

Inheritance across faiths in Muslim Minahasa families: Legal pluralism and cultural adaptation in Manado, Indonesia

Mohammad Muzwir Luntajo & Faradila Hasan 

Program Studi Hukum Ekonomi Syariah (SI), Institut Agama Islam Negeri Manado, Kota Manado, Indonesia

ABSTRAK

Introduction

Inheritance law in Islam traditionally prohibits inheritance between Muslims and non-Muslims. However, in the context of Muslim Minahasa families in Manado, Indonesia, interfaith dynamics within families challenge the strict application of this norm. Local customs emphasize familial unity and communal harmony, which often influence how inheritance is distributed, regardless of religious affiliation.

Objectives

This study aims to explore how inheritance is distributed in Muslim families of Minahasa ethnicity when religious differences exist among heirs. It seeks to understand how Islamic inheritance law interacts with Minahasa cultural values and whether local customs override religious legal boundaries in favor of social cohesion.

Method

This research adopts a qualitative socio-legal approach, combining fieldwork and document analysis. Data were collected through in-depth interviews with five Muslim Minahasa families in the Lawangirung area of Manado and one mosque official. Additionally, selected inheritance court decisions were analyzed to understand how the legal system responds to interfaith inheritance cases in the local context.

Results

The findings indicate that Muslim Minahasa families prioritize familial harmony over strict adherence to Islamic inheritance law. In cases where family members have different religions, inheritance is commonly distributed based on mutual agreement and moral obligation rather than formal legal guidance. Religious differences are not viewed as a disqualifying factor. Cultural values such as *mapalus* (mutual cooperation) and *si tou timou tumou tou* (the philosophy of

JEL Classification:

L26, L67, M31, O31, Z12

KAUJIE Classification:

C53, H65, O4, P3, P5

ARTICLE HISTORY:

Submitted: May 9, 2025

Revised: June 28, 2025

Accepted: June 28, 2025

Published: June 30, 2025

KEYWORDS:

customary law; interfaith inheritance; Islamic economics; Islamic inheritance law; legal pluralism; Minahasa culture; wasiat wajibah

COPYRIGHT © 2025

Mohammad Muzwir Luntajo & Faradila Hasan. Licensee Universitas Islam Indonesia, Yogyakarta, Indonesia.

Contact: Mohammad Muzwir Luntajo ✉ muzwir.luntajo@gmail.com

This is an Open Access article distributed under the terms of the Creative Commons Attribution-ShareAlike 4.0 International (CC BY-SA 4.0) License (<https://creativecommons.org/licenses/by-sa/4.0/>).

PUBLISHER'S NOTE: Universitas Islam Indonesia stays neutral with regard to jurisdictional claims in published maps and institutional affiliations.



living to empower others) play a central role in shaping inheritance practices. The application of wasiat wajibah (obligatory bequest) in court decisions provides a legal mechanism to accommodate non-Muslim heirs without fully departing from Islamic jurisprudence.

Implications

This study reveals a form of legal pluralism in which customary norms and religious values coexist and interact. It highlights the importance of cultural context in the interpretation and application of Islamic law. For policymakers, religious authorities, and legal practitioners, the findings offer valuable insight into alternative models of inheritance that prioritize social harmony in multi-religious families.

Originality/Novelty

This research contributes new knowledge to the discourse on Islamic law and legal pluralism by examining inheritance across religious boundaries within a culturally rich and religiously diverse community. It offers an ethnographically grounded understanding of how Minahasa Muslims reconcile Islamic principles with inclusive customary values, thereby promoting a harmonious legal and familial order.

CITATION: Luntajo, M. M. & Hasan, F. (2025). Inheritance across faiths in Muslim Minahasa families: Legal pluralism and cultural adaptation in Manado, Indonesia. *Journal of Islamic Economics Lariba*, 11(1), 617–644. <https://doi.org/10.20885/jielariba.vol11.iss1.art24>

INTRODUCTION

Inheritance law occupies a central place in both Islamic jurisprudence and socio-cultural practice, functioning as a primary mechanism for wealth transfer, family welfare, and the preservation of social harmony. In Muslim-majority contexts, Islamic inheritance law (*farā'id*) sets out precise distributive rules rooted in Qur'anic injunctions and prophetic traditions. These rules are designed to ensure equitable allocation of assets, prevent wealth concentration, and uphold intergenerational economic stability (Amiruddin, 2022; Rusydiana, 2021). However, in diverse societies such as Indonesia, legal pluralism creates a complex environment in which Islamic norms interact with, and are often mediated by, *urf* (customary law) and state legal frameworks (Fadhilah et al., 2024; Idrus et al., 2024; Rubab et al., 2025; Sinaga et al., 2022). The coexistence of multiple normative orders underscores the importance of studying how religious law adapts in pluralistic settings.

