

Negotiating Islamic Inheritance through Legal Pluralism: A Socio-Legal Study in Agrarian Communities

Ahmad Zulfi Fahmi,^{1*} Bakari Arabi²

¹ Institut Miftahul Huda Al Azhar Kota Banjar, Indonesia

² University of East London, United Kingdom

*Corresponding author: Ahmad Zulfi Fahmi

E-mail: zulfifahmi094@gmail.com

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Abstract

Background: Islamic inheritance law (*farā'id*) is frequently negotiated within Muslim societies where customary traditions, social relations, and economic conditions influence legal practices. Although legal pluralism in Islamic inheritance has been widely discussed, limited studies explain how rural Muslim communities receive, interpret, and reconstruct inheritance norms through everyday socio-cultural experiences, particularly in agrarian settings.

Objective: This study aims to examine how the community of Dusun Bakung, Cilacap, receives and negotiates Islamic inheritance law within an agrarian social context, particularly regarding the interaction between *farā'id*, customary practices, and agricultural land preservation.

Methods: This study employed a qualitative socio-legal approach. Data were collected through semi-structured interviews, participant observation, and document analysis. The data were analyzed using Stuart Hall's reception theory to explore community interpretations and negotiations of Islamic inheritance principles.

Results: The findings reveal that the community adopts a negotiated reception of *farā'id*, recognizing Islamic inheritance law as a religious foundation while adapting its implementation through family deliberation (*musyawarah*). The principle of *tanah ora kena didum* influences inheritance decisions by supporting agricultural land preservation, family harmony, and intergenerational sustainability.

Conclusion: Islamic inheritance practices in Dusun Bakung function as *living Islamic law*, shaped by the interaction between religious norms, customary values, and agrarian realities.

Novelty: This study contributes a new socio-legal perspective by integrating Stuart Hall's reception theory, Islamic inheritance law, and sustainable land governance to explain how rural Muslim communities construct contextual inheritance practices within pluralistic legal systems.

Keywords: Islamic inheritance law; legal pluralism; *farā'id*; reception theory; agrarian communities.

INTRODUCTION

Islamic inheritance law (*farā'id*) constitutes one of the most comprehensive branches of Islamic jurisprudence because it regulates the transfer of property rights through predetermined legal shares intended to ensure justice, legal certainty, and family welfare. Although the Qur'an establishes clear principles governing inheritance distribution, their practical implementation frequently varies according to local social, economic, and cultural contexts. Rather than functioning exclusively as a rigid legal doctrine, Islamic inheritance law is often interpreted through everyday social interactions where customary norms, family deliberation, and economic interests influence legal decision-making. Contemporary socio-legal scholarship therefore recognizes that inheritance should be understood not merely as a legal institution but also as a living social practice embedded within broader systems of governance, community relations, and local values (Braithwaite, 2021; Huda et al., 2024; Harahap et

al., 2025; Munawar et al., 2025; Mustofa et al., 2025). Likewise, international studies demonstrate that land governance, tenure security, and community institutions significantly shape how legal norms are interpreted and implemented, particularly within rural societies where land represents economic security as well as social identity (Charles et al., 2025; Entwistle & Nyantakyi-Frimpong, 2025; Fredrick et al., 2025).

The coexistence of Islamic law and customary practice reflects the reality of legal pluralism in many Muslim societies. Instead of replacing religious law, customary values frequently operate as interpretative mechanisms through which Islamic legal principles are contextualized according to local circumstances. Previous studies in Indonesia consistently reveal that inheritance distribution often prioritizes family harmony, collective welfare, and dispute prevention rather than the strict mathematical allocation prescribed by classical *farā'id* (Azqia et al., 2025; Luntajo & Hasan, 2025; Sarmadi et al., 2025; Syaib & Ansar, 2025; Taqiyuddin et al., 2025; Yanti et al., 2025; Yusmita et al., 2025). Similar tendencies have been observed internationally, where community governance, customary tenure systems, and local dispute-resolution institutions strongly influence land-related decision-making (Adehokey et al., 2025; Asumang-Yeboah et al., 2025; Burnod et al., 2025). These findings suggest that legal compliance in inheritance matters cannot be understood solely through normative legal analysis but must also consider the interaction between religious principles, local customs, and socio-economic realities that shape community behaviour.

