

Factors Supporting The Position And Role Of Minangkabau Women In Resolving Heritage Conflicts In West Sumatra

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Abstract

Conflict resolution of heritage is a problem that often occurs in Indonesian society. This conflict usually occurs due to disagreements in dividing inherited property between family members. In West Sumatra, Minangkabau women are essential in resolving inheritance conflicts. This article will explain the factors that support the position and role of Minangkabau women in resolving heritage conflicts in West Sumatra. This research is empirical legal research or (socio-legal research) with socio-empirical studies with qualitative research. The approach method used in this study is part of legal pluralism (mix or mix), including philosophical, sociological, phenomenological, and legal anthropological approaches. This article aims to provide an understanding of the role and position of Minangkabau women in resolving heritage conflicts in West Sumatra. The factors that support their role are Economic, Educational, Psychological, and Social factors. It is hoped that this article can provide a better insight into the importance of the role of women in resolving inheritance conflicts, as well as provide proper recognition for Minangkabau women for their contributions to society

1. Introduction

Human life is inseparable from the law. Law is a human need because the law functions to regulate people's lives to be orderly, safe, and peaceful, and of course, every person does not interfere with each other's rights. Law is a backing or measure of behavior or similarity of attitudes (standards of conduct) that every society must obey. Furthermore, the law also serves as a means of engineering to change the culture for the better (as a tool of social engineering), checking whether or not a behavior is correct (as a tool of justification), and at the same time is a tool of control of human thought and steps so that they are preserved from violating the norms of the law itself. Before the entry of Islam and the arrival of the Western nations, the custom was the only system that governed the people and government in this archipelago, especially the Malay kingdoms, especially the Minangkabau ethnic group.

It can be said that the Minang Custom is a philosophy of life that becomes Minang culture or culture ¹. One of the ethnicities formed from an orderly community order under customary

¹ Afifi Fauzi Abbas, "Konsepsi Dasar Adat Minangkabau," *Researchgate.Net*, no. January 2007 (2007): 1–8.

law is the Minangkabau Ethnicity which is an ethnicity that submits and obeys cultural values derived from their ancestors². Since centuries ago, the Minangkabau nation's ancestors have understood the importance of customs for their lives, children, and grandchildren. They initiated the tradition of avoiding their lives and those of their children and grandchildren, not being governed based on the law of the jungle—the strong prey on the weak resulting in the destruction and destruction of human life itself.

In guarding against the possibility that will occur, the ancestors of the Minangkabau ethnic group created norms of life that can ensure the order, welfare, and happiness of their lives and their children and grandchildren throughout the ages. Minangkabau ethnicity has moral teachings, values and social norms derived from "adat basandi syarak, syarak basandi kitabullah" ³. Those norms, in the form of rules, are essential to an orderly, safe, and peaceful life. These rules include regulating the relationship between fellow humans and nature, regarding the wealth on which his life depends, norms of manners, kinship, and societal social systems, and others ⁴.

During the development of Islam in specific areas throughout the Dutch East Indies until Indonesian independence, Sharia law was applied, especially family civil law. Thus, a plurality of positive legal systems is in force: the Western legal system (B.W./Civil Code), the customary law system, and the Islamic law or sharia law. ⁵. Sharia law that is valid until now is positive (Law Enforcement) that has been established or enforced. The grouping and classification of the population are not intended to divide the people but are sociological and cultural things that arise from their respective beliefs⁶. Various Islamic laws that integrate into customary law, even without codification and unification, do not mean there will be no National Law. Legal diversity should not be avoided as long as it is not intended to privilege or demean a group. The variety of laws can help build unity and harmonize relationships between groups because each feels valued and given a good and reasonable place in the everyday life system, in addition to accommodating the landscape of Indonesian society, which is sociologically pluralistic⁷

Previously, the Minangkabau custom only knew the term heirloom treasure, nothing else ⁸. The development and changes in Minangkabau customary law have existed since the Bukit Marapalam tract/agreement to the Plakat Panjang period until the Dutch East Indies period, for example, customary law related to Heritage Treasures as in the landed decisions of Padang, Batavia, and others. The diversity of customary law mentioned above is not just a normative and political law phenomenon but is caused by factors such as sociology, culture, and belief. Similarly, with different customary laws, Indonesia is known to have customary laws based on the family structure of patrilineal, matrilineal, and parental/bilateral communities. One is the Minangkabau custom, matrilineal⁹.