Indonesia's socio-legal landscape exemplifies the intricate interplay between Islamic inheritance law and regional customary practices. In areas such as Minahasa, North Sulawesi, multi-religious households are common, often the result of interfaith marriages or religious conversion. Here, kinship systems (*marga*, *rukun keluarga*) and cultural philosophies such as *si tou timou tumou tou* and *mapalus* emphasize collective welfare over strict individual entitlements (Marzuki, 2025; Pangalila & Mantiri, 2020). These values can influence inheritance practices, particularly in cases where

doctrinal restrictions—such as the prohibition on interfaith inheritance—conflict with communal norms of inclusion. In such settings, legal adaptation becomes a necessity to maintain family unity and economic equity, providing a fertile ground for socio-legal inquiry.

The central research problem arises from the doctrinal rule, held by the majority of classical jurists, that Muslims and non-Muslims cannot inherit from one another (Asmuni & Mujiatun, 2018; Bachri et al., 2024; Fahimah et al., 2024; Ilyas et al., 2023; Mahmudi et al., 2024; Rizani, 2020). While grounded in authoritative ḥadīth, this position can produce exclusionary outcomes in pluralistic communities, potentially causing familial discord and economic dislocation (Amir, 2023; Muhammad & Ibrahim, 2023; Wahyudi, 2021). In Indonesia, where interfaith kinship is not unusual, rigid application of this rule may be socially disruptive. Consequently, there is a need to investigate how communities and judicial bodies navigate the tension between doctrinal fidelity and social realities, particularly in contexts where maintaining kinship harmony is a deeply embedded cultural imperative.

One general solution adopted in various Muslim jurisdictions is the reinterpretation of inheritance impediments through alternative legal mechanisms. In Indonesia, the most prominent of these is *wasiat wajibah* (compulsory bequest), which allows a portion of the estate—up to one-third—to be allocated to heirs otherwise excluded under strict Islamic law (Fauzan et al., 2025; Palasenda et al., 2025). This device is grounded in *maqāṣid al-sharīʿah* principles, seeking to promote welfare and prevent harm (*darar*) while respecting the overall structure of Qurʾanic inheritance shares. In plural family contexts, *wasiat wajibah* has emerged as a judicially sanctioned tool for balancing legal norms with inclusive distributive outcomes.

Empirical studies document the practical benefits of *wasiat wajibah* in preventing economic marginalization of excluded heirs and promoting family cohesion (Almaʿamun et al., 2022; Lestari & Wahyuningsih, 2018). In Minahasa, these judicial innovations align closely with local norms that reject exclusion based on religious difference. However, such adaptations are not without controversy; critics warn of doctrinal dilution and potential legal uncertainty (Muhammad & Ibrahim, 2023; Wahyudi, 2021). These debates highlight the broader jurisprudential question of how far Islamic law can be contextually adapted without compromising its normative integrity—a question that sits at the heart of contemporary Islamic legal reform.

The scholarly literature further indicates that cultural values can significantly shape the application and interpretation of inheritance rules. In Minahasa, *si tou timou tumou tou* fosters a moral obligation to ensure no family member is left in poverty, while *mapalus* serves as both a mutual aid system and a mediation forum in inheritance disputes (Nelwan, 2020; Tuela et al., 2023). The *tonaʿas* principle introduces distributive flexibility based on contextual factors such as economic need and caregiving contributions. These cultural mechanisms operate alongside formal legal processes, often resolving disputes privately through *musyawarah* without recourse to religious or state authorities. This dynamic suggests that local wisdom can function as a



complementary system of dispute resolution, reinforcing the economic and social objectives of Islamic inheritance law.

While studies in Indonesia and other Muslim-majority countries have examined aspects of legal pluralism in inheritance, gaps remain in integrating doctrinal analysis, cultural ethnography, and Islamic economic perspectives into a unified framework. Most existing research treats these domains separately, overlooking how economic objectives—such as equitable wealth distribution, social justice, and prevention of harm—intersect with legal and cultural adaptations. Comparative work from jurisdictions like Malaysia shows potential pathways for formalizing such integration through estate planning instruments, yet these models are underexplored in the Minahasa context (Saiman & Romeyzee, 2024). This gap underscores the need for research that bridges normative, socio-cultural, and economic dimensions.

Against this backdrop, the present study investigates the interaction between Islamic inheritance law and Minahasa customary practices in managing interfaith inheritance disputes, with particular attention to the role of *wasiat wajibah*. It aims to provide a nuanced analysis that situates legal adaptation within the broader framework of *maqāṣid al-sharīʿah* and Islamic economic principles, while grounding the discussion in the lived realities of a culturally distinct, religiously plural community. The novelty of this research lies in its combined socio-legal and economic lens, offering both theoretical contributions to the discourse on legal pluralism and practical guidance for policymakers, judicial actors, and Islamic finance practitioners. By doing so, it seeks to advance an inheritance model that is both doctrinally sound and socially responsive, thereby contributing to the ongoing development of context-sensitive Islamic legal practice in Indonesia and beyond.

LITERATURE REVIEW

Interaction between Islamic Inheritance Law and Customary Law in Pluralistic Contexts

Legal pluralism—where Islamic law coexists with *ʿurf* (customary law)—is a defining feature of many Muslim societies, including Indonesia (Chevallier-Govers, 2010; Evans, 2015; Fadhillah et al., 2024; Gosukonda, 2024; Idrus et al., 2024; Rubab et al., 2025; Sinaga et al., 2022). Inheritance practices are shaped by this coexistence, often resulting in customary law taking precedence over doctrinal norms, even in predominantly Muslim communities. The resilience of local institutions and the embeddedness of adat values underpin this trend, which can be further influenced by gender norms, state policy, and modernization pressures. This interplay creates a dynamic environment where doctrinal purity is negotiated in the context of social harmony and familial cohesion.

