


Between Fiqh and Adat: Negotiating Inheritance Law among the Bugis Community of Wajo

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Abstract

The Bugis community in Wajo has a distinct inheritance law that differs from those of other regions in Indonesia. In lieu of applying the law precisely as it is specified in Islamic *fiqh*, they adapt it to reflect the dominant local culture. The objective of this research is to elucidate the conflict between the Islamic *fiqh*-based inheritance law and the indigenous customs of the Bugis community residing in Wajo, South Sulawesi. By examining manuscript evaluations and oral traditions prevalent in the local community, this research uncovers the nature of contestation over inheritance distribution, as well as the factors and consequences that contribute to it. In the practice of inheritance division, the Bugis community in Wajo prioritizes the benefits of cohabitation to reduce disputes arising from asset division, according to this study's findings. Gender equality is of significant importance to them, and they regard mutual agreement as the standard by which they seek to reconcile legitimate interests and ensure an equitable distribution of inheritance.

Abstrak

Masyarakat Bugis di Wajo memiliki hukum waris yang berbeda dengan hukum waris di wilayah lain di Indonesia. Mereka tidak menggunakan hukum yang diterapkan dalam fikih secara *an-sich*, melainkan dimodifikasi dengan budaya lokal yang berlaku. Artikel ini mengungkap kontestasi yang terjadi antara hukum warisan yang dituangkan dalam fikih dengan budaya lokal yang dianut masyarakat Bugis di Wajo, Sulawesi Selatan. Metode penelitian ini bersumber dari manuskrip dan tradisi lisan yang digunakan dan berlaku dalam masyarakat setempat. Penelitian ini mengungkap wujud dari kontestasi yang terjadi dalam pembagian harta warisan, faktor, dan implikasi dari kontestasi tersebut. Hasil temuan penelitian ini menunjukkan bahwa dalam praktik pembagian warisan masyarakat Bugis di Wajo memprioritaskan kemashlahatan hidup bersama sehingga dapat meminimalisir konflik yang terjadi akibat pembagian harta warisan ini. Bagi mereka, kesetaraan gender menjadi perhatian khusus dan kesepakatan bersama menjadi tolak ukur untuk mencari solusi kemashlahatan dan keadilan dalam berbagi harta warisan.

Keywords:

Contestation; Law; Distribution of inheritance; Local tradition; Bugis community

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Introduction

The Bugis community's approach to inheritance differs significantly from the principles of Islamic law. In contrast to the inheritance distribution principle outlined in Islamic law, which allocates one portion for women and two portions for men (referred to as *mallémpa burané, majjung makkuraié*; men carry while women uphold), the Bugis community of Wajo places a greater emphasis on the location of *massama waé manaé makkunrai na burané*. This concept is analogous to water evenly filling containers of the same surface area. For generations, Bugis society has deeply embedded the concept of equality in the distribution of inheritances between men and women. The converse may occur in certain instances, with women receiving more benefits than men. This practice is based on the religion and customs of the local community (Cakrawaldi, 2017; Eric, 2019; Fauzi et al., 2019; Marro'aini & Kholis, 2019; Muzainah & Syaikhu, 2020; Syahdan, 2016; Willy Yuberto Andrisma, 2007; Zuhrah et al., 2021).

Studies pertaining to the distribution of inheritance among the Bugis can be classified into four distinct categories. First, how Bugis communities manage inheritance is often based exclusively on a combination of religious and customary law (Kartini & Inah, 2018; Rahman et al., 2022; Wahyuni & Harisah, 2019). Second, according to Islamic law, inheritance is equitably distributed between males and females, provided that the transfer of property occurs during the testator's lifetime rather than after their demise (Fikri & Wahidin, 2017). Third, the legal framework surrounding bequests for special financing is directed solely to the testator's parents, with no entitlement extended to other family members (Zhubair & Hasnita, 2019). Finally, previous research has not sufficiently examined the disputes arising from conflicts between *fiqh*-based inheritance laws and local Bugis customs, using analyses of manuscripts and oral traditions. The recommended inheritance distribution methods include the one-to-one system prescribed by *fiqh*, family agreements, or arrangements favoring greater shares for women.

