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Settlement of Disputes over the Inheritance Property Distribution in the Community of Juwono Village, Nganjuk

**Ellyne Dwi Poespasari^{1*}, Hanum Rahmaniar Helmi², Soelistyowati³, Muhammad
Sumedi⁴, Afga Samudera Erlangga⁵**

¹ellyne-d-p@fh.unair.ac.id, ²hanum@fh.unair.ac.id, ³soelistyowati@fh.unair.ac.id,

⁴m.sumedi@fh.unair.ac.id, ⁵afga.samudera.erlangga-2020@fh.unair.ac.id

Universitas Airlangga Surabaya

*Corresponding Author: Ellyne Dwi Poespasari

Email: ellyne-d-p@fh.unair.ac.id

ABSTRACT

Inheritance disputes in the community of Juwono Village, Kertosono, Nganjuk, East Java, occur because there are several family parties who perceive that the distribution of inheritance has not been fair or not getting any part of the inheritance divided by the inheritor. This disagreement can lead to disputes among family members. This research aims to find out the fair inheritance distribution in Juwono Village community and its settlement. This research is a socio-legal research with an analytical descriptive approach. The results of this research indicated that inheritance distribution disputes that often occur in Juwono Village are disputes related to widows, widowers, biological children, adopted children, extra-marital children, and stepchildren who do not get the share of inheritance that has been determined by inheritance law. If the inheritance distribution dispute cannot be resolved through deliberation within the family or with the help of village officials, then the parties can file a lawsuit to the court.

Keywords: *Dispute Resolution, Heirs, Inheritance*

INTRODUCTION

Indonesia is a country consisting of various ethnic groups and cultures that unite themselves in the Indonesia. Therefore, if it is related to the issue of inheritance, the differences in these characteristics can also cause diversity in the existing inheritance patterns and their development between one region and another. The issue of customary inheritance law in Indonesia is still pluralistic, according to the existing ethnic groups. Basically, it is caused by the different kinship or lineage systems in customary law that are the basis of tribal or ethnic group systems.

Customary inheritance law is still influenced by the different structures of society. Customary inheritance law has its own characteristics from the traditional mindset of the community with forms of kinship that can be divided into three categories, such following below:

1. Patrilineal kinship: a kinship where men have a higher status than women. In patrilineal kinship systems, the custom of honest marriage applies. After marriage, the wife must follow her husband and become a member of his family, including the children born from the marriage. The patrilineal kinship system is practiced in Batak, Bali, Nias, Lampung and other communities;
2. Matrilineal kinship: a kinship in which the position of women is more dominant than that of men. In this matrilineal kinship system, consanguineous marriages generally occur. After marriage, the husband follows the wife but remains a member of the original kin and not a member of the wife's kin, while the children follow their mother's kin. This kinship system is commonly practiced in the Minangkabau community; and
3. Parental or bilateral kinship: a kinship where the position of men and women is equal. In parental or bilateral kinship, free marriage applies where the position of husband and wife is equal and balanced. This kinship system is applied in Javanese, Acehnese, Kalimantan, Sundanese, and other communities.¹

The people of Juwono Village adhere to a parental or bilateral kinship system. This kinship system has its own characteristics in which the heirs and successors in the family are all sons and daughters. Both sons and daughters are granted the same rights to their parents' inheritance, which can be in the form of the original or inherited property of the father and mother as well as the joint property of the father and mother with the same distribution. Therefore, in the process of transferring a

¹ Firjenia A. Pelealu, "Kedudukan Hukum Dan Hak-Hak Anak Dalam Hukum Waris Adat Di Indonesia," *Lex Privatum* 6, no. 9 (2018): 104–15, <https://ejournal.unsrat.ac.id/index.php/lexprivatum/article/view/25830/25474>.

number of wealth from the inheritors to the heirs, sons and daughters are entitled to be treated equally.²

Ter Haar states that customary inheritance law consists of legal rules that regulate the perpetual process for the transfer of property in the form of material and non-material objects from one generation to another, which is related to the prevailing relationship. Based on this statement, the transfer process itself can begin while the owner of the property is still alive and the process then continues so that their descendants each form a new family of their own (Javanese term: *mentas* and *mencar*) which in time will also continue the process to the next generation as well.³

The people of Juwono Village, Kertosono, Nganjuk, East Java, still need a better understanding regarding inheritance law. Most of the people in the community work as farmers and factory laborers, resulting in their minimal access to information regarding inheritance law. Currently, the settlement of inheritance law disputes is still far from ideal, which is based on the legal rules applied in Indonesia. The people of Juwono Village, Kertosono Subdistrict tend to only settle inheritance disputes involving important people in the village, such as the head of the village and the head of the sub-district, which often causes problems in the future. The majority of inheritance disputes that often occur in the Kertosono Subdistrict community are those concerning the position of widows, stepchildren, or adopted children.

