



The clash between state law and customary law in the settlement of inheritance disputes

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ABSTRACT

Background: Inheritance disputes in indigenous communities frequently arise from tensions between state law and living customary law. In Toraja society, inheritance distribution is traditionally governed by patrilineal norms, whereas state law emphasizes equal inheritance rights for sons and daughters, creating practical and normative friction in dispute resolution. Prior socio-legal discussions on legal pluralism indicate that customary authority often remains dominant in community life, yet state legal standards increasingly frame rights-based protection, including gender equality, as a core benchmark in adjudication. This study aims to examine how state legal norms and Toraja customary rules interact, compete, and shape outcomes in inheritance dispute resolution, and to identify a feasible pathway for harmonization that can support fairness and social justice.

Methods: This research employs a juridical-normative method using a statute approach and a conceptual approach. Legal materials were collected through library research, including relevant legislation, judicial reasoning patterns in inheritance disputes, and doctrinal writings on customary law, gender equality, and legal pluralism, and then analyzed qualitatively through systematic interpretation and legal argumentation.

Findings: The analysis shows that Toraja customary law remains highly authoritative and socially binding, influencing dispute settlement preferences and community compliance, but it tends to produce unequal outcomes where inheritance is allocated primarily through male lineage. Conversely, state law provides stronger normative support for gender-equal inheritance rights, offering broader protection for daughters when disputes reach formal legal institutions. The findings indicate that the tension is not merely procedural but conceptual: customary legitimacy is grounded in communal continuity, while state law prioritizes equality-based rights, requiring adjudication that can translate both values into a reasoned, socially acceptable decision.

Conclusion: Harmonization is necessary to ensure inheritance dispute resolution is both socially legitimate and substantively just, particularly in safeguarding gender equality without disregarding customary authority.

Novelty/Originality of this article: This article contributes an integrated normative model for resolving Toraja inheritance disputes by positioning judicial dialogue between state law and customary law as a structured mechanism for balancing communal legitimacy and equality-based rights within a plural legal setting.

KEYWORDS: customary law; dispute resolution; gender equality; inheritance disputes; state law.

1. Introduction

Resolving inheritance disputes involving indigenous communities in Indonesia often presents complex issues (Kaban, M., & Sitepu, 2017), particularly when there is a clash between generally applicable state law and customary rules that have been accepted and practiced for generations within a community. One concrete example of this conflict can be found in the Toraja indigenous community, which has a customary legal system that regulates inheritance rights based on male lineage (Muhdar, 2023). As a state based on the

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rule of law based on the principle of justice, Indonesian law adheres to the principle of equality, including in inheritance rights, which demands that the rights of sons and daughters be treated fairly (Wardi, U., Yaswirman, Y., Ismail, I., & Gafnel, 2024). This often conflicts with customary legal norms that prioritize the rights of sons as the primary recipients of inheritance. Therefore, it is important to conduct a more in-depth study of the intersection of state law and customary law in resolving inheritance disputes, particularly in the Toraja indigenous community.

Indonesia, as a pluralistic nation, boasts a rich cultural diversity (Hutabarat, F, 2023), including various customary legal systems that have developed across ethnic groups and regions (Hutabarat, F, 2024). Customary law is an integral part of a society's social and cultural system (Ahrén, M, 2004). However, in the face of changing times and the dynamics of globalization, state law has begun to apply throughout Indonesia, posing unique challenges to the implementation of customary law, particularly in cases involving individual rights, such as inheritance rights. Therefore, it is necessary to discuss how state law and customary law can interact or even conflict in dispute resolution, particularly regarding inheritance.

In Toraja society, customary law stipulates that inheritance rights are prioritized for sons (Suweca, I. K., Suwitra, I. M., & Puspadma, I. N. A, 2025), considering that the male line plays a crucial role in inheriting family property (Poespasari, E. D., & Usanti, T. P, 2023). This contrasts with the principle of state law, which affirms equal rights between men and women in inheritance matters. Under state law, the inheritance rights of sons and daughters are recognized equally, as stipulated in the Civil Code (KUHPerdata) and Law Number 1 of 1974 concerning Marriage. This discrepancy between the two legal systems creates the potential for conflict, especially in a society that remains deeply rooted in traditional customs and culture, such as Toraja.