² Rahman Malik, "Ikatan Kekerabatan Etnis Minangkabau Dalam Melestarikan Nilai Budaya Minangkabau Di Perantauan Sebagai Wujud Warga Nkri," *Jurnal Analisa Sosiologi* 5, no. 2 (2016): 17–27.

³ Wira Fimansyah, "Internalisasi Pendidikan Karakter Berbasis Kearifan Lokal Minangkabau Untuk Generasi Muda," *Buddayah: Jurnal Pendidikan Antropologi* 2, no. 2 (2020): 97–104.

⁴ Amir Sjarifoedin, *Minangkabau Dari Dinasti Iskandar Zulkarnain Sampai Imam Bonjol, Edisi Revisi* (Jakarta: PT.Gria Media Prima, 2014).

⁵ Komari, *Laporan Akhir Kelompok Hukum Sukses* (Jakarta, 2011).

⁶ Simposium BPHN and IKAN-UNPAD, *Menuju Surat Keterangan Waris Nasional Bagi Warga Negara Indonesia* (Jakarta, 2009).

⁷ Bagir Manan, "Menuju Hukum Waris Nasional," *Makalah, BPHN-Ikatan Keluarga Alumni Notariat UNPAD, Jakarta* (2009).

⁸ Muhammad Sabri, "HARTA DALAM KONSEPSI ADAT MINANGKABAU," *Juris* 11 (2012): 1–13.

⁹ Manan, "Menuju Hukum Waris Nasional."

The matrilineal system is one of the most robust identities or icons to recognize the unique Minangkabau community¹⁰. The matrilineal system, in essence, is not to elevate or strengthen the role of women. However, it is confirmed to guard and protect the heritage treasures of a people from extinction, both Gadang Houses, heritage lands, and Fields. In fact, with the faith/inheritance law in the division of property according to Islam, the inheritance property of the people is still protected under the term "high pusako." In contrast, the property that can be divided according to the faraidh / inheritance law is included as "low pusako"¹¹.

In the matrilineal system, women are employed as binders, nurses, and guards, as is the traditional expression "amban puruak" (warehouse). Therefore, women do not fall within the definition of customary rights and regulations. In custom, women are given pure rights and obligations decided by men first.¹² Women accept their rights and responsibilities without going through any procedures, let alone arguing or protesting. Because women's rights and obligations can guarantee their lives in all circumstances, all inheritance belongs to women, while men have the right to regulate and maintain it¹³.

Women do not have to play an active role like Ninik-Mamak. Ninik Mamak is a person who leads a cult that exists in the density of customs¹⁴. Understanding the constellation, Minangkabau Muslim women do not need or need other procedures for their rights and liberation. They do not need a fight between genders because the matrilineal system provides what women need¹⁵. Based on this background, this study aims to determine the factors supporting the position and role of Minangkabau women in resolving heritage conflicts in West Sumatra.

The law of inheritance is a law that regulates the transfer of the right of ownership of the heir's estate (tirkah), determining who is entitled to be the heir and how much the share of each¹⁶. The law of inheritance in various books of classical jurisprudence is called the plural faraid of the word faraidah. By scholars, faradiyun means mafrudah, the part that has been ascertained or determined to be the level that can beat stocks not shown in content¹⁷.

Fiqh scholars have delved into issues related to inheritance and written books on them while making them stand-alone science and naming them: the science of inheritance or the science of faraid. People who are proficient in this science are called farid, fardi, faraidi, or firrid¹⁸. The development of the division of inheritance in the circle of friends is through ijthid, which has long been practiced since the time of the Prophet S.A.W. It aims to solve cases at that time that demand an immediate resolution and avoid societal chaos¹⁹.

This treasure of classical thought is reflected in the series of understandings of the Koran, and the Sunnah of the Apostle regarding inheritance is qath'i. However, for certain

¹⁰ Andar Indra Sastra, "SUKU MALAYU: SISTEM MATRILINEAL DAN BUDAYA PERUNGGU DI MINANGKABAU," *Melayu Arts And Performance Journal* 1, no. 1 (2018).