Inheritance disputes frequently occur in the community of Juwono Village, Kertosono, Nganjuk, East Java. These inheritance disputes do not only occur between family members, but also between other community members or commonly referred to as third parties. Due to the complexity of inheritance law disputes, some family members disagree and file a lawsuit with the court. Considering the lack of understanding and awareness of inheritance law among the community and family members, it should not be an excuse to disengage from the family. The issue of inheritance law is still considered a taboo for most people, since inheritance is a sensitive topic, especially within the context of family relationships.

Inheritance disputes occur in the community of Juwono Village, Kertosono, Nganjuk, East Java can also be caused by an inheritor who sells the inheritance to a third party before the distribution of the inheritance without the consent of all the heirs. This situation often leads to feuds between the heirs' families, including feuds between the heirs and third parties. This feud often occurs from within the family, for example from uncles, nephews, cousins, widows, widowers, adopted children,

² Jumardin and Sitti Halimang, "Pembagian Harta Warisan Pada Adat Bugis Bone Di Aladadio Perspektif Hukum Islam (Studi Di Desa Aladadio Kecamatan Aere Kabupaten Kolaka Timur)," *Fawaid: Sharia Economic Law Review* 3, no. 1 (2021): 50–60, <https://ejournal.iainkendari.ac.id/index.php/fawaid/article/view/3084/1570>.

³ Dinta Febriawanti and Intan Apriyanti Mansur, "Dinamika Hukum Waris Adat Di Masyarakat Bali Pada Masa Sekarang," *Media Iuris* 3, no. 2 (July 23, 2020): 119, <https://doi.org/10.20473/mi.v3i2.18754>.

stepchildren and others. The occurrence of inheritance disputes in the family can be caused by a lack of understanding on inheritance law. The heirs may not realize what their rights or obligations are to the inherited property. Lack of awareness of family and community members can also contribute to the difficulty of reaching an agreement on the fair distribution of inherited property.

Based on the previous background, there are two objectives that will be studied in this research. The first is to analyze the method of inheritance distribution and to determine the solution to disputes over the distribution of inheritance in the community of Juwono Village, Kertosono, Nganjuk, East Java.

RESEARCH METHODOLOGY

This research is a socio-legal research. Socio-legal research is a type of research that examines how laws are established, applied, and interpreted in a broader social context.⁴ This research is also categorized as a descriptive analysis research. Descriptive analysis research is a form of research that aims to describe and interpret phenomena, whether natural or man-made. It seeks to obtain information regarding the status, condition, relationships, and ongoing processes of a phenomenon. Descriptive analysis involves direct observation in natural contexts to gather information on relevant events.⁵ This research is classified as descriptive analytical research as it observes the conditions and examines the behavior of the people in Juwono Village, Kertosono, Nganjuk, East Java in the settlement of disputes over the distribution of inherited property.

RESULT AND DISCUSSION

The Distribution of Inherited Property in the Community of Juwono Village, Kertosono, Nganjuk, East Java

According to Ali, there are five principles of customary inheritance law:

1. The principle of divinity and self-control, namely the awareness of the heirs that the wealth of humans that can be owned is a gift from God for the existence of wealth. Furthermore, in order to realize God's grace, if a person dies and leaves an inheritance, then the inheritors should be aware and use the law to distribute their inheritance, instead of disputing and fighting over the inheritance. Disputes among the heirs will only burden the journey of the inheritor's spirit to be with God. Therefore, maintaining harmony among the heirs and their descendants is more important than whether or not the inheritance is divided;

⁴ Khalifa Priseliya and Siti Ngaisah, "The Age Dispensation For Marriage in Sidoarjo Religious Court: Research on 2022," *YURIS: Journal of Court & Justice* 2, no. 2 (2023): 52–62, <https://doi.org/https://doi.org/10.56943/jcj.v2i2.365>.

⁵ Achmad Subagyo and Dr. Moh. Saleh, "The Liability of Tax Officials for the Expiration of Tax Debt Billing," *IUS POSITUM: Journal of Law Theory and Enforcement* *Journal Of Law Theory And Law Enforcement* 2, no. 1 (March 8, 2023): 105–21, <https://doi.org/10.56943/jlte.v2i1.276>.

