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Dynamics of Patrilineal Inheritance System Change in Urban Lampung Indigenous Community in Bandar Lampung City

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Abstract: *Lampung customary inheritance system generally applies a pure patrilineal system, where sons become heirs from the father's side, while daughters have no position as heirs. However, along with the times, there have been changes in the implementation of inheritance in urban Lampung customary society, especially in Bandar Lampung City. The dynamics of this change are influenced by various factors, one of which is the increasingly common occurrence of mixed marriages. Therefore, this study aims to examine the dynamics of changes in the inheritance system by considering the various factors that influence it. This research uses a qualitative approach with a type of empirical juridical research that is analytically descriptive. Data were obtained through interviews as primary data and document analysis as secondary data. Data processing is done through the stages of data reduction, data presentation, and conclusion drawing. The results showed that the dynamics of change in the patrilineal inheritance system in Lampung customary society in Bandar Lampung City reflected a paradigm shift that occurred gradually in response to the influence of external and internal factors, such as the environment, educational development, religious influence, and others. Although the patrilineal inheritance system is still influential, these changes lead to a fairer and more*

equitable distribution of inheritance, while still maintaining existing religious and customary principles, as well as respecting the philosophy of life of the Lampung people.

Keywords: *Dynamics, Inheritance System, Patrilineal, Lampung Indigenous People, Bandar Lampung.*

A. Introduction

Indonesia, as a country with diverse ethnicities, cultures and customs, has a pluralistic legal system, including in terms of inheritance. The diversity of inheritance systems reflects Indonesia's long history of being influenced by various cultures and legal traditions, both from the colonial period and post-independence socio-political developments. In this context, inheritance law in Indonesia does not only consist of one system, but includes several legal systems that are applied in accordance with the ethnic, religious and class background of the community. The inheritance law system in Indonesia includes European inheritance law regulated in the Civil Code (KUHPerdata), Islamic inheritance law applicable to Muslims, and customary inheritance law applicable among indigenous peoples, which is based on traditional principles passed down from generation to generation.¹ The diversity of this legal system, in essence, cannot be separated from the history of legal division based on groups during the colonial period, as stipulated in Article 131 and Article 163 of the *Indische Staatregeling*.² At that time, Western inheritance law was applied to Europeans and foreigners (such as Chinese), while customary inheritance law was applied to Bumiputera, which formed the basis of legal pluralism that still applies today.

As a result, Indonesian citizens of Bumiputera origin are given the freedom to settle inheritance matters in accordance with prevailing adat, as explained in Article 1066 BW, which gives heirs the absolute right to demand the division of the estate at any time. However, according

¹ Zaka Firma Aditya, "Romantisme Sistem Hukum di Indonesia: Kajian Atas Kontribusi Hukum Adat dan Hukum Islam terhadap Pembangunan Hukum di Indonesia," *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional* 8, no. 1 (May 15, 2019): 37–54, <https://doi.org/10.33331/rechtsvinding.v8i1.305>; See also F. Satrio Wicaksono, *Hukum Waris: Cara Mudah & Tepat Membagi Harta Warisan* (Jakarta Selatan: Visi Media, 2011), 3.

² Oemar Moechthar, *Perkembangan Hukum Waris Praktik Penyelesaian Sengketa Kewarisan di Indonesia* (Jakarta: Prenada Media, 2019), 10.

Dynamics of Patrilineal Inheritance System Change in Urban Lampung Indigenous Community...

to adat law, inheritance amongst indigenous Indonesians is immutable and cannot be forced to be divided between heirs.³ The application of customary law is also recognized in Article 18B paragraph (2) of the 1945 Constitution, which states that customary law can be applied as long as it is still alive and in accordance with the development and principles of the Unitary State of the Republic of Indonesia.⁴

The inheritance system is one of the fundamental aspects in the social structure of society, which serves to transfer wealth, rights and obligations from one generation to the next. In Indonesia, the inheritance system is strongly influenced by cultural background, customary law, religious law, as well as the prevailing laws and regulations. In terms of inheritance, Indonesia has three main family systems, namely patrilineal, matrilineal, and parental.⁵ Because customary inheritance law is influenced by these family systems, there are differences between one customary society and another in Indonesia.⁶ This difference is especially evident in determining who is the heir and who is entitled to be the heir to the property left behind.⁷

This is also the case for the indigenous people of Lampung, which is divided into two main customary groups, namely Lampung Pepadun and Lampung Pesisir.⁸ Basically, the form of marriage and the inheritance system applied in both groups are the same. However, in the Lampung Pepadun community, the application of the inheritance system is still very strong, both for people living in urban and rural areas. In contrast, in the Lampung Pesisir community, the application of this inheritance system tends to decrease, especially among people who already live in urban areas, which are more influenced by Islamic law.

Lampung Pepadun people, the majority of whom live in the interior or highlands of Lampung, have a strong social structure rooted in

³ R. Wirjono Prodjodikoro, *Hukum Warisan di Indonesia*, Cet. Ke-6 (Jakarta: Sumur Bandung, 1980), 12.

⁴ Dolfries Jakop Neunony, *Hukum Adat Indonesia* (Sumatera Barat: Azzia Karya Bersama, 2024), 42–43.

⁵ Prodjodikoro, *Hukum Warisan di Indonesia*, 10.

⁶ Hilman Hadikusuma, *Pengantar Ilmu Hukum Adat Indonesia* (Bandung: Mandar Maju, 1992), 214.

⁷ Hadikusuma, 215.

