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Minangkabau Women's Land Ownership Rights in the Digital Era

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ABSTRACT

In the Minangkabau matrilineal system, women hold a central position as the main heirs of high inheritance and the guardian of the nation's sustainability. However, in practice, customary land management authorities and dispute resolution processes are still dominated by men. This study aims to analyze the implications of land digitalization policy on the recognition and protection of Minangkabau women's land ownership rights. The method used is normative juridical with a conceptual and legislative approach, supported by case examples and empirical data. The results of the study show that the transformation of land services through the Complete Systematic Land Registration (PTSL) program and the implementation of electronic land certificates opens opportunities to strengthen the legal certainty of land rights, but at the same time presents new risks for the sustainability of customary land and the bargaining position of Minangkabau women if the individual ownership paradigm is applied rigidly. On the other hand, if regulatory design and bureaucratic practices ignore the communal character of customary land and matrilineal structure, digitalization can accelerate the fragmentation of inherited land and weaken the position of women in the control, utilization, and settlement of land disputes.

INTRODUCTION

Indonesia's 1945 Constitution offers both the legal and philosophical basis for acknowledging indigenous mechanisms of conflict resolution.[1] The Preamble—especially its fourth paragraph—emphasizes the state's responsibility to protect its people and its territory. This duty is further expressed in Article 18B(2), which requires the state to recognize and respect indigenous legal communities, as long as their existence is consistent with national unity and the broader legal system.[2]

Customary law as the Original Indonesian law from time to time always undergoes changes, this change occurs because of the factors of society that really want changes and cultural changes to

[1] Pandu Runtoko, "Konsekuensi Yuridis Kemajemukan Bangsa Indonesia terhadap Pembangunan Hukum Nasional", *Lex Renaissance*, Vol.6, No.1, (2019): 206–220. https://doi.org/10.20885/JLR.vol6.iss1.art15.
[2] Hazar Kusmayanti, Sonny Dewi Judiasih, Dede Kania, Dewi Sulastri, "A Comparative Analysis of the Indonesian and Philippine Judicial Systems: Identifying the Role of Customary Courts". *Cepalo*, Vol.9 No.1, (2024): 13-25. https://doi.org/10.25041/cepalo.v9no1.3677.

occur very quickly, namely due to the entry of elements of globalization into Indonesian culture. Elements of globalization have entered uncontrollably into the national culture which is the embodiment of the local culture that exists in every region from Sabang to Merauke.However, various aspects of life in Indonesia have been greatly influenced by globalization, including the customary law system, which is a rich and diverse cultural heritage.[3] Globalization brought about significant social, economic, and cultural changes, which in turn affected customary laws and value systems embraced by indigenous peoples. Customary law is very important to maintain the culture, identity, and life of indigenous peoples in Indonesia.[4]

Islam as the majority religion in Indonesia has been included as one of the influences in the formation of customary law. This happens because customary law or living law is taken from the habits and daily lives of the community. If in a unit of indigenous peoples the majority are Muslims, of course the determinant of whether an individual or group action is right or not is inseparable from the rules and rules of Islam. It can be understood through the elaboration of customary law above that customary law in practice is the result of the habit of the community in dealing with legal events or an act of both individuals and groups that violate the values and norms in the society which then takes place continuously without any codification. A religion that is the majority can certainly enter and exert influence in it.[5] Since Islam entered the archipelago, empirically, Islamic law is a living law or a law that lives and exists in society.[6]

The Minangkabau community is an indigenous group with a Muslim majority. Custom and religion function as two interacting forces that shape and reinforce one another. Both carry value systems that demand strong loyalty from Minangkabau people.[729] These values include adherence to Minangkabau adat (customary law) and devotion to Islam as their religion. Minangkabau, often shortened to Minang, refers to the indigenous ethnic groups living in the central region of Sumatra, Indonesia. This minority group is spread across all of West Sumatra, parts of Riau, northern Bengkulu, western Jambi, the west coast of North Sumatra, the southwest coast of Aceh, and the state of Negeri

[3] Alexander Kevin Gorga, Steven Sitorus, Grenaldus Calvino Vigopang, Jeane Neltje Sally, "Dampak Globalisasi terhadap Keberlanjutan Hukum Adat di Indonesia", *Civilia: Jurnal Kajian Hukum dan Pendidikan Kewarganegaraan*, Vol. 2 No. 2, (2023): 180-190, https://doi.org/10.572349/civilia.v2i2.555.

[4] Reza Kurniawan Cahya Putra, Hartaty Halim, "Peran dan Tantangan Hukum Adat dalam Era Globalisasi: Perspektif Keberlanjutan Budaya Lokal", *Jurnal Hukum,* Vol. 20, No. 2 (2023): 873-882.

[5] Rakha Adi Pragata, "Hukum Adat dalam Perspektif Konstitusi dan Hukum Islam," *Sanskara Hukum dan HAM,* Vol. 2, No. 02, (2023): 96-104, https://doi.org/10.58812/shh.v2.i02.

[6] Aditya, Zaka Firma. "Romantisme Sistem Hukum di Indonesia: Kajian Atas Kontribusi Hukum Adat dan Hukum Islam terhadap Pembangunan Hukum di Indonesia", *Jurnal Rechtsvinding: Media Pembinaan Hukum Nasional*, Vol. 8, No. 1 (2019): 96-104, https://doi.org/10.58812/SHH.V2.I02.

[7] Galuh Puspaningrum, Hazar Kusmayanti, Dede Kania, "Praktik Beracara Penyelesaian Sengketa Adat Sumatera Barat Berdasarkan Asas Bajanjang Naiak Batanggo Turun," *Refleksi Hukum: Jurnal Ilmu Hukum,* Vol. 6, no. 2 (2022): 185–202, https://doi.org/10.24246/jrh.2022.v6.i2.p185-202.

Sembilan in Malaysia. The term "Minangkabau" encompasses linguistic and territorial communities that share an Islamic identity, matrilineal kinship practices, and a common language[8].