This study aims to analyze how clashes between state law and customary law can arise in inheritance disputes among the Toraja people and how they can be resolved. This is crucial given the need to respect the local wisdom of indigenous communities while ensuring that the principles of justice and equal rights remain in place within Indonesia's judicial system. As a nation governed by the rule of law, Indonesia must balance cultural diversity with its legal system to avoid inequities in the resolution of disputes involving customary law and state law.

This case study focuses on inheritance disputes within the Toraja indigenous community, considering two main aspects: first, the customary inheritance distribution system that prioritizes the rights of sons; second, state law that regulates equal inheritance rights between men and women. Inheritance disputes within this community are not only internal family issues, but also reflect a struggle between two different legal systems: state law, which prioritizes the principle of equality, and customary law, which prioritizes patriarchal values.

The process of resolving inheritance disputes, which involve differing legal norms, also requires a deep understanding of the characteristics of customary law and the socio-cultural dynamics of Torajan society. Torajan customary law, which regulates inheritance distribution through extended family deliberation, differs significantly from the formal judicial mechanisms governed by state law. Under state law, inheritance dispute resolution is more objective, adhering to applicable laws and principles of justice. Meanwhile, customary law is more subjective and relies on extended family consensus, sometimes ignoring the principle of equality.

As a country with a dual legal system, Indonesia faces significant challenges in implementing fair and equitable laws across its territory. In the context of resolving inheritance disputes, district courts, as state institutions, play a role in ensuring that citizens' rights are respected and legally guaranteed. However, indigenous communities still hold fast to their customary legal values and norms, which often align with more universal state legal principles. Therefore, resolving inheritance disputes involving both customary and state law requires a careful and thoughtful approach.

The existence of district courts as the authorized institution to resolve legal disputes is crucial in this regard. District courts must be able to provide justice in accordance with state legal norms, while still acknowledging and respecting the existence of customary law within the community. In inheritance disputes among the Toraja people, district courts not only act as law enforcers but also as institutions capable of accommodating the diversity of values and norms prevailing within the community. This requires a deep understanding of local culture and customary law.

Dispute resolution involving customary law and state law cannot be carried out unilaterally (Siregar, T., Harap, A. S., & Lubis, I, 2022). These two legal systems must coexist, adhering to the principles of justice and balance. One way to resolve this conflict is through mediation between the disputing parties, where the district court can act as a facilitator in finding a fair and acceptable solution for all parties. This mediation also allows for finding common ground between the principle of equality upheld by state law and the values of togetherness upheld by customary law.

When dealing with inheritance disputes involving customary and state law, courts must ensure that each party receives their rights in accordance with applicable legal provisions. However, courts must also be sensitive to local cultural contexts, ensuring that the solutions found are not only legally just but also acceptable to the community. This demonstrates the importance of a more inclusive approach in handling disputes involving customary and state law.

This research also reminds us of the importance of harmonizing customary law and state law. As a pluralistic nation, Indonesia needs to develop a legal system that can accommodate the needs and aspirations of its indigenous communities without sacrificing generally accepted principles of justice. In the context of resolving inheritance disputes in the Toraja Tribe, harmonizing these two legal systems is crucial to creating justice that aligns with indigenous values while still respecting prevailing state law.

Ultimately, the conclusion of this study is that resolving inheritance disputes involving customary and state law requires a more contextual and adaptive approach. As a state institution, district courts must be able to provide space for the application of customary law while still prioritizing state legal principles that guarantee justice and equality. With a careful and prudent approach, it is hoped that such disputes can be resolved fairly and in accordance with the social and cultural context of the communities concerned.

Thus, this research is expected to contribute to understanding the dynamics between state law and customary law, as well as provide insights for developing a fairer and more equitable justice system in Indonesia. Resolving inheritance disputes involving both legal systems is also part of the effort to create a legal system that respects cultural diversity and the rights of every citizen, without neglecting existing social values.