⁸ Tim Penyusun Proyek Penelitian dan Pencatatan, *Sejarah Daerah Lampung* (Bandar Lampung: Direktorat Jenderal Kebudayaan, Departemen Pendidikan dan Kebudayaan, 1998), 139.

customary traditions that have been passed down from generation to generation. The history of its development, which began in the Abung, Way Kanan and Way Seputih (Pubian) regions, shows that the Pepadun people have long lived in close connection with nature and have deep local wisdom.⁹ This community is known for a pattern of life that emphasizes the values of togetherness, mutual cooperation, and harmonious relationships between individuals and communities. The social order formed in Pepadun society places the extended family as an integral social unit, where customary norms play an important role in regulating various aspects of life, including the division of duties, rights and obligations between family and community members.

The Pepadun community adheres to the patrilineal marriage system and life principles, which follow the paternal lineage.¹⁰ In a family, the highest customary position rests with the eldest son of the eldest descendant, called "Penyimbang".¹¹ The title Penyimbang is highly respected in Adat Pepadun as it has an important role in the decision-making process. This customary leadership status will be passed down to the eldest son of the Penyimbang, and so on. In Lampung custom, there are two types of marriage, namely marriage through *peminangan* (*khitbah*) and marriage through *seimbangan* (*larian*).¹²

On the other hand, the Lampung Pesisir community generally lives in the coastal area of Lampung Province, which includes South Lampung Regency (Kalianda), Pringsewu Regency (Semaka) and West Lampung Regency. In the indigenous community of Coastal Lampung, the most common form of marriage is honest marriage, which locals refer to as *jujokh* or *metudau* marriage. This marriage is performed with an "honest"

⁹ St Laksanto Utomo, *Buku Ajar Antropologi dan Sosiologi* (Jakarta: Lembaga Studi Hukum Indonesia, 2020), 43.

¹⁰ Rahma Zakia Al Erza, Agus Pahrudin, and Chairul Anwar, "Pernikahan Adat Pepadun Perspektif Pendidikan Islam," *Kamaya: Jurnal Ilmu Agama* 7, no. 1 (February 22, 2024): 85–91, <https://doi.org/10.37329/kamaya.v7i1.3087>.

¹¹ Hilya Zulva, Muhammad Misbakul Munir, and Nurul Amalia, "Tinjauan Fikih Munakahat terhadap Tradisi 'Ngantak Salah' pada Perkawinan Adat Lampung Pepadun," *Holistik Analisis Nexus* 1, no. 5 (May 14, 2024): 52–60, <https://doi.org/10.62504/jimr458>; See also M. Junus Melalatoa, *Ensiklopedi Suku Bangsa di Indonesia Jilid L-Z* (Jakarta: Direktorat Jenderal Kebudayaan, 1995), 49.

¹² Erza, Pahrudin, and Anwar, "Pernikahan Adat Pepadun Perspektif Pendidikan Islam," 85–91.

Dynamics of Patrilineal Inheritance System Change in Urban Lampung Indigenous Community...

payment from the man to the woman.¹³ By accepting the honest money or goods, the wife binds herself to the agreement to join the husband's side, both in terms of person and property brought, which will then be subject to the husband's customary law.

The indigenous people of coastal Lampung who use honest marriage adhere to the male-majority inheritance system, known as patrilineal inheritance. This inheritance system stipulates that the eldest son is entitled to the entire inheritance and becomes the successor of the descendants. So strong is the position of sons in the family that if a family has no sons, it is considered to have no descendants.¹⁴ This often affects the family dynamics of the Lampung Pesisir tribe, where the presence of sons is considered very important to continue the family name. In this tradition, if the family does not have a son, then the eldest son-in-law is considered or made the successor of the family name.¹⁵

In addition, Lampung indigenous people uphold a philosophy of life that reflects high moral behavior, self-knowledge, and a big soul, known as *fiil pesinggiri*. *Fiil pesinggiri* is a regional socio-cultural potential that has meaning as a source of motivation so that each individual can strive dynamically to fight for positive values, live honorably, and be respected in society.¹⁶ As a consequence of the struggle and efforts to maintain honor in social life, Lampung people are obliged to control their behavior and maintain their good name in order to avoid attitudes and actions that are not commendable.¹⁷ The elements of *fiil pesinggiri* include being polite, open (*Nemui-nyimah*),

¹³ Hud Leo Perkasa Makki, "Analisis Hukum Islam terhadap Uang Jujur (Jojokh) dalam Perkawinan Adat Lampung Pesisir," *Adzkiya: Jurnal Hukum dan Ekonomi Syariah* 5, no. 1 (March 1, 2017): 107, <https://doi.org/10.32332/adzkiya.v5i1.1007>; See also Restika Susanti, "Dowry Practices in Lampung Pesisir Traditional Marriages: An Islamic Legal Perspective," *Indonesia Private Law Review* 5, no. 1 (March 25, 2024): 2, <https://doi.org/10.25041/iplr.v5i1.3185>.

¹⁴ Hilman Hadikusuma, *Hukum Kekerabatan Adat* (Jakarta: Fajar Agung, 1978), 34.

¹⁵ Hadikusuma, 34.

¹⁶ Rimanto et al., "Examining Piil Pesenggiri Philosophy of Life Concept in the Context of Religious Moderation," *Analisis: Jurnal Studi Keislaman* 22, no. 1 (June 30, 2022): 133–152, <https://doi.org/10.24042/ajsk.v22i1.12445>.

¹⁷ Ajip Rosidi, *Kearifan Lokal dalam Perspektif Budaya Sunda* (Bandung: Kiblat Buku Utama, 2011), 67.

and mingling in the community (*Nengah-Nyappur*). These elements allow for cultural acculturation and paradigm shifts in the inheritance distribution system of Lampung customary society

The indigenous people of Lampung, known for their rich culture and strong traditions, have long adhered to patrilineal inheritance, where the role of men as the main heirs is crucial in transferring family wealth, social status and power.¹⁸ In this patrilineal inheritance system, sons have a privileged position, getting a larger share of the inheritance or even being the only legal heir, while women, although respected, do not have the same rights to inherit family property. This tradition not only covers material aspects but also has social, cultural and spiritual dimensions that are passed down through generations.