This research investigates disputes concerning the allocation of inheritance between males and females in Bugis society. Specifically, it examines the customary forms of contestation surrounding inheritance law within the Wajo community. The underlying factors that give rise to such contestation in inheritance distribution, and the implications of these disputes for gender relations in the inheritance system. These issues are analyzed comprehensively in the findings section of this article.

This study argues that the dispute over the allocation of inheritance between genders is not solely a matter of religious law but is also influenced by local customs and practices. The implementation of Islamic law in Bugis society has been adapted to align with the specific geographical conditions and cultural traditions of the Bugis. Hence, the implementation of the inheritance distribution law in the Bugis region encompasses not only religious aspects but also local values embraced by the community. The distribution of inheritance in this ethnic group is disputed due to the specific customs and religious practices prevalent within the community. These intertwined influences show that legal practices are often negotiated at the intersection of normative religion and everyday cultural realities. As a result, inheritance arrangements reflect both adherence to Islamic jurisprudence and the community's effort to preserve social harmony. This assumption is addressed in the discussion section of this publication.

Method

Contestation over inheritance distribution in local groups is essential to understand and analyze as a lesson for the global community. This study, therefore, focuses on how this contestation arises within the Bugis community of Wajo, South Sulawesi, Indonesia, which is

known for its distinctive, highly localized local wisdom. This study is based on three criteria. To begin, past research has not addressed in depth the issue of contestation over inheritance partition within local Bugis groups. Second, this contestation is essential for local Bugis people to overcome their problems through religious and cultural compositions. Third, awareness of the fight over inheritance distribution has significantly affected the protracted cultural processes that have preserved Bugis traditions. For these three reasons, this study focuses on contestation among local communities over inheritance partition, which has led to the creation of a unique rule that now dominates their lives.

This study employed a qualitative, descriptive-analytic approach to examine disputes over inheritance distribution within the Bugis Wajo community. The descriptive component aimed to identify and categorize the various forms of conflict that emerge during the inheritance division process among members of the Bugis Wajo society. The use of this methodology aligns with the objective of highlighting a phenomenon through its distinctive characteristics. This approach relies on descriptive data gathered through field observations.

The field research data comprises two distinct forms: oral and written. Oral data is collected from individuals in the local community about the long-standing practice of distributing inheritance across multiple generations. Folklore is seen as a source of guidance for communal conduct, whereas written records consist of local community customs documented in writing and ancient manuscripts. These recorded traditions have long served as a compass for local communities in shaping their attitudes and life principles over generations. Specifically, texts outlining inheritance distribution between males and females reveal that the system remains consistent and grounded in a distinct legal framework. Additionally, texts with verses that elucidate the concept of inheritance are employed.

The data for this research were collected through interviews and the documentation of oral traditions and written sources reflecting prevalent forms of contestation within the local community. Oral tradition data were collected from informants selected for their academic and practical expertise. Academic informants included *ustādh* (teachers), who teach inheritance law in Islamic boarding schools using *fiqh* texts. Practitioner informants were categorized into three groups: (1) Religious Court (Pengadilan Agama) judges who directly handle inheritance disputes, (2) lawyers who assist individuals in resolving inheritance-related legal cases, and (3) cultural figures and community members who are actively engaged in inheritance matters rooted in their customary traditions.

The data analysis process involved three stages. The first step is to reduce data to organize it more systematically. Second, data are presented in tables with descriptions, including processed interview data and excerpts from manuscript texts. Third, data verification involves drawing conclusions from trends in existing data as a foundation for interpreting it. The study's stages and analytical procedures enable the formulation of the findings grounded in the knowledge and lived experiences of the Wajo community in South Sulawesi, particularly in regulating inheritance distribution in accordance with local cultural practices and religious principles.

Legal Contestation

Contestation refers to a communicative environment where two or more people interact through dialogue, characterized by elements of controversy, dispute, or competitiveness (Hafidhuddin, 2022). According to Deitelhoff (2020), contestation is both an analytical and normative concept that refers to the presence of conflicting norms. It involves one party reacting to another, leading to conflict. While contestation is often linked to conflict, García Iommi (2020) argues that providing stakeholders with regular and institutionalized access

might transform contestation into consensus or mutual agreement. According to Monsees (2019), contestation that arises from intermittent reactions between parties is a crucial aspect of democracy when it aligns with the system's goals.