The Minangkabau ethnic group of West Sumatra represents one of the world's largest matrilineal societies, where women hold central roles in property ownership and inheritance. The traditional saying "adat basandi syarak, syarak basandi Kitabullah" (custom based on Islamic law, Islamic law based on the Quran) [9] reflects the complex negotiation between customary law (adat) and Islamic principles that has characterized Minangkabau society for centuries. In the Minangkabau community, land and property, known as pusako tinggi, are inherited through the female line. This inheritance is crucial as it represents the community's wealth and identity.[10] Samosir argues that it isexplicitly stated that matrilineal society puts women in a stronger position than men. The child's closeness is closer to the mother's family. The construction of indigenous peoples that give women a strong position and role is called matriakat. Meanwhile, matrilineal society is a society that provides rights and access to property rights to women. However, a matrilineal society does not necessarily apply matriarchy. Samosir (2013) states that the Minangkabau indigenous people apply matrilineal kinship relationships. However, there is no explanation whether Minangkabau customs also apply matriakat.[11]

In Minangkabau customs, there are three main terminologies used when studying women, namely *women*, *Bundo Kanduang*, and *padusi*. The term *woman* is not a term used to refer to a female figure who has an ideal character.[12] The ideal Minangkabau woman should have the characteristics of *being a Bundo Kanduang*, which is a figure of a Minangkabau woman who is religious, intellectually intelligent, and applies constructive and comprehensive values of kindness in action and speech, so that she is not only a role model in the family but also in the community. In addition, there is also the term *padusi* which means "cohesive and content", namely having a strong personality with elements of leadership, and noble.[13] Women, particularly the Bundo Kanduang, are

[8] Hazar Kusmayanti, Dede Mulyanto, Deviana Yuanitasari, Muhammadafeefee Assalihee, "Contradiction Implications of the Receptie a Contrariotheory in Minangkabau Inheritance", *Justicia Islamica: Journal of Legal and Social Studies*, Vol 21, No 2, (2024): 347-366, https://doi.org/10.21154/justicia.v21i2.8859.
[9] Mohamad, M. The Customary Tenure Enactment and Matrilineal Land Rights in Negeri Sembilan, Journal of the Malaysian Branch of the Royal Asiatic Society, Vol.89, No.1, (2016): 15-33, https://doi.org/10.1353/ras.2016.0007.
[10] Widia Fithri, Ahmad Wira, Rahmad Tri Hadi, "Philosophy 'Habis Adat Karena Mufakat': Consensus of Diversion of Pusako Tinggi in Minangkabau", *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* Vol.9 No.2, (2025): 1220-1241.
[11] Samosir Djamanat, *Hukum Adat Indonesia: Eksistensi dalam Dinamika Perkembangan Hukum di Indonesia*. (Bandung: CV. Nuansa Aulia, 2015): 60.
[12] Nurwani Idris, "Kedudukan Perempuan dan Aktualisasi Politik dalam Masyarakat Matrilineal Minangkabau," *Jurnal Masyarakat Kebudayaan dan Politik*, Vol. 25 No. 2, (2012): 108–116.
[13] Irawaty, Zakiya Darojat, "Kedudukan dan Peran Perempuan dalam Perspektif Islam dan Adat Minangkabau," *Hayula: Indonesian Journal of Multidisciplinary Islamic Studies*, Vol.3, No.1, (2019): 59-76, https://doi.org/10.21009/hayula.003.1.04.

seen as custodians of this heritage, ensuring the continuity of the family and community. [14] [15] The Minangkabau adhere to the principle of "Adat Basandi Syarak, Syarak Basandi Kitabullah" (custom based on Islamic law), which means that customary laws must align with Islamic principles.[16] This integration ensures that while the matrilineal system is preserved, it does not contradict Islamic teachings.[17]

In the digital era, this already complex relationship faces new challenges and opportunities. Digital land administration systems, online property registration, and electronic legal documentation are transforming how land rights are recorded, transferred, and disputed. For Minangkabau women, whose land rights rest primarily on customary rather than formal legal recognition, digitalization presents both risks of marginalization and possibilities for formal recognition. Matrilineal societies organize kinship and inheritance through the female line. In Minangkabau culture, this manifests in several key principles: *Pusako Tinggi* (high inheritance): Ancestral property that cannot be sold, passed down through generations of women, *Pusako Randah* (low inheritance): Acquired property with more flexible transfer rules, and *Mamak-kemenakan relationship*: Maternal uncles hold authority over their sisters' children.[18]

Based on research related to Minangkabau Customary Law, several researchers have studied in various research articles. For example, Yani Triakyuni, Sri Wahyu Handayani,[19] who researched the form of protection of customary land rights in the Indonesian national legal system and its conformity with Minangkabau customary values. Furthermore, the research conducted by Laras Shesa, Oloan Muda Hasim Harahap, Elimartati Elimartati,[20] the purpose of this research is to find out how much the existence of Islamic law in the customary inheritance system is influenced by the kinship system including matrilineal kinship lines through peaceful paths and some use *al-takharu* settlements. Further research conducted by Sri Yunarti to reveal the position and role of women in the cultural

[14] Defel Fakhyadi, Muhammad Adib Samsudin, Vito Dasrianto, Muhammad Danil, Ade Arga Wahyudi, "Reconstructing Gender Relations for Family Resilience in Minangkabau: Integrating Islamic Law and Customary Law," *Al-Ahkam*, Vol. 35 No. 1 (2025): 1-30, https://doi.org/10.21580/ahkam.2025.35.1.22906.

[15] Yuhendri, L.V., Wahjoedi, Ery Tri Djatmika, Agung Haryono., "Women in Economic Activities: Minangkabau Cultural Perspective." *Journal of Cultural Analysis and Social Change*, Vol.10 No. 1: 77–95. https://doi.org/10.64753/jcasc.v10i1.463

[16] Sonny Dewi Judiasih, Hazar Kusmayanti, Ramalinggam Rajamanickam, Maureen Maysa Artiana, "The Developing of Minangkabau Customary Inheritance", *Media Iuris*, Vol. 8 No. 3, (2025): 529-552, https://doi.org/10.20473/mi.v8i3.76766.

[17] Zahara, Mirwati, Y, "Musyawarah Mufakat Indigenous Version of Minangkabau in Dispute Settlement *Waqf* Communal Land in West Sumatra", *International Journal of Innovation, Creativity and* Change, Vol. 10, No. 15, (2019).

[18] Nelna Saprina And Yulia Rahmi, "Evolution of the Minangkabau Inheritance System and its Relevance to Gender Justice in Islamic Law," *Usraty: Journal Of Islamic Family Law* Vol. 2. No. 1, (2024): 89-101, http://doi.org/10.30983/usraty.v2i1.8377.