However, along with social changes and the times, especially due to urbanization and globalization, the patrilineal inheritance system in Lampung customary society has begun to experience significant changes, especially in urban areas such as Bandar Lampung City. The rapid urbanization process, increasing levels of education, and shifting values and norms in society have affected many aspects of life, including inheritance traditions. People who previously lived in an environment thick with customs and traditions are now interacting with modern values brought by urban life. This phenomenon causes a tension between maintaining tradition and adapting to the changes that occur.

Considering this phenomenon, it is important to examine changes in the patrilineal inheritance system in Lampung customary society, especially in Bandar Lampung City. The inheritance system that has been prioritizing the eldest son as the successor is now experiencing a shift due to cultural acculturation, triggered by mixed marriages, increased education, and technological developments. The principle of *fiil pesinggiri*, which upholds morality, openness, and harmony, also plays a role in this change. Therefore, this research is very important to understand the factors that influence changes in the

¹⁸ Khoirul Abror and Muslim, "Ahli Waris Terhijab Mendapatkan Bagian Warisan melalui Wasiat Wajibah Relevansinya terhadap Kearifan Lokal Masyarakat Adat Lampung (Studi Putusan Pengadilan Agama Provinsi Lampung)," *Asas* 13, no. 1 (2021): 124, <https://doi.org/10.24042/asas.v13i1.9353>.

Dynamics of Patrilineal Inheritance System Change in Urban Lampung Indigenous Community...

patrilineal inheritance system, as well as its impact on the social structure and relationships between members of the Lampung indigenous community, especially in urban areas such as Bandar Lampung City. This research is expected to make a significant contribution in mapping the social and cultural dynamics that occur in urban Lampung indigenous communities, as well as providing insight into the interaction between tradition and modernity in people's lives.

This research is a follow-up study of several similar studies, although with different substance. One of them is a study conducted by Febriana et al., which shows that Indonesia applies a pluralistic legal system, including customary and Islamic law. Customary law divides inheritance patrilineally, while Islamic law grants inheritance rights to both men and women. Both systems can be applied in accordance with community beliefs.¹⁹ Another study by Izzati and Saputra found that the majorate system that prioritizes the firstborn male is not in accordance with the times. This study proposes integrating Islamic inheritance law as a solution for a more equitable distribution of inheritance, with education as the key to Lampung community acceptance for family welfare.²⁰

This study is different from other studies because it focuses on changes in the inheritance system that prioritizes the eldest son as the successor, which is now influenced by modernization factors such as mixed marriages, increased education, and technological advances. This research aims to explore the dynamics of change in the patrilineal inheritance system in Lampung indigenous communities living in Bandar Lampung City. The main focus of this research is to identify the factors that influence the changes in inheritance practices, as well as to explore how Lampung indigenous people cope with the challenges that arise due to social, economic and cultural changes in

¹⁹ Dina Triana Febriana, Hazar Kusmayanti, and Bambang Daru Nugroho, "Epistemologi Sistem Pewarisan Patrilineal dalam Hukum Waris Adat dengan Sistem Pewarisan Hukum Islam di Indonesia," *Al-Ahwal Al-Syakhsiyah: Jurnal Hukum Keluarga dan Peradilan Islam* 5, no. 1 (March 31, 2024): 111, <https://doi.org/10.15575/as.v5i1.30827>.

²⁰ Nida Izzati and Dimas Alan Saputra, "Pergeseran Nilai Praktek Hukum Waris dalam Masyarakat Adat Lampung," *Jurnal Media Akademik (JMA)* 2, no. 9 (September 26, 2024): 2, <https://doi.org/10.62281/v2i9.774>.

the city. The factors to be analyzed include the shift in the mindset of the younger generation, the influence of government policies, economic development, and the impact of globalization on lifestyles and norms prevailing in urban communities.

To overcome the existing problems, this research uses a qualitative approach with a type of empirical juridical research that is analytically descriptive.²¹ This research aims to describe the dynamics of change in the patrilineal inheritance system in urban Lampung customary society, especially in Bandar Lampung City. Data were collected through in-depth interviews with key informants and documentation studies that included primary, secondary and tertiary legal materials. Data processing was conducted through the stages of data reduction, data presentation, and conclusion drawing,²² where interview data was grouped and secondary data was documented, then thematically analyzed to identify social, economic, and cultural factors that influence changes in the inheritance system. Data analysis connected empirical findings with relevant legal and social theories, with the aim of understanding the challenges as well as the response of Lampung indigenous people to the paradigm shift in the patrilineal inheritance system along with modernization and social changes occurring in the city.

B. Customary Inheritance System

Customary inheritance law is customary law that regulates the provisions of the system and principles of inheritance, including inherited property, heirs, heirs, and how to transfer control and ownership of inherited property from the heir to the heirs. Customary inheritance law functions as a rule to pass wealth from one generation to the next.²³

²¹ Read more in: Matthew B. Miles and A. Michael Huberman, *Qualitative Data Analysis: An Expanded Sourcebook*, Second Edition (London: Sage Publications, Ltd., 2004), 9.

²² Read more in: Amran Rasli, *Data Analysis and Interpretation - A Handbook for Postgraduate Social Scientists* (Malaysia: Penerbit UTM, 2006), 35; See also Sugiyono, *Metode Penelitian Kuantitatif, Kualitatif Dan R & D*, Cet. Ke-14 (Bandung: Alfabeta, 2014), 247.

²³ Hilman Hadikusuma, *Hukum Waris Adat* (Bandung: PT. Citra Aditya Bakti, 2003), 7.

Dynamics of Patrilineal Inheritance System Change in Urban Lampung Indigenous Community...