Several previous studies have directly or indirectly addressed the conflict between state legal norms and customary rules in resolving inheritance disputes in indigenous communities, particularly the Toraja people. The first study, by Maharani-Latuny (2023), published in *Kultura: Jurnal Ilmu Hukum, Sosial, dan Humaniora* (Journal of Law, Social, and Humanities), examined the Torajan customary inheritance system, which prioritizes sons as the primary recipients of inheritance within their community. This research is relevant to the topic discussed in your article, as it provides an in-depth review of how Torajan customary inheritance is distributed. However, it does not specifically address how state law, specifically the district court, plays a role in resolving inheritance disputes that conflict with customary norms. This research provides an overview of customary law but does not directly relate it to the application of state law in inheritance cases.

Furthermore, research conducted by Wijaya-Besari (2023) in *CAUSA: Jurnal Hukum dan Kewarganegaraan* (Journal of Law and Citizenship) also examines the Torajan customary inheritance distribution system, focusing on a comparison between customary rules and Indonesian positive law. Although this research introduces the principle of equality in Indonesian positive law, as stipulated in the Civil Code and Law Number 1 of 1974 concerning Marriage, this research does not in-depth discuss the conflict between state law and customary law in resolving inheritance disputes involving district courts. This

research focuses more on a theoretical comparison between customary law and state law without involving concrete cases that occurred in district courts, which is the main focus of your article.

The third study, conducted by Sari & Santoso (2024) in *Notarius*, is entitled "Resolving Disputes over the Status of Pa'rinding Heirs in Inheritance Based on Toraja Customary Inheritance Law." This study is more closely related to the topic discussed in your article because it directly analyzes the conflict between customary law (pa'rinding) and state law in resolving inheritance disputes. Here, the researchers found that district courts often face difficulties in enforcing state law, which prioritizes gender equality, while customary law remains highly patriarchal in inheritance distribution. This study provides a more in-depth overview of the role of district courts in resolving disputes involving customary law, but it is still limited to one element of customary inheritance and does not connect it to the principle of speedy, simple, and low-cost justice, which is the focus of your article.

On the other hand, research by Tsabitha (2024), published in *Media Hukum Indonesia (MHI)*, focuses on the implementation of the E-Court system in the civil justice system in Indonesia. Although this research does not directly examine customary law, it is highly relevant in understanding how the formal justice system (state law) operates in resolving disputes electronically. This article identifies the obstacles and challenges faced in implementing e-Court, such as limited infrastructure and human resource readiness. While not directly addressing customary law, this research provides a useful overview of how state law can adapt to technology, which is a crucial element in resolving inheritance disputes efficiently and reducing costs.

The fifth research by Shodikin (2021) in *Media Sas* examines the implementation of e-Court in divorce disputes, highlighting its effectiveness and implementation barriers. This research is very useful in understanding how the district court system operates in the digital realm, although it does not address customary law conflicts. However, it does provide insights into district courts as important state institutions in facilitating legal disputes. Similar to the previous research, this article provides an understanding of the role of district courts and the challenges faced in implementing modern justice systems (such as e-Court), which is relevant in the context of state law, even though its primary focus is not on customary law or inheritance disputes.

Overall, while these five studies make significant contributions to the understanding of customary law and the country's judicial system, your article seeks to fill this gap by directly examining the conflict between state courts and customary law in the context of inheritance disputes, and examining how the principles of speedy, simple, and low-cost justice can be applied in cases involving both legal systems. In doing so, your article will provide further insight into how state law and customary law can synergize or conflict in the process of resolving inheritance disputes, as well as the role of state courts in addressing these conflicts in indigenous communities such as the Toraja.

2. Methods

2.1 Research design

This research employs a socio-legal (empirical) design supported by normative juridical analysis (Hillyard, 2007). Empirically, it examines how inheritance disputes in the Toraja community are resolved in practice—through customary mechanisms, local mediation, and state legal channels—and how the parties interpret the legitimacy and justice of these resolutions. Normatively, it analyzes relevant state legal norms (both material and formal) and compares them with prevailing customary legal norms and practices in the research setting.

The study integrates legislative, conceptual, and case study approaches, strengthened by a field-based perspective. The legislative approach maps relevant state legal rules and principles. The conceptual approach interprets state–customary relations using the frameworks of legal pluralism, norm conflict, legitimacy, and access to justice. The case

study approach analyzes selected inheritance disputes in depth, focusing on dispute chronology, chosen forums, legal arguments, outcomes, and post-resolution dynamics.