[19] Yani Triakyuni and Sri Wahyu Handayani, "Protection of Customary Land Rights in Minangkabau in the National Legal System", *Al-Zayn: Journal of Social Sciences and Law*, Vol. *3*, no. 5, (2025): 6854–686, https://doi.org/10.61104/alz.v3i5.23114.

[20] Laras Shesa, Oloan Muda Hasyim Harahap, Elimartati Elimartati, "Eksistensi Hukum Islam dalam Sistem Waris Adat yang Dipengaruhi Sistem Kekerabatan Melalui Penyelesaian al-Takharujj", *Al-ISTINBATH Jurnal Hukum Islam* Vol.6, No. 1, (2021):145-164, https://doi.org/10.29240/jhi.v6i1.2643.

context, [21] as access to matrilineal customs in daily life, this condition will be analyzed from various aspects and cycles of women's lives. For this reason, it is possible to find out and identify the position and role of Minangkabau women as determinants of lineage. Cultural consequences on women's daily lives and as determinants and decision-makers in social, economic and political aspects. And finally, there is research conducted by Irawaty and Zakiya[22], which examines how the position and role of Minangkabau women based on their customs and Islam in terms of: inheritance, decision-makers in the family, in taking care of children and in solving problems in society.

In contrast to these studies, the research themed Minangkabau Women's Land Ownership Rights in the Digital Era specifically focuses on the study of Minangkabau women's land ownership rights in the context of the digital era. This study not only looks at the position and role of women or the protection of customary land in general, but examines how digitalization (e.g. electronic land administration systems, access to legal information through digital platforms, social media, and changes in communication patterns and documentation of rights) affects the recognition, protection, and practice of Minangkabau women's land ownership rights. Thus, the main contribution of your research lies in filling the gaps in the study that connect Minangkabau customs, gender (women), land rights, and digital transformation—a dimension that has not been explicitly the main focus of previous research.

METHODS

The research method to analyze the land ownership rights of Minangkabau women and Islamic law in the era of digitalization, the author uses a normative juridical approach method, "research is carried out by examining secondary data first and then continuing by conducting research on primary data[23]. Data analysis was carried out qualitative juridical with a literature approach and laws and regulations can be used in this study. The literature approach in this study was carried out by collecting data from written sources such as books, articles, journals, documents and related literature regarding Minangkabau customary law, Compilation of Islamic Law and Civil Code. Data obtained from the literature approach can be used to evaluate and understand how Minangkabau customary law is passed down from generation to generation and how the influence of the Compilation of Islamic Law and Civil Code on Minangkabau customary law. The legislative approach is carried out to examine the relationship between Minangkabau customary law and the Compilation

[21] Sri Yunarti, "Inisiasi Posisi dan Peran Perempuan dalam Kontek Budaya Minangkabau." *Humanism: Journal of Gender Studies*, Vol.*2*, No.1, (2018): 28–38. https://doi.org/10.30983/jh.v2i1.808.
[22] Irawaty dan Zakiya, "Kedudukan dan Peran Perempuan dalam Perspektif Islam dan Adat Minangkabau," *Hayula: Indonesian Journal of Multidisciplinary Islamic Studies*, Vol.3, No.1, (2019): 59–76. https://doi.org/10.21009/003.1.04.
[23] Peter Mahmud Marzuki, *Penelitian Hukum: Edisi Revisi*, (Jakarta: Kencana Prenada Media Group, 2019), 83.

of Islamic Law and the Civil Code. The researcher can analyze how land ownership rights for Minangkabau women in Islamic law in the era of digitalization.[24]

DISCUSSION

Legal pluralism describes the coexistence of more than one legal system in governing social life. Indonesia recognizes three legal systems operating simultaneously: National civil law based on Dutch colonial codes, Islamic law for Muslim personal matters, Customary law (*adat*) for traditional communities.[25] The Minangkabau customary law community enforces a matrilineal kinship system, in which they live in a community order in which kinship is counted according to the maternal line and inheritance and inheritance is passed down according to the maternal line. This means that the sons and daughters including their mother's family, clan and race are not from their fathers but from their mothers, mamak and aunts who receive the inheritance of property.[26]

The matrilineal kinship system in Minangkabau society has seven characteristics, namely [27]: 11 1). Offspring are counted according to the maternal line; 2). Tribe is formed according to the mother line; 3). Everyone is required to marry a person outside his tribe (exogamy); 4). Power within the tribe, according to the theory, lies in the hands of the mother but is rarely used by her, medium; 5). The powerful one is his brother; 6). Marriage is matrilocal, i.e. the husband visits his wife; and 7). The rights and inheritance are inherited by the mamak to his nephew, from the mother's brother to the sister's son. The influence of Islam is very thick in the field of inheritance of the Minangkabau people. Although the method of inheritance between Minangkabau customary law based on maternal lineage is very different from the inheritance system in Islamic law where the distribution of inheritance is based on paternal or patrilineal lines. The law that applies in the inheritance of livelihood property to the Minangkabau people can be seen in the court environment, both district courts and religious courts.[28]

Matrilinealism in Minangkabau is at the same time not a matriarchy. Women are not the top leaders in a tribe. The eldest woman or *Bundo Kanduang* in Minangkabau only leads all women in her

[24] Abdul Kadir Muhammad, *Hukum dan Penelitian Hukum*, (Bandung: Citra Aditya, 2004), 134.
[25] Hazar Kusmayanti, Dede Kania, Galuh Puspaningrum, "Praktik Beracara Penyelesaian Sengketa Adat Sumatera Barat Berdasarkan Asas Bajanjang Naiak Batanggo Turun, Asas Bajanjang Naiak Batanggo Turun", *Refleksi Hukum: Jurnal Ilmu Hukum*, Vol. 6, No. 2, (2022): 185–202. https://doi.org/10.24246/jrh.2022.v6.i2.p185-202.
[26] Helmy Panuh, *Peranan Kerapatan Adat Nagari*, (Jakarta: PT. RajaGrafindo Persada, 2012), 40; (dikutip oleh Aliya Sandra Dewi, "Pewarisan Hukum Adat Minangkabau Ditinjau dari Kompilasi Hukum Islam dan Kitab Undang-Undang Hukum Perdata", *SALAM Jurnal Sosial dan Budaya Syar-I* Vol. 10 No. 2, (2023): 647-660, https://doi.org/10.15408/sjsbs. v10i3.32130).
[27] Aliya Sandra Dewi, "Pewarisan Hukum Adat Minangkabau Ditinjau dari Kompilasi Hukum Islam dan Kitab Undang-Undang Hukum Perdata", *SALAM Jurnal Sosial dan Budaya Syar-I* Vol. 10 No. 2, (2023): 647-660, https://doi.org/10.15408/ sjsbs.v10i3.32130.
[28] Ali Amran, "Penyelesaian Sengketa Tanah Ulayat melalui Lembaga Adat di Minangkabau Sumatera Barat", *Jurnal Hukum Acara Perdata Adhaper*, Vol.3 No. 2, (2017): 175-182.

clan, and functions as an extension of the power of indigenous peoples (tribal leaders) in implementing the results of mutual agreements. That is why Taufik Abdullah said that the power of Bundo Kanduang or the representation of women in the Minangkabau matrilineal system is only symbolism, because women have never really led. So even though the woman represented by Bundo.[29] Below is a study on changes in the role and function of women in Minangkabau related to land ownership in the digitalization era.