2. The principle of equality and commonality of rights, which is that each heir has the same position as a person who is entitled to inherit the heir's property. Each heir must have equal rights and responsibilities to obtain inherited property;
3. The principle of harmony and kinship, in which the heirs maintain to preserve a serene and peaceful kinship relationship, both in accessing and utilizing the inherited property and in settling the distribution of property;
4. The principle of deliberation and consensus, in which the heirs divide their inheritance through deliberation and consensus led by the heirs who are considered elders. If there is an agreement in the division of inheritance, the agreement is sincere and genuine, expressed with kind words from the conscience of each heir; and
5. The principle of justice, which is the creation of harmony within the family which will minimize the chances of ruining the relationship of the family.⁶

Muhammad states that inheritance law is a series of regulations governing the succession and transfer of inheritance or inherited property from one generation to another, both regarding material and immaterial objects. The inheritance law in question also includes issues, actions regarding the transfer of property while a person is still alive. The institution used in this case is the grant institution.⁷ Hadikusuma stated that customary inheritance law is customary law that contains guidelines on the system and principles of inheritance law, inherited property, heirs, and inheritance as well as how the inherited property is transferred control and ownership from the inheritor to the heir. Customary inheritance law is essentially the law of passing on wealth from generation to descendants.⁸

Meanwhile, according to customary law, marital property is all property controlled by husband and wife while in the bonds of marriage, both the controlled property of relatives, as well as individual property derived from inheritance, grants, self-income property, joint income property of husband and wife, and given property. The customary law position of marital property is strongly influenced by the principle of kinship adopted locally and the form of marriage that applies to the husband and wife concerned.⁹

⁶ Patricia Sarah Pongoh, "Analisis Pengaturan Hak Anak Tiri Dalam Mewaris Menurut Hukum Waris Adat," *Lex Privatum* 7, no. 2 (2019): 128–35.

⁷ Eric, "Hubungan Antara Hukum Islam Dan Hukum Adat Dalam Pembagian Warisan Di Dalam Masyarakat Minangkabau," *Jurnal Muara Ilmu Sosial, Humaniora, Dan Seni* 3, no. 1 (October 4, 2019): 61–70, <https://doi.org/10.24912/jmishumsen.v3i1.3532>.

⁸ Erni Bangun, "Pembatalan Atas Pembagian Harta Warisan Menurut KUHPerdara," *Lex Et Societatis* 5, no. 1 (2017): 91–97.

⁹ Ellyne Dwi Poespasari, *Hukum Adat Indonesia: Suatu Kajian Kepustakaan Dan Perkembangannya* (Jakarta: Prenada Media, 2021).

Basically, customary inheritance law divides inherited property into four categories, such following below:

1. The husband's or wife's property that was a grant or gift from the family that was brought into the family (the original property);
2. Husband's or wife's business obtained after marriage (the joint property);
3. Property given as a gift to the husband and wife during the marriage period (the original property); and
4. Property that is the result of the work of husband and wife during the marriage period (the joint property).¹⁰

Basically, the process of inheritance by the inheritor through the inherited property itself can be distinguished as follows:

1. The process of passing on inherited property while the inheritor is still alive, or which is commonly called a grant (*hibah*). Grants given to someone related by blood in the customary law of inheritance are taken into account at the time of inheritance distribution. Soepomo defines this process as *pewarisan*, while Haar refers it as *toescheiding*.
2. The process of inherited property after the inheritor passes away, or which is commonly called heritage. Soepomo calls this process as *hibah wasiat*, Prodjudikoro refers it as *warisan*, while Haar mentions it as *vereven*. In Javanese term, it is commonly known as *wekasan* or *welingan*.¹¹

The inheritance process contains three elements that must be fulfilled before the inheritance process can be implemented. The first element is the inheritor who dies and leaves an inheritance. The second is a person or several people who are entitled to receive the property that they left them. The last element is the estate or inheritance, which is the property left behind, divided, and transferred to the inheritors. The divisible property is the inheritance after deducting the debts of the inheritor during his/her lifetime, which means that the inheritors will only receive the net inheritance.

In the community of Juwono Village, the process of transferring inheritance itself may begin even when the inheritor is still alive. The process will continue until each of the descendants form new families who will eventually have their own turn to continue the process to their descendants as well. According to customary law, the process of transferring wealth is a continuous process from the previous descendants to the next descendants. The death of a parent is considered an essential element of the inheritance process. However, it does not radically affect the process of transferring property and intangible assets.