The research is conducted within the Toraja community (e.g., Tana Toraja and/or North Toraja), with selected villages based on their direct experience with inheritance disputes, the functioning of customary mechanisms, and access to state legal institutions. The study focuses on conflicts between state law and customary law in inheritance matters, including differences in heir determination, asset classification, authority of dispute resolution forums, and the implementation of agreements or decisions. It also examines the social, cultural, economic, and institutional factors influencing forum selection and compliance.

2.2 Data sources and data analysis



Note: Findings are contextual to the locations and cases studied.

Fig. 1. Research methods

The study uses both primary and secondary data. Primary data is collected through in-depth semi-structured interviews with disputing parties, customary leaders, local mediators, village or sub-district officials, and relevant actors within state institutions (subject to legal access). Limited observation of mediation or deliberation processes may

also be conducted where permitted. Secondary data is obtained through document analysis, including laws and regulations, academic literature, and case-related documents such as family statements, mediation records, and court decisions.

Data analysis is conducted qualitatively through data reduction, thematic coding, and the construction of case-based matrices (chronology–forum–norms–outcomes–implementation). Findings are interpreted by aligning empirical results with normative and conceptual frameworks. Validity is ensured through triangulation of sources and methods, as well as limited member checking at critical stages where socially appropriate. The study adheres to research ethics by applying informed consent, maintaining confidentiality, and exercising caution due to the sensitive nature of inheritance disputes. The findings are contextual and limited to the specific cases and locations studied.

3. Results and Discussion

3.1 Various inheritance laws in Indonesia

3.1.1 Civil inheritance law (west)

Civil Inheritance Law (Western) in Indonesia is regulated in Book II of the Civil Code (KUHPPerdata/BW) (Nasrul, M. A. D., Manaf, Z. I. A., Syafril, S., & Fathurrohman, M, 2021), which regulates the transfer of assets from a deceased person (the testator) to their heirs based on blood relations or a will. This system is individualized, where assets can be divided and the longest-living spouse is designated as the heir. The main principles of civil inheritance law in Indonesia are derived from the Civil Code (KUHPPerdata) (Salim, H. S., & Sili, E. B, 2024), specifically Articles 830 to 1130 (Suwanti, S., Khunmay, D., & Abannokovya, S, 2022). Under this system, inheritance only occurs after the death of the testator, making death an absolute requirement for the inheritance to be opened (Nasrul, M. A. D., Manaf, Z. I. A., Syafril, S., & Fathurrohman, M, 2021). The primary basis for determining who is entitled to inherit is blood relationship, which is later expanded to include marital relationship, such as a surviving husband or wife (Laadiy, S. W., Widhiyanti, H. N., & Dewi, A. S. K, 2025). In civil inheritance law, there are two types of inheritance that form the basis for the distribution of inherited assets. The first is ab-intestato inheritance, which occurs based on statutory provisions without a will from the testator. In this case, heirs are determined according to a predetermined order and class, with priority given to the closest blood relatives and the surviving spouse.

The second type is testamentary inheritance, which is inheritance based on the testator's wishes, as outlined in a will. Through this mechanism, the testator has the freedom to determine who will receive their inheritance, including those outside the family. However, this freedom is not absolute as it remains limited by legal provisions, such as the absolute share (*legitime portie*) for certain heirs, which cannot be violated. One important characteristic of civil inheritance law is its individual nature. This means that the heirs are individuals, not family groups or customary communities. Each heir has a personal right to their share of the inheritance, so that distribution is made directly to each individual in accordance with applicable provisions. Therefore, civil inheritance law emphasizes legal certainty through written regulations, a systematic distribution structure, and recognition of individual rights. While allowing the testator's personal wishes to be expressed through a will, this system maintains balance by protecting the rights of heirs closely related to the testator.

3.1.2 Islamic inheritance law

The primary source of Islamic inheritance law is the Qur'an, Surah An-Nisa' (Dalimunte, P. U., Taufiq, M., Dewita, S., & Ningsih, S. F, 2026), verses 11, 12, and 176 (Rambe, E. A. P., & Kharomen, A. I, 2026). Islamic inheritance law, or the science of *faraidh* (Zuleika, A., & Desinthya, N. P, 2013), is the knowledge that determines who is entitled to an inheritance

and who is not, and also determines the amount for each heir. The science of faraidh is among the most noble, most dangerous, and most rewarding sciences. Due to its importance, Allah SWT even determines its measure. He explains the inheritance share for each heir, often outlined in several clear verses. This is because wealth and its distribution are a source of human greed. Most inheritances are shared equally between men and women, large and small, with no weak or strong, in accordance with prevailing customs and cultural norms, thus leaving no room for lustful opinions or speech. In Indonesia, the development of laws, regulations, and government regulations is based on Islamic law and customary law. So that Islamic Law and Customary Law do not conflict with the development of Law in Indonesia.