First, the author will examine the implementation of digital land registration for land ownership for women in Minangkabau. In the view of the Minangkabau people, property is understood as immovable objects, such as land, rice fields, gardens, and houses. Ownership of these assets gives them a respectable position and brings respect and dignity in the eyes of the public. A person who does not own inherited land is often seen as an immigrant or *a Malaccan*.[2] On the contrary, land ownership is the basis for legitimacy that a person is an indigenous person (*urang asa*).[3] In line with that, Azmi Fendri (2002) notes that in Minangkabau customary law the concept of individual land ownership is not known as absolute. Land is controlled and used collectively. As a result, there is almost never a transfer of land rights from one person to another, from one race to another, or from one tribe to another.[4]

In line with this thought, Soerojo Wonodipuro (1983) argues that in the socio-cultural context, communal land is an important marker of kinship bonds, whether a person belongs to the traditional lineage or not. This shows that in West Sumatra, customary rights are not only economic wealth, but also determine social layers and reflect kinship networks. This is what makes these customary rights not easily transferable or certified.[5] However, quoted from the website of the land office of the fifty city districts, the Ministry of ATR/BPN is periodically starting to implement electronic certificates in several Land Offices that have implemented Electronic Services.The implementation of this Electronic Certificate is part of the Ministry's Digital Transformation Roadmap Towards a World-Standard Institution in 2024. The Lima Puluh Kota Regency Land Office handed over 286 PTSL 2024 certificates, Tuesday, December 17, 2024. [30]

The PTSL certificates handed over were 109 electronic certificates in Andaleh Nagari, Luak district and 179 electronic certificates in Taram Nagari, Harau district. This activity was also attended by a judicial team, guardians of the country and residents who received PTSL certificates. In her

[29] Rahmah Eka Saputri, Amril, Erma Gusti, Nurjannah, "Under The Shadow Women's Position in Minangkabau Matrilineal System", *Academic Journal of Islamic Studies*, 2580-3190(e) Vol. 9, No. 2, (2024): 393-41, http://doi.org/10.29240/ajis.v9i2.10149.

[30] The PTSL certificate is a certificate of land rights issued through the Complete Systematic Land Registration program from the Ministry of ATR/BPN, a national program to register uncertified land en masse and free of charge, provide legal certainty, and help people secure their land ownership, with the condition of registering in the village/sub-district, participating in counseling, installing stakes, measurement by BPN, data announcement, and the issuance of certificates if There is no dispute.

statement, Febrina Bachtiar said "PTSL has several benefits, including: Providing legal certainty for land rights owned by the community, Helping to accelerate the land registration process, Improving the land administration system, Minimizing the occurrence of land conflicts, Certificates obtained can be used as business assistance capital. PTSL also includes waqf lands and houses of worship."

PTSL is implemented by the National Land Agency (BPN) and has been going on since 2017. This program will continue until 2025 with a target of 126 million plots of land. As a form of supervision of Land Services, it has been fully implemented electronically. The Electronic Certificate guarantees Data and Document Security, as well as ensuring the Transparency of the Service Process of the Land Office of Fifty Cities following the Online Monitoring and Evaluation of the Progress of Land Administration Activities and Customary Land Registration in West Sumatra Province on Monday, November 3, 2025. This online meeting aims to monitor and evaluate the progress of the implementation of land administration activities and the process of registration of customary land in all districts and cities in West Sumatra Province. Through this activity, it is hoped that there will be synergy and uniformity of steps between the West Sumatra Provincial BPN Regional Office and all Land Offices in the implementation of land priority programs, especially related to the recognition and protection of customary law people's rights to customary land. The active participation of the Land Office of Lima Puluh Kota Regency in this meeting is a form of commitment to support the acceleration of the implementation of fair and sustainable land activities in the West Sumatra region.

For Minangkabau women, the granting of electronic land certificates for inherited land and/or customary land serves as a bridge between matrilineal rights living in customary land and the national agrarian legal system. Traditionally, women are the main heirs of inheritance, but that status has been stored more in ranji, racial deliberations, and decisions of the Nagari Customary Density than in state documents. With the inclusion of women's names—both individually and as representatives of the race—in electronic certificates, the communal inheritance rights are converted into the language of state law without having to lose their customary character.[31]

On the other hand, electronic land certificates have the same evidentiary power as physical certificates according to positive law and are recognized as evidence of land rights in dispute resolution or in land transactions.[2] Through the regulation in the Ministerial Regulation of ATR/BPN No. 3 of 2023, land rights data are stored digitally, verified with electronic signatures, and integrated into the national land registration system.[1] This strengthens legal protection of land the practice of disappearance, unilateral transfer, and buying and selling carried out without the full consent of the community and without involving women as the main heirs, as often highlighted in studies on

[31] Zefrizal Nurdin, "Legal Protection of Customary Rights under Legal Pluralism and Its Impact on the Minangkabau Society: An Empirical Study in the District of Fifty Kota, West Sumatra," *Cogent Social Sciences*, Vol. 8 No. 1, 2022: 1-10, https://doi.org/10.1080/23311886.2022.2045722.