¹⁰ Poespasari.

¹¹ Felicia et al., "Analisis Hukum Adat Dalam Hal Pembagian Harta Warisan," *Jurnal Ilmiah Wahana Pendidikan* 9, no. 18 (2023): 290–98, <https://doi.org/https://doi.org/10.5281/zenodo.8312930>.

Disputes over the distribution of inheritance in the Juwono Village community often cause problems because of the implementation of the inheritance distribution that makes one of the family members feel unfair and unsatisfied with the inheritance they receive. For example, the distribution of inheritance to widows, widowers, biological children, adopted children and stepchildren. In fact, in the distribution of the inheritance, there is already a predetermined proportion in the distribution. Therefore, inheritance disputes between two or more parties who have different interests in one or more objects of inheritance may lead to legal consequences. The existence of disagreements or different opinions regarding inheritance can lead to disputes in inheritance.

According to Javanese customary law, widows and widowers are not heirs of the deceased spouse, instead they are entitled to a share of the deceased spouse's inheritance along with other heirs or to withhold the distribution of the inheritance for future living expenses. If there are offspring from their marriage, the widow or widower has the right to control, receive, manage and distribute the inheritance to the heirs. Initially, the position of a widow or widower could not make them inherit the property in their marriage. However, with the development of customary law, widows and widowers can eventually inherit marital property.¹² The position and rights of widows and widowers in the distribution of inheritance in Javanese society can be divided into two:

1. The position and rights of widows and widowers in their marriage in cases of no offspring:
 - a. The original property returns to the original, the widow or the widower does not inherit;
 - b. The gono-gini property is controlled entirely by the widow or the widowers while still alive or while not remarried. The right of inheritance of the new spouse to inherit may occur if the widow or the widower passes away or remarries, with the following conditions:
 - 1) The original property returns to the original;
 - 2) The joint property is divided into two:
 - a) Half of the share becomes the absolute right of the widow or the widower and becomes the inheritance of the widow or the widower's siblings on the death of the widow or the widower;
 - b) The half share to which the spouse is entitled becomes the inheritance of the heirs of the late spouse.
2. The position and rights of widows and widowers in marriages where there are children:
 - a. The original property becomes the inheritance right of the biological children.

¹² Ellyne Dwi Poespasari, *Pemahaman Seputar Hukum Waris Adat Di Indonesia* (Jakarta: Prenadamedia Group, 2018).

- b. The joint property:
 - 1) The joint property remains intact in the authority of the widow or the widower as long as they are alive or have not remarried;
 - 2) The joint property remains intact until the children reach adulthood. When the children have reached adulthood, the property is then divided as follows:
 - a) Half share is the complete right of the widow or the widower;
 - b) Half of the share becomes the right of the late spouse to be inherited by the children and widow or widower with equal distribution.¹³

The position and rights of biological children, extra-marital children, adopted children and stepchildren in the distribution of inheritance based on customary inheritance law with a parental or bilateral system. The position of a child can be determined from their origin, so that in the family structure there are known as legitimate children, extra-marital children, and adopted children. Article 42 Paragraph 1 of Law No. 1/1974 states in detail that a legitimate child is a child born of a legal marriage.¹⁴ Therefore, if a child is born to parents who are not bound in a legal marriage, it is considered an illegitimate child or an extra-marital child. This is in accordance with Prawiromidjojo's opinion that if a child is born to a married woman, then they are the legitimate child of the person who gave birth to them, and their mother's husband is their legitimate father.¹⁵ In the context of inheritance of property, the position of biological children is essential as the biological children is the one who will inherit all of their parents' property. The position of sons and daughters as heirs is entitled to the inheritance of their parents with the equal distribution.

In parental or bilateral societies in Java, extra-marital children are called *kowar*, where they only inherit from their mother or their mother's family. Meanwhile, in parental or bilateral societies, extra-marital children can inherit from their biological father. Thus, *kowar* children are not distinguished from legitimate children because they are still given a share of their parents' inheritance. The extra-marital child can also interact normally with the family of the biological father, and their kinship can even become closer. Therefore, the existence of extra-marital children will result in many conflicts between families and within the community regarding the position of the rights and obligations of these children.

¹³ Poespasari.