Agrarian communities provide a particularly important setting for examining this interaction because agricultural land possesses multiple meanings beyond its economic value. Land functions simultaneously as productive capital, family heritage, and an intergenerational resource whose fragmentation may threaten long-term household sustainability. Consequently, inheritance decisions frequently seek to preserve land productivity rather than merely implement formal legal prescriptions. International evidence indicates that unequal access to land may generate social inequality, tenure insecurity, and recurring land conflicts when governance structures fail to accommodate local realities (Asumang-Yeboah et al., 2025; Charles et al., 2025; Fredrick et al., 2025; Pothin et al., 2025; Tabetando et al., 2025). Other studies likewise demonstrate that indigenous authority, resource governance, and community-based land management substantially influence the allocation of property rights and conflict resolution (Entwistle & Nyantakyi-Frimpong, 2025; Lalander et al., 2025; Ungirwalu et al., 2025). These observations are particularly relevant to Indonesian rural Muslim communities, where inheritance distribution commonly involves *musyawarah keluarga*, consensus (*işlāh*), and the preservation of productive agricultural land as essential components of maintaining family cohesion.

Despite the expanding literature on Islamic inheritance law and legal pluralism, several important scholarly gaps remain. Existing research has primarily concentrated on doctrinal interpretation, judicial decisions, gender equality, or comparative analyses between Islamic law and customary law across different regions (Fakhyadi et al., 2025; Fitriyati et al., 2025; Nur et al., 2025; Roziqi et al., 2025). While these studies successfully explain legal adaptation at institutional or normative levels, they provide relatively limited insight into how ordinary Muslim communities actively interpret, negotiate, and reproduce Islamic inheritance norms in everyday life. Moreover, few studies have employed a reception-oriented analytical framework capable of explaining why communities selectively accept, modify, or reinterpret Islamic legal provisions without perceiving themselves as rejecting Islamic teachings. Consequently, the relationship between legal reception, agrarian rationality, and socio-cultural negotiation remains insufficiently explored within contemporary scholarship on Islamic family law.

This study addresses these gaps by investigating inheritance practices in Dusun Bakung, Cilacap, an agrarian Muslim community where inheritance distribution is strongly influenced by the local principle of preserving agricultural land (*tanah ora kena didum*). Employing a qualitative socio-legal approach and Stuart Hall's reception theory, this research examines how community members receive, negotiate, and reinterpret Islamic inheritance law within their socio-economic and cultural contexts. Unlike previous studies that mainly emphasize doctrinal analysis or judicial interpretation, this study positions community reception as the central analytical perspective for understanding the interaction between religious norms, customary practices, and agrarian logic. By integrating socio-legal analysis with reception theory, this research offers a novel contribution to Islamic family law scholarship by demonstrating that inheritance practices represent an ongoing process of legal negotiation through which religious legitimacy, family harmony, and sustainable land governance are continuously balanced within the lived experiences of rural Muslim communities.

LITERATURE REVIEW

Islamic inheritance law (*farā'id*) has long been regarded as a normative legal system designed to ensure distributive justice through predetermined inheritance shares established in the Qur'an and *Sunnah*. Nevertheless, contemporary socio-legal scholarship increasingly argues that the implementation of Islamic inheritance law cannot be understood solely through doctrinal interpretation because legal norms are continuously mediated by social institutions, local customs, and community practices. Within this perspective, law functions not merely as a formal regulatory instrument but also as a socially negotiated process shaped by everyday interactions and restorative mechanisms that prioritize social harmony over rigid legal enforcement (Braithwaite, 2021). In the Indonesian context, empirical studies similarly demonstrate that Islamic family law evolves through continuous dialogue with customary values and local wisdom. Javanese Muslim communities, for example, frequently resolve inheritance disputes through deliberative traditions that integrate religious teachings with communal consensus (Huda et al., 2024). Comparative research between Yemen and Indonesia further confirms that although the normative principles of *farā'id* remain authoritative, their practical implementation varies according to cultural settings, legal traditions, and patterns of social negotiation (Azqia et al., 2025). Likewise, studies conducted among Muslim communities in Minangkabau, Banjar, Minahasa, South Tapanuli, Serang, Sasak, and Jambi consistently reveal that customary institutions continue to influence inheritance practices without necessarily undermining the legitimacy of Islamic law (Fakhyadi et al., 2025; Harahap et al., 2025; Luntajo & Hasan, 2025; Munawar et al., 2025; Mustofa et al., 2025; Nur et al., 2025; Sarmadi et al., 2025; Syuaib & Ansar, 2025; Taqiyuddin et al., 2025; Yanti et al., 2025; Yusmita et al., 2025). Collectively, these studies indicate that Islamic inheritance law is better understood as a *living law* whose implementation is shaped by the interaction between religious doctrine, customary authority, and the socio-cultural realities of Muslim communities.

