, there were 36,665 cases (Mahkamahagung, 2020). The spike in cases that year was influenced by the 2019 pandemic, which led to an increase in mortality and, consequently, a rise in inheritance disputes. Additionally, heightened awareness of the need to secure inheritance rights through formal legal channels may have contributed to the surge. In 2021, the number of cases dropped dramatically to 2,548 (Mahkamahagung, 2021). This decline may be attributed to mobility restrictions during the pandemic, which limited access to the courts. Moreover, communities may have opted for informal dispute resolution mechanisms, such as family deliberation (Hashim et al., 2024). In 2022, the

number of cases rose slightly to 2,858 (Mahkamahagung, 2022), indicating a gradual recovery in public activity, including improved access to judicial institutions. However, the figure remained well below the 2020 peak, suggesting a shift in patterns of inheritance dispute resolution. In 2023, there were 2,661 cases (Mahkamahagung, 2023), reflecting a modest decline. This trend suggests that communities increasingly rely on alternative mechanisms, such as family deliberation or amicable settlement, rather than formal court proceedings. By 2024, the number of cases further decreased to 2,218 (Mahkamahagung, 2024). This continued decline may signal a transformation in the normative landscape of inheritance conflict resolution, with informal and locally grounded approaches becoming more dominant than formal legal channels.

The decreasing trend in Islamic inheritance cases brought before Indonesia's Religious Courts over the past three years suggests a shift in how communities resolve inheritance disputes, particularly in the Pantura region of Central Java. A sociology of law approach offers a relevant analytical framework for understanding this phenomenon. The theory of legal pluralism (Nasution, 2018), for instance, highlights how formal law and local norms may complement—or at times conflict with—one another (Daud, 1984). Additionally, Gramsci's conflict and hegemony theories provide useful lenses for analysing tensions between groups that adhere to traditional norms and those advocating for normative change, especially in the pursuit of gender equality (Azizy, 2002; Baga, 2022).

This study is significant because inheritance division affects not only legal outcomes but also social relations, family dynamics, and the status of women within society. By examining the transformation of local norms in inheritance practices in the Pantura region, this research seeks to identify the dynamics of interaction among customary law, state law, and Islamic law in shaping inheritance distribution within local communities.

Literature Review

An exploration of previous research on inheritance division in the coastal areas of Central Java reveals a range of findings that enhance understanding of the social, cultural, and legal dynamics influencing this practice. Several relevant studies have been conducted. For instance, Purnama Yahya Harahap (2024) outlines that the timing of inheritance distribution in the Purba Baru community is flexible, shaped by economic, social, and religious factors. These findings indicate that the people of Purb baru are capable of adapting their inheritance traditions to evolving conditions. Eric (2019) examines the Minangkabau community, which employs two distinct inheritance systems: high heirlooms, passed down through the maternal line and considered indivisible, and low heirlooms, distributed according to Islamic and customary inheritance law, which is also evident in the inheritance practices of both Javanese and Minangkabau ethnic groups. However, Elfia et al., (2023) observe that customary inheritance law tends to be more dominant than its Islamic counterpart. Further Research by Bernadeta Resti Nurhayati (2024) highlights a shift in gender roles within Javanese society, noting that women now enjoy equal rights with men, including in matters of inheritance. This reflects a societal openness to change and a willingness to adapt traditional customs to contemporary norms. Zulkarnain and Raharjo (2019) describe how customary inheritance is transmitted through *tinular speech*—oral traditions passed down within families across generations. In the context of Sasak customary law, Makhrup (2024) finds that religious belief, social relations, perceptions of justice, and structural legal subsystems shape inheritance disputes involving daughters. These factors collectively drive the transition from traditional modern legal interpretations, aligned with the interests of the disputing parties. Lastly, Muhammad et al., (2025) investigate the implementation of the Javanese customary inheritance system *Sapikul Sagendhongan* in Jatinom, Klaten. Their study reveals a 2:1 asset distribution ratio favouring male heirs, justified by their greater familial responsibilities. Nonetheless, the system remains responsive to Islamic legal principles, illustrating a harmonious integration of custom and religion in inheritance practices.