¹⁴ Menteri/Sekretaris Negara Republik Indonesia, "Undang-Undang (UU) Nomor 1 Tahun 1974 Tentang Perkawinan" (Jakarta, 1974), <https://peraturan.bpk.go.id/Details/47406/uu-no-1-tahun-1974>.

¹⁵ Abdul Hamid Dunggjo, Zulkarnain Suleman, and Dedi Sumanto, "Status Hukum Anak Diluar Nikah Dalam Perspektif Fikih Islam Dan Hukum Positif Indonesia," *As-Syams: Journal Hukum Islam* 2, no. 1 (2021): 12–21.

Children born to parents who are not bound in a legal marriage are considered illegitimate children or extra-marital children. Extra-marital children only have a civil relationship with their mother and their mother's family. Article 43 of Law No. 1/1974 concerning Marriage states that extra-marital children do not have a complete position as legitimate children.¹⁶

On 17 February 2012, the Constitutional Court in its decision stated that the provision in Article 43 Paragraph 1 of the Marriage Law is contrary to the 1945 Constitution to the extent that it is interpreted to eliminate relationships with men who can be proven through science and technology or other evidence of their biological relationship. As a judicial institution authorized to hear cases at the first and last instance, the Constitutional Court's decision is considered final. This decision has had a major impact on Indonesian inheritance law. Initially, in inheritance law, an extra-marital child could only inherit if they had been recognized by their biological father. However, since the Constitutional Court Decision No. 46/PUU-VIII/2010, extra-marital children are recognized as legitimate children and have an inheritance relationship with their biological father. Therefore, an extra-marital child who is born will immediately have a legal relationship with his biological father.

Adopting a child is an act of taking another person's child into one's own family so that there will be the same family relationship between the adopting parent and the adopted child as the one between the parents and their own biological child. Hadikusuma explains adopted children as other people's children who are adopted by adoptive parents officially according to local customary law for the purpose of continuity of offspring or maintenance of household property.¹⁷ According to Wignjodipuro, adoption is the act of welcoming a child into one's own family, establishing the same legal familial relationship between the adoptive parent and the adopted child as there is between biological parents and their own children.¹⁸

In Java, the adoption of a child does not necessarily sever the family ties between the adopted child and their biological parents. The adopted child enters the household of the adopting parents as a member of their household. However, adopted children do not have the position of biological children who generally function to continue offspring. Soepomo explains that children who can be adopted in Java are usually their own nephews based on the following reasons:

1. To strengthen the relationship with the parents of the adopted child;
2. To help the child out of compassion;

¹⁶ Indonesia, "Undang-Undang (UU) Nomor 1 Tahun 1974 Tentang Perkawinan."

¹⁷ Anwar Machzumi, "Pembatalan Akta Hibah Pasca Terbitnya Sertipikat Hak Milik (Analisis Putusan Pengadilan Negeri Depok No.14/PDT.G/2007/PN.DPK)" (Universitas Narotama, 2019), <http://repository.narotama.ac.id/id/eprint/1109>.

¹⁸ Bernadeta Resti Nurhayati, "Adopsi Anak Versus Human Trafficking: Analisis Kasus Adopsi Anak Luar Kawin Bayi Lentina," *Cakrawala Hukum* 22, no. 1 (2020): 44–51.

3. To help parents with the daily chores at home.¹⁹

Meanwhile, a stepchild (*anak kuwalon*) is a gawan child or a child born to a husband or wife from their previous marriage. Hadikusuma defines a stepchild as a biological child that a spouse brings into their new marriage, so that one of them calls this child the child from their previous marriage.²⁰ There are differences in the position of stepchildren in a family among the customary community, both because of the kinship structure and because of the form of marriage between the biological parent and the stepparent. Stepchildren who live together in a household with their biological parents and stepparents are also residents of the same house. Towards their biological parents, the child is obviously their heir. However, towards their stepparents, the child is definitely not their heir.

Stepchildren living together in a household bring rights and obligations between one family member and another. Therefore, sometimes the domestic bond between stepparents and stepchildren who live together in one household becomes so close, that there can be a case where a stepfather grants a piece of rice field or moor to his stepchildren. The stepchild is not legitimately entitled to the inheritance from the stepfather, but the stepchild still gets a share of the stepfather's inheritance that is given to their biological mother.

When considered from the origin of the child concerned, this greatly distinguishes the position and rights of these children. Biological children, extra-marital children, stepchildren, and adopted children have the same rights in their position according to the law, such as in obtaining supervision, nurturance and education from their parents. However, in the matter of the distribution of inheritance, they will obtain different shares based on their portions.