While customary law can sometimes restrict women's inheritance rights compared to Islamic law (Rumkel & Ode, 2025), flexible approaches have emerged. Communities may adopt negotiated settlements or alternative mechanisms, such as *hibah* (gifts), to accommodate both systems (Muhtarom & Nugroho, 2022). The Indonesian adaptation of *wasiat wajibah* (compulsory bequest) exemplifies this hybridity, allowing non-

Muslim heirs to inherit and thereby enhancing justice and inclusion (Alma'amun et al., 2022; Aziz et al., 2023; Budiman et al., 2024; Fauzan et al., 2025; Lestari & Wahyuningsih, 2018; Palasenda et al., 2025). These innovations reflect a shift toward context-sensitive jurisprudence without abandoning the framework of Islamic law.

Jurisprudential Debates on Interfaith Inheritance and *Wasiat Wajibah*

The permissibility of granting inheritance to non-Muslim heirs via *wasiat wajibah* has sparked sustained scholarly debate. Critics argue that such practices contravene classical inheritance norms and risk undermining Islamic law's doctrinal authority (Amir, 2023; Muhammad & Ibrahim, 2023; Wahyudi, 2021). They emphasize fidelity to prophetic traditions that establish religious affiliation as a legal impediment to inheritance. Conversely, reformist scholars defend *wasiat wajibah* as consistent with the spirit of the law, invoking *ijtihad* to justify adaptation in pursuit of *maqāṣid al-sharī'ah*—particularly welfare promotion and harm prevention (Aziz et al., 2023; Budiman et al., 2024; Fauzan et al., 2025; Lestari & Wahyuningsih, 2018; Palasenda et al., 2025; Riyanta et al., 2025).

Empirical cases show that *wasiat wajibah* fosters social harmony in plural families, balancing doctrinal adherence with lived realities (Alma'amun et al., 2022). In Indonesia, its application by religious courts underscores judicial discretion to integrate socio-cultural considerations into legal rulings. This flexibility aligns with broader trends in Muslim jurisdictions adapting inheritance law to pluralistic contexts while maintaining a recognizably Islamic legal framework. Such jurisprudential developments illustrate the ongoing tension—and potential reconciliation—between textual fidelity and contextual responsiveness.

Role of Minahasan Cultural Values in Legal Decision-Making

Minahasan cultural philosophies, notably *si tou timou tumou tou* ("to humanize others") and *mapalus* (mutual cooperation), prioritize communal welfare over strict individual entitlements (Marzuki, 2025; Nelwan, 2020; Pangalila & Mantiri, 2020; Tuela et al., 2023). These values influence inheritance dispute resolution by encouraging inclusivity, even toward heirs of different religions. Negotiated solutions, often through *musyawarah*, reflect a commitment to family unity and substantive justice, resonating with Islamic legal objectives of harmony and welfare.

The integration of *tona'as* (wisdom) further allows adjustments based on economic capacity, caregiving contributions, and social responsibilities. Such practices reveal how local wisdom mediates between Islamic law and adat, producing outcomes that are both culturally legitimate and normatively defensible. Scholars note that these approaches complement *wasiat wajibah* by embedding inclusivity within community-driven dispute settlement, demonstrating that cultural ethics can function as a parallel yet compatible source of legal reasoning (Afriani et al., 2023; Fadhilah et al., 2024; Idrus et al., 2024).



Islamic Economic Principles in Inheritance Practice

Islamic inheritance law seeks to prevent wealth concentration and ensure equitable distribution (Amiruddin, 2022; Rusydiana, 2021). These aims mirror Islamic economic principles that promote empowerment, social justice, and the prevention of *darar* (economic harm) (Puspitasari & Wahyudi, 2024). However, conflicts between customary norms, gender biases, and doctrinal rules can impede these objectives (Elfia et al., 2023; Fadhilah et al., 2024; Idrus et al., 2024; Rubab et al., 2025; Sinaga et al., 2022).

The application of *wasiat wajibah* in Indonesia embodies a maqāṣid-oriented approach to inheritance, securing shares for excluded heirs and thus promoting welfare and justice (Daud & Azahari, 2019; Elfia et al., 2023). In Minahasa, inclusive distribution grounded in cultural ethics serves the same ends, reducing economic vulnerability and enhancing household resilience. These practices show how Islamic economics and local custom can jointly sustain equitable wealth circulation while safeguarding social cohesion.

Comparative Insights from Other Muslim-Majority Jurisdictions

Studies across Muslim-majority countries reveal similar patterns of legal pluralism, with customary law influencing or modifying Islamic inheritance provisions (Chevallier-Govers, 2010; Evans, 2015; Fadhilah et al., 2024; Gosukonda, 2024; Idrus et al., 2024; Rubab et al., 2025; Sinaga et al., 2022). In some contexts, adat norms have greater authority than state-enforced sharia, particularly in rural or ethnically distinct communities. Challenges to women's inheritance rights persist, as customary frameworks may impose stricter limitations than Islamic law (Rumkel & Ode, 2025).