Minangkabau communal land management.[32]

In addition to the aspect of legal protection, electronic certificates on behalf of women also contribute to improving their bargaining position and economic empowerment. Research shows that women's land ownership correlates with an increase in their role in decision-making at the household and community levels, although it has not automatically erased existing patriarchal power relations.[33] With easier access to digital land data, including for Minang women overseas, electronic certificates open up greater opportunities to access agrarian services, development compensation programs, and various economic resources that require formal proof of ownership. Within this framework, electronic land certificates are not just an administrative document, but an important instrument to narrow the gap between customary recognition of women as land heirs and management practices that are still dominated by men.[25]

Implications of Land Dispute Resolution on Minangkabau Women

Customary land disputes can arise from various factors, one of the main causes of customary land disputes is the overlapping of land rights between indigenous peoples and other parties, such as the government or companies. This occurs because of the difference in the ownership system between the communal customary law and the more individualistic national agrarian law. In many cases, indigenous peoples do not have land certificates as proof of official ownership in the eyes of state law, so community rights are often ignored in formal legal processes.[34] Customary land conflicts have a significant impact on indigenous peoples, socially, culturally, economically, and mentally. Socially, these differences can pose problems among indigenous tribes, as some members may favor outsiders who offer compensation or financial benefits, while others protect the area based on long-held traditions. This leads to internal conflicts that can disrupt social solidarity and community cohesiveness. In terms of culture, the loss or dispossession of indigenous territories is an important component of indigenous peoples' identities and ancestral heritage. Customary land is more than just a place to live and work; It is also a place to reconnect with ancestors, perform rituals, and ensure the continuation of traditions.

Settlement of customary land disputes in Minangkabau can be done through litigation or non-litigation. If the settlement of customary disputes is carried out through non-litigation channels, it

[32] Franz von Benda-Beckmann & Keebet von Benda-Beckmann, "Struggles over Communal Property Rights and Law in Minangkabau, West Sumatra," *Max Planck Institute for Social Anthropology Working Paper* No. 64, (2004).
[33] Cheryl Doss and Ruth Meinzen-Dick, "Land tenure security for women: A conceptual framework," *Land Use Policy* issue 99, (2020): 1-12, https://doi.org/10.1016/j.landusepol.2020.105080.
[34] Geta Ilham Adi Prasetyo, Budi Salman Farizy, Mumtaz Mustaqim Billah, Ahmad Fahmi Yustirandi, "Pengelolaan Tanah Adat Keraton Kasepuhan Cirebon dalam Bingkai Kebijakan Agraria Nasional terhadap UUPA". *Jurnal Pertanahan*, Vol *14* No. 1, (2024): 1–12. https://doi.org/10.53686/jp.v14i1.239.

must be guided by the principle *of bajanjang naiak batanggo turun*. This means that every customary dispute must be resolved gradually, through certain levels. The purpose of this principle is to maintain peace and prevent divisions among indigenous peoples due to conflicts arising between them. According to the Traditional Head of Tungka, West Sumatra, *bajanjang naiak batanggo turun* is called a principle because it has become the legal basis and guideline for customary law enforcers in resolving disputes. If the settlement process does not follow this principle, then the results will not be accepted and are considered the same as violating the customary procedural law.[35]

In Minangkabau, customary case settlement is considered more effective through customary dispute resolution institutions. This cannot be separated from the close kinship relationship within races and tribes. This statement is strengthened by the fact that customary disputes are rarely brought to the district courts in West Sumatra. In fact, there have been customary land cases that have been decided by the district court and have permanent legal force, but are still resolved through the Nagari Customary Density (KAN).[36] Technically, dispute settlement by customary institutions in Minangkabau based on the principle *of bajanjang naiak batanggo* descends starting from the lowest level, namely through *bakaum* (deliberation within the tribe). If it is not completed, the case will rise to a higher level, until it is finally handled by the Nagari Customary Density.

In Minangkabau there is a division of inheritance, namely high inheritance and low inheritance. Inheritance of inheritance is carried out according to the maternal line and not according to the paternal line, in this case it applies only to high estate assets. Mamak or men are only the ones in charge and control, while the results will still go to the people who are taken care of by women. The concept of customary land explained in West Sumatra Regional Regulation Number 16 of 2008 concerning Customary Land and Its Utilization is explained that tribal customary land is an inherited land owned by people who are in certain tribes, this customary land cannot be divided among individuals who are members of the tribe to own, because the property will remain in the communal control of the tribe. The rights of tribal members to the land are called *ganggam bauntuak, pagang bamasiang, hiduik bapangadok*. This term is the result of management only that belongs to the tribe, while the tribal customary land still belongs to the tribe. Ninik mamak must provide understanding and knowledge of the provisions of the Minangkabau traditional inheritance for nephews and introduce customary terms for nephews, so that it is hoped that there will be no disputes between the race and the nephew's children and members of the tribe better understand the applicable

[35] Interview with Suhaimi Dt. Tama rajo, Traditional Head of Tungka (Tungka, West Sumatra, September 17, 2021).
[36] Betrin Natasya and Atsushi Matsuoka, "Women's Land Ownership and Decision-Making Power in West Sumatra," *Regional Science and Environmental Economics*, Vol. 2 No. 3, (2025): 1-15, https://doi.org/10.3390/rsee2030018.

customary provisions and do not violate these provisions.[37]

In practice, women's participation in customary land dispute resolution forums is still very limited even though they are the most interested parties as owners of inherited land.[38] Tribal meeting forums, ninik mamak deliberations, and KAN sessions are generally dominated by men as mamak and penghulu. Women are usually present at the forum but rarely speak directly or make their own arguments. They are more often represented by their mamak who are expected to fight for the interests of their daughters-nieces and nephews. The cultural construct that places men as public spokespersons and decision-makers makes women's voices less likely to be heard directly in the dispute resolution process. This limited participation has serious consequences because the interests of women are not always in line with the interests of their mamak or penghulu. In some cases, the mamak who is supposed to take care of the estate actually has personal economic interests that are contrary to the long-term interests of the daughter-nephew.

For example, in the case of a pawn or the sale of inherited land, the mamak may get a share of the proceeds of the transaction while the woman loses the economic guarantee of the future. Without the ability to speak and argue directly in indigenous forums, women lose the opportunity to defend their rights effectively. This situation is exacerbated by women's lower levels of legal education and knowledge than men's, making them less confident to actively engage in complex customary law debates.

One of the biggest challenges in resolving Minangkabau customary land disputes is the dualism of the applicable legal system. On the one hand, Minangkabau customary law firmly states that high inheritance land is a woman's inheritance right that cannot be transferred to men or parties outside the race. On the other hand, Indonesian national law influenced by Islamic law and the Civil Code recognizes male inheritance rights, even in some interpretations giving a larger portion to men.[39] This clash creates legal uncertainty, especially in families where intermarriage occurs between Minangkabau people and other ethnicities or in cases of religious conversion and modernization of values.