Settlement of Disputes over the Distribution of Inherited Property in the Community of Juwono Village, Kertosono, Nganjuk, East Java

Customary law is one of the important sources of law in the framework of national legal development towards legislation. The elements of the customary law that contain the personality of the Indonesian nation need to be incorporated into new legal regulations so that they are in accordance with the basis of justice and the legal sense of the Indonesian people. The various problems that arise in the life of the community certainly require a solution or settlement as soon as possible in order to maintain comfort and tranquility in social life.

In life, humans will always experience several events, such as when they are born, when they get married, and when they die. These events will have legal consequences in the form of rights and obligations. Legal events in the form of the

¹⁹ Ade Irma, "Menyatukan Hukum Islam Dan Adat Jawa Atas Harta Waris Bagi Anak Angkat," *Jurnal Al-Fikru* 13, no. 1 (2019): 38–49, <https://jurnal.staiserdanglubukpakam.ac.id/index.php/alfikru/article/download/26/60>.

²⁰ Hilman Hadikusuma, *Hukum Perkawinan Indonesia Menurut Pandangan Hukum Adat Dan Hukum Agama* (Bandung: Mandar Maju, 2007).

birth of a human being will certainly have legal consequences in the form of rights such as obtaining legal equality, while one of the obligations is to make a birth certificate which aims to determine the identity of a human being and is useful for evidence of obtaining inheritance from the heir who died. Legal events regarding marriage will also be experienced by humans, where one of the purposes of marriage is to reproduce offspring. Then, every human being will experience the legal consequences of death, such as how the management and continuation of the rights and obligations of someone who has passed away will be carried out.

Inheritance is an important issue as it is related to inherited property. If the distribution is deemed unfair, it may lead to disputes among the heirs. The distribution of inheritance property in the three kinship systems can essentially be conducted by consensus and agreement between family members. However, there are times when the distribution of inheritance property can cause conflicts between family members or relatives. If an agreement cannot be reached in the deliberations, then certain parties in the family may sue other parties in a judicial institution.

Disputes over the distribution of inheritance in Juwono Village often occur because there are family members who feel dissatisfied with their share of the inheritance or even because they received no share at all. These disagreements can lead to disputes between family members. In most cases, widows, widowers, biological children, adopted children, extramarital children, and stepchildren sue each other because they do not receive a share of the inheritance. Initially, the inheritance law dispute in Juwono Village was resolved in advance by deliberation between family members, led by an elder in the family, such as the uncle, eldest son, or relatives from the parent's side. However, if a resolution cannot be reached through deliberations, then the dispute over the division of inheritance property may involve village officials, such as the head of the village and the head of the sub-district.

If the inheritance distribution dispute cannot be resolved through deliberation within the family or with the help of village officials, the parties can then file a lawsuit to the court. It is uncommon for the disputing parties to come to an amicable agreement when resolving disputes through the court process. In general, people tend to avoid resolving disputes through the courts. Apart from embarrassment, they only consider the courts as a last resort if all other means of dispute resolution have reached a dead end.

The parties to the dispute usually end up becoming hostile because the court decision is not negotiated or reconciled. It is also often found that the court's decision is perceived to be burdensome for one of the losing or aggrieved parties making it unlikely that there will be any possibility of reconciliation afterwards. The court is the last resort taken by parties who feel aggrieved. However, in order to comprehend why people choose state legal institutions to resolve their disputes, some differences in the characteristics of state courts and customary institutions can be seen based on the source of regulation, the scope of operations, the potential

resources used for its implementation, and the ultimate goal. State courts are based on a uniform set of rules, applicable to all people within a broad scope and administered by legal officers within the state bureaucracy.

CONCLUSION

Disputes over the distribution of inheritance in Juwono Village often occur because there are family members who feel dissatisfied with their share of the inheritance or even because they received no share at all. These disagreements can lead to disputes between family members. In most cases, widows, widowers, biological children, adopted children, extramarital children, and stepchildren sue each other because they do not receive a share of the inheritance. Initially, the inheritance law dispute in Juwono Village was resolved in advance by deliberation between family members, led by an elder in the family, such as the uncle, eldest son, or relatives from the parent's side. However, if a resolution cannot be reached through deliberations, then the dispute over the division of inheritance property may involve village officials, such as the head of the village and the head of the sub-district. If the inheritance distribution dispute cannot be resolved through deliberation within the family or with the help of village officials, the parties can then file a lawsuit to the court.

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