Negotiated solutions—ranging from *hibah* transfers to formalized *wasiat wajibah*—are also found in other jurisdictions, signaling a shared strategy for reconciling doctrinal constraints with socio-cultural realities (Muhtarom & Nugroho, 2022). These comparative experiences affirm that the Indonesian model, especially in Minahasa, aligns with broader global patterns where local values, legal pluralism, and Islamic jurisprudence intersect to produce adaptive, socially responsive inheritance regimes.

Research Gap and the Significance of the Study

Despite the growing body of scholarship on legal pluralism and the interaction between Islamic inheritance law and *urf/adat*, there remains a paucity of in-depth, context-specific studies that examine how these systems converge in the distinctive socio-cultural environment of the Minahasa community. Existing research often focuses on either doctrinal analysis or anthropological description, but few works systematically integrate both perspectives while also addressing the economic and financial implications through the lens of Islamic economics (Idrus et al., 2024; Palasenda et al., 2025; Rubab et al., 2025). Moreover, comparative insights from other Muslim-majority jurisdictions have not been sufficiently applied to illuminate the adaptive strategies observed in interfaith inheritance disputes in North Sulawesi.

This study addresses these gaps by offering a socio-legal examination that incorporates local Minahasan values—*si tou timou tumou tou*, *mapalus*, and *tona'as*—

into the analysis of Islamic inheritance adaptations, particularly the use of *wasiat wajibah*. By integrating doctrinal, cultural, and Islamic economic perspectives, it contributes to a more holistic understanding of how plural legal systems can uphold both normative Islamic principles and social harmony in multi-faith contexts. The findings not only enrich theoretical debates on legal pluralism and *maqāṣid al-sharī'ah* but also provide practical insights for policymakers, judges, and Islamic finance practitioners seeking equitable and context-sensitive inheritance frameworks.

METHOD

Research Design

This study employed a qualitative socio-legal research design to examine the interaction between Islamic inheritance law and Minahasa customary practices in the context of interfaith inheritance disputes (Anders, 2015; Dupret et al., 1999; Matyasovszky-Németh & Fábíán, 2025). The approach was chosen to capture not only the normative legal framework but also the lived realities, negotiations, and decision-making processes within families. Socio-legal methodology allows the integration of doctrinal analysis with empirical inquiry, enabling a deeper understanding of how legal norms are interpreted, adapted, or contested in specific social contexts (Banakar & Travers, 2005, 2013; Cownie & Bradney, 2013). This design was particularly appropriate given the study's focus on reconciling religious norms with local cultural values in a pluralistic society.

Research Site and Context

Fieldwork was conducted in Lawangirung Village, located in Wenang District, Manado, North Sulawesi. The site was purposefully selected because of its unique socio-religious composition, where interfaith marriages and multi-religious households are common. The area is home to significant Islamic institutions such as the Ahmad Yani Grand Mosque, the North Sulawesi Islamic Centre, the provincial office of the Indonesian Council of Ulama (MUI), and the Manado City Ministry of Religious Affairs. Despite this strong institutional Islamic presence, local inheritance practices often incorporate Minahasa customary principles, making the site ideal for investigating the dialectic between Islamic and adat norms.

Participants and Sampling

The study involved in-depth interviews with six primary participants, comprising five Muslim families and one mosque leader. The family participants were purposively selected to represent cases of interfaith inheritance disputes, particularly those involving heirs who had left Islam (*murtad*). The mosque leader, serving as a religious authority in the community, was included to provide insights into the theological and normative aspects of inheritance disputes. Within the family cases, respondents included direct heirs (both male and female) and, in some cases, siblings of apostate heirs. This purposive sampling strategy ensured the inclusion of diverse perspectives on both the procedural and value-based aspects of inheritance resolution.



Data Collection Procedures

Primary data were collected through semi-structured interviews, allowing participants to share their experiences and reasoning in their own terms while enabling the researcher to explore specific themes relevant to the research questions. Interviews with family members focused on how inheritance disputes were initiated, the role of family deliberation (*musyawarah*), the distribution formula applied, and the influence of religious and customary considerations. The interview with the mosque leader examined religious interpretations, the applicability of Islamic inheritance law, and observations about community practices.

In addition to interviews, documentary data were collected from two Manado Religious Court decisions—Decision No. 0138/Pdt.G/2014/PA.Mdo and Decision No. 0228/Pdt.G/2015/PA.Mdo. These cases were selected for their direct relevance to interfaith inheritance and their explicit use of *wasiat wajibah*. Court decisions were analyzed to understand judicial reasoning, the adaptation of doctrinal rules, and the degree of alignment with local social realities.