The dynamic interaction between Islamic law and customary practice is commonly conceptualized through the framework of legal pluralism, which recognizes the coexistence of multiple normative systems governing social life. Rather than viewing religious and customary law as competing legal orders, recent scholarship emphasizes that both systems frequently complement one another through adaptive and context-sensitive legal practices. Institutional *ijtihad*, legal accommodation, and contextual interpretation have become important mechanisms for maintaining the relevance of Islamic family law amid changing social conditions (Fitriyati et al., 2025; Roziqi et al., 2025). This adaptive perspective is reinforced by broader studies on land governance, tenure systems, and rural transformation, which demonstrate that legal arrangements surrounding land ownership are inseparable from social justice, food security, gender relations, and community resilience (Akbari et al., 2025; Meinzen-Dick et al., 2025; Pierri et al., 2025). Research conducted in Bangladesh, Myanmar, Chile, Tanzania, India, Morocco, and South America further illustrates that property rights are continuously negotiated through historical governance structures, customary institutions, political authority, and local resource management rather than being determined exclusively by statutory regulations (Anticoli et al., 2025; Caroca, 2025; Han et al., 2025; Huggins et al., 2025; Kar et al., 2025; Ndimbo & Haulle, 2025; Roos et al., 2025; Scanlan et al., 2024; Silva-Novoa Sánchez et al., 2025; Slavchevska et al., 2025). At the same time, studies on religious tolerance and indigenous knowledge caution that local wisdom should not be romanticized uncritically, but instead examined as a dynamic social construct that may simultaneously promote inclusion, adaptation, negotiation, and unequal power relations (Anas et al., 2025; Mahaswa & Syaja, 2025; Saputra et al., 2025). Therefore, understanding inheritance practices within agrarian Muslim communities requires an analytical framework capable of explaining not only legal compliance but also the processes through which religious norms are interpreted, negotiated, and reconstructed within everyday social life.

The socio-legal perspective provides an important analytical framework for understanding why Islamic inheritance law is implemented differently across Muslim societies despite the existence of clear normative provisions in *farā'id*. Rather than assuming that legal norms operate independently from society, socio-legal scholarship argues that legal rules are continuously interpreted, negotiated, and reconstructed through social interaction, local institutions, and cultural values. Braithwaite (2021) emphasizes that legal compliance is often achieved through *responsive regulation*, where community actors negotiate legal norms according to local conditions instead of merely following formal legal prescriptions. This perspective has become increasingly influential in explaining legal pluralism within Muslim societies, where Islamic law, customary law (*adat*), and state law coexist and interact. Roziqi et al. (2025) demonstrate that Indonesia's formulation of *wasfiyyah wājibah* illustrates how institutional *ijtihad* functions as a socio-legal adaptation that accommodates social realities while maintaining Islamic legal legitimacy. Likewise, Mustofa et al. (2025) argue that *living Islamic law* emerges

because communities internalize Islamic principles through local traditions rather than applying classical jurisprudence mechanically. Similar conclusions are presented by Munawar et al. (2025), who observe that the dialogue between Islamic law and *adat* in West Kalimantan represents a dynamic legal accommodation rather than legal contradiction. In Banjar society, Sarmadi et al. (2025) further reveal that restorative justice and *fiqh al-aqalliyāt* provide flexible mechanisms for resolving inheritance disputes without abandoning Islamic legal values. These findings collectively reinforce the argument that Islamic inheritance practices should be understood as products of continuous legal negotiation shaped by social realities, institutional mediation, and community perceptions rather than as fixed textual applications alone.

The concept of legal pluralism becomes even more significant when inheritance disputes involve agrarian land, because land ownership simultaneously carries economic, cultural, symbolic, and familial meanings. International scholarship increasingly demonstrates that land governance cannot be separated from questions of tenure security, gender relations, community participation, and rural sustainability. Scanlan et al. (2024) caution that land administration policies intended to reduce inequality may unintentionally reproduce existing social disparities when they ignore local power relations. Building on this concern, Pierri et al. (2025) argue that secure land tenure constitutes a fundamental prerequisite for resilient rural transformation and sustainable food systems. Similarly, Meinzen-Dick et al. (2025) recommend expanding analytical perspectives on land tenure beyond formal ownership by considering historical, social, and customary dimensions. Studies conducted in different geographical contexts support this proposition. Han et al. (2025) demonstrate that historical land governance in Myanmar evolved through continuous interaction between political authority and customary institutions, while Caroca (2025) illustrates how shifting land tenure regimes reshape local communities' legal responses to resource management. Anticoli et al. (2025) identify multiple typologies of spatial land conflicts in South America, indicating that conflicts often emerge from competing legal claims rather than from land scarcity alone. Similar patterns are observed in Morocco, where customary land disputes are primarily driven by overlapping social, institutional, and economic interests (Silva-Novoa Sánchez et al., 2025). Furthermore, Kar et al. (2025) reveal that customary ownership arrangements surrounding forest resources continue to function effectively because local communities perceive them as socially legitimate. These international findings are highly relevant to agrarian Muslim communities in Indonesia, where agricultural land is regarded not merely as inheritable property but also as a collective family asset whose preservation supports long-term livelihood security and social cohesion.