¹¹ Sjarifoedin, *Minangkabau Dari Dinasti Iskandar Zulkarnain Sampai Imam Bonjol, Edisi Revisi*.

¹² Ibid.

¹³ Ibid.

¹⁴ Fitrah Herlinda, "Pandangan Ninik Mamak Terhadap Relasi Gender Di Desa Pulau Jambu Kecamatan Kuok," *Marwah: Jurnal Perempuan, Agama dan Jender* 15, no. 1 (2016): 1.

¹⁵ Sjarifoedin, *Minangkabau Dari Dinasti Iskandar Zulkarnain Sampai Imam Bonjol, Edisi Revisi*.

¹⁶ Syarief Husien and Akhmad Khisni, "Hukum Waris Islam Di Indonesia (Studi Perkembangan Hukum Kewarisan Dalam Kompilasi Hukum Islam Dan Praktek Di Pengadilan Agama)," *Jurnal Akta* 5, no. 1 (2017): 75.

¹⁷ Suparman Usman, *Ringkasan Hukum Waris KUH Perdata (BW)* (Serang: Darul Ulum Press, 1993).

¹⁸ Mohammad Daud Ali, "Hukum Islam: Pengantar Ilmu Hukum Dan Tata Hukum Islam Di Indonesia" (2007).

¹⁹ Zulham Wahyunadi and Raihanah Hj Azahari, "Perubahan Sosial Dan Kaitannya Dengan Pembagian Harta Warisan Dalam Perspektif Hukum Islam," *Jurnal Ilmiah Islam Futura* 14, no. 2 (2015): 166–189.

circles, the law of inheritance in some issues is considered unprincipled to be interpreted and reconstructed according to the conditions that allow it to be considered²⁰. The scholars differ in determining the qath'i postulate and the zhanny postulates because of their very subjective nature according to the understanding of their respective scholars, besides that some scholars do not recognize the dichotomy between the qath'i postulate and the zhanni postulate, starting from the opinion of Umar bin Khattab and from there the scholars in recent times there are differences in interpreting the qath'i postulates and zhanni postulates such as Asy-Syatibi differing opinions with the scholars of the school and further looking at the concept of qath'i and zhanni in the Qur'an²¹.

The problem of the relationship between Customary law and Islamic law may also be seen from the point of view of the Maqasid Shari'ah in al-Ahkam al-Khamsah, which are the five categories of Islamic legal rules that govern all human benefits, especially Muslims. The regulations of halal wal haram, fard, sunnah, and makruh, are much narrower in scope when compared to the rules of jaiz or mubah. In the latter second category of rules (jaiz and mubah), presumably, Customary law can be included both those that existed before Islamic law came to Minangkabau and those that grew later as long as they do not conflict with Islamic Aqidah²².

According to Sobhi Mahmassani, several conditions must be met for Customary law to be used as Islamic law. These conditions are:

1. Customary law is acceptable to feel and common sense and recognized by the general public.
2. Repeatedly and prevalently done by the general public.
3. Cash transactions in time.
4. There is no agreement or no other choice between the two sides.
5. Not contrary to the nash of the Qur'an and Hadith or does not contradict the law of Islam/Shari'a²³.

In essence, the status and role of Minangkabau women in the matrilineal system are not to elevate or enhance the role of women but to preserve and protect the people's heritage from extinction, both in large families, as well as in inheritance and rice fields. However, if you look further, in terms of independence and freedom, Minangkabau women have never been independent or had space to make choices²⁴. A system has been created for this field. In fact, due to the existence of faraid law in the division of Islamic inheritance, customary rights nationally are still protected under the terms high heritage and property that can be divided, including low heirloom²⁵.

A Minangkabau culture is a form of a culture whose structure is unique. If most cultures adhere to the patrilineal system in their kinship, then Minangkabau culture adheres to the matrilineal system²⁶. In the matrilineal system, women are positioned as binders, keepers, and depositors, as the traditional saying goes, "amban puruak" (storage place). That is why, in

²⁰ Akhmad Sukris Sarmadi, "Hukum Waris Islamdi Indonesia (Perbandingan Kompilasi Hukum Islam Dan Fiqh Sunni)" (<http://www.aswajapressindo.co.id/>, 2016).