The conflict between Islamic and customary law is a frequent source of dispute in society. The juxtaposition of local customs with Islamic jurisprudence frequently engenders disagreements, strains, and even outright conflicts within specific community factions (Huda, 2019). The challenge to customary and Islamic law arises across various domains of community life, encompassing criminal law (Danil, 2016), marital unions (Nugroho et al., 2022), divorce proceedings (Budia & Bukittinggi, 2019), and the allocation of inheritance (Kalam Daud & Akbar, 2020). Contestation can manifest in three distinct forms: 1) mild contestation, where multiple parties with differing opinions can acknowledge and enhance each other's perspectives; 2) open contestation, which discerns one law from another; and 3) contestation aimed at imposing the influence of specific parties on others, leading to tension and ultimately generating conflict (Pabbajah et al., 2021). There is moderate disagreement within the Malay community in West Kalimantan's interior. One example of this is the conflicts that arise between Islam and local traditions. However, these conflicts have also led to integration and mutual reinforcement, as seen in the practices of *pantang larang*, *perladangan* (Buma), *berobat kampung*, and *tepung tawar* (Ibrahim, 2018). Although they originated in pre-Islamic times, the three local traditions remain strong and play a crucial role in addressing disputes within communities. *Tepung tawar*, for instance, signifies a ceremony designed to promote reconciliation and harmony. It helps reduce anger, resentment, and emotional wounds between conflicting groups. Once both parties reach a consensus and commit to peace, a *tepung tawar* ceremony, traditionally performed by community elders, is held to formally mark the end of the conflict and the restoration of social harmony.

Distribution of Inheritance

Inheritance refers to the total assets passed down to a family member's descendants upon that person's death. Disagreements over inheritance distribution often arise due to established regulations that determine the eligible recipients and the portion of the property each may receive (Mostafa et al., 2022). One possible cause of conflict is when one party feels more deserving of greater advantages, thereby harming the other. Conversely, disputes may arise when the applicable legislation is inapplicable to the issues at hand (Zuhdi, 2017). There is potential for a transition in how a specific community group administers bequests. According to Siregar (2020), the transition is impacted by cultural and religious elements. Cultural influences manifest when individuals comprehend traditional inheritance legislation while also taking into account religious tenets. Meanwhile, religious factors arise from the widespread belief that inheritance disputes can be resolved solely by religious tribunals recognized as official law. Thus, the division of inheritance, which was formerly governed by customary law, becomes more flexible and adaptable, no longer predicated on a single normative and dogmatic law.

In Indonesia, inheritance distribution is predominantly regulated by three principles: acculturation of Islamic law and customary law, Islamic law, and customary law (Huda et al., 2020). The allocation of inheritance is determined by Islamic law, which is founded upon the inheritance privileges of males and females as outlined in the Quran, Hadith, Ijma', and Qiyas. Indonesian Muslim communities extensively implement Islamic inheritance law (Wantaka et al., 2019). Moreover, communities such as the Bugis Bone community, which rely on customary inheritance law to determine the distribution of inheritances, conduct the process through family consultation and the participation of third parties (Kartini & Inah, 2018).

Conversely, communities that adhere to both Islamic law and customary law, such as those in Sampang, Madura, and Polewali Mandar, West Sulawesi, hold the belief that men and women have equal standing in the distribution of inheritance. Property is distributed among the children, with the parents' home bequeathed to the youngest child, regardless of gender. Although significant distinctions exist between Islamic law, customary law, and their respective applications, all three are acknowledged as valid (Rahman et al., 2022; Wahyuni & Harisah, 2019).