The customary inheritance system is a form of customary law that regulates how a person's inheritance, both in the form of movable and immovable goods, is distributed to the heirs after the death of the person concerned.²⁴ This system is very diverse among ethnic groups in Indonesia, influenced by the social structure, culture, and beliefs that develop in the indigenous community. Customary inheritance generally reflects the norms and values adopted in the customary society, as well as considering kinship relationships and the social roles of family members in community life.²⁵

The customary inheritance system in Indonesia is strongly influenced by the culture, traditions and social structures that develop in each region. Each tribe or customary community has different rules regarding the distribution of inheritance, which is generally passed down based on lineage or family relationships. In general, customary law in Indonesia regulates the distribution of inheritance through three inheritance systems, each of which reflects the values and norms prevailing in the customary community, as follows:

1. The individual inheritance system is a system in which the inheritance is divided and owned individually with full property rights. In this system, each heir has the right to use, process, enjoy the results, or transact the inherited property, especially after the death of the testator.²⁶ This kind of inheritance is called "individualized inheritance" and is generally applied in societies that follow the parental family pattern.²⁷ The advantage of this system is the private ownership of property, which gives the heirs the freedom to control and utilize the inherited property. However, the disadvantage of

²⁴ Felicia Felicia et al., "Analisis Hukum Adat dalam Hal Pembagian Harta Warisan," *Jurnal Ilmiah Wahana Pendidikan* 9, no. 18 (September 3, 2023): 293, <https://doi.org/10.5281/zenodo.8312930>.

²⁵ Miliami Deida Navydien and Khesya Khusnul Fadhilah Utomo, "Kedudukan Hak Waris Wanita dalam Hukum Adat Bali," *Kultura: Jurnal Ilmu Hukum, Sosial, Dan Humaniora* 1, no. 5 (December 22, 2023): 91, <https://doi.org/10.572349/kultura.v1i5.500>.

²⁶ Pitaloka Oktarina and Dwi Noviatul Zahra, "Asas Kemanfaatan Waris Adat Semendo Sumatera Selatan," *JIM: Jurnal Ilmiah Mahasiswa Pendidikan Sejarah* 8, no. 2 (2023): 454, <https://doi.org/10.24815/jimps.v8i2.24701>.

²⁷ Hadikusuma, *Pengantar Ilmu Hukum Adat Indonesia*, 213.

this system is the division of the inheritance property which can lead to the breakdown of kinship relations.²⁸

2. The collective inheritance system is a system in which the heirs receive the inheritance together, without individual distribution.²⁹ In this system, the property is not owned personally by the heirs, but is only allowed to be used, cultivated, and the results are enjoyed together. The property inherited in this system is often called "harta pusaka," which is generally in the form of land or heirlooms. The advantage of this system lies in the utilization of property for the survival of the extended family, both for current and future needs.³⁰ However, its weakness lies in its tendency to foster narrow-mindedness, as not all relatives have reliable leadership skills.³¹
3. The majorate inheritance system is one in which the estate cannot be divided and is controlled only by the eldest child.³² In this system, the right to use, the right to cultivate, and the right to collect the results are fully controlled by the eldest child, who has the obligation to take care of and maintain his younger siblings, both boys and girls, until they can be independent. This majoritarian system consists of two types, namely: *First*: Male Majority. In this system, the eldest son becomes the sole heir when the testator dies. *Second*: Female Majority. In this system, the eldest daughter becomes the sole heir when the testator dies.³³

²⁸ Bravo Nangka, "Penyelesaian Sengketa Berdasarkan Hukum Waris Adat Berdasarkan Sistem Keekerabatan," *Lex Privatum* 7, no. 3 (October 21, 2019): 146–147.

²⁹ Dhimas Nur Muhammad R, Fatado Sesa Yuliano M, and Rizki Fatkhul Falaq, "Pembagian Waris terhadap Ahli Waris pada Pernikahan Poligami," *Civilia: Jurnal Kajian Hukum Dan Pendidikan Kewarganegaraan* 1, no. 2 (December 18, 2022): 94, <https://doi.org/10.572349/civilia.v1i1.158>.

³⁰ Nangka, "Penyelesaian Sengketa Berdasarkan Hukum Waris Adat Berdasarkan Sistem Keekerabatan," 147.

³¹ Hadikusuma, *Pengantar Ilmu Hukum Adat Indonesia*, 112.

³² R, M, and Falaq, "Pembagian Waris Terhadap Ahli Waris Pada Pernikahan Poligami," 147.

³³ Hadikusuma, *Pengantar Ilmu Hukum Adat Indonesia*, 113.

Dynamics of Patrilineal Inheritance System Change in Urban Lampung Indigenous Community...

The inheritance system in Indonesia is strongly influenced by local customs and culture, which regulates the way the inheritance is passed down from the testator to the heirs. Each region has its own traditions and rules in determining the lineage entitled to receive inheritance. In general, the inheritance system in Indonesia can be divided into three main categories, namely patrilineal, matrilineal, and parental (bilateral) systems.³⁴ Each of these systems has different basic principles in terms of the distribution of inheritance, taking into account the factors of lineage, gender, and the role of the family in society. Understanding this inheritance system is very important, given its role in shaping the diverse social and economic structure of Indonesian society.

In practice, the customary inheritance system often faces various challenges, especially in relation to the influence of the formal legal systems applicable in Indonesia, namely civil law and Islamic law. Customary law, in many cases, is not always in line with national law, which grants more equal inheritance rights between men and women. For example, Islamic law grants inheritance rights to both men and women, albeit with a different division, where men receive a larger share than women. This conflict between customary law and national law often creates tension in the application of customary inheritance systems, especially when indigenous communities try to maintain their traditions amidst evolving social changes.