Although recent scholarship has substantially advanced discussions on Islamic inheritance, legal pluralism, and agrarian governance, an important research gap remains. Existing studies generally examine legal pluralism from doctrinal, judicial, institutional, or comparative perspectives without sufficiently explaining how ordinary Muslim villagers negotiate Islamic inheritance norms through everyday social practice. Previous Indonesian studies have documented inheritance adaptation among Javanese Muslims (Huda et al., 2024), Minangkabau communities (Fakhyadi et al., 2025), Banjar society (Sarmadi et al., 2025; Mustofa et al., 2025), Sasak communities (Yusmita et al., 2025), Muslim Minahasa families (Luntajo & Hasan, 2025), Suku Anak Dalam communities (Yanti et al., 2025), Batakese communities (Harahap et al., 2025), and rural Serang society (Taqiyuddin et al., 2025). Comparative scholarship has also explored inheritance dynamics between Indonesia and Yemen (Azqia et al., 2025), while Fitriyati et al. (2025) discuss inheritance equality through the perspective of *maqāṣid al-sharī'ah*. Nevertheless, these studies rarely investigate how agrarian logic—particularly the principle of maintaining productive agricultural land—influences the community's reception of Islamic inheritance norms. They also pay limited attention to the interpretive processes through which villagers negotiate between religious obligations, economic sustainability, and local wisdom. Responding to these limitations, the present study integrates Stuart Hall's reception theory with a socio-legal framework to explain how Muslim communities actively construct negotiated understandings of *farā'id* within agrarian settings. By positioning community reception as the central analytical unit, this study contributes a more comprehensive explanation of how Islamic inheritance law is socially interpreted, culturally adapted, and practically implemented in contemporary rural Indonesia.

METHODS

This study employed a qualitative research design using a *socio-legal* approach to examine how Islamic inheritance law is negotiated within the socio-cultural realities of an agrarian Muslim community. Rather than viewing Islamic inheritance (*farā'id*) solely as a normative legal doctrine, the socio-legal perspective enables an investigation of how religious norms are interpreted, adapted, and practiced through local customs, economic considerations, and community interactions. This approach is particularly appropriate because inheritance

practices in rural Indonesia are shaped by the coexistence of Islamic law, customary law (*adat*), and social institutions that collectively influence legal behaviour. Dusun Bakung, Cilacap Regency, Central Java, was purposively selected as the research site because it represents a predominantly Muslim agrarian community where agricultural land remains the principal family asset and inheritance distribution continues to be strongly influenced by customary traditions. Previous socio-legal studies have demonstrated that legal implementation is frequently mediated through community negotiation rather than strict doctrinal application, especially in matters involving family relations and property rights (Braithwaite, 2021; Huda et al., 2024; Munawar et al., 2025; Mustofa et al., 2025; Roziqi et al., 2025; Sarmadi et al., 2025; Taqiyuddin et al., 2025). Accordingly, the present research seeks to explain not only whether Islamic inheritance norms are implemented, but also how local actors construct legal meaning through continuous interaction between religious obligations, agrarian values, and customary expectations.

Data were collected between March and June 2025 through semi-structured interviews, participant observation, and documentary analysis to obtain a comprehensive understanding of inheritance practices within the community. Informants were selected using purposive sampling based on their direct involvement or knowledge of inheritance decision-making. The participants consisted of village officials, religious leaders (*tokoh agama*), customary elders, heirs from different family backgrounds, women heirs, and senior community members who had participated in inheritance deliberations. Semi-structured interviews explored participants' perceptions of Islamic inheritance principles, customary inheritance arrangements, land ownership, family negotiations, and dispute resolution mechanisms. Participant observation enabled the researchers to document inheritance discussions, family interactions, and community practices associated with agricultural land management, while documentary analysis examined village records, family inheritance agreements, relevant legal documents, and supporting literature concerning Islamic inheritance and agrarian customary law. The combination of multiple data sources strengthened the richness and contextual depth of the findings by capturing both normative legal understandings and actual community practices. Similar data collection strategies have been widely adopted in recent socio-legal studies investigating Islamic family law, legal pluralism, and customary dispute resolution in Indonesian Muslim communities (Harahap et al., 2025; Nur et al., 2025; Yanti et al., 2025; Yusmita et al., 2025).