Data Analysis

Data analysis followed a thematic approach, combining hermeneutic interpretation of legal texts with inductive coding of interview transcripts. The process began with open coding to identify recurring themes related to legal norms, customary practices, decision-making processes, and value frameworks. These codes were then organized into higher-order categories, enabling comparisons between doctrinal principles, judicial practice, and community-level dispute resolution. The integration of court decision analysis with interview data allowed for triangulation, enhancing the validity of findings. This approach also facilitated the identification of points of convergence and divergence between Islamic law and Minahasa adat in inheritance matters.

Ethical Considerations

The study adhered to strict ethical standards in conducting qualitative legal research. Informed consent was obtained from all participants prior to interviews, and their identities were anonymized to ensure confidentiality. The names of respondents were replaced with initials, and identifying details were omitted from transcripts and field notes. Given the sensitivity of interfaith inheritance disputes, interviews were conducted in private settings to protect participant privacy and encourage openness. The researcher also remained attentive to potential power imbalances, particularly when interviewing within extended family hierarchies, and took care to represent all viewpoints fairly in the analysis.

RESULTS

Inheritance Distribution in Lawangirung Village, Manado

The authors' investigation found that, to this day, inheritance distribution among heirs of different religions continues to occur in Manado. This phenomenon can be observed in Lawangirung Village, Wenang District—an area located within the same

administrative boundaries as the Ahmad Yani Grand Mosque, the North Sulawesi Islamic Centre, the provincial office of the Indonesian Council of Ulama (Majelis Ulama Indonesia/MUI) for North Sulawesi, and the Manado City Office of the Ministry of Religious Affairs.

An interview was conducted with Mrs. NL (name withheld for confidentiality as a respondent), the biological daughter of the deceased. She stated:

“Our family once faced an inheritance distribution issue involving a family member who had become an apostate (*murtad*). The matter was resolved through internal family deliberation (*musyawarah*), without any involvement from religious leaders or local government authorities. The distribution was carried out according to our family’s consensus, in which female heirs received one-half of a share and male heirs received two-thirds of a share. From the inheritance distribution implemented by our family, no member expressed any objection to the arrangement.”

An interview was conducted with Mrs. B (name withheld for confidentiality as a respondent), who, together with AN, the biological child of the deceased, stated:

“I do not have an in-depth understanding of inheritance distribution; however, in general, the community understands that males receive two shares and females receive one share. Those entitled to inheritance are family members who still have a direct bloodline (*satu darah*) with the deceased. Inheritance is precluded if the testator has not yet passed away. In my view, the distribution of inheritance to a child who has left Islam can still be carried out because they maintain a familial bond or ‘one blood’ relationship with the deceased. I have personally been involved in an inheritance distribution to a family member who had left Islam, which took place one year ago when our father passed away. Our family held a closed-door deliberation (*musyawarah*) to arrange the inheritance distribution, and we collectively agreed to grant a share of the inheritance to our sibling who had left Islam. This deliberation was conducted privately and without the involvement of religious leaders or government authorities.”

An interview was conducted with Mr. Ramang Mohammad, who serves as the deputy imam of Nurullah Mosque in Lawangirung Village, Neighborhood 5. He stated:

“Based on my understanding, the distribution of inheritance to an apostate (*murtad*) child cannot be carried out because it does not comply with the provisions of Islamic law, which prohibit inheritance distribution in cases of religious difference. Issues concerning inheritance distribution to apostate children have occurred several times within the Lawangirung community; however, I am not well informed about the actual distribution process, as the families involved have never sought my opinion or invited us to participate in the proceedings. Families tend to prefer holding closed-door deliberations (*musyawarah*), which may involve matters they wish to keep confidential, thus excluding religious leaders in Lawangirung from the inheritance distribution process.”



An interview was conducted with Mrs. LM and her son AG (names withheld for confidentiality as respondents), in which AG, the biological child of the deceased, stated:

"The reason I granted an inheritance to my sibling who had left Islam is because my younger sibling and I share the same lineage (*satu darah*). On a personal level, I therefore felt it was appropriate to give them the share to which they were entitled. In this inheritance distribution, our family did not involve the government or religious leaders in Lawangirung Village, as this matter was entirely a family issue. In our view, inheritance is a private matter for the family, not an affair for the government or religious leaders. I believe this arrangement is consistent with Islamic law, as the distribution followed the principle in which males receive two-thirds and females receive one-half, thus aligning with Islamic provisions."

An interview was conducted with Mr. A (name withheld for confidentiality as a respondent), who stated:

"The issue of inheritance distribution to an apostate (*murtad*) child originated from our father's request that our family grant an inheritance to our elder sibling who had left Islam. Therefore, I believe this matter is consistent with Islamic law, as the distribution was carried out equally and fairly in accordance with our father's mandate. In this process, we did not involve the government or religious leaders in Lawangirung Village, because the matter could be resolved within our family without outside intervention. We also chose not to make this issue public, as our family had mutually agreed to keep it confidential."

An interview was conducted with Mrs. DL (name withheld for confidentiality as a respondent), the biological daughter of the deceased. She explained that the reason for distributing inheritance to her younger sibling who had become an apostate (*murtad*) was to prevent potential conflicts within the family, given that a family member who had left Islam might feel deprived of their rightful share of their late father's estate. The family sought to avoid any sense of exclusion that could later become a source of dispute, as well as to prevent causing distress to their late father by contesting the inheritance he left behind. She expressed gratitude that, to date, the distribution of the inheritance has not resulted in any disputes.