C. Lampung Indigenous People's Inheritance System, Philosophy and Culture of Life

Lampung indigenous people have a system of inheritance that is closely related to their philosophy and culture. One important aspect of their social life is the inheritance system that not only regulates the division of property, but also reflects the cultural values that are upheld. Lampung customary law in the implementation of the distribution of inheritance aims to maintain the integrity of the family left behind by the heir. In Lampung customary society, a patrilineal system is applied, which is an inheritance system that is passed down

³⁴ Ellyne Dwi Poespasari, *Pemahaman Seputar Hukum Waris Adat di Indonesia* (Jakarta Timur: Kencana, 2018), 118.

through the father's lineage, where men have a more prominent position than women.³⁵ This system is intended so that the eldest male child can protect and maintain the property left by the deceased parents, for the benefit and needs of the testator's family.

In addition to the descent system, there is also a majorate inheritance system, which is a system where the inheritance is controlled or focused on the eldest child, either male (male majorate) or female (female majorate). This system is almost similar to the collective inheritance system, where the inheritance is not divided among the heirs, but becomes joint property.³⁶ In general, Lampung customary society adheres to the male majorate system, where the inheritance is passed on to the eldest male child in the family, known as "anak punyimbang".³⁷ This system is rooted in the belief and view that men play the main role in safeguarding and maintaining family property, and are responsible for the survival of their relatives and descendants.

The philosophy of life of Lampung's indigenous people is steeped in the values of mutual cooperation, kinship and social responsibility. In the context of inheritance, these values are reflected in the role of the "anak punyimbang" who not only receives the inherited property, but also bears the responsibility to manage and cultivate the property for the common good. The inherited property is often referred to as "harta pusaka," which not only has economic value, but also spiritual and cultural value that is very important for the continuation of family traditions and identity. In practice, the management of this heirloom property is carried out collectively by the extended family, with important decisions involving deliberation and mutual agreement.

The culture of Lampung indigenous people that emphasizes the principle of balance between the individual and the collective is also

³⁵ Sonny Dewi Judiasih et al., "Pergeseran Norma Hukum Waris pada Masyarakat Adat Patrilineal," *Rechtidee* 16, no. 1 (June 21, 2021): 65, <https://doi.org/10.21107/ri.v16i1.8676>.

³⁶ Dewi Sulastri, *Pengantar Hukum Adat* (Bandung: CV. Pustaka Setia, 2015), 146.

³⁷ Ahmad Baihaqi, "Sistem Kewarisan Mayorat Laki-laki dalam Perspektif Hukum Islam dan Pengaruhnya terhadap Masyarakat Muslim (Studi di Kecamatan Karya Penggawa Kab. Pesisir Barat Provinsi Lampung)," *Al Qisthas Jurnal Hukum Dan Politik* 10, no. 1 (2019): 23, <https://doi.org/10.37035/alqisthas.v10i1.3035>; See also Poespasari, *Pemahaman Seputar Hukum Waris Adat di Indonesia*, 43.

Dynamics of Patrilineal Inheritance System Change in Urban Lampung Indigenous Community...

reflected in the way they view inherited property. Property is not a personal possession, but a trust that must be safeguarded and utilized for the welfare of the extended family and the surrounding community. Therefore, in Lampung culture, inheritance is not only limited to material distribution, but also a process of passing on responsibilities, values and traditions that have been passed down by ancestors. This shows how important social and cultural aspects are in determining the pattern of inheritance distribution among Lampung indigenous people.

However, although Lampung's customary inheritance system has been in place for generations, the times and the influence of formal laws in Indonesia, such as civil law and Islamic law, have also influenced this inheritance practice. Tensions often arise when traditional values collide with modern legal rules that emphasize a fairer and more equal division between men and women. Nevertheless, Lampung's indigenous people continue to strike a balance between maintaining tradition and adapting to changing times, making their inheritance system a mirror of their culture and philosophy of life that prioritizes harmony and collective well-being.

Thus, the inheritance system in Lampung's indigenous communities is not just a regulation on the division of property, but also a manifestation of the social, cultural and religious values that live in the community. The system reflects a worldview that emphasizes kinship, social responsibility and the continuation of tradition, which remains relevant even when faced with the challenges of changing times.

D. Lampung Saibatin and Pepadun Indigenous Peoples

The word "Lampung" comes from the word "anjak lambung" (from above), which means height. This is related to the history that the puyang (ancestors) of the Lampung people came from the Sekala Berak plateau, located on the slopes of Mount Pesagi.³⁸ At that time, the Sekala Berak community was settled in six *kebuayan* (descent

³⁸ Akhmad Sadad, *Kerajaan Tulang Bawang, Rangkaian Sejarah yang Hilang* (Bandar Lampung: Iphedia Network, 2023), 35; See also Titik Pudjiastuti, *Aksara dan Naskah Kuno Lampung dalam Pandangan Masyarakat Lampung Kini* (Jakarta: Departemen Pendidikan dan Kebudayaan RI, 1997), 15.

groups), namely Buay Belenguh, Buay Pernong, Buay Kenyangan, Buay Bulan or Buay Nerima, Buay Nyerupa, Buay Jalan Duway, and Buay Menyata or Buay Anak Tuha. The first generation of Lampung people in Sekala Berak, West Lampung, was inhabited by Buay Tummy, led by a woman named Ratu Sekerummong. At that time, Buay Tummy was influenced by four people who brought the teachings of Islam. Of the six kebuayan, basically four kebuayan became the paksi (main support), because these four kebuayan ruled the Sekala Berak Kingdom together. These were the Buay Belenguh faction in Kenali, the Pernong faction in Batu Berak, the Jalan Duway faction in Kembahang, and the Buay Nyerupa faction in Sukau.³⁹

Lampung indigenous people basically come from Sekala Brak. Along with its development, Lampung indigenous people are divided into two groups, namely Lampung Saibatin indigenous people who are thick with royal or aristocratic values, and Lampung Pepadun indigenous people who emphasize democratic values.⁴⁰ Each group has its own distinctive social structure, culture and customary system. Although both come from the same region, Lampung Province, the differences between Saibatin and Pepadun are more visible in terms of community organization, the role of the customary head, and the customary government structure they adopt.