The collected data were analyzed using Stuart Hall's reception theory integrated with socio-legal analysis. Interview transcripts, field notes, and documentary materials were first transcribed, coded, and categorized through an iterative thematic analysis. Subsequently, each participant's interpretation of Islamic inheritance law was classified into three analytical categories proposed by Hall: *preferred reading*, representing acceptance of classical *farā'id* provisions; *negotiated reading*, indicating selective adaptation of Islamic inheritance principles through local agrarian considerations; and *oppositional reading*, referring to interpretations that substantially diverged from normative Islamic inheritance rules. These categories were then comparatively examined alongside the principles of Islamic inheritance law, the Indonesian Compilation of Islamic Law, and prevailing customary practices to identify patterns of legal negotiation and legal pluralism. To ensure research credibility, data triangulation was conducted by comparing interview findings, observational evidence, and documentary sources, while member checking with selected participants was undertaken to confirm the accuracy of interpretation. Peer discussions among researchers further enhanced analytical consistency and minimized subjective bias. Nevertheless, this study acknowledges several limitations, including its focus on a single rural community and the limited availability of historical inheritance documentation. Despite these limitations, the methodological combination of socio-legal inquiry, reception theory, and multiple validation techniques provides a rigorous framework for explaining how Islamic inheritance law is interpreted, negotiated, and socially practiced within Indonesia's contemporary agrarian Muslim communities.

RESULT AND DISCUSSION

Community Reception of Islamic Inheritance Law and Legal Pluralism in Dusun Bakung, Cilacap

The findings reveal that the reception of Islamic inheritance law in Dusun Bakung, Cilacap, Central Java, Indonesia represents a dynamic interaction between religious norms, customary values, and agrarian considerations. The community generally recognizes *farā'id* as an essential Islamic legal principle governing the transfer of family property. However, its implementation is not interpreted merely through a formal distribution mechanism but through social negotiations that consider family relationships, economic sustainability, and the preservation of agricultural resources. In this context, inheritance practices demonstrate the characteristics of *living Islamic law*, where religious principles are continuously understood and applied within specific socio-

cultural environments (Huda et al., 2024; Mustofa et al., 2025; Nur et al., 2025). The community reception in Dusun Bakung indicates that Islamic inheritance law is accepted as a religious foundation, while its practical application is adapted through collective deliberation (*musyawarah*) to maintain family harmony and prevent disputes.

The analysis further demonstrates that the inheritance practices of Dusun Bakung are strongly influenced by the agrarian character of the community. Agricultural land is not perceived solely as an economic asset but also as a family heritage, social identity, and intergenerational resource. Therefore, the principle of preserving agricultural land, locally expressed through the concept of *tanah ora kena didum* (agricultural land should not be physically fragmented), becomes an important consideration in inheritance decisions. This practice illustrates a negotiated form of legal reception in which community members attempt to balance Islamic inheritance obligations with the practical need to maintain productive land. Similar patterns have been identified in broader studies of land governance, which demonstrate that rural communities often integrate legal norms, customary arrangements, and sustainability considerations when managing inherited property (Akbari et al., 2025; Meinzen-Dick et al., 2025; Pierri et al., 2025). Thus, the experience of Dusun Bakung reflects a broader phenomenon where inheritance law functions as both a religious obligation and a mechanism for preserving social-economic continuity.

The relationship between Islamic inheritance principles and customary practices in Dusun Bakung also reflects the broader phenomenon of legal pluralism in Indonesian Muslim communities. Previous studies show that Islamic inheritance practices frequently develop through negotiation with local traditions rather than through complete replacement of customary systems. Research among Batak, Banjar, Minangkabau, Sasak, and other communities demonstrates that inheritance arrangements are often shaped by kinship structures, local authority, and collective agreement while maintaining Islamic legitimacy (Fakhyadi et al., 2025; Harahap et al., 2025; Munawar et al., 2025; Sarmadi et al., 2025; Yusmita et al., 2025). The case of Dusun Bakung provides a similar illustration, where community members do not reject Islamic inheritance law but reinterpret its application through local agricultural realities. This finding supports the argument that legal pluralism should be understood as a process of interaction and adaptation between multiple normative systems rather than as a contradiction between religious law and customary law. The patterns of inheritance reception identified in Dusun Bakung can be summarized as follows:

Table 1. Forms of Islamic Inheritance Reception and Customary Adaptation in Dusun Bakung, Cilacap

Reception Pattern	Community Practice	Legal and Social Meaning
Normative acceptance of Islamic inheritance law	Community members recognize <i>farā'id</i> as the religious basis for inheritance regulation	Maintaining Islamic legal legitimacy within family relations
Customary adaptation of inheritance distribution	Agricultural land is preserved through the principle of <i>tanah ora kena didum</i>	Protecting productive assets and intergenerational sustainability
Negotiated family settlement	Distribution decisions are discussed through <i>musyawarah</i> and consensus	Preventing disputes and maintaining family harmony
Collective management of inherited property	Family members cooperate in utilizing inherited agricultural land	Balancing individual rights with collective welfare

Source: Synthesized by the authors based on field analysis and previous studies, 2025.