²¹ Saifuddin Sa, "Ijtihad Terhadap Dalil Qath'i Dalam Kajian Hukum Islam," *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 1, no. 2 (2017): 479–490.

²² Ali, "Hukum Islam: Pengantar Ilmu Hukum Dan Tata Hukum Islam Di Indonesia."

²³ Ibid.

²⁴ Silmi Novita Nurman, "Keudukan Perempuan Minangkabau Dalam Perspektif Gender," *Jurnal Al-Aqidah* 11, no. 1 (2019): 90–99.

²⁵ Sjarifoedin, *Minangkabau Dari Dinasti Iskandar Zulkarnain Sampai Imam Bonjol, Edisi Revisi*.

²⁶ Misnal Munir, *Sistem Kekerabatan Dalam Kebudayaan Minangkabau: Perspektif Aliran Filsafat Strukturalisme Jean Claude Levi Strauss* (Gadjah Mada University, 2015).

the determination of customary regulations, women are not involved. Pure women are traditionally given rights and obligations where the men initially set them ⁽²⁷⁾.

Rights and responsibilities for women do not have to go through any procedure, no debate or protest. Because women's rights and responsibilities can guarantee their lives in all circumstances, all inheritance belongs to women, for men have the right to coordinate and hold it ²⁸. The provision of legacy to women is very much in line with the developments and needs of today's times because women also play a role in meeting the needs of the family ²⁹

Women do not have to play an active role like Ninik-Mamak. Understanding such constellations, Minangkabau women do not need other procedures for their rights and freedoms. In this case, women are not given the freedom and independence to represent themselves as they wish but are more dominant in the "what is allowed" and "not allowed" they do in the view of customs and customs ³⁰. They do not need a fight between genders because the matrilineal system provides what women need ³¹.

Woman Minangkabau has confidence in himself and is active and full of initiative in economic, political, religious, and artistic life and others. They do not depend entirely on the husband she picks up, does not feel indebted, and are accessible in their deeds. Likewise, in her life, Minangkabau women used to work and were responsible for the children, houses, and land they owned, worked on and enjoyed ³². In addition, Minangkabau women have far-sighted thoughts and are consistent in making decisions. On the other hand, Minangkabau women are generous and guides. What it does can be romanced and benefit others. Women do not only play the role of mothers in everyday life. Women also have a role as a wife, faithful companions to men as a life companion, and acts as a friend and lovers to their loved ones ³³

This research discusses the process of handling disputes in the West Sumatra highlands inhabited by the Minangkabau tribe. The position and role of Minangkabau women greatly influenced resolving conflicts over heritage property, including through deliberation and, in the 20th-century era, switched ways of settlement through the term shopping-shopping forums in West Sumatra. This research may contribute to the recent debate about alternative dispute handling through the choice of law, either in litigation or non-litigation, which has become very popular as an alternative to courts in various fields, such as international trade and environmental conflicts. The legal situation in the area is very complex, both at the legislative and institutional levels.

2. Research Method

This research concerns the position and role of Minangkabau Muslim women in resolving heritage property conflicts through shopping-shopping forums or the current term choice of law (choice of law), litigation (court), and non-litigation (outside the court/consensus) in West Sumatra. It is an empirical legal sociology research (empiric law

²⁷ Sjarifoedin, *Minangkabau Dari Dinasti Iskandar Zulkarnain Sampai Imam Bonjol, Edisi Revisi*.

²⁸ Ibid.

²⁹ Linda Firdawaty, "Pewarisan Harta Pusaka Tinggi Kepada Anak Perempuan Di Minang Kabau Dalam Perspektif Perlindungan Terhadap Perempuan Dan Hukum Islam," *ASAS* 10, no. 02 (2018): 81–93.

³⁰ Risa Marta Yati, "Lahirnya Pergerakan Perempuan Minangkabau Pada Awal Abad XX," *Kafaah: Journal of Gender Studies* 7, no. 2 (2017): 147–158.