The Saibatin community is known for its customary governance system, which is more centralized around one customary chief who leads several families or tribes. In the Saibatin system, the role of the "Prince" as the customary head is very important and respected.⁴¹ This prince functions as a spiritual and social leader, and plays a role in solving various problems that arise among the community. Saibatin society places great emphasis on unity and togetherness. Therefore, in their inheritance system, there is an application of the collective system, where the inheritance is not divided, but managed together for the benefit of the extended family. The value of mutual

³⁹ Hilman Hadikusuma, *Masyarakat dan Adat Budaya Lampung* (Bandung: Mandar Maju, 1989), 11.

⁴⁰ Muhamad Wazirudin Nur and I. Wayan Dana, "Transformasi Estetika Tari Cangget dalam Upacara Adat Begawi Lampung," *Jurnal Ilmiah Manajemen, Ekonomi, & Akuntansi (MEA)* 8, no. 2 (June 10, 2024): 835, <https://doi.org/10.31955/mea.v8i2.4075>.

⁴¹ Utomo, *Buku Ajar Antropologi dan Sosiologi*, 43–44.

Dynamics of Patrilineal Inheritance System Change in Urban Lampung Indigenous Community...

cooperation and togetherness is at the core of their social life, where each individual is responsible for the common good, and not just for personal interests.

Basically, Lampung Saibatin indigenous people are people who live or inhabit coastal areas, including Jabung, Way Jepara, Padang Cermin, Cukuh Balak, Talang Padang, Kota Agung, Pesisir Krui, Liwa, and others. The division of Lampung Saibatin indigenous people based on their descent includes several regions, namely: Paksi Pak Sekala Brak (West Lampung), Keratuan Melinting (East Lampung), Keratuan Darah Putih (South Lampung), Keratuan Semaka (Tanggamus), Keratuan Komerling (South Sumatra Province), and Cikoneng Pak Pekon (Banten Province).

On the other hand, Pepadun society has a more hierarchical and open social structure. In the Pepadun system, the customary chief not only functions as a leader who plays a role in maintaining the continuity of traditions, but also as a mediator in resolving disputes between citizens. The customary chief in Pepadun society plays an important role in the distribution of inheritance and the determination of the fate of community members in social life. In terms of inheritance, the Pepadun community adheres to the patrilineal system, where inherited property is generally passed on to the eldest son, who then has the responsibility to maintain and manage the property for the welfare of the family.

Pepadun, in the colloquial sense, refers to the traditional *kepunyimbangan* throne bench made of four-legged wood and decorated with carvings.⁴² These throne benches were acquired by the *penyimbang* from *seba* to Banten in the 17th century, and most likely originated from Jepara (Central Java) or Bali. The throne benches were used by the courtiers of Banten in major events at the *Pusiban* of Banten Sultanate. Etymologically, the term "pepadun" comes from the word "pepaduan" or meeting, which refers to a meeting of high-ranking royal officials or a deliberation in carrying out customary justice, attended by local traditional leaders. *Adat Pepadun* consists of five clans, namely *Tulang Bawang*, *Way Kanan*, *Sungkai*, *Abung Siwo Mego* (Nine Clans), and *Pubian Telu Suku* (Three Tribes).

⁴² Hadikusuma, *Masyarakat dan Adat Budaya Lampung*, 18.

The main difference between Saibatin and Pepadun lies in the way social management and customary governance are implemented. Saibatin society emphasizes the principle of collectivity and a single leader who has great authority in social and spiritual matters, while Pepadun introduces a more hierarchical system with a clear division of roles between the various levels of adat and traditional leaders. The two groups, although different in terms of social structure and governance, share values based on kinship, gotong royong, and the maintenance of customs passed down through generations. The living cultures of these two indigenous communities are heavily influenced by deep traditional values, which include inheritance systems, gender roles and ways of interacting in social life. For example, in terms of inheritance, Saibatin people tend to maintain the concept of collectivity, where the inheritance is a joint family property, while Pepadun people focus on a more structured division based on male descent. However, despite the differences in customary structures, both Saibatin and Pepadun have a strong commitment to maintaining and preserving the culture and traditions that have existed for centuries.

Overall, Lampung's Saibatin and Pepadun indigenous communities provide a clear picture of how customary and cultural systems influence their social structures, values and daily lives. Both groups teach the importance of maintaining a balance between tradition, kinship and social responsibility, and how customs can continue to evolve with the changing times without forgetting their deep cultural roots.

E. Analysis of the Dynamics of *Patrilineal* Inheritance System Changes in Urban Lampung Indigenous Communities in Bandar Lampung City

The patrilineal inheritance system in Lampung's indigenous communities, which prioritizes paternal lineage as the main determinant of heirs, is an integral part of the long-standing social and cultural structure. In this tradition, the inheritance is generally given to the eldest male child in the family to manage and pass on, with the expectation that they will safeguard and maintain the family's survival and preserve the estate. This customary law reflects the patriarchal pattern of society, where men are considered the leaders and

Dynamics of Patrilineal Inheritance System Change in Urban Lampung Indigenous Community...

managers of family resources, while women are often placed in a secondary role. This system of inheritance not only regulates the division of property, but also serves as the main support in maintaining the stability and harmony of the extended family.

The paradigm shift of Lampung's indigenous people regarding the patrilineal inheritance system, where previously inheritance rights were only controlled by the eldest son, has now undergone significant changes. Currently, some of the inheritance is also given to daughters or other heirs. This change reflects the dynamics in Lampung society that tend to always change, while still upholding their philosophy of life. The philosophy of life of Lampung people is reflected in the principles of *Piil Pesenggiri*, *Bejuluk Adek*, *Nemui Nyimah*, *Nengah Nyappur*, and *Sakai Sambayan*, which contain values of divinity, spirituality, religiosity, ethics or morals, intellectuality, individuality, social, and material. Furthermore, these values can be condensed abstractly into three main values, namely the value of divinity, the value of humanity, and the value of vitality or life.