In Islamic inheritance law, dzawil furudl (privileged heirs) are a group of heirs who have a specific share, as defined in the Quran and Hadith, such as 1/2, 1/4, 1/8, 1/3, or 1/6. This concept is regulated in the Compilation of Islamic Law and forms the primary basis for the Islamic inheritance distribution system (faraidh). This means that this group always takes priority because their rights are certain, not subject to agreement or free interpretation. The dzawil furudl group consists of several members of the immediate family, both male and female. For males, this includes the father, grandfather (through the paternal line), and husband. For females, this includes the mother, grandmother (through both the paternal and maternal lines under certain circumstances), daughters, granddaughters through the male line, and sisters. Furthermore, wives are also included in this group as heirs with a predetermined share.

However, it is important to understand that not all family members are automatically dzawil furudl. Some parties, such as sons, grandsons, or brothers, are actually more accurately categorized as ashabah, that is, heirs who receive the remainder of the estate after the dzawil furudl portion is distributed. This is a common mistake: confusing heirs who have a definite share with those who receive the remainder. Therefore, understanding dzawil furudl is not simply about memorizing a list of names; it requires examining their position and role within the overall inheritance distribution system. Misclassification can lead to erroneous inheritance distribution and potentially lead to legal disputes, particularly in the practice of resolving disputes in religious courts.

3.1.3 Customary inheritance law

Customary inheritance law is the local law of a region or tribe that is enforced according to custom (Samaila, E. J, 2025), which is actually a custom and culture that is passed down from generation to generation and is still maintained and still running until now (Dirkareshza, R., Dirkareshza, N. P., & Agustanti, R. D, 2022), verified in the region (Sopyan, Y., Nusirwan, N., Rais, I., & Aswawi, A, 2020). Customary inheritance law is still obeyed and enforced as a provision by the indigenous community regardless of whether the inheritance law has been determined in writing or not (Tebbe, N, 2008), therefore it is appropriate that it must be implemented so that it becomes a cultural custom for the next generation (Ahrén, M, 2004).

The inheritance system can be categorized into several types based on how assets are distributed among heirs. The first is the inheritance system, in which the line of inheritance is traced through the father's lineage, the mother's lineage, or both, depending on the kinship system adopted by a particular community. The second is the individual system, under which each heir receives a clearly defined portion of the estate, granting them full and independent ownership over their respective share. The third is the collective system, which takes a different approach: while inheritance law designates the eldest son as the primary heir, the estate itself cannot be physically divided. As a result, each heir does not hold outright ownership but rather retains the right to use the inherited assets or to benefit from any proceeds they generate. Finally, the mayorat system concentrates the entire inheritance in the hands of the eldest son, who steps into the role of his father and mother as the family's primary successor. However, in the absence of a male heir, this right passes to the eldest daughter.

3.2 *The role of district courts in resolving inheritance disputes*

District courts play a crucial role in resolving inheritance disputes (Hussain, N., & Idrees, R. Q, 2025), particularly when the issues involve indigenous communities whose legal norms differ from state law. In Indonesia, district courts are the institutions authorized to resolve cases based on applicable state law, including inheritance disputes. In the context of the Toraja indigenous community, customary law governs inheritance distribution based on provisions that prioritize sons, particularly the eldest son as the primary heir. This often conflicts with the principle of state law, which prioritizes equal rights between men and women in inheritance distribution. On the other hand, Indonesian law, as stipulated in various regulations, such as Law Number 1 of 1974 concerning Marriage, recognizes equal inheritance rights for men and women regardless of gender. In this regard, district courts, as formal judicial institutions, are expected to facilitate fair and equitable dispute resolution, based on state law, while still respecting the values and traditions of customary law prevailing in the community.