Previous studies have identified various trends and patterns in inheritance-sharing practices across Indonesia. However, significant knowledge remains, particularly concerning specific local dynamics. This study offers a novel contribution to the field by uncovering distinctive local factors that shape the transformation of inheritance norms in Pantura, Central Java, in contrast to earlier research. It focuses on regions with deep-rooted Islamic cultural and historical influences. The findings generated from this

research hold important implications for the formulation of legal and social policies that are more attuned to the needs and realities of local communities.

Methodology

This research employs a descriptive and qualitative methodology to examine, in depth, the evolving local norms surrounding inheritance distribution. It is also empirical in nature, involving 23 informants. The study adopts a legal sociology framework, drawing on theories of legal pluralism, social change, and conflict to understand the interaction between customary norms, Islamic law, and conflict to understand the interaction between customary norms, Islamic law, and positive law in inheritance practices (Suwarti et al., 2022). Fieldwork was conducted in several villages across the Pantura region, each known for its strong local wisdom in inheritance practices. These include Kudus and Jepara, communities with a robust tradition of family-owned businesses, where inheritance distribution is often adjusted according to the economic contributions of heirs. Tegal, a region where Islamic law predominates, yet a tradition known as *Pepunden*— which respects the rights of daughters by granting them a share, albeit not equal to that of sons—remains influential. Demak; historically the center of the Demak Sultanate and pivotal site for the spread of Islam in Java, this area reflects a synthesis of Islamic inheritance law (*faraidh*) and Javanese customary law—Rembang, a coastal community characterised by matrilineal tradition, which shapes its inheritance norms.

Table 1. Personal Data Information from the Source

No.	List of Informants	Age	Position in Research	Gender
1.	Informant 1	41-50	Beneficiaries	Famale
2.	Informant 2	20-30	Beneficiaries	Famale
3.	Informant 3	20-30	Beneficiaries	Famale
4.	Informant 4	31-40	Beneficiaries	Famale
5.	Informant 5	20-30	Beneficiaries	Famale
6.	Informant 6	20-30	Beneficiaries	Famale
7.	Informant 7	20-30	Beneficiaries	Famale
8.	Informant 8	20-30	Beneficiaries	Male
9.	Informant 9	51-60	Village Officials	Male
10.	Informant 10	41-50	Traditional Leaders	Male
11.	Informant 11	20-30	Beneficiaries	Famale
12.	Informant 12	20-30	Beneficiaries	Famale
13.	Informant 13	20-30	Beneficiaries	Famale
14.	Informant 14	20-30	Clerics	Male
15.	Informant 15	51-60	Beneficiaries	Male
16.	Informant 16	20-30	Beneficiaries	Famale
17.	Informant 17	41-50	Beneficiaries	Famale
18.	Informant 18	20-30	Beneficiaries	Famale
19.	Informant 19	41-50	Beneficiaries	Male
20.	Informant 20	41-50	Beneficiaries	Famale
21.	Informant 21	51-60	Beneficiaries	Famale
22.	Informant 22	51-60	Beneficiaries	Male
23.	Informant 23	51-60	Beneficiaries	Male

The research subjects included community leaders (traditional leaders, clerics, and village officials) and beneficiaries (both women and men) directly involved in inheritance processes. Data collection was conducted through in-depth interviews to explore participants' experiences, perspectives, and practices related to inheritance distribution, as well as their perceptions of normative change. Supplementary analysis was conducted using relevant literature, including prior Research, Islamic jurisprudence, and statutory regulations governing inheritance. Thematic analysis was employed to process data, involving reduction through the identification of key insights from interviews, classification of thematic patterns, and interpretation of how local norms have transformed over time. The findings were then contextualised using legal pluralism and Gramsci's theory of legal hegemony to elucidate the interplay between customary norms, religious doctrine, and formal legal structures.

The informant data in this study highlights the diversity of respondent profiles, reflecting the socio-cultural dynamics of the Pantura community. Most informants are beneficiaries, with a dominant age group of 20-30 years (11 individuals) and a majority of women (15 individuals). This suggests an increasingly active role for women in inheritance matters, despite their traditional marginalisation. The inclusion of informants across a broad age range (20-60 years) enables a cross-generational analysis of normative shifts. In addition, informants from key stakeholder groups—such as village officials (Informant 14), traditional leaders (Informant 10), and clerics (Informant 14)—offer authoritative insights into the interplay between customary law, religious doctrine, and state regulation. The participation of male informants from religious and customary circles (e.g., Informant 15 and Informant 14) further underscores the role of traditional elites in legitimising and shaping inheritance norms.