This legal uncertainty is often taken advantage of by parties who want to control inherited land in ways that are actually contrary to customary law. In some cases, husbands who are not from Minangkabau try to claim their land rights under national law, even though traditionally the land is

[37] Nurul Auliya , Rika Lestari, Ulfia Hasanah,"Penyelesaian Sengketa Tanah Ulayat oleh Ninik Mamak di Nagari Koto Tangah Kecamatan Tilatang Kamang Kabupaten Agam", *SEIKAT: Jurnal Ilmu Sosial, Politik dan Hukum*, Vol. 2 No. 3, (2023): 200-210, https://doi.org/10.55681/seikat.v2i3.515.
[38] Saputra, Hendra, "Women's Participation in Customary Dispute Resolution Mechanisms in Minangkabau Society." *Journal of Indonesian Social Sciences and Humanities* 8, no. 2 (2018): 145-16.
[39] Muhammad Rusli, Zakirah, "Dasar Hukum Waris di Indonesia berdasarkan Hukum Islam (Syariah)", *Al-Ubudiyah: Jurnal Pendidikan dan Studi Islam,* Vol. 6, No. 1, (2025): 16-23, https://doi.org/10.55623/au.v6i1.381.

the right of the wives.[40] When disputes like these are brought to district court, judges often face a dilemma between respecting local customary laws or applying more universal national laws. Court decisions that ignore customary law can weaken the position of Minangkabau women, while decisions that are too rigid in defending customary law can be contrary to the principle of gender equality in national law. Minangkabau women are often the most disadvantaged parties in this situation of legal uncertainty as they have to navigate two different legal systems with limited resources and knowledge.

Economic development and urbanization have brought great pressure to the customary land ownership system in Minangkabau. Land that was once seen as an ancestral heritage that should not be sold is now increasingly seen as an economic commodity that can be traded to meet modern needs. Infrastructure development, expansion of commercial areas, and rising land prices prompted many tribes to sell or mortgage their inherited land. In this context, the customary principle of *ganggam bauntuak* is increasingly difficult to maintain amid urgent economic needs. Women as the rightful owners of inherited land often face the dilemma between maintaining their ancestral heritage or releasing it for the sake of their family's economic needs.

The problem is that in the process of commercialization of customary lands, women's voices and interests are often marginalized. The decision to sell or mortgage inherited land is usually taken in a tribal meeting dominated by mamak and penghulu, with women only being asked for formal approval.[41] In some cases, women are not even given full information about the transaction to be made or about the long-term consequences of the decision. The proceeds from the sale of inherited land are also not always managed for the benefit of women and their children, but are sometimes used for other purposes that do not provide direct benefits to the rightful owners of the land. When the heirloom land is sold and the money from the sale runs out, women lose the economic security that was supposed to protect them and future generations, creating new economic vulnerability among Minangkabau women.

Not all customary land disputes involve parties outside the race. Many disputes actually occur internally between fellow members of the tribe, especially between the daughter's nieces and nephews who fight for the right to the same inherited land. This kind of dispute can be very complex and emotional because it involves close family relationships.[13] The cause of family disputes is usually related to the unfair distribution of land produce, differences of opinion about land management, or

[40] . Agung Setiawan, Hendri Zola Efendi, "Konflik dan Resolusi dalam Pembagian Harta Pasca Perceraian di Tanah Pusaka Minangkabau", *USRATY: Journal of Islamic Family Law*, Vol. 2. No. 1, (2024): 42-52, http://doi.org/10.30983/usraty.v2i1.838.

[41] Mery Kurnia, "Buruh Perempuan di Negeri Perempuan: Studi Kasus Pergeseran Peran Perempuan Minangkabau", *Kafa`ah Journal of Gender Studies*, Vol. 7 No. 1, (2017): 57-65, https://doi.org/10.15548/jk.v7i1.164.

ownership claims from different branches of the family within one race. This process of resolving internal disputes is often longer and more complicated because it involves sensitive family dynamics and a long history of relationships between tribal members. In family disputes, women face double challenges. They must defend their rights to their fellow women in the same race, who also have legitimate claims to the inherited land. Second, they still have to depend on the mamak and the penghulu to mediate disputes, even though the mamak sometimes has different closeness or interests with each party to the dispute. A lengthy mediation process can drain energy, time, and cost, while the land that is the source of the dispute cannot be managed productively.

To improve the position of women in resolving customary land disputes, a comprehensive approach is needed and involves various parties. First, there needs to be a strengthening of the capacity of Minangkabau women regarding their rights both in customary law and national law. Legal education and advocacy training programs for women can enhance their understanding of land tenure rights and dispute resolution procedures.[42] With adequate knowledge, women will be more confident to actively participate in customary forums and defend their own interests. Customary institutions such as Bundo Kanduang need to strengthen their role as a forum for women to voice their aspirations and interests in the management of heritage lands. Second, there needs to be reform in customary dispute resolution mechanisms to provide greater space for women's participation. Indigenous forums need to be more inclusive by ensuring women can speak directly and their arguments are listened to seriously, not just as a formality.[43] KAN and other customary institutions need to review their procedures to ensure gender justice in the decision-making process.

CONCLUSION

Normatively, Minangkabau women occupy a strong position as the main subjects of high inheritance and guardians of tribal sustainability, but in practice they remain vulnerable because the structure of customary authority dominated by mamak and customary institutions makes land tenure and management not fully reflect women's interests and voices. Digitization of land through PTSL and electronic certificates is ambivalent: on the one hand, it can strengthen legal certainty and protection for women if the names of women or races are stated firmly, but on the other hand, it has the potential to erode the communal character of customary land and encourage the individualization of rights that often move into the hands of men when the categories of customs,

[42] Rico Handika, Mohammad Ikhwanuddin, and Thoat Setiawan, "Pendampingan Advokasi Hukum Legalitas Tanah dan Bangunan di Sekolah Dasar Negeri 3 Wringinanom Situbondo", *AKSIOLOGIYA: Jurnal Pengabdian Kepada Masyarakat*, Vol., No. 4, (2022): 636-649, https://doi.org/10.30651/aks.v6i4.13843.
[43] Otong Sulaeman, Dodon Alfiander, Oktari Kanus, and Sri Nur Rahmi, "Negotiating gender justice in Minangkabau marital disputes: Between adat, Islamic, and state law". *JURIS (Sharia Scientific Journal)*, Vol. 24, No. 1, (2025): 39-49,. https://doi.org/10.31958/juris.v24i1.11848.