From the interviews conducted on five cases of interfaith inheritance distribution, along with the interview with the leadership of Nurullah Mosque in Lawangirung, it was found that inheritance distribution to apostate (*murtad*) children occurs primarily due to the lack of formal reports or complaints submitted to local religious leaders in Lawangirung Village. Additionally, families tend to prefer resolving such matters internally, without the involvement of religious authorities. The limited understanding of Islamic inheritance law among the Muslim community was also evident from the interviews: respondents generally only knew that male heirs are entitled to two shares while female heirs receive one share. This limited knowledge, reinforced by strong

kinship bonds, has contributed to the continued occurrence of such inheritance practices.

The community's caution in ensuring that the distribution of inheritance does not lead to family divisions in the future is also a determining factor in the continued practice of granting inheritance to apostate (*murtad*) children. Furthermore, interviews revealed that the prospective economic welfare of the heirs is among the considerations underlying the persistence of interfaith inheritance practices. The Minahasa ethnic group, which constitutes the majority in the city of Manado, places great importance on the well-being of family members who are economically disadvantaged. This concern influences the distribution of inheritance without regard to whether the recipients share the same religion. For them, the priority is to ensure that no member of the same clan (*marga*) lives in poverty or destitution. They uphold a tradition of mutual assistance—locally known as *Mapalus*—to improve the welfare of their families.

Mechanisms of Resolution and Legal Legitimacy: The Role of Family Deliberation and Religious Court Decisions

The Religious Court of Manado has adjudicated cases of interfaith inheritance distribution, as reflected in Decision No. 0138/Pdt.G/2014/PA.Mdo and Decision No. 0228/Pdt.G/2015/PA.Mdo. Decision No. 0138/Pdt.G/2014/PA.Mdo, dated 16 September 2014, concerned the estate of the late Din Palilati. In its key ruling (point 4), the court determined that Sherly Palilati Binti Kusno Palilati, a non-Muslim biological daughter of Kusno Palilati Bin Din Palilati, was entitled to a *wasiat wajibah* amounting to one-third (1/3) of her parent's estate. Meanwhile, Decision No. 0228/Pdt.G/2015/PA.Mdo, dated 28 January 2016, related to the estate of the late Mohammad Sai. In its ruling, the Manado Religious Court stipulated that one-third (1/3) of the estate of the late Wilhelmina Tumbol—his second wife, who was Christian—constituted an inheritance (*tirkah*) to be distributed to her heirs, namely: Debby Sai, Denny Sai, Maxy Said, and Dewy Sai.

From the two aforementioned decisions of the Manado Religious Court, it is evident that the fatwas of traditional *fiqh* scholars prohibiting inheritance for non-Muslim heirs cannot be fully implemented among the Muslim community in Manado. This is due to the multi-religious nature of the Muslim population in the city, where interfaith marriages are common. There are also cases in which couples marry under Islamic law, later divorce, and then return to their original religion. As a result, it is common to find families comprising members of two different religions who continue to live together in the same household. If the prohibition on inheritance for non-Muslims were to be strictly enforced, it would risk causing fractures in family relationships and divisions within households.

Ideally, any fatwa on inheritance to be applied within the Muslim community of Manado should accommodate the prevailing socio-cultural and socio-economic conditions, thereby permitting interfaith inheritance. Such an approach would aim to preserve social harmony, prevent divisions, and generate positive outcomes for the equitable distribution of wealth.



Reinterpretation of Interfaith Inheritance: The Dialectic between Sharia Norms, Minahasa Local Wisdom, and Contemporary Perspectives

Inheritance practices in Manado cannot be separated from the influence of the philosophy *si tou timou tumou tou*, which means “human beings live to humanize other human beings.” This philosophy serves as an ethical guide for the Minahasa people in resolving various social issues, including matters of inheritance distribution, which are not solely concerned with the allocation of wealth but also with ensuring the well-being of all family members. The Minahasa customary inheritance system operationalizes the concept of *tona’as* (wisdom) as a mechanism that is more flexible than the Islamic inheritance system, which applies fixed shares. This flexibility allows consideration of contextual variables such as the economic condition of the heirs, contributions in caring for parents, and social responsibilities within the extended family structure.

The phenomenon of interfaith inheritance has long existed within Indonesia’s heterogeneous society, even though positive law explicitly prohibits interfaith marriage through the provision of Article 2(1) of Law No. 1 of 1974 on Marriage, which states: “A marriage is valid if it is conducted according to the laws of each party’s respective religion and belief.” This provision is further reinforced in Article 4 of the Compilation of Islamic Law (Kompilasi Hukum Islam/KHI). Nevertheless, in empirical practice, interfaith marriages continue to occur discreetly without official marriage certificates, ultimately giving rise to the complex issue of interfaith inheritance.