Local Traditions

Local traditions are shared meanings within the dominant culture, expressed through values, behaviors, and identity (Li & Lau, 2022). Traditions emerge from imaginative arrangements of historical events, giving them particular traits and authenticity that vary across communities (Palmi & Lezzi, 2020). According to Izzuddin et al. (2022), local traditions are essential because they become principles in the lives of individuals who believe in them, encouraging them to practice rituals associated with these traditions. This tradition is classified into physical and immaterial traditions (Nugroho, 2019). Tangible local traditions include cultural heritage such as architectural styles, batik, puppets, and gamelan (Sudarwani et al., 2021; Wicaksono et al., 2017; Basiroen & Kana, 2019). Intangible traditions take the shape of symbols, mythologies, mottos, and melodies (Pradhana et al., 2021; Arif, 2019). The importance of local customs is seen as aesthetic, creative, and entertaining. Meanwhile, ceremonial traditions represent the value of mutual cooperation, mutual aid, and improved social development (Kamal, 2018).

In a diverse society, the diversity of local traditions creates contestation over social space. This spatial contestation results in two patterns: identity strengthening and fusion. Hadi (2020) argues that the first pattern may cause social friction or conflict, whereas the second can lead to cultural acculturation, thereby improving social harmony. The failure of acculturation, for example, may be seen in the struggle between the indigenous Lampung tribe and the Balinuraga, which resulted in loss of life, both material and mental. Humaedi (2014) found that the conflict between political-economic goals and cultural differences in practice, cognition, and views on life led to the failure of acculturation. Meanwhile, the Lasem community, for example, exhibits peaceful acculturation. The cultural connection between Islam and China is evident in dwellings and places of worship, such as the Jami' mosque, which is built in the traditional Chinese style (Ayuningrum, 2017). This demonstrates that diversity and distinctions have led to both hostile and productive social contestation.

The Gap between Local Traditions & Islamic Law

Originally, the Bugis social structure was bilateral; men and women held equal status and cooperated in both the domestic and public spheres through a value system known as *sibaliperri* (mutual assistance). This ethos emerged from a collective awareness of the importance of interdependence and complementary roles. However, this egalitarian tradition began to shift during the colonial period, giving way to a patrilineal system. Women's mobility became increasingly restricted; they were expected to remain at home and out of sight to protect them from colonial threats. As a result, women's roles were confined primarily to the domestic sphere. This historical shift reinforced patriarchal values that continue to shape Bugis society today. While there is still a cultural recognition of women's equal contributions, many women have come to accept societal norms that diminish their roles and positions.

The distribution of inheritance in the Bugis village of Wajo deviates significantly from the rules in *fiqh*, as evidenced by local customs. The divergence can be attributed to the dominant culture, preserved and transmitted as shared memory through written and spoken customs (see Table 1). Essentially, this divergence signifies a conflict between the two, as Bugis individuals adhere to Islam. However, they are unable to forsake their indigenous customs and culture.

Table 1.
Forms of contestation of local traditions and Islamic law

Source	Local text	Contestation coding
Writing Tradition <i>Lontara' Sukkuna Wajo (LSW)</i>	<i>Massama waé</i> <i>manaé</i> is a concept analogous to water in a container, where the water's surface is evenly distributed.	The 1:1 division differs from the division of inheritance according to <i>fiqh</i> , which is regulated by 2:1.
Writing Tradition <i>Lontara' Akkarungeng Wajo (LAW)</i>	The law on the poverty division of <i>Arung Bénténg</i> applies equally to men and women.	The 1:1 division differs from the division of inheritance according to <i>fiqh</i> , which is regulated by 2:1.
Oral Tradition	Tradition holds that <i>assipekkekekeng's</i> inherited property is divided by deliberation and agreement.	Division by agreement differs from the division of inheritance by Jurisprudence, which is regulated by the 2:1 rule.
Oral Tradition	<i>bagé tunrung bagé seppé</i> means to divide the bunch and then divide the comb. This means equal division of inheritance between men and women (one-to-one).	The 1:1 division differs from the division of inheritance by Jurisprudence, which governs a 2:1 division.

Table 1 illustrates the inclination for disagreement between indigenous customs and *fiqh* regulations concerning inheritance distribution. The inheritance allocation prescribed in Islamic law, particularly in al-Nisā (verses 7, 11, and 176), which grants male heirs twice the share of female heirs, has been contested by the Bugis community. They challenge the underlying rationale—often metaphorically framed as men being carriers and women as upholders—arguing that such a comparison is not applicable within their cultural and social context.