³¹ Sjarifoedin, *Minangkabau Dari Dinasti Iskandar Zulkarnain Sampai Imam Bonjol, Edisi Revisi*.

³² Ibid.

³³ Hidayah Budi Qur'ani, "Martabat Perempuan Minangkabau Dalam Novel Tenggelamnya Kapal Van Der Wijck Karya Hamka," *Lingua Rima: Jurnal Pendidikan Bahasa dan Sastra Indonesia* 8, no. 1 (2019): 9–17.

research) or (socio-legal research) with the category of sociological-empirical studies with qualitative research because this research focuses on social and legal symptoms in society, in this case, the position and role of Minangkabau women in resolving heritage conflicts in West Sumatra. Qualitative research used in this study is intended to look at data from primary sources. This research also further wants to obtain data on the position and role of Minangkabau women in resolving conflicts over heritage assets through West Sumatra, as it is found. According to Michael D. Myers, this type of research is included in case study research, which explains individual and gender analysis units and certain community groups. Bodgan stated that this type of research also uses a phenomenological approach, which is intended to describe the phenomena of a particular group of societies³⁴.

This research is empirical legal research or (socio-legal research) with socio-empirical studies with qualitative research. The approach method used in this study is part of legal pluralism (mix or mix), including philosophical, sociological, phenomenological, and legal anthropology ³⁵. Furthermore, the author tries to unite the various data needed. In this discussion, an interview and documentation method is used. The data analysis is an analytical technique developed by Miles and Huberman through three levels: data reduction, data display, and conclusion drawing³⁶. In this case, that is explained in ³⁷:

- a. Primary data collection, namely: collecting interview data (semi-structured interview grids), document data, and library materials about the position and role of Minangkabau women in resolving heritage conflicts in West Sumatra.
- b. Secondary data collection is collected from books, books, or sources related to this issue.
- c. Also used tertiary (complementary) data such as Encyclopedias, Dictionaries, Papers from official seminars, official scientific papers, print and electronic media, and the Internet.
- d. Furthermore, the study's results were carried out using methods taken from primary, secondary, and tertiary data sources, to be then analyzed using the analytical techniques developed by Miles and Huberman above through three levels: data reduction, data display, and conclusion.

RESULT AND DISCUSSION

The influence of increasingly rational human thinking led to changes in customary law due to many factors. This is considered unrelated to customary law itself. At the time of the issuance of Tap MPRS No. 11 of 1960 and Supreme Court Decision No. 179K / SIP / 1961, must be subject to the system that applies according to customary law, namely the patrilineal kinship system/family system, which makes the position of women in the household and society immovable/weak position.

Previously in the Minangkabau custom, the position and role of women had existed for a long time. The factors supporting the work and role of Minangkabau women in resolving

³⁴ Faisar Ananda Arfa, "Metodologi Penelitian Hukum Islam," *Citapustaka Media Perintis*. Bandung (2010).

³⁵ Ibid.

³⁶ Ibid.

³⁷ Ibid.

heritage conflicts in West Sumatra are as follows:

1. Economic Factors

Respondents predominantly work as employees, self-employed, and entrepreneurs because they are economically supportive, well-established, independent, and not financially constrained. They have experienced resolving inheritance conflicts so that they are not too ambitious and lustful and do not make too many demands on their inheritance property.

Table 1. Economics Category (Type of Work)

N ope.	Livelihood	Total (N = 5)	
		F	%
1.	State Officer	1	20
2.	Self-employed	1	20
3.	Entrepreneur	1	20
4.	Agriculture/Animal Husbandry/Fisheries	2	40
Sum		5	100

The table above shows that the respondents are more dominant and work as employees, entrepreneurs, and entrepreneurs because they have experienced resolving inheritance property conflicts. Previously they had indeed known and studied customary law and the renewal of Islamic law in Indonesia both in their families and received precise information from traditional figures and Islamic religious leaders in their respective villages so that they sought they can provide views on the rules for resolving inheritance conflicts that occur and take place in Minangkabau, West Sumatra.