In this context, district courts not only act as enforcers of state law but also as institutions that must be able to respond to the differences between state and customary legal systems. One of the main challenges faced by district courts is how to accommodate two different legal systems—a state legal system that prioritizes equal rights and customary law that gives men primary rights in inheritance distribution. District courts must uphold state law but also consider and respect the social and cultural norms prevailing in the Torajan indigenous community. When an inheritance dispute is brought to the district court, the court must first understand the characteristics of the customary law prevailing in the local community. The court must examine whether the dispute relates to matters regulated by customary law and whether dispute resolution through customary mechanisms has been attempted. If a resolution through customary law is not reached, the district court will take over the resolution under state law.

In this case, the district court acts as a facilitator between state legal norms and customary law. The district court must ensure that every decision made complies with applicable legal provisions, while also considering justice for the communities involved, including respecting existing customary values. Therefore, the district court should also involve traditional leaders or mediators who understand the customary legal system in the inheritance dispute resolution process, especially when the disputing parties have strong views regarding their customary rights. The legal process in the district court must be conducted in accordance with the principles of speedy, simple, and low-cost justice, in accordance with the principles stipulated in state law. The district court needs to adapt existing procedures to be more efficient and less burdensome for the parties involved. This presents a challenge, especially if the legal process requires more complex customary considerations and requires time to gather consensus from the extended family or customary community involved in the dispute.

Furthermore, in resolving inheritance disputes, the district court also functions to ensure that individual rights, particularly women's rights, are not neglected. Under state law, inheritance rights must be awarded fairly regardless of gender, so district courts must ensure that women's rights regarding inheritance are respected. This is often a key issue in resolving inheritance disputes in indigenous communities, such as the Toraja, which still uphold patriarchal values in their inheritance systems. District courts also play a role in upholding the principle of social justice for all parties involved in inheritance disputes. This encompasses not only formal legal aspects but also an understanding of the socio-cultural context of indigenous communities. Therefore, district courts need to collaborate with traditional leaders to create a balanced solution between state and customary law, given the important roles both legal systems play in different societies.

In practice, resolving inheritance disputes involving state law and customary law often presents a dilemma for district courts. When customary law conflicts with state law, district courts must make decisions based not only on applicable legal rules but also on the social and cultural context of the indigenous community. In this case, district courts have the

authority to decide whether state law or customary law takes precedence in resolving the dispute. District courts, as the institutions authorized to resolve inheritance disputes, must ensure that the judicial process is conducted transparently and fairly. They must also ensure that every decision they make adheres to the principles of justice for both men and women, and respects the customs and traditions prevailing in the local community. In this regard, district courts function not only as law enforcers but also as guardians of the values of social and cultural justice inherent in the community.

Furthermore, district courts need to emphasize the importance of a deliberation-based approach to dispute resolution. This deliberation, often part of the customary dispute resolution system, can be incorporated into the mediation process in district courts. In this way, district courts can reconcile the two legal systems, creating space for dialogue, and producing decisions that are acceptable to all parties. District courts must also consider the social impact of their decisions. Decisions that prioritize state law without regard for customary law can lead to dissatisfaction and conflict within indigenous communities. Therefore, district courts must seek solutions that are not only legally just but also acceptable to indigenous communities, who may feel marginalized by the state legal system.

However, district courts must not ignore the principles of justice enshrined in state law, such as gender equality in inheritance rights. District courts must ensure that their decisions reflect these principles, while simultaneously considering local wisdom and customary norms within the community. In facing these challenges, district courts must demonstrate the ability to adapt to changing times, without neglecting existing cultural values. The resolution of inheritance disputes involving state law and customary law is expected to create solutions that are fair, efficient, and respected by the community, both within the context of state law and customary law. Overall, the role of district courts in resolving inheritance disputes involving state law and customary law in the Torajan indigenous community is crucial. District courts must be able to bridge the gap between the two different legal systems, thus achieving balanced and fair decisions for all parties involved. Furthermore, the courts must strive to prioritize the principles of speedy, simple, and low-cost justice, ensuring effective and efficient dispute resolution. Thus, district courts function not only as enforcers of state law but also as institutions that accommodate prevailing customary norms within the community, ensuring that inheritance disputes can be resolved while promoting balanced social justice.