The results showed that, today, there is a tendency for cultural values to fade in various aspects of Lampung people's lives. This change is a natural thing, considering that culture is dynamic and continues to develop over time, even without the disturbance caused by the entry of foreign cultural elements. Every culture will experience changes over time. One of the efforts to reduce or overcome the negative impact of social and cultural changes is to explore, study, foster, and redevelop the noble values in the culture of Lampung people. Therefore, it is important to document and study the surviving elements of Lampung culture, considering that the flow of external influences, both in the form of foreign cultural elements and development influences, is getting bigger and more intensive.

The results of interviews with Lampung traditional religious leaders in Bandar Lampung show that Lampung traditional communities still apply a patrilineal family system, where the male lineage is considered as the successor of his parents or father, while women are not considered as successors and are expected to follow their husband's extended family. As a result of the application of this system, the position of girls in the distribution of inheritance is

affected. However, along with the times, many Lampung customary societies now give inheritance not only to sons, but also to daughters, especially considering the dynamic nature of customary law. The existence and development of customary law in line with the changes in society shows a shift in the application of the inheritance system. Based on observations and interviews, such cases have occurred in several areas in Lampung, such as Kotabumi, North Lampung and Bandar Lampung, where several families have given inheritance to their daughters.

This is also the case with Lampung indigenous people who have migrated outside the city, where communal and patrilineal ties are no longer as strong as in the previous indigenous community, due to differences in distance, place, as well as cultural developments and the needs of the community itself. Nevertheless, there has not been a significant shift in norms regarding the position of widows as heirs in Lampung customary society. In addition, for some Lampung communities, the distribution of inheritance is also based on Islamic inheritance law or influenced by Islamic inheritance law, which basically not only recognizes the rights of sons, but also recognizes the rights of daughters.

Rapid social and economic development, especially in urban areas such as Bandar Lampung City, has led to dynamic changes that affect the application of Lampung's customary patrilineal inheritance system. Bandar Lampung City, as the capital city of Lampung Province, has become a growing center of urbanization, with a pattern of life that is increasingly individualistic and open to outside influences, both in terms of culture, economy and law. Modernization and urbanization have had a significant impact on social structures, including the inheritance system, which was previously heavily influenced by custom and tradition. In big cities like Bandar Lampung, more egalitarian values and gender equality have begun to develop, which then affects the view of women's rights in obtaining a share of the inheritance property.

According to the results of interviews and observations, data obtained that the dynamics of changes in the Lampung customary patrilineal inheritance system in Bandar Lampung City are caused by

Dynamics of Patrilineal Inheritance System Change in Urban Lampung Indigenous Community...

several factors that influence the occurrence of a paradigm shift in Lampung customary society related to the distribution of patrilineal inheritance. *First*, environmental factors. The shift in inheritance law that occurs in patrilineal inheritance rights in Lampung customary society is largely influenced by environmental factors, especially in Bandar Lampung City. People living in this area, especially in the Municipality, generally have a higher level of education compared to the previous generation. This condition causes the mindset of the local community to change, including in their views on the customary law they follow.

Secondly, religious factors have a significant influence on the development of inheritance distribution in Lampung society. As the majority adherents of Islam, many families in Lampung give the inheritance or legacy to daughters. This has led to complaints from some daughters, who feel that they are entitled to receive a share of the inheritance, given their often more dominant role in caring for and looking after parents, especially when parents are sick. Therefore, many daughters ask for a portion of the inheritance or legacy as a remembrance of the sacrifices and care that have been given over the years.

Third, economic factors have a major influence on family life in indigenous communities. As economic development increases, and the cost of living and education becomes more expensive, the issue of inheritance distribution after the husband or father dies becomes very important to ensure the survival of the children in the family. In Lampung's patrilineal society, the responsibility for providing living expenses and supporting the family usually falls on the man or father, given the role of the man who is generally the main breadwinner in the family. Therefore, this system reflects a division of responsibilities based on traditional roles within the community.

Fourth, the factor of mixed marriages in Lampung customary society also has a significant influence on the division of inheritance. In Bandar Lampung city, there are many marriages between Lampung tribes and Javanese tribes, Lampung tribes and Padang tribes, and so on. In this case, the division of inheritance must be agreed upon by both parties. The division of inheritance can follow customary law,

national law or Islamic law, depending on the mutual agreement between the families involved. This reflects the flexibility in adapting the inheritance system to suit the context and cultural background of each party.

In addition, the more dominant factor in causing changes in the patrilineal inheritance system is the influence of the national legal system and religious law. Civil law in Indonesia regulates the distribution of inheritance more equally between men and women. Similarly, in Islamic law, although there are provisions that distinguish the division of inheritance between men and women, the basic principles of this law emphasize justice and balance of inheritance rights. In contrast to the patrilineal inheritance system that prioritizes men as the main beneficiaries of inheritance, national law and Islamic law open up space for women to have greater rights in obtaining a share of the inheritance. This shift, although still gradual, is gaining acceptance in Lampung's indigenous communities, especially in urban areas that are more open to social change.

On the other hand, changes in the patrilineal inheritance system in Bandar Lampung City are also influenced by the increasing education and understanding of knowledge among indigenous communities. Higher education provides a broader understanding of individual rights, including women's rights to inheritance. Many young people who have received formal education are more demanding of changes in the inheritance system which they consider no longer relevant to the context of modern life. They tend to argue that inheritance should be distributed more fairly and equitably, regardless of gender, and that women should also be entitled to an equal share of the family estate. This view contradicts the patrilineal principle that is deeply rooted in Lampung's traditional society.