In the context of apostasy as one of the impediments to inheritance, classical scholars reached a consensus that an apostate (*murtad*) holds the same legal status as an original non-believer (*kāfir aṣlī*) in matters of inheritance. Syafi’ie (2011) affirms that the property of an apostate cannot be inherited by Muslim heirs; rather, it becomes the right of the Muslim community and is placed in the *Baitul Mal*. Al-Zurqani (2015) reinforces this position by stating that the ḥadīth of Usamah ibn Zaid has been unanimously accepted by earlier scholars without dispute, while Imam al-Shafi’i categorizes an apostate as a non-believer subject to the provisions of that ḥadīth. Ibn Qudamah (1997) identifies various opinions regarding the status of an apostate’s property but emphasizes that the view treating such property as *fay’* to be transferred to the *Baitul Mal* is the position of his school of thought—a view supported by Al-Qurtubi (2006), who equates the status of an apostate with that of a non-believer in matters of inheritance.

This classical scholarly paradigm has been critiqued by several contemporary thinkers who propose reinterpretations based on considerations of public interest (*maslahah*) and the realities of the modern social context. Abdullah Ahmad An-Na’im (1996) identifies the prohibition of inheritance on the basis of religious difference as a form of discrimination in Islamic family and civil law that cannot be justified, as it contravenes fundamental human rights principles (Behrouz, 2003; Gabriel, 2016). In his view, religion-based discrimination—rooted in the historical context of political and military conflict between faith communities—is politically and morally unacceptable in the present day. Consequently, any *sharī’ah* provisions containing such discriminatory

elements should be *mansūkh* (abrogated) and replaced with more universal *sharī'ah* norms (Taufiq, 2018). In line with An-Na'im, Asgar Ali Engineer (1990) asserts that a truly Islamic society does not recognize discrimination in any form, as the concept of *tawhīd* extends beyond pure monotheism to encompass a sociological dimension that transcends religious boundaries (Maulidiy et al., 2024; Putra, 2023). He emphasizes that the spirit of the Qur'an takes precedence over the opinions of medieval *fuqahā'*, and therefore classical *sharī'ah* legal texts should be revisited with a focus on the centrality of Islamic justice (Ahmad & Alam, 2020; Mujahidin, 2023).

This theoretical construct is supported by the historical perspective advanced by Seyyed Hossein Nasr (2004) regarding the implementation of the *millet* system under the Ottoman government. While grounded in Islamic law, this system fully recognized the social and economic rights, as well as the religious freedom, of minority communities, without any threat from the majority toward the established order of public welfare (*maslahah*) (Cakal, 2020; Çevik, 2024; Gaitanos, 2022). This historical precedent is further reinforced by the *ijtihād* of Caliph 'Umar ibn al-Khaṭṭāb, which demonstrated the flexibility of Islamic law in responding to changing socio-economic contexts in order to achieve greater *maslahah*. This is exemplified in his policy of opening economic relations with the *Ahl al-Ḥarb* (non-Muslim communities engaged in conflict with Muslim territories) and in the establishment of the *ḥisbah* institution to oversee ethical conduct in economic affairs (Adnan et al., 2024; Hayati, 2020; Jamilah, 2021; Khamidiyah et al., 2021; Refliani et al., 2024).

Yusuf Al-Qaradhāwī (2006) makes a significant contribution to this reinterpretation by asserting that the Islamic inheritance system is built upon an explicit principle of mutual assistance, rather than on the inner conviction of faith or spiritual bonds. This argument is reinforced by the historical fact that hypocrites (*munāfiqūn*) were still entitled to inheritance under the Prophet's *sharī'ah*, despite being, in substance, dangerous adversaries. In the context of *ahl al-dhimmah*, some scholars interpret the ḥadīth "A Muslim may not inherit from a non-believer" as applying specifically to the category of *kāfir ḥarbī* (those at war with Islam), rather than to *munāfiq*, *murtad*, or *dhimmi*, as affirmed in Qur'an 4:140, which linguistically distinguishes between the terms *munāfiq* and *kāfir*. Ibn Taymiyyah supports this position by stating that the foundation of inheritance is the spirit of mutual assistance, while the impediment is enmity; thus, religious difference *per se* cannot serve as the '*illah*' (effective cause) in matters of inheritance (Muhibban & Hasan, 2025).

The Minahasa Kinship System and the Implementation of Cultural Values in Inheritance Practices

The kinship system of the Minahasa people is built upon the philosophy *si tou timou tumou tou*, which means "human beings live to humanize other human beings," a humanistic principle that places the welfare of others as the highest priority in every aspect of social life (Tuela et al., 2023). This philosophy functions not only as a moral guide but also as an operational framework for resolving various societal issues, including interfaith inheritance distribution. In the context of inheritance, this principle



obliges every family member to ensure that no sibling is deprived of their rights, regardless of differences in religious belief. The implementation of *si tou timou tumou tou* in inheritance practices is reflected in the inclusive attitude of Muslim Minahasa families, who continue to grant shares to heirs of different religions, viewing the exclusion of a sibling as a violation of fundamental humanitarian values. According to Salma et al. (2025), the complexity of inheritance dynamics in Minahasa society cannot be separated from the characteristics of North Sulawesi as a region with high ethnic diversity, where interactions among various ethnic groups such as Minahasa, Bolaang Mongondow, Sangir, and Gorontalo create unique challenges in the application of family law, particularly in relation to joint property.