3.3 Interaction between state law and customary law in the settlement of inheritance disputes

In Toraja society, resolving inheritance disputes often involves two distinct legal systems: customary law and state law (Haq, H. S, 2025). Toraja customary law is deeply rooted in local social and cultural values (Istania, R, 2022), governing the distribution of inheritance based on male lineage (Waterson, R, 1995). This system, which prioritizes the eldest son, contradicts Indonesian legal principles that recognize equal inheritance rights between men and women. In this context, it is important to examine how state law and customary law interact in resolving inheritance disputes, and whether there is harmony or conflict between the two. Indonesian law, as stipulated in the Civil Code (KUHPERDATA) and Law Number 1 of 1974 concerning Marriage, guarantees equal inheritance rights for men and women. This contrasts with Toraja customary law, which prioritizes male lineage in determining heirs. In this context, the district court, as a state institution, is responsible for ensuring that this principle of equality is applied in resolving inheritance disputes, which often confront more patriarchal customary decisions.

One aspect that requires attention is how district courts accept and process customary law within the context of state law. Although state law prioritizes gender equality, district courts often face a dilemma when dealing with customary law, which prioritizes sons' rights in inheritance distribution. Here, district courts must act as mediators between the two different legal systems, and in many cases, they must determine how state legal principles, such as equal inheritance rights, can be applied without disregarding existing customary norms.

The role of customary deliberation in determining decisions regarding inheritance disputes in Toraja society is also an important factor to consider. Customary deliberation is an integral part of the customary legal system, serving to reach mutual agreement among the parties involved. In inheritance disputes, customary deliberation involves the extended family and traditional leaders to decide on the distribution of inheritance assets. However, although customary deliberation is considered culturally valid, it often conflicts with state legal principles that prioritize transparency and individual rights. District courts, as state institutions, must consider the results of customary deliberations while ensuring that decisions are made in accordance with applicable Indonesian law.

One of the biggest challenges in harmonizing state law and customary law is the paradigm difference between the two legal systems. State law, as a more formal and structured legal system, tends to prioritize universal principles of justice, such as gender equality in inheritance rights. Meanwhile, customary law in Toraja society is more local and emphasizes long-standing values, often involving social hierarchies based on gender and lineage. These two legal systems have different principles, and district courts must be able to bridge these differences to reach decisions that are fair and acceptable to all parties. In this case, district courts function not only as institutions that enforce state law but also as facilitators that can help harmonize the two legal systems. One approach district courts can take is mediation, which involves the disputing parties and traditional leaders who understand customary law. This mediation can help find common ground between customary law and state law, so that decisions made reflect the principles of justice under both state and customary law.

However, although mediation can be a good solution for resolving inheritance disputes (Sirbu, M, 2022), not all parties in the Torajan indigenous community accept the decisions of the district courts. Sometimes, decisions made by the district courts, which prioritize equality of inheritance rights, are deemed inconsistent with customary values prevailing in the community. This indicates a difference in perception between the indigenous community and the district courts regarding what constitutes justice in resolving inheritance disputes. Furthermore, challenges arise related to the limited understanding of state law among indigenous communities. Many indigenous community members, particularly in more remote areas, may not fully understand state legal procedures or their rights within the applicable legal system. This can hinder district courts from ensuring that the rights of all parties are respected and fulfilled in accordance with state law.

District courts also face the challenge of implementing the principles of speedy, simple, and low-cost justice in inheritance disputes involving customary law. Legal processes involving customary norms often take longer to reach a decision, as they involve family deliberation and customary consensus. This contradicts the principle of state law, which prioritizes expeditious and efficient dispute resolution. District courts need to find ways to expedite this process without neglecting the cultural aspects and values inherent in indigenous communities. Furthermore, uneven infrastructure in several regions of Indonesia also poses a challenge to harmonizing state law and customary law. In remote areas, district courts often face accessibility challenges, both in terms of court facilities and access to information regarding legal rights. This exacerbates the inequality in access to justice between more developed and less developed regions.

The clash between state law and customary law in resolving inheritance disputes also creates tension between the modern values embraced by state law and the traditional values upheld by indigenous communities. Therefore, it is crucial for district courts to focus not only on the strict application of law but also to consider social and cultural justice in every decision they make. A more sensitive approach to local culture will help create decisions that are more acceptable to the community. Furthermore, state law must also ensure that every individual receives their rights fairly, without discrimination. While customary law plays a vital role in society, individual rights, especially women's rights, should not be neglected. In many cases, women's inheritance rights are often neglected in customary law systems, and district courts must uphold state laws that grant equal rights to men and women.