There are two prevailing models of tradition in Bugis society. First, the Makassar Bugis community follows the *massama waé* system, which is a one-to-one system. The *Lontara' Sukkuna Wajo (LSW)* and the *Lontara' Akkarungeng Wajo (LAW)* manuscripts conform to the established customs and sharia. Property division law follows the principle of *massama waé manaé*, which can be compared to water in a container where the water surface is level. This analogy implies that property division between men and women is equal and identical. In the oral tradition of *mabbagé tunrung mabbagé seppé*, the phrase symbolizes the equal division of inheritance between men and women, conveying the act of separating a bunch and dividing it. Secondly, in unresolved inheritance disputes, the parties involved proceed on the basis of the agreement of the heirs (*assipekkekekeng*).

Customary Law as the Primary Framework for Inheritance

The legal division of inheritance, as defined in *fiqh*, is assimilated into the local cultural context. The Bugis Makassar community follows at least three customary rules, established as tradition and observed by the local community. *First*, the establishment of the laws governing the division of inheritance following the death of both parents. *Second*, men possess the ability to exert dominance over women. *Third*, special consideration is given to children caring for their parents. These three norms are implemented in their daily lives for the collective well-being, supported by rational local considerations.

Local communities distribute inheritance solely upon the death of both the mother and the father. Here, the inheritance law (*farā'id*) is upheld, allocating two portions for boys and one for girls. In the field of inheritance science (*farā'id*), it is understood that inheritance distribution occurs at an individual's death, without requiring the waiting period for both parents to pass away. According to Gatta, inheritance in Wajo is distributed upon the death of both parents, in accordance with the inheritance law governing family property. This legal framework is based on three key elements: the death of an individual, the existence of inheritable assets, and the presence of heirs entitled to receive those assets (Haryanto, 2021). Such a scenario occurred when the mother passed away, and the father remarried. After the remarriage, the son questioned the distribution of his mother's inheritance. However, the father became enraged and viewed his son's question as radical, as it pertained to the division of assets while the father was still living. Consequently, the father assumed control over all the assets the child's mother left (Gatta, 2021). This example demonstrates the community's indifference to the timing of the inheritance split as prescribed by Islamic teachings, aside from the legislation that dictates a 1:2 split between women and men.

Conversely, the Makassar Bugis society continues to be influenced by patriarchal norms that designate males as the holders of authority, decision-makers, and providers for their families. Males exert dominance inside the family. This status wields significant influence over the mechanism of distributing inheritances. According to Radhiyah, a religious teacher, a family is believed to have two daughters and one son when they have three children. The distribution of inheritance follows Islamic law, whereby the son receives a portion of one hectare of rice fields, while each of the two daughters gets a portion of one-twelfth of a hectare. The rationale for this patriarchal allocation of property is that the son plays a crucial role as the father's primary support in cultivating the rice fields (Radhiyah, 2021).

However, family agreements are given priority. Using the negotiated principle, families are a priority for inheritance. The cultural aspect of public welfare and the conventional ideal of equity are carefully considered in this context. Within the family, an agreement to divide equally based on customary conditions known as *ampi kalé* or *pabbobo* (providing property to someone who cares for parents) is used. The inheritance distribution model—especially *ampi kalé*—is applied when a testator, in old age, allocates part of their wealth from the inheritance to guarantee care in old age and to cover funeral expenses after their passing. The testator has often already distributed or indicated each heir's portion and reserved a specific portion for the person who cared for them (either a family member or someone else). The *ampi kalé* model is applied for the benefit of the testator and the harmony of the heirs. The testator does not feel burdened or worried if their children are married and live apart, as they have already prepared the *ampi kalé* as a safeguard for their old age.