However, despite significant changes in the view of the patrilineal inheritance system, urban Lampungese still maintain some customary values and norms relating to inheritance. Customary chiefs and community leaders are still respected in decision-making regarding the division of inheritance. Customary deliberations and community participation in the decision-making process are

Dynamics of Patrilineal Inheritance System Change in Urban Lampung Indigenous Community...

maintained as part of a tradition that should not be forgotten. In this context, despite the changes, values such as gotong royong, family responsibility, and respect for ancestors remain firmly held. Therefore, this change in the inheritance system does not completely replace tradition, but rather is an adaptation process that introduces principles of equality and justice into the existing customary structure.

The dynamics of change in the patrilineal inheritance system in urban Lampung indigenous communities, especially in Bandar Lampung City, are the result of a complex interaction between traditional and modern factors. Although the patrilineal system that prioritizes men as recipients of inheritance is still dominant, the influence of national law, educational awareness, and the development of social values increasingly provide space for change. This shift in values and views on inheritance does not necessarily abolish tradition, but rather adjusts to a more inclusive social and legal context that is acceptable to Lampung indigenous people in the midst of increasingly complex and dynamic urban life.

Thus, changes in the patrilineal inheritance system in the urban Lampung indigenous community of Bandar Lampung City indicate a paradigm shift that involves a balance between maintaining tradition and opening up to social change that is more just and equal. In the long run, it is hoped that this process will create a more inclusive and responsive inheritance system to the times, without sacrificing the noble values that characterize Lampung's indigenous people.

When viewed from an Islamic perspective, the inheritance system is governed by the principles contained in the Qur'an and Hadith, which provide guidelines regarding the fair distribution of inheritance.⁴³ Inheritance law in Islam is based on the principle of justice, taking into account the roles and responsibilities of each family member. One of the main differences between the Islamic inheritance system and the patrilineal system is the clear division of

⁴³ Intan Miftahurrahmi, "Konsep Munasakhat dalam Hukum Kewarisan Islam di Indonesia," *Islamic Law: Jurnal Siyasah* 9, no. 2 (December 24, 2024): 111–117, <https://doi.org/10.53429/iljs.v9i2.1115>.

inheritance rights between men and women.⁴⁴ In the Qur'an, particularly in Surah An-Nisa' verses 11 and 12, it is stipulated that men's share of inheritance is greater than women's, on the grounds that men have the obligation to provide for the family. Although there are differences in the amount of inheritance, Islamic law still prioritizes the principles of justice and balance in the distribution of inheritance. This means that each individual receives their rights in accordance with their obligations and roles in the family. Islam grants inheritance rights to women, although with different shares, but still upholds the principle of justice based on functions and responsibilities in the family. Thus, the Islamic inheritance system not only emphasizes fair distribution, but is also based on the roles and obligations of each family member in the social structure.

In Lampung indigenous communities, especially those in urban areas such as Bandar Lampung City, the dynamics of change in the patrilineal inheritance system are strongly influenced by the teachings of Islamic law. Although the patrilineal tradition that prioritizes the inheritance rights of sons still applies, most Lampung customary societies have now begun to adapt a more inclusive inheritance system, including giving inheritance rights to women. This is in line with the teachings of Islam, which emphasizes the importance of justice in the distribution of inheritance, although there are different provisions for men and women. Islam recognizes women's inheritance rights, although the share received by women is usually smaller than that of men. For example, a daughter in Islam is entitled to receive half the share received by a son, but women still have full rights to the inheritance without any discrimination. Thus, although there are differences in the amount of inheritance, the principles of justice and balance in the distribution of inheritance are still upheld in Islamic law.

In addition, the influence of Islamic law in urban communities also shows an awareness to prioritize the principles of social justice, including in the distribution of inheritance. In urban areas, where

⁴⁴ Chamim Tohari, "Sistem Kewarisan Bilateral Ditinjau dari Perspektif Hukum Islam," *Istinbath: Jurnal Hukum* 15, no. 1 (July 9, 2018): 63–90, <https://doi.org/10.32332/istinbath.v15i1.1094>.

Dynamics of Patrilineal Inheritance System Change in Urban Lampung Indigenous Community...

people are more open to social and legal changes, many families are beginning to realize that the inheritance system must adapt to the times and the needs of the family. Therefore, in practice, many Lampungese communities in Bandar Lampung City have adopted a more equitable division of inheritance and are no longer fully bound by patrilineal principles. Nevertheless, in some cases, the customary law that still has a strong influence in Lampung society is still implemented, but with adjustments to the values of justice taught in Islam.

Referring to the various concepts above, the dynamics of change in the patrilineal inheritance system in Lampung customary society, especially in urban areas, show the harmony between customary law and Islamic law, which increasingly emphasizes the values of equality and justice in the distribution of inheritance. Although the patrilineal principle is still maintained in some aspects of life, Islamic teachings have contributed to renewing the community's view of women's rights in obtaining inheritance. Thus, Lampung's indigenous people have begun to adapt a more balanced inheritance system, while still respecting the traditions and religious values that have developed along with the changing times.

F. Conclusion

The dynamics of change in the patrilineal inheritance system in Lampung customary society, especially in Bandar Lampung City, reflects a paradigm shift that occurs gradually in response to the influence of external and internal factors. This shift is influenced by various factors, such as the development of education, religious influence, and others. Although the patrilineal inheritance system is still influential, these changes lead to a fairer and more equitable distribution of inheritance, while still maintaining existing religious and customary principles, as well as respecting the philosophy of life of the Lampung people. From an Islamic perspective, the inheritance system prioritizes the principle of justice, although there is a difference in the amount of inheritance rights between men and women based on the role of men as responsible for the family. Islamic law still provides equal and fair inheritance rights for women

without discrimination. This is in line with the values of justice and equality that Lampung people are now starting to adopt in their inheritance distribution practices.

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S e n g a j a D i k o s o n g k a n