Results and Discussion

Results

This study investigates the transformation of local norms governing inheritance distribution in the Pantura region of Java through a sociology of law approach. To capture the dynamics of these changes, informant data are classified based on age, role in the study, and gender, enabling the identification of interaction patterns among customary law, religious doctrine, and modern legal influences. The majority of informants are beneficiaries, predominantly from the younger generation (aged 20-30) and women, highlighting a perceptible shift in attitudes toward gender equality in inheritance practices. In contrast, the inclusion of informants from policymaking circles—such as village officials, traditional leaders, and religious scholars—offers authoritative insights into the negotiation and reinterpretation of normative frameworks. The following table presents a visual summary of the informant composition to support further analysis.

Table 2. Visual Summary of Informant Composition to Support Further Analysis

No.	Method of Decision	List of Informants	Explanation
1.	Customary	Informant 4, Informant 7, Informant 9, Informant 14, Informant 16, Informant 21, Informant 23, Informant 20	The customary distribution of inheritance in rural communities tends to generate minimal disputes, preserves the identity of noble values, and reflects limited exposure to alternative legal frameworks due to geographic isolation. There is a prevailing assumption that Javanese customary inheritance practices are inherently fair and equitable. However, these practices have undergone notable shifts following the widespread dissemination of Islamic teachings by clerics and religious leaders in the Pantura region.
2.	Islamic Law	Informant 1, Informant 2, Informant 5, Informant 22, Informant 8, Informant 10, Informant 11, Informant 12, Informant 13, Informant 17, Informant 18, Informant 19, Informant 15, Informant 6	The distribution of inheritance under Islamic law is rooted in the religious beliefs of the population, the majority of whom are Muslim. Due to strong adherence to religious principles, Islamic inheritance practices are often perceived as more equitable.
3.	State Law	Informant 3	Inheritance distribution under state law is often preferred due to its practicality and the legal security it provides within the framework of national governance.

Based on informant data, three methods of inheritance distribution interact within the Pantura region: customary law, Islamic law, and state law. This coexistence reflects the dynamics of legal pluralism in society. The majority of informants (e.g., Informant 4, Informant 7, Informant 9, and Informant 23) continue to adhere to customary practices, particularly in rural areas, citing the preservation of cultural values and the perception that such methods are fairer due to their tendency toward equal distribution. However, these customary practices began to shift with the growing influence of Islamic teachings introduced by clerics and religious leaders, indicating a process of acculturation between local traditions and religious norms. Conversely, many informants (e.g., Informant 1, Informant 2, Informant 5, and

Informant 10) prefer Islamic law as the foundation for inheritance distribution, motivated by strong religious convictions and the belief that the Islamic system is more just—even though it prescribes unequal shares (e.g., sons receiving a larger portion). This trend illustrates how religious norms can reshape traditional practices, particularly among devout Muslim communities. Meanwhile, only one informant (Informant 3) opted for state law, citing practicality and the legal security it offers. Although this represents a minority view, it signals the growing influence of modernity and bureaucratic governance in resolving inheritance disputes.

The Practice of Inheritance Distribution in Pantura, Central Java, Indonesia

This study reveals dynamic shifts in local inheritance norms within the Pantura region, shaped by the interplay of tradition, religious law, and social modernisation. The findings indicate the continued dominance of customary law in inheritance arrangements, particularly within rural communities. However, the relatively high adoption of Islamic law and state law suggests an ongoing transformation in inheritance practices, reflecting broader socio-religious and legal transitions.

Based on the data obtained, the Pantura community's preferences regarding inheritance distribution methods are clearly discernible. Of the total informants studied, the majority—14 individuals (60.8%)—chose Islamic law as the basis for inheritance distribution. Meanwhile, eight informants (34.7%) adhered to customary law. Notably, only one informant (4.3%) opted for state law, citing it as the foundation for inheritance distribution.