high inheritances, and *bauntuak gangs* are ignored. The mechanism for resolving inherited land disputes shows that there is no synergy between customary law, Islam, and national agrarian law, so that the escalation of disputes to the courts and the absence of harmonization of norms create uncertainty, especially in inheritance and transfer of rights cases. At the same time, women's participation in customary forums and legal processes is still limited and tends to be symbolic due to inequality of legal knowledge, cultural norms that place women in the domestic realm, and the dominance of male figures in customary structures. Therefore, the protection of Minangkabau women's land ownership rights in the digital era requires policies and institutional engineering with a gender and customary perspective through explicit recognition of the category of customary and high-heritage land in the registration system and electronic certificates, the obligation of involvement and inclusion of women in the transfer of rights, strengthening the capacity and representation of women in customary institutions and KAN, as well as harmonization of regulations between customary law, Islamic law, and national agrarian law so as not to ignore the matrilineal structure and communal rights of Minangkabau women.

REFERENCES

Abdul Kadir Muhammad, *Hukum dan Penelitian Hukum*, (Bandung: Citra Aditya, 2004).

Aditya, Zaka Firma, "Romantisme Sistem Hukum di Indonesia: Kajian Atas Kontribusi Hukum Adat dan Hukum Islam Terhadap Pembangunan Hukum di Indonesia", *Jurnal Rechtsvinding: Media Pembinaan Hukum Nasional*, Vol. 8, No. 1 (2019), https://doi.org/10.58812/SHH.V2.I02.

Alexander Kevin Gorga, Steven Sitorus, Grenaldus Calvino Vigopang, Jeane Neltje Sally, "Dampak Globalisasi Terhadap Keberlanjutan Hukum Adat di Indonesia", *Civilia: Jurnal Kajian Hukum dan Pendidikan Kewarganegaraan*, Vol. 2 No. 2, (2023), https://doi.org/10.572349/ civilia.v2i2.555.

Ali Amran, "Penyelesaian Sengketa Tanah Ulayat melalui Lembaga Adat di Minangkabau Sumatera Barat", *Jurnal Hukum Acara Perdata Adhaper*, Vol.3 No. 2, (2017).

Aliya Sandra Dewi, "Pewarisan Hukum Adat Minangkabau Ditinjau dari Kompilasi Hukum Islam dan Kitab Undang-Undang Hukum Perdata", *SALAM Jurnal Sosial dan Budaya Syar-I* Vol. 10 No. 2, (2023), https://doi.org/10.15408/ sjsbs.v10i3.32130.

Betrin Natasya and Atsushi Matsuoka, "Women's Land Ownership and Decision-Making Power in West Sumatra," *Regional Science and Environmental Economics,* Vol. 2 No. 3, (2025), https://doi.org/10.3390/rsee2030018.

Cheryl Doss and Ruth Meinzen-Dick, "Land tenure security for women: A conceptual framework," *Land Use Policy* issue 99, (2020), https://doi.org/10.1016/j.landusepol.2020.105080.

Defel Fakhyadi, Muhammad Adib Samsudin, Vito Dasrianto, Muhammad Danil, Ade Arga Wahyudi, "Reconstructing Gender Relations for Family Resilience in Minangkabau: Integrating Islamic Law and Customary Law," *Al-Ahkam*, Vol. 35 No. 1 (2025), https://doi.org/10.21580/ ahkam.2025.35.1.22906.

Franz von Benda-Beckmann & Keebet von Benda-Beckmann, "Struggles over Communal Property in

Minangkabau, Halle: Max Planck Institute for Social Anthropology," *Working Paper* No. 64, (2004).

Geta Ilham Adi Prasetyo, Budi Salman Farizy, Mumtaz Mustaqim Billah, "Judul tentang Reforma Agraria dan PTSL", *Jurnal Pertanahan*, Vol. 14, No. 1, (2024), https://doi.org/10.53686/jp.v14i1.239.

Hazar Kusmayanti, Dede Kania, Galuh Puspaningrum, "Praktik Beracara Penyelesaian Sengketa Adat Sumatera Barat Berdasarkan Asas Bajanjang Naiak Batanggo Turun, Asas Bajanjang Naiak Batanggo Turun", *Refleksi Hukum: Jurnal Ilmu Hukum*, Vol. 6, No. 2, (2022). https://doi.org/10.24246/jrh.2022.v6.i2.p185-202

Hazar Kusmayanti, Dede Mulyanto, Deviana Yuanitasari, Muhammadafeefee Assalihee, "Contradiction Implications of the Receptie a Contrariotheory in Minangkabau Inheritance", *Justicia Islamica: Journal of Legal and Social Studies*, Vol 21, No 2, (2024): 347-366, https://doi.org/10.21154/justicia.v21i2.8859.

Hazar Kusmayanti, Sonny Dewi Judiasih, Dede Kania, Dewi Sulastri, "Customary Courts and Legal Pluralism in Indonesia: Identifying The Role Of Customary Courts", *Cepalo*, Vol. 9, No. 1, (2024), https://doi.org/10.25041/cepalo.v9no1.3677.

Helmy Panuh, *Peranan Kerapatan Adat Nagari*, (Jakarta: PT RajaGrafindo Persada, 2012).

Indonesia. The 1945 Constitution of the Republic of Indonesia.

————————. Law No. 5 of 1960 on Basic Agrarian Principles.

————————. Government Regulation No. 24 of 1997 on Land Registration.

————————. Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency No. 6 of 2018 on Complete Systematic Land Registration.

————————. Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency No. 1 of 2021 on Electronic Certificates.

————————. Regional Regulation of West Sumatra Province No. 6 of 2008 on Tanah Ulayat (Customary Land) and Its Utilization.

Irawaty & Zakiya Darojat, "Kedudukan dan Peran Perempuan dalam Perspektif Hukum Islam dan Adat", *Hayula: Indonesian Journal of Multidisciplinary Islamic Studies*, Vol. 3, No. 1, (2019), https://doi.org/10.21009/hayula.003.1.04.

Laras Shesa, Oloan Muda Hasyim Harahap, Elimartati Elimartati, "Judul tentang Harta Bersama dan Adat", *Jurnal Hukum Islam*, Vol. 6, No. 1, (2021), https://doi.org/10.29240/jhi.v6i1.2643.