From the perspective of Stuart Hall's reception theory, the inheritance practices in Dusun Bakung demonstrate a predominantly negotiated form of reception. The community accepts the dominant meaning of Islamic inheritance law as a religious obligation, yet negotiates its practical implementation according to local social and economic conditions. This process does not represent a rejection of Islamic norms but rather a contextual interpretation that enables Islamic law to remain meaningful within everyday life. Similar processes of negotiation have been observed in various Muslim communities where Islamic law interacts with customary traditions, including inheritance practices among Muslim minorities and indigenous communities (Luntajo & Hasan, 2025; Syuaib & Ansar, 2025; Yanti et al., 2025). Therefore, the case of Dusun Bakung demonstrates that Islamic inheritance law operates through continuous dialogue between textual principles and lived realities. Such a finding contributes to contemporary Islamic family law scholarship by showing that inheritance practices in rural Muslim societies are shaped not only by legal rules but also by cultural identity, agrarian rationality, and the pursuit of sustainable family welfare.

Negotiating Islamic Inheritance Principles, Customary Practices, and Agrarian Sustainability

The findings indicate that the inheritance practices in Dusun Bakung, Cilacap, Central Java, Indonesia represent a continuous negotiation between Islamic inheritance principles, customary values, and the practical requirements of an agrarian society. While the community acknowledges *farā'id* as the primary religious framework for inheritance distribution, the implementation of these principles is shaped by social considerations, particularly the need to preserve agricultural land as a productive family resource. This negotiation reflects the community's effort to balance individual inheritance rights with collective interests, where land fragmentation is perceived as potentially reducing economic sustainability. Such practices demonstrate that Islamic inheritance law operates within a broader socio-legal environment in which religious norms interact with customary reasoning and livelihood strategies (Azqia et al., 2025; Huda et al., 2024; Munawar et al., 2025). Therefore, inheritance decisions in Dusun Bakung cannot be understood solely through doctrinal interpretations but must also consider the community's agrarian rationality.

A significant finding of this study is that the principle of *tanah ora kena didum* functions as a local mechanism for maintaining agricultural continuity while accommodating Islamic legal values. Rather than eliminating inheritance rights, this customary principle encourages alternative arrangements, such as collective land management, family agreements, or negotiated utilization of inherited agricultural assets. This practice reflects a form of adaptive legal reasoning where the community seeks to preserve the economic function of land without abandoning the religious importance of inheritance. Similar phenomena have been identified in studies of land governance, which emphasize that rural communities often develop collective strategies to prevent land fragmentation, maintain food security, and protect intergenerational resources (Akbari et al., 2025; Meinzen-Dick et al., 2025; Pierri et al., 2025). In this regard, the inheritance system in Dusun Bakung illustrates how customary practices may complement Islamic legal objectives by supporting family welfare and social stability.

The negotiation between Islamic inheritance law and customary land practices also reflects broader patterns of legal adaptation within Muslim societies. Previous research demonstrates that inheritance arrangements frequently involve dialogue between religious norms and local traditions, particularly in communities where land has cultural and economic significance. Studies on Minangkabau, Banjar, Sasak, and other Indonesian communities reveal that inheritance practices are often reconstructed through interactions between Islamic law and customary systems (Fakhyadi et al., 2025; Mustofa et al., 2025; Yusmita et al., 2025). Similarly, research on indigenous and rural land governance indicates that customary institutions may provide mechanisms for managing resources collectively while addressing social inequalities and maintaining community resilience (Kar et al., 2025; Saputra et al., 2025). These comparative findings strengthen the argument that the experience of Dusun Bakung represents a wider socio-legal pattern in which communities negotiate between formal legal principles and lived realities.

The relationship between inheritance, land ownership, and social justice is further strengthened by considering the issue of equitable access to property resources. In many societies, inheritance practices influence not only the distribution of wealth but also the position of family members, particularly women and vulnerable groups. Studies on women's property rights demonstrate that ownership and control over assets significantly affect household decision-making power and economic security (Calasanti, 2025; Huggins et al., 2025; Slavchevska et al., 2025). In the context of Dusun Bakung, the preservation of agricultural land must therefore be balanced with the recognition of heirs' rights, ensuring that collective land management does not unintentionally reduce individual legal protection. This perspective aligns with the principles of *maqāṣid al-sharī'ah*, which emphasize justice, welfare, and protection of human dignity in the application of Islamic law (Fitriyati et al., 2025). The relationship between Islamic inheritance principles and agrarian sustainability in Dusun Bakung can be summarized as follows:

Table 2. Negotiation Between Islamic Inheritance Principles and Agrarian Sustainability in Dusun Bakung, Cilacap

Analytical Dimension	Community Practice	Socio-Legal Interpretation
Protection of inherited land	Agricultural land is maintained as a productive family asset	Inheritance functions as a mechanism for economic sustainability
Adaptation of inheritance distribution	Family members negotiate land management arrangements	Demonstrates flexible interpretation of Islamic inheritance practices

Analytical Dimension	Community Practice	Socio-Legal Interpretation
Preservation of family cohesion	Consensus (<i>musyawarah</i>) is prioritized in inheritance decisions	Reflects restorative and relational approaches to justice
Balance between individual and collective rights	Heirs' rights are maintained while avoiding land fragmentation	Integrates Islamic legal principles with customary sustainability values

Source: Synthesized by the authors based on field analysis and previous studies, 2025.

From the perspective of reception theory, the findings indicate that the community's approach represents a negotiated reading of Islamic inheritance law. The people of Dusun Bakung do not position customary practices as alternatives to Islamic law but as contextual frameworks that enable religious principles to function effectively within an agrarian environment. This negotiated reception demonstrates that Islamic inheritance law possesses interpretive flexibility, allowing communities to preserve religious legitimacy while responding to social and ecological challenges. Similar patterns of socio-legal adaptation have been identified in studies concerning customary land conflicts, indigenous property rights, and community-based governance (Anticoli et al., 2025; Caroca, 2025; Silva-Novoa Sánchez et al., 2025). Consequently, the case of Dusun Bakung contributes to the broader discourse on Islamic family law by illustrating that inheritance practices can serve not only as mechanisms of property transfer but also as instruments for maintaining social cohesion, protecting productive resources, and promoting sustainable community development.

Reconstruction of Islamic Inheritance Practices through Reception Theory and Sustainable Legal Governance

The findings demonstrate that the inheritance practices in Dusun Bakung, Cilacap, Central Java, Indonesia contribute to a broader reconstruction of Islamic inheritance law by revealing how religious norms are continuously interpreted through social experience, cultural values, and agrarian conditions. The application of Stuart Hall's reception theory shows that community members do not simply accept Islamic inheritance provisions in a passive manner but actively interpret and negotiate their meaning according to their lived realities. The community's understanding of inheritance reflects a negotiated form of reception, where Islamic legal principles remain the primary normative reference while customary considerations provide contextual mechanisms for implementation. This finding challenges the assumption that Islamic inheritance law operates only through textual compliance and demonstrates that legal meaning is also produced through social interaction, collective reasoning, and historical experience (Braithwaite, 2021; Nur et al., 2025; Roziqi et al., 2025).

The reconstruction process identified in Dusun Bakung illustrates that Islamic inheritance practices may develop through a balance between religious legitimacy, social justice, and sustainable resource management. The community's effort to maintain agricultural land through the principle of *tanah ora kena didum* reflects an understanding that inheritance is not merely a transfer of ownership but also a responsibility to preserve family economic resources across generations. This perspective corresponds with contemporary studies on land tenure and governance, which emphasize that sustainable property management requires recognition of local institutions, community participation, and long-term social interests (Akbari et al., 2025; Meinzen-Dick et al., 2025; Pierri et al., 2025). Therefore, the reconstruction of inheritance practices in Dusun Bakung indicates that Islamic law can contribute to sustainable governance when interpreted through the principles of justice, welfare, and social responsibility.

The findings also highlight that the reconstruction of Islamic inheritance practices requires an integrated understanding of legal, cultural, and gender dimensions. While customary adaptation may support collective land preservation, it must remain sensitive to the rights of individual heirs, particularly women and other potentially vulnerable family members. Previous studies demonstrate that women's access to property ownership, land rights, and decision-making authority remains a significant indicator of substantive justice in many societies (Calasanti, 2025; Huggins et al., 2025; Slavchevska et al., 2025). Within Islamic legal discourse, this concern can be addressed through the objectives of *maqāṣid al-sharī'ah*, which emphasize justice, protection of wealth (*hifẓ al-māl*), and family welfare. Research on gender justice in Islamic inheritance also confirms that contemporary interpretation requires attention to social realities while maintaining the ethical foundations of Islamic law (Fitriyati et al., 2025; Fakhyadi et al., 2025). Consequently, the case of Dusun Bakung demonstrates that legal reconstruction should not be understood as abandoning classical principles but as developing contextual

applications that respond to contemporary challenges. The analytical framework developed from this study can be summarized in the following table:

Table 3. Reconstruction Framework of Islamic Inheritance Practices in an Agrarian Muslim Community