Interview findings reveal that customary law remains highly dominant in inheritance distribution practices at the village level. Eight (8) informants reported that inheritance is divided equally between men and women, in accordance with the prevailing customs of each village. This reflects the strong influence of collective values and social equilibrium within village communities, where the avoidance of familial discord is a central concern. Informants also highlighted unique aspects of local inheritance practices (Informant14, 2024). Unlike state or religious laws, which may be perceived as more complex, local communities continue to adhere to customary norms that have been passed down through generations (Informant13, 2024). The most commonly cited principle is equal division between male and female heirs (Informant4, 2024). A particularly notable concept is the local saying *sepikul-segendong*. In Javanese customary law, this term refers to an inheritance division that is not strictly mathematical but instead based on the needs and responsibilities of each heir. *Sepikul* (one *pikulan*) represents the son's share—typically larger due to his perceived role in supporting the family—while *segendong* (one *gendongan*) denotes the daughter's share, which is smaller, as she is traditionally viewed as receiving support from her husband. This system reflects traditional gender roles and stands in contrast to both Islamic inheritance law (which prescribes a 2:1 ratio) and equal distribution models. The community believes that this approach fosters family harmony and helps prevent disputes (Syahriana & Mahmudi, 2022).

Customary law, as an unwritten legal system rooted in the traditions, customs, and local values of society, regulates various aspects of life—including inheritance—by adhering to principles of kinship, mutual agreement, and local wisdom. It is deeply embedded in the daily lives of local communities, particularly in matters of inheritance distribution. Due to a limited understanding of state or religious law, many individuals prefer to follow long-standing customs and rules (Informant 8, 2024). Inheritance division under customary law tends to be straightforward, typically involving equal distribution among heirs. This approach is grounded in the belief that justice is best achieved when all parties receive an equal share (Informant 1, 2024). Moreover, equal distribution is widely regarded as an effective means of preserving family harmony (Informant 19, 2024). In Karanggeneng village, inheritance practices consistently prioritise equal sharing between male and female heirs (Informant 2, 2024), based on the assumption that all heirs possess equal rights to the estate (Informant 1, 2024). However, in practice, the division is often shaped by additional factors such as family consensus, birth order (Informant 5, 2024), and the nature of the inherited property (Informant 2, 2024) (Informant 2, 2024).

Background of Inheritance Distribution in the Coastal Areas of Central Java

Religion and educational background significantly influence the choice of legal basis for inheritance distribution. Respondents in Singocandi, Kudus, Central Java, who possess a religious educational background—such as *santri* or individuals from devout families—tend to refer to Islamic law in inheritance matters (Informant 8, 2024). In contrast, respondents residing in religiously diverse areas, such as Jepara, reported a hybrid approach that blends religious and customary law in inheritance practices (Informant 9, 2024). The *Pondok pesantren* plays a pivotal role in imparting religious legal knowledge, particularly Islamic law, to *santri* (Informant 14, 2024). This influence is evident in the number of respondents with *santri* backgrounds who choose Islamic law as the foundation for inheritance distribution. Beyond religious instruction, *pondok pesantren* also instill social values relevant to community life, including norms surrounding the division of inheritance.

The choice to distribute inheritance according to state law is often motivated by religious diversity, as observed in Jepara villages, which exhibit rich cultural pluralism—including in inheritance practices (Informant 15, 2024). However, each religion has distinct inheritance rules (Permana & Manan, 2019; Choerunnisa, 2024; Mutakabbir et al., 2023), disparities in distribution—particularly when women receive less than men (Zaidan, 2020)—frequently become sources of familial conflict. Such imbalances may provoke jealousy and disputes among heirs. Consequently, it is not uncommon for inheritance issues to be resolved through the mediation of community leaders, such as neighbourhood heads or village officials (Informant 15, personal communication, 2024). These conflicts can strain or even sever familial relationships (Informant 16, personal communication, 2024). In fact, inheritance-related disputes can often be prevented by ensuring that all heirs have a clear and adequate understanding of the applicable distribution rules.

Discussion

Gramscian Hegemony in Inheritance Distribution in the Pantura Region of Central Java

Gramscian hegemony is a theoretical framework that explains how the dominant class maintains power not only through coercive means—such as the state or the military apparatus (Becker et al., 2024)—but more fundamentally through cultural and ideological consensus (Crehan, 2022). In the context of inheritance, Gramscian hegemony illustrates how power is sustained not merely through force, but through the construction of a collective consciousness that is internalised and accepted as truth (Maso, 2021). While social theories often appear abstract and removed from everyday life, empirical research conducted in the Pantura region of Central Java reveals their relevance to concrete social practices, particularly in inheritance distribution. Gramsci's insights demonstrate that perceived injustices in inheritance are not simply the product of “tradition” but rather manifestations of culturally embedded domination. His concept of hegemony serves as a critical tool for understanding how power operates not only through coercion (Martins, 2017) but also through mechanisms of consensus and legitimacy (Koch, 2022). Customary law, in this context, can be viewed as a potent expression of hegemonic power. However, religion, the state, and custom each function as potential sites of hegemony, while simultaneously serving as arenas where subaltern groups—such as women and marginalised communities—struggle to negotiate, contest, and resist dominant norms. The issue is not which institution is more hegemonic, but rather how these power relations are reproduced, reinforced, and challenged in everyday practice. As Moore (1973) notes, socially significant legislative enactments often represent attempts to recalibrate the relative bargaining positions of individuals within these complex social structures.