M. Agung Setiawan & Hendri Zola Efendi, "Konflik dan Resolusi dalam Harta Pusaka Tinggi di Minangkabau", *Usraty: Journal of Islamic Family Law*, Vol. 2, No. 1, (2024), http://doi.org/10.30983/usraty.v2i1.838.

Mery Kurnia, "Buruh Perempuan di Negeri Perempuan: Studi Kasus Perempuan Minangkabau", *Jurnal Kajian Gender*, Vol. 7, No. 1, (2017), https://doi.org/10.15548/jk.v7i1.164.

Mohamad, M., "The Customary Tenure Enactment and Matrilineal Land Titles in Negeri Sembilan", *Journal of the Royal Asiatic Society*, Vol. 89, No. 1, (2016), https://doi.org/10.1353/ras.2016.0007.

Muhammad Rusli, Zakirah, "Dasar Hukum Waris di Indonesia berdasarkan Hukum Islam (Syariah)", *Al-Ubudiyah: Jurnal Pendidikan dan Studi Islam*, Vol. 6, No. 1, (2025), https://doi.org/10.55623/au.v6i1.381.

Nelna Saprina And Yulia Rahmi, "Evolution of the Minangkabau Inheritance System and its Relevance

to Gender Justice in Islamic Law," *Usraty: Journal Of Islamic Family Law* Vol. 2. No. 1, (2024), http://doi.org/10.30983/ usraty.v2i1.8377.

Nurul Auliya , Rika Lestari, Ulfia Hasanah,"Penyelesaian Sengketa Tanah Ulayat oleh Ninik Mamak di Nagari Koto Tangah Kecamatan Tilatang Kamang Kabupaten Agam", *SEIKAT: Jurnal Ilmu Sosial, Politik dan Hukum*, Vol. 2 No. 3, (2023), https://doi.org/10.55681/seikat.v2i3.515.

Nurwani Idris, "Kedudukan perempuan dan aktualisasi politik dalam masyarakat matrilineal minangkabau," *Jurnal Masyarakat Kebudayaan dan Politik*, Vol. 25 No. 2, (2012).

Otong Sulaeman, Dodon Alfiander, Oktari Kanus, Sri Nur Rahmi, "Sengketa Tanah Ulayat di Sumatera Barat dalam Perspektif Adat, Islam, dan Negara", *JURIS (Jurnal Ilmiah Syariah)*, Vol. 24, No. 1, 2025, https://doi.org/10.31958/juris.v24i1.11848.

Kedudukan perempuan dan aktualisasi politik dalam masyarakat matrilineal minangkabau," *Jurnal Masyarakat Kebudayaan dan Politik,* Vol. 25 No. 2, (2012).

Peter Mahmud Marzuki, *Penelitian Hukum: Edisi Revisi*, (Jakarta: Kencana Prenada Media Group, 2019).

Rahmah Eka Saputri, Amril, Erma Gusti, Nurjannah, "Under The Shadow Women's Position in Minangkabau Matrilineal System", *Academic Journal of Islamic Studies*, 2580-3190(e) Vol. 9, No. 2, (2024), http://doi.org/10.29240/ajis.v9i2.10149.

Rakha Adi Pragata, "Hukum Adat dalam Perspektif Konstitusi dan Hukum Islam," *Sanskara Hukum dan HAM*, Vol. 2, No. 02, (2023), https://doi.org/10.58812/shh.v2.i02.

Reza Kurniawan Cahya Putra and Hartaty Halim, "Peran dan Tantangan Hukum Adat dalam Perlindungan Tanah Ulayat di Era Dominasi Budaya Lokal", *Jurnal Hukum*, Vol. 20, No. 2,(2023).

Rico Handika, Mohammad Ikhwanuddin, and Thoat Setiawan, "Pendampingan Advokasi Hukum Legalitas Tanah dan Bangunan di Sekolah Dasar Negeri 3 Wringinanom Situbondo", *AKSIOLOGIYA: Jurnal Pengabdian Kepada Masyarakat*, Vol., No. 4, (2022), https://doi.org/ 10.30651/aks.v6i4.13843.

Samosir Djamanat, *Hukum Adat Indonesia: Eksistensi dalam Dinamika Perkembangan Hukum di Indonesia*, (Bandung: CV Nuansa Aulia, 2015).

Saputra, Hendra, "Women's Participation in Customary Dispute Resolution in Minangkabau", *Indonesian Social Sciences and Humanities*, Vol. 8, No. 2, (2018).

Sonny Dewi Judiasih, Hazar Kusmayanti, Ramalinggam Rajamanickam, "Customary Justice and Access to Justice", *Media Iuris*, Vol. 8, No. 3, (2025), https://doi.org/10.20473/mi.v8i3.76766.

Sri Yunarti, "Inisiasi Posisi dan Peran Perempuan dalam Konteks Budaya Lokal", *Jurnal Hukum*, Vol. 2, No. 1, (2018), https://doi.org/10.30983/jh.v2i1.808.

Widia Fithri, Ahmad Wira, Rahmad Tri Hadi, "Philosophy 'Habis Adat Karena Mufakat': Consensus of Diversion of Pusako Tinggi in Minangkabau", *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* Vol.9 No.2, (2025).

Yani Triakyuni and Sri Wahyu Handayani, "Protection of Customary Land Rights in Minangkabau in the National Legal System", *Al-Zayn: Journal of Social Sciences and Law*, Vol. 3, no. 5, (2025), https://doi.org/10.61104/ alz.v3i5.23114.

Yuhendri, L.V., Wahjoedi, Ery Tri Djatmika, Agung Haryono, "Women, Matrilineal System and Economic Role in Minangkabau", *Journal of Cultural Analysis and Social Change*, Vol. 10, No. 1, https://doi.org/10.64753/jcasc.v10i1.463.

Zahara, Mirwati, Y, "Musyawarah Mufakat Indigenous Version of Minangkabau in Dispute Settlement

Waqf Communal Land in West Sumatra", International Journal of Innovation, Creativity and Change, Vol. 10, No. 15, (2019).

Zefrizal Nurdin, "Legal Protection of Customary Rights under Legal Pluralism in Indonesia", *Cogent Social Sciences*, Vol. 8, No. 1, (2022), https://doi.org/10.1080/23311886.2022.2045722.