During their lifetimes, even if the *ampi kalé* portion has not been formally determined by the testator, the heirs generally understand each other's shares and give a specific portion to the person who cared for the parents. This agreement was supported by a witness statement: "*de'to nengka wéngkalingai lapong tomaté makkeda iyaro gagaku, usalaié, onroié ampi kaléku tu*" (means that "I never heard the testator (the deceased) say that the property I left behind was for my *ampi kalé*, so no one should claim it as *ampi kalé* property"). Therefore, it is

immediately assumed that it is not *ampi kalé*. *Ampi kalé pampobo* refers to the distribution of inheritance to a child who cared for their father or mother (Helvirah, Religious Court Judge, 2021). Even so, the inheritance distribution process using *mabbagé tunrung*, *mabbagé seppé*, or the *massamawaé* system is still carried out in accordance with the testator's agreement. Differences in opinion regarding the inheritance division system, as previously mentioned, may inevitably lead to disputes that require legal resolution to ensure fairness for all parties. If such conflicts arise, the matter is submitted to the religious court for settlement through legal mechanisms.

Religious leaders and local religious judges believe that this agreement mechanism ensures a fair allocation of inheritance. More specifically, the portion of inheritance is computed based on how much the children have spent on education and other living expenses. As a result, the heirs receive a different amount of inheritance than siblings who have cared for their parents. They receive a specific bonus inheritance distribution that is not mixed up with the distribution of other assets.

Conflict Due to Legal Contestation of Inheritance Distribution

The complexity of this controversy gives rise to underlying tensions that often require resolution by religious authorities and judicial figures. At least three societal issues frequently emerge and require the attention of authoritative figures. Firstly, the community lacks a clear legal framework governing inheritance distribution. Secondly, the involuntary seizure of an inheritance can lead to severe family discord and, in extreme cases, even result in homicide. Thirdly, there is an insufficient understanding of cultural and religious inheritance.

An illustration of the inheritance dispute can be seen in the case of NA and TA, a married couple with four children: one daughter and three sons. Throughout their respective lifetimes, NA and TA were joined by their daughter. The daughter of NA and TA inherited the entirety of the estate bequeathed by their parents following their deaths; this caused a rift in their kinship. This is a situation faced by many families in the area (Asriani, 2022), particularly where there is limited understanding of cultural and religious inheritance practices. Subsequently, this may influence the formation of paradoxical conceptions within society. Ambo Asse, a Bugis Wajo traditional leader, elaborated that:

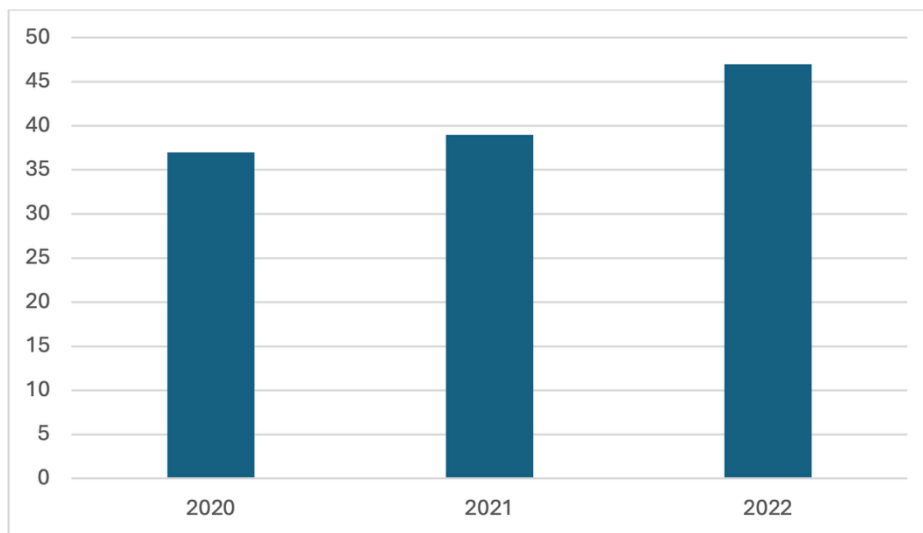
“Ampi kalé atau pampobona polé tomatowanna, pada mui kapang istilana hibah. Pampobo istilana idi’ to Wajoé, artinya akko engka bara’na ana’na eppa, mellini galung bara’na lima, iyaro eppa-é nabagéangi ana’na, iyaro seddié untuk pambobona aléna. Jaji akko polé-poléna maténa matu’ jaji de’na naterbebani ana’na odding nabalunabowoi tomaténa. Biasana niga nonroi matéyanatu malai.”