2. Educational Factors

It shows that most of the Minangkabau community in West Sumatra, especially women, belong to the category of knowing things related to Minangkabau inheritance heritage. Only a tiny part of them do not know the estate of the Minangkabau inheritance. Of the five respondents, (3) (60%) knew, (1) (20%) did not know, and (1) (20%) was undecided. It can also be seen that the position and role of women in resolving conflicts over inheritance for disputes related to high heritage assets is indeed the women's side (3) (60%) settled in the Nagari Customary Density (KAN). Meanwhile, the conflict over their low heritage estate (2) (40%) was resolved in the Religious Court.

Table 2. Comparison of Education/Knowledge of Inheritance (N=5)

N ope.	Alternative Answers	Number (People)	Frequen cy (%)
1.	Know	3	60
2.	Do not know	1	20
3.	Nervous	1	20
Sum		5	100

The table above shows that most of the Minangkabau community in West Sumatra, especially women, know things related to Minangkabau heritage. Only a tiny part of them do not know the estate of the Minangkabau inheritance. Of the five respondents, (3) (60%) knew, (1) (20%) did not know, and (1) (20%) was undecided.

In addition, inheritance conflict usually occurs due to the lack of knowledge of Islam and moral values. In this case, the lack of respect for one of the family members in dispute is due to

not knowing themselves and not knowing the benefits of the position and role of women in the Minangkabau custom.

3. Psychological Factors

The kinship between a child and his mother, sister with his brother, older sister, and younger siblings also applies to kinship with the people born by his mother, which is called kinship according to the maternal lineage (matrilineal). In this phenomenon, it is rare for men to demand too much (conflict) because psychologically, Minangkabau men also feel that they know to be benefited and benefited by the significant benefits of high heirloom property taken care of by women for their worship. There is a kind of debt of kindness and respect, especially those (men) who are no longer parents. So women, especially women, are the oldest (mak tuo) substitutes for their biological parents, men. Meanwhile, suppose the subject is the heir of the heir (husband and wife / father-mother) whose object is low heirloom property (livelihood property). In that case, they are voluntarily divided according to Islamic inheritance law (faraid). Suppose there is a future conflict about the status of high and low heritage heirloom property. In that case, this conflict for Minangkabau women is still considered a customary problem if the parties resolve it in a traditional institution called the Nagari Customary Density (KAN), where the inheritance is domiciled. However, if it is taken to the Religious Court (P.A.) because the Minang people are predominantly Muslim, then usually the *ninik mamak* (Chiefs of the tribe in these people) as family representatives for the Minangkabau women consider this problem purely civil Islamic family is no longer a problem that must be resolved Minangkabau traditionally.

They may avoid a settlement in the Religious Courts because they think solving them through the Religious Courts means opening up their own family's internal problems (disgrace).

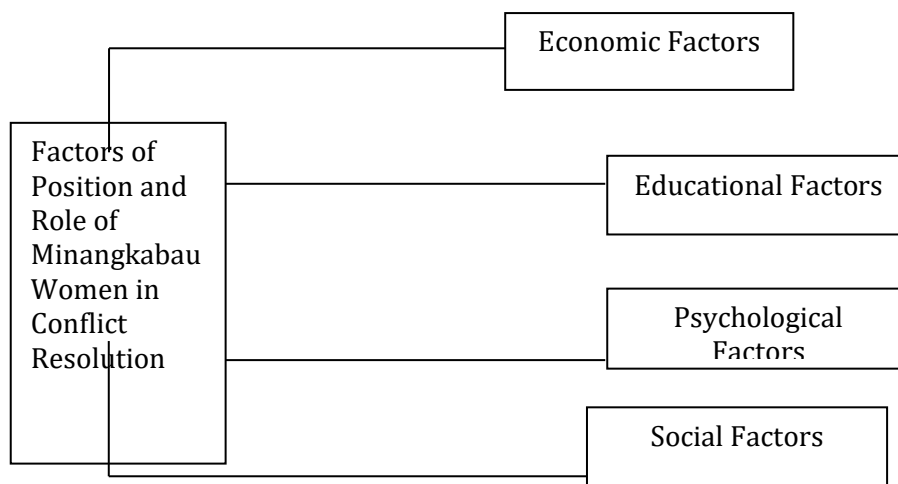
4. Social Factors

The position and role of Minangkabau women in resolving heritage conflicts in West Sumatra socially are that women in the Minangkabau Custom maintain and pass on the high heritage assets of their people and their tribes (clans/ clans) so that they do not become extinct. However, as heirs, their position with men may be the same. It can be two to one according to Islamic inheritance law regarding low heirloom property, namely heritage livelihood property, the hard work of both their parents.