Antonio Gramsci's theory of hegemony emphasises the role of cultural and ideological domination in sustaining the power of dominant groups (Gramsci, 1971). In the context of inheritance distribution in the Pantura region of Central Java, Gramsci's framework reveals how local norms—particularly customary law—function as a hegemonic force that shapes and governs social practices. These norms, once internalised by society, become powerful instruments of domination (Crehan, 2002). Customary law not only regulates the mechanism of inheritance distribution but also shapes the collective consciousness of what is perceived as fair, right, and appropriate (Lems, 2022). In this context, fair refers to the allocation of rights based on proportion or mutual agreement. For example, inheritance may be divided according to

the needs and contributions of each heir, rather than strictly following tradition. Right denotes conformity with recognised laws, norms, or moral principles.

An example would be an inheritance distribution that adheres to religious law or positive law, such as the Compilation of Islamic Law for Muslims in Indonesia. Appropriateness reflects consideration of propriety, social justice, and local wisdom. For instance, although legally a son may be entitled to a larger share, if a daughter's economic circumstances warrant greater support, the distribution may be adjusted to reflect what is socially and morally appropriate.

The strong influence of customary law is evident in the community's consistent adherence to it as the primary basis for inheritance distribution, with 52.2% of informants affirming its use. This reflects the hegemony of local values and norms that have been deeply internalised within the community. Customary law is regarded not merely as a regulatory framework, but as an integral part of communal identity—serving to uphold social balance and prevent familial discord (Becker et al., 2024). In this context, customary law functions not only as a normative guide but also as a mechanism for sustaining social stability and harmony (Crehan, 2002). It has become the dominant and widely accepted norm in society (Crehan, 2011), reinforced through a long process of socialisation that shapes collective consciousness regarding what is considered fair and just in inheritance practices. The prioritisation of collective values and equilibrium within village communities further strengthens the hegemony of customary law.

Although customary law remains dominant, a significant proportion of informant favoured Islamic law (30.4%) and state law (17.4%). This indicates a shift and interaction between local norms and the formal legal framework. Within Gramsci's theory of hegemony (Crehan, 2022), it becomes evident that while customary law continues to hold sway, Islamic and state law increasingly interact and compete in shaping inheritance practices. This reflects the dynamic nature of hegemony, wherein emerging norms begin to influence public perceptions and challenge established traditions (Pasioka, 2022). The notable proportion of respondents who selected Islamic and state law suggests a gradual transformation in hegemonic structures. Modernisation and religious influence have introduced new conceptions of justice and inheritance rights. Nevertheless, the hegemonic force of customary law remains resilient, particularly within village communities, where it continues to serve as the primary normative guide.

Legal Pluralism in the Context of Inheritance in the Pantura Region of Central Java

In the context of a complex society, legal pluralism emerges as a phenomenon wherein multiple legal systems—both formal and informal—coexist and interact. It refers to the simultaneous operation of diverse legal frameworks within a single social setting (Moalla & Darmstadt, 2024). This condition is unlikely to be fully resolved, as differing views on the boundaries of acceptable law persist. Therefore, the most viable approach is to cultivate the capacity to navigate legal diversity with discernment and adaptability (Menski, 2014). In the case of inheritance distribution in the Pantura region, legal pluralism is distinctly observable. The coexistence of customary law, religious law (Islamic law), and state law (such as the Marriage Law) within a single community produces overlapping and sometimes conflicting normative systems (Nasution, 2018). Despite these overlaps, Pantura communities continue to strongly uphold customary law, particularly in matters concerning land and heirloom property. This form of law is typically informal, hereditary, and uniquely tailored to each community (Wirawan et al., 2023). Meanwhile, the influence of Islamic law and the state is growing, especially in inheritance matters involving Muslim families. Tensions and debates frequently arise when the values embedded in these three legal systems come into conflict, revealing the complex negotiations required to reconcile competing normative orders (Tahir, 2022).