Translation: In his capacity as the custodian of the portion of himself that was bequeathed to him by his parents, the inheritance is comparable to a grant. The Wajo people employed the concept of *Pampobo*, which stipulates that in the case of a father of four children who has purchased five rice fields, four of those fields are allocated to each child, with an additional rice field designated for the child responsible for the upkeep of his parents. In the event of a parent's untimely demise, the child may sell the rice field as a bequest, relieving the child of any financial obligations (such as funeral expenses and related costs) (Asse, 2021).

In Bugis culture, it is customary for individuals to inherit their parents' possessions upon their parents' death, as a way to acknowledge the care and support they provided. When

individuals fail to comprehend a situation, they may resort to legal proceedings to litigate against one another. However, the party demonstrating greater ability to defend their property rights is more likely to prevail. Consequently, there has been a consistent increase in the number of claims submitted by heirs to the High Religious Court. For instance, data from the Makassar High Religious Court, published over the past three years, indicates a rise in the frequency of complaints in inheritance appeal cases (see Graph 1). Typically, these cases assert a two-to-one ratio of rights, although additional claims may also exist. Hence, it is imperative for the court to judiciously address these issues in line with religious doctrines and consider other advantageous aspects (Rasyidi, 2022).

Chart 1.
Development of Inheritance Lawsuit Cases in Pengadilan Tinggi Makassar



Source: Sistem Informasi Penelusuran Perkara [SIPP] Banding Pengadilan Tinggi Agama Makassar year 2023

This study, which examines the interaction between Islamic law and local traditions in the distribution of inheritance, finds that the Bugis community of Wajo has distinct religious understandings and interpretations, referring to the ways individuals or groups comprehend, interpret, and practice their religious teachings. These differences arise from factors such as cultural background, life experiences, education, and social context, leading to disagreements between the two. Traditional inheritance partition customs demonstrate the use of several approaches for understanding and interpreting *fiqh*. Cultural background and local knowledge have played a significant role in understanding and interpreting the religion to which people adhere. For example, the wording of Surah An-Nisa, verses 7, 11, and 176, has been interpreted contextually—while the normative Islamic principle allocates two shares to males and one to females (Wantaka et al., 2019), in practice, this is often adjusted to an equal one-to-one distribution by considering other factors, such as economic status or family welfare.

The research findings indicate that over the next two decades, indigenous communities with local knowledge will demonstrate their cultural and religious diversity to enhance their quality of life. The primary objective in the allocation of this inheritance is to promote welfare. The local practice of dividing inheritance property involves dividing it before the testator's death. This means that the testator divides their fortune among their successors, adhering to the 2:1 ratio for males and females. The allocation of inheritance assets, referred to as grant property, can be utilized as an inheritance provided that the assets originate with the

beneficiaries' parents. The rule in question is set out in Article 211 of the Compilation of Islamic Law, which stipulates that parents may allocate their assets to their children as part of their inheritance (Nurhadi, 2011).

Technological developments in inheritance computation provide substantial support for religious- and culturally-based inheritance law. This calculation minimizes errors and increases calculation accuracy. When integrated with traditional systems such as *farā'id* (Islamic inheritance law), these technologies can transform contestation into constructive solutions. A recent study on integrated inheritance calculator applications found that these tools are effective in addressing various inheritance issues under Islamic law, providing more precise and efficient results (Meldi et al., 2023). An Arabic ontology-based inheritance system, for instance, facilitates simple distribution by recording a person's family lineage, processing information on family members and clans, and calculating inheritance shares (Khaled & Rezeg, 2021). Sulfana's research also confirms the superiority of technological approaches in inheritance calculation, emphasizing their speed, accuracy, and the elimination of manual tools such as calculators. Even in case studies, digital and manual results yielded identical outcomes, affirming the system's reliability. However, manual calculations remain relevant in cases involving customary inheritance practices (e.g., equal division), substitute heirs, or complex scenarios such as *'umariyyah*, *ḥimariyyah*, and *al-Farā'id al-Mālikiyyah*, which may vary across scholarly opinions (Sulfana, 2024).