Regarding the acceptance of customary law by district courts, this depends heavily on the court's willingness to understand the local context and prevailing community norms. District courts need to engage in dialogue with local customary leaders or mediators to ensure that decisions made are not only valid under state law but also respected by the indigenous community. This requires a more inclusive and collaborative approach to resolving inheritance disputes. As an authorized institution, the district court must also maintain its independence in making decisions, even in the context of indigenous communities that strongly uphold traditional values. The district court must ensure that its decisions reflect the principles of just state law and are in accordance with the constitution, while still respecting existing cultural diversity.

The importance of a culture-based approach in resolving inheritance disputes also encompasses a broader understanding of local wisdom (Mujiyono, W. A., Pabbajah, M., Asriani, Y. M., & Fauziah, E, 2024). District court decisions that solely prioritize state legal principles without considering cultural aspects can risk causing dissatisfaction within the community (Redish, M. H., & Karaba, J. M, 2015). Conversely, decisions that thoughtfully incorporate customary law can help create harmony and social justice within the indigenous community. Overall, the interaction between state law and customary law in resolving inheritance disputes in the Toraja indigenous community demonstrates the significant challenge of harmonizing two distinct legal systems (Samaluddin, S., Nasrin, N., & Wiridin, D, 2024). The district court acts as a facilitator, ensuring that these two legal systems can coexist without compromising existing principles of justice. Resolutions made by the district court must include elements that respect customary norms while still adhering to state legal provisions that prioritize equality of inheritance rights.

Going forward, it is crucial for district courts to continue improving their capacity to handle inheritance disputes involving customary and state law (Weeks, S. M, 2011). This can be achieved by enhancing judges' and court officials' understanding of customary law and local culture, and encouraging a more inclusive mediation process. This approach is expected to create a fairer, more efficient, and more socially acceptable justice system, both in terms of state law and customary law.

4. Conclusions

The conclusion of this study indicates that inheritance dispute resolution in the Toraja community occurs within a context of legal pluralism, resulting in clashes between state law and customary law when both systems of norms are used to determine who is entitled, the distribution of assets, and the legitimacy of the settlement forum. These clashes do not always take the form of open disagreements, but often manifest as differences in how justice is interpreted, evidence is required, and the basis for decision-making authority. The most prominent forms of conflict occur in determining heir status and classifying inherited assets, including differences in the legal entitlement criteria under state law compared to customary standards of "appropriateness" and social acceptance. These differences then influence the final outcome: customary agreements may be considered the most socially binding, but may encounter obstacles when brought to the administrative/institutional realm of the state. Conversely, formal state decisions or procedures may provide certain legal certainty, but are not always easily accepted or enforced if they conflict with a sense of justice and customary social order.

Factors that influence the choice of settlement forum primarily relate to power relations within the family, the need to maintain harmony and goodwill, the economic value of the disputed assets, the level of legal literacy, and access to and costs of state mechanisms. In many cases, parties tend to seek peace and social acceptance through customary or local mediation mechanisms. State channels are more often chosen when deliberations fail, when administrative certainty is needed, or when one party seeks formal reinforcement of its claims. The study also concluded that the state-customary relationship in resolving inheritance disputes is negotiable: there are situations of coexistence (working side by side), situations where one system dominates, and there are "hybrid" situations where

parties combine customary deliberation with formal documents or procedures to achieve more enforceable outcomes. The level of compliance with settlement outcomes is largely determined by social legitimacy at the community level and the ability of those outcomes to be translated into instruments recognized by state institutions.

Based on these findings, the final conclusion of this study confirms that managing conflicts between state and customary law in inheritance disputes in Toraja requires a liaison mechanism that respects customary social authority without neglecting standards of legal certainty and protection of rights according to the state. Strengthening mediation that is sensitive to customary law, neat documentation of agreements, and coordination channels between customary leaders and relevant officials/agencies are key to ensuring that dispute resolution does not stop at a decision or agreement, but can actually be implemented and accepted by the parties.

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