Analytical Component	Findings in Dusun Bakung, Cilacap	Theoretical Contribution
Religious norm reception	Islamic inheritance law is recognized as the primary legal and moral foundation	Demonstrates continued legitimacy of Islamic legal principles
Customary negotiation	Local practice modifies implementation through <i>musyawarah</i> and <i>tanah ora kena didum</i>	Shows the role of legal pluralism in contextualizing Islamic law
Agrarian sustainability	Inherited land is preserved as a productive family resource	Expands inheritance studies toward sustainable governance perspectives
Social justice orientation	Family harmony and heirs' rights are considered simultaneously	Strengthens the application of <i>maqāṣid al-sharī'ah</i> in contemporary inheritance issues

Source: Synthesized by the authors based on field analysis and previous studies, 2025.

Furthermore, the findings indicate that the experience of Dusun Bakung contributes to the theoretical discussion of *living Islamic law* by demonstrating how communities participate in producing legal meaning. Islamic inheritance law in this context is not only derived from formal religious texts or institutional regulations but also constructed through everyday practices, negotiations, and social expectations. Similar patterns have been observed in other Indonesian communities, where Islamic law interacts with customary systems to create locally accepted legal arrangements (Harahap et al., 2025; Luntajo & Hasan, 2025; Munawar et al., 2025; Sarmadi et al., 2025; Yanti et al., 2025). This finding reinforces the argument that legal pluralism should not be viewed as a challenge to legal certainty but as a mechanism through which legal systems remain adaptive and socially relevant.

Ultimately, the reconstruction of Islamic inheritance practices in Dusun Bakung reveals three important contributions. First, it expands the understanding of Islamic inheritance law from a purely distributive mechanism into a socio-cultural institution shaped by community reception. Second, it demonstrates that customary practices may function as complementary instruments that support the objectives of Islamic law when they promote justice, welfare, and social harmony. Third, it highlights the potential relationship between Islamic family law and sustainable land governance by showing that inheritance decisions influence not only family relations but also the continuity of productive resources. Thus, this study argues that the future development of Islamic inheritance law requires a multidimensional approach that integrates normative interpretation, socio-cultural realities, gender justice, and environmental sustainability.

CONCLUSION

This study concludes that the reception of Islamic inheritance law in Dusun Bakung, Cilacap, Central Java, Indonesia represents a dynamic interaction between religious norms, customary values, and agrarian realities. The findings demonstrate that community members recognize *farā'id* as the primary normative foundation for inheritance regulation; however, its practical implementation is continuously negotiated through family deliberation, social relationships, and local agricultural considerations. Through Stuart Hall's reception theory, this study reveals that the community adopts a negotiated reception pattern, in which Islamic inheritance principles are accepted while their application is contextualized according to local circumstances. Therefore, inheritance practices in Dusun Bakung cannot be understood merely as legal compliance with formal Islamic rules but as a form of *living Islamic law* shaped by community interpretation, cultural adaptation, and social experience.

This study further concludes that the negotiation between Islamic inheritance principles and customary practices, particularly the local principle of *tanah ora kena didum*, reflects an effort to harmonize individual inheritance rights with collective interests in preserving productive agricultural land. The findings answer the research objective by demonstrating that customary adaptation does not necessarily contradict Islamic inheritance law but may function as a socio-legal mechanism that supports the objectives of *maqāṣid al-sharī'ah*, including justice, protection of wealth (*hifẓ al-māl*), and family welfare. The novelty of this study lies in integrating reception theory, Islamic inheritance law, and agrarian sustainability perspectives to explain how rural Muslim communities

actively construct legal meaning through the interaction of religion, custom, and environmental considerations. Unlike previous studies that primarily examine inheritance from doctrinal, judicial, or comparative legal perspectives, this research positions community reception as the central analytical dimension for understanding contemporary Islamic inheritance practices.

The theoretical contribution of this study is the development of a socio-legal framework showing that Islamic inheritance law may function simultaneously as a religious norm, a cultural institution, and a mechanism for sustainable resource governance. Practically, this research contributes to policymakers, legal practitioners, and Islamic family law scholars by highlighting the importance of considering local contexts in designing inheritance regulations and dispute-resolution mechanisms. Nevertheless, this study has several limitations. First, the research focuses on a single agrarian Muslim community in Dusun Bakung, Cilacap, meaning that the findings may not fully represent inheritance practices in other regions with different cultural and socio-economic characteristics. Second, the qualitative approach provides an in-depth understanding of community interpretation but does not measure broader statistical patterns of inheritance behaviour. Future studies may expand this research through comparative analysis involving multiple communities, different customary systems, and interdisciplinary approaches combining socio-legal studies, gender perspectives, and sustainable land governance analysis.

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