The research indicates that communities are not confined to a single legal system. Through the coexistence of customary law, Islamic law, and state law, communities demonstrate the capacity to select and adapt legal practices in accordance with their social and cultural contexts (Griffiths, 1986). This legal pluralism is evident in inheritance distribution practices, which often prioritise equality between men and women while still accounting for their respective roles and responsibilities. Customary law, Islamic law, and state law coexist and mutually influence one another (Anggraeni, 2023). In daily practice, communities frequently integrate elements from all three systems. Individuals exercise the freedom to choose which legal framework to apply when resolving inheritance matters (Hasbullah et al., 2021). This preference is shaped, in part, by religious background (Tamanaha, 2021).

Educational background and religious affiliation significantly influence the choice of legal basis in inheritance distribution (Djanuardi et al., 2021). Respondents with a religious education background tend to favour Islamic law, whereas those residing in religiously diverse areas often adopt a hybrid approach, combining elements of religious and customary law. This illustrates that legal pluralism encompasses not only the coexistence of multiple legal systems but also the ways in which individuals negotiate and adapt to prevailing norms (Gebeye, 2017). In regions such as Pantura, where religious diversity is prominent, communities frequently integrate religious and customary principles in inheritance practices. This suggests that the selection of legal frameworks is shaped not solely by formal legal provisions, but also by the social and cultural contexts embedded within individuals and communities (Tusseau, 2021). These findings reinforce the understanding that legal pluralism extends beyond the mere presence of distinct legal systems; it involves the dynamic processes through which people interact with, negotiate, and adapt to various normative orders in everyday life (Sani, 2020). In the context of inheritance distribution, individuals often reconcile the values embedded in religious law, customary law, and state law to arrive at agreements that reflect their socio-cultural realities (Berman, 2020). This negotiation process underscores the intricate dynamics of legal application within pluralistic societies.

Legal pluralism in the context of inheritance in Pantura, while offering flexibility to accommodate diverse values and interests, carries significant potential for conflict. Inequality in inheritance distribution is frequently the primary trigger for disputes (Dasor & Hermaditoyo, 2020), often leading to jealousy and tension among heirs. In such cases, community leaders play a crucial role as mediators, working to facilitate fair agreements. Their deep understanding of social dynamics and local values enables them to bridge differences and propose solutions acceptable to all parties. The mediation process is typically lengthy and meticulous, requiring heirs to engage in compromise and seek common ground. However, the success of mediation is highly contingent upon existing power relations within the community. Leaders with strong social influence tend to resolve disputes more efficiently (Ilyas et al., 2023), whereas in contexts where power is fragmented, the process may be prolonged and more challenging.

Customary Law (local) is characterised by its foundation in local wisdom and hereditary traditions such as the patrilineal system observed in Pantura Java (Judiasih & Fakhriah, 2018). This form of inheritance regulation is often unwritten, which tends to favour male heirs, with divisions typically based on family consensus and the social role of individual heirs. State law, as codified in the *Kitab Undang-Undang Hukum Perdata* (KUH Perdata or BW), adheres to the principle of equal distribution. According to Article 852 BW, all children are entitled to an equal share, with no gender-based discrimination (Anugrah et al., 2022). The Compilation of Islamic Law (KHI) governs inheritance distribution based on Quranic principles—for example, male heirs receive twice the share of female heirs, as stipulated in Article 176. It also includes specific provisions for surrogate heirs, as outlined in Article 185. Islamic law (*Fiqh Mawaris*) is derived from the Quran, Hadith, and scholarly *ijtihad*. Unlike the KHI, *Fiqh Mawaris* allows for more interpretive flexibility—for instance, the inclusion of a mandatory will (*wasiyyah wajibah*) for non-Muslim relatives or non-heirs—and is not constrained by the bureaucratic structure of the state (Anggraeni, 2023). The following table illustrates the three primary legal frameworks governing inheritance distribution:

Table 3. The Three Rules for the Division of Inheritance

Aspect	Customary Law	State of Law	Islamic Law
Legal Resources	Local traditions	Legislation	Qur'an/Hadith
Division	Not equivalent	Equivalent KUH Perdata or 2:1 Compilation of Islamic Law	Two Male: One Female
Certainty	Unwritten	Written and structured	Written but Interpretive
Implementation	Customary Figures	Court	Clerics/Religious Courts

Based on a study involving 23 informants, 13 expressed a preference for using Islamic law in inheritance distribution over customary or state law. This indicates that Islamic law holds a stronger appeal in resolving inheritance matters, primarily because it is perceived as fairer, more transparent, and grounded in *sharia*, which is regarded as divinely ordained. Moreover, Islamic law offers detailed and fixed provisions—such as those found in Surah An-Nisa' (verses 11–12)—which help minimise potential conflicts among heirs. In contrast, customary law is often viewed as inconsistent due to its reliance on local traditions, which may vary across communities. State law, as codified in the *Kitab Undang-Undang*

Hukum Perdata (KUH Perdata), is frequently perceived as overly secular and less aligned with the religious values upheld by the Muslim community.

The tendency of individuals to choose Islamic law is strongly influenced by religiosity, as many Muslims believe that divine law (*sharia*) is more perfect than laws created by humans. This study reinforces the finding that, although state law formally recognises legal pluralism in matters of inheritance, the majority of Indonesian Muslims continue to refer to Islamic law because it aligns with their religious convictions. This phenomenon illustrates that Islamic law is not merely viewed as a formal legal framework, but as an integral part of religious identity that shapes both social and familial life. In the context of inheritance distribution, the choice of legal framework—be it Islamic, customary, or state law—generally depends on family consensus and the socio-cultural conditions of the local community. In devout Muslim families, Islamic law is often preferred, as it is regarded as a religious obligation. However, in regions with strong customary traditions, the head of the family or traditional elders may serve as arbiters. In cases where disputes arise and no agreement can be reached, formal legal institutions such as the Religious Court (for Islamic law) or the District Court (for civil law) may act as mediators or final adjudicators. Within the Indonesian legal system, the Religious Court holds exclusive jurisdiction over inheritance matters involving Muslims. At the same time, non-Muslims may resolve such issues through civil or customary law via the District Court.

When differences in legal preferences arise within a family—for instance, when some members wish to apply Islamic law while others favour customary or state law—conflict may ensue. In the absence of consensus, resolution can be pursued through family deliberation or by involving religious and customary leaders as mediators. However, if conciliatory efforts fail, the disputing parties may resort to litigation. In such cases, the court will adjudicate based on the applicable legal framework, taking into account religious beliefs, local customs, and statutory provisions. For Muslim families, the Religious Court applies the *Compilation of Islamic Law* (KHI), whereas for non-Muslims, the District Court refers to the *Civil Code* (KUHPer). Disputes of this nature often generate familial tension, underscoring the importance of understanding both the legal and social implications of one's choice of inheritance distribution mechanism.

Overall, the resolution of inheritance conflicts within the framework of legal pluralism is a complex and multidimensional process (Anggraeni, 2023). It encompasses not only legal considerations, but also social, cultural, and political dimensions. The success of conflict resolution depends on several factors, including the mediator's expertise, the parties' willingness to negotiate, and the level of support from the surrounding social environment (Sugianto et al., 2020). Therefore, a more systematic and structured approach is required to develop an effective dispute resolution mechanism, to minimise the adverse impact of legal pluralism on societal stability (Rex, 1959).

Conclusion

The practice of inheritance distribution in Pantura, Central Java, reflects a dynamic interaction between local norms, Islamic law, and state law. Although customary law remains dominant and serves as the primary reference for most communities, there are signs of a gradual shift toward the application of Islamic and state law, driven by the pressures of modernisation and increasing social pluralism. The principle of equal division between men and women embodies strong collective values within village communities, where preserving family harmony is a central priority. Nonetheless, an academic debate persists regarding gender equality in Islamic inheritance. Traditionalists uphold the Qur'anic provision of a 2:1 ratio between male and female heirs, while reformists advocate for contextual reinterpretation grounded in principles of justice and social transformation. Despite these evolving perspectives, challenges remain in the form of distributional imbalances that can provoke conflict among heirs. Therefore, it is essential to enhance public understanding of inheritance rights and to provide adequate education on the relevant legal frameworks. By doing so, inheritance practices can become more equitable and harmonious, aligning with the broader societal aspiration for social justice.

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