This research also demonstrates that inheritance distribution within the local Wajo community is gender-balanced. The practice of "*mabbagé tunrung mabbangé seppé*" entails equal participation of both women and men. Additionally, the distribution of inheritance is influenced by the level of filial piety shown by the children. This form of division is regarded as fair and equitable, as confirmed by a member of the Wajo community, who noted that in his family, inheritance is now distributed equally between male and female heirs. "We have currently eliminated the distinction between the allocation of inheritance for females and males, aligning with the historical protocol of dividing our parents' inheritance" (Zakariah, 2021). This equality has ramifications for gender parity. The dominant convention does not engage in discussions regarding gender disparities.

The interpretation of the verses (al-Nisā 7, 11, and 176) is rendered practical and situated within the community's context, thereby influencing economic development. The cultural term "*majjujung makkunraié mallémpa burané*" is a Bugis tradition that instructs followers on how to comprehend the 2:1 division by considering the cultural context surrounding property divisions predicated on obligations and rights, as well as family agreements. Consequently, the family's financial situation is substantially enhanced (Wahidin, 2017; Novita, 2022). On the contrary, the utilization of inheritance benefits for matrimonial unions with blood relatives is more prevalent in India, whereas the impact of economic progress is comparatively diminished. The allocation of inheritance to farmer groups in Germany is equitable, thereby minimizing the likelihood of disputes. Their fertile land and favorable geographical conditions account for this (Huning, 2021).

The findings of this study highlight the importance of educating the public that understanding inheritance distribution need not be rigid or linear. Contextualization based on environmental and cultural conditions is essential, as human societies exist within diverse settings that give rise to unique local traditions. Islamic jurisprudence (*fiqh*) can and should be interpreted in light of human needs and social realities to promote justice and communal benefit. Action plans are necessary to educate the younger generation and foster awareness of their ancestors' cultural and legal legacies. The internalization of these values must be an ongoing process to ensure the resilience and continuity of local cultural identity. Moreover, a deeper and more nuanced understanding of religious teachings is crucial to fully appreciate the compassionate and universal principles embedded in the faith.

Conclusion

The Bugis community, particularly in Wajo, adheres to inheritance distribution procedures that deviate from the regulations outlined in Islamic law. While the concept of *majjung makkunraié mallépa burané*—allocating two parts to males and one to females—generally aligns with Islamic law, it reflects a localized interpretation of gender-based inheritance. There are specific circumstances in which this allocation is reversed. Women receive more shares than men. The equitable allocation of inheritance has been attributed to the practice of dividing it according to local customs documented in texts and passed down through oral traditions. Hence, the concepts of location pertain to dogmatic regulations and encompass the idea of equilibrium or fairness.

This study offers a novel perspective on the allocation of ancestral wealth, firmly grounded in tradition and passed down through the generations. Investigating the wisdom of locally inherited customs provides a means to understand religious doctrines better and to promote a more promising future for society. In the current context, the application of inheritance law in Wajo depends on the specific circumstances and conditions of the region. Within Wajo society, the principle of water in a container (*massama waé manaé*) remains central to inheritance allocation. However, in certain situations, the principle of men carrying while women uphold (*mallépa burané, majjung makkuraié*) is also practiced. However, in the domain of law, when the Religious Court is tasked with dividing an inheritance, the foundation is *fiqh al-mawaris*, which is determined according to the stipulations of Islamic jurisprudence. The Wajo people continue to observe principles of religious and cultural inheritance distribution, strictly adhering to their cultural circumstances. Therefore, to discover solutions for the common good, the outcomes of this study provide a bargaining position for enhancing research outcomes with local knowledge that prioritizes social interests.

This study still has limitations in its scope and data-collection methods, as it relies primarily on oral and written traditions. It is widely recognized that additional sources, such as archaeological and paleographic evidence, could provide valuable historical insights into inheritance practices. Moreover, the research is geographically confined to the Wajo region of South Sulawesi and focuses specifically on the Bugis community. Given that South Sulawesi is home to many tribes with diverse local cultures, future research could explore inheritance division practices among other indigenous groups in the region.

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