In Minangkabau society, whether or not there is a conflict over inherited property, each child becomes a member of a family complex with high heirloom property. Suppose the number of members of this family is too large. In that case, the family members will be divided into two families, each standing alone, so the high heirloom property is divided into two parts. This is called the minangkabau traditional term *gadang manyimpang*. Each family passed down to Minangkabau women owns and takes care of these high heirloom treasures that cannot be distributed to their members. Family members may only use the proceeds from the high heirloom property together and may not be sold for personal gain. But if the family member seeks and obtains his property during his lifetime, then this treasure is called a low heirloom treasure. Therefore, the position and role of women in resolving conflicts over inherited property in the Minangkabau Custom are seen in terms of subjects who receive inherited property. If the issue is a (collective) treasure whose object is a high heirloom treasure, it is divided according to the Minangkabau Custom.

Factors supporting/supporting the position and role of Minangkabau women in resolving

heritage conflicts in West Sumatra.



There are several factors that are obstacles yang muncul pada kedudukan dan peranan perempuan Minangkabau dalam penyelesaian konflik harta warisan di West Sumatra these include:

1. Factors related to the family economy

What family and economic relationships mean here is the feeling that family members live together in a warm and harmonious society. For inheritance, this means that heritage should not reduce or eliminate cohesion. When encountering the phenomenon of inheritance disputes, some people argue that if the separate property is divided in a certain way, it will cause a family relationship because the division of inherited property can cause dissatisfaction between family members and other heirs.

This assumption affects their way of thinking in resolving conflicts related to inheritance. To maintain the integrity of the family, they believe there is no need to divide the inheritance. This is what will cause problems in the future. Suppose the estate is not divided on time and in the right portion. In that case, the heirs will later think that their economic condition is lower than those of the other heirs with the property. Part of the legacy. Because this gives rise to conflicts between heirs.

2. Educational and Ethical Factors

The low level of education and lack of ethics or morals one of the most dominant causes obstacles yang muncul pada kedudukan dan peranan perempuan Minangkabau dalam penyelesaian konflik harta warisan di West Sumatra. This caused a lack of respect for one of the family members who disputed because they did not know themselves and did not know the benefits of the position and role of women in the Minangkabau custom.

CONCLUSION

Based on the discussion above, it can be concluded that the position and role of Minangkabau women in resolving inheritance property conflicts in West Sumatra through pluralism (mix/ /hybrids / mixed) laws whose term was legal anthropology used to be forum shopping or the present term choice of law (choice of law) the results are: 5 respondents who were sampled in this study, namely 1 (one) respondent with conflict resolution in litigation (through the Supreme Court decision) with 4 (four) respondents with non-litigation conflict

resolution (deliberation and consensus). Based on research on the supporting factors for the position and role of Minangkabau women in resolving heritage conflicts in West Sumatra, it can be concluded that the four main factors that play an essential role are economical, educational, psychological, and social.

First, economic factors are significant in strengthening the position and role of Minangkabau women in resolving inheritance conflicts. Women with an independent income or wealth can reduce dependence on men in the family and increase their ability to fight for their inheritance rights. Second, the educational factor is essential in improving women's position and role in resolving inheritance conflicts. Women with higher education tend to be more confident and able to speak more effectively to fight for their rights in the family. Third, psychological factors are also important in strengthening women's position and role in resolving inheritance conflicts. Women with high self-confidence and self-esteem tend to be better able to fight decisively for their rights. Fourth, social factors also play an essential role in strengthening women's position and role in resolving inheritance conflicts. A social environment that supports and values women's roles can help increase women's self-confidence and self-esteem and encourage families to provide women with equitable inheritance rights.

In conclusion, economic, educational, psychological, and social factors are significant in strengthening the position and role of Minangkabau women in resolving heritage conflicts in West Sumatra. By paying attention to these factors, we can help improve gender equality and fight for women's rights in the family and society.

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