The social structure of the Minahasa community is organized through the *marga* (clan) or *rukun keluarga* (extended family association) system, which creates kinship networks that transcend religious boundaries, whereby every family member—regardless of religious affiliation—possesses equal rights and obligations under customary law. The principle *torang samua basudara* (“we are all brothers and sisters”) serves as a concrete manifestation of this kinship system, uniting all family members into a tightly knit social entity. In inheritance practices, the *marga* system functions as a form of social control that ensures the distribution of assets does not lead to family discord. When religious differences arise within a family, the *marga* system provides a basis of legitimacy for the continued recognition of kinship ties and the rights inherent to them, including inheritance rights. This leads the Minahasa community to prioritize the harmonization of family relations over rigid adherence to specific religious legal provisions (Rumbay et al., 2022). The *marga* tradition in Minahasa also has adaptive dispute resolution mechanisms through the *baku ator* process—a negotiation system in which representatives from both sides facilitate the incorporation of pre-marital assets into joint property—demonstrating the flexibility of Minahasa customary law in responding to social change (Salma et al., 2025).

The *mapalus* tradition (mutual cooperation) serves as a practical instrument for resolving inheritance issues involving religious differences, functioning not only as a mechanism for mutual assistance but also as a mediation forum to achieve family consensus (Bolotio & Yusuf, 2025; Yusuf et al., 2025; Yusuf & Hasan, 2020). The effectiveness of *mapalus* in addressing inheritance conflicts is reflected in the Minahasa community’s preference to resolve joint property disputes through a tiered customary process, beginning with mediation and deliberation (*baku ator bae*), illustrating the strong influence of traditional values in North Sulawesi society (Salma et al., 2025). In the context of inheritance, the *mapalus* tradition is manifested in the form of closed family deliberations without the involvement of external authorities, in which every family member is given the opportunity to express their views and interests. This process enables flexible negotiation between the normative demands of religion and the social realities of the family, producing solutions acceptable to all parties. Through *mapalus*, inheritance distribution is no longer viewed merely as a matter of formal law, but rather as a collective responsibility to ensure the welfare of all family members. The effectiveness of *mapalus* in resolving inheritance disputes is evidenced by the minimal

number of family conflicts that escalate to the formal legal sphere, as most cases are resolved through this customary mechanism (Yusuf et al., 2025).

The concept of *tona'as* (wisdom) offers flexibility in inheritance distribution by taking into account various contextual factors such as the economic condition of the heirs, their contributions in caring for parents, and their social responsibilities within the extended family (Yusuf & Hasan, 2020). Unlike the Islamic inheritance system, which allocates fixed and mathematically determined shares, the *tona'as* approach allows for a more responsive adaptation to the actual needs of each heir. The adaptive capacity of Minahasa tradition in managing joint property in interethnic marriages demonstrates how the Minahasa community maintains a tradition responsive to change, where cultural acculturation in interethnic marriages occurs naturally, with many couples choosing to integrate traditional elements from both sides (Salma et al., 2025).

In practice, Muslim Minahasa families apply the *tona'as* principle to adjust inheritance distribution based on the economic capacity of each heir, whereby those in a stronger financial position may allocate a larger share to siblings in greater need. This approach also takes into account non-material contributions, such as the sacrifice of time and effort in caring for elderly parents, which is regarded as a factor deserving compensation in inheritance distribution. The implementation of *tona'as* in interfaith inheritance reflects Minahasa local wisdom that prioritizes substantive justice over procedural justice.

The integration of Minahasa cultural values into inheritance practices creates a unique model of legal pluralism, in which customary law functions as a mediating system between the normative provisions of religion and the social realities of a pluralistic society (Jura et al., 2024). Minahasa local wisdom does not reject the principles of Islamic law but develops adaptive mechanisms that allow the implementation of Islamic values within a different socio-cultural context. This is reflected in the continued use of the 2:1 formula for male and female heirs, as prescribed in Islamic law, but with the modification that religious difference is not considered a barrier to receiving an inheritance share.

This approach demonstrates that the Minahasa community does not perceive a fundamental contradiction between Islam and local custom (*adat*), but rather views them as two value systems that can be harmonized to achieve a shared goal—namely, the welfare of the family. The transformation of customary marriage agreement practices as a result of modernization—where such agreements were previously conducted primarily in oral form and based on family consensus—illustrates how harmonization can be achieved without losing the essence of customary law, thereby providing a foundation for the development of a more adaptive system of marital agreements (Salma et al., 2025). This model of integration makes an important contribution to the understanding of legal pluralism in Indonesia, particularly in demonstrating how local wisdom can function as a bridge between the various legal systems operating within a pluralistic society.



DISCUSSION

Interaction of Customary and Islamic Law in Minahasa Inheritance Practices

The findings of this study demonstrate that Minahasa Muslim families in Manado frequently integrate *'urf* (adat) with Islamic inheritance law in resolving interfaith inheritance disputes. Family deliberations (*musyawarah*) often result in maintaining the Islamic 2:1 male–female distribution formula, while disregarding religious difference as a barrier to inheritance. This practice aligns with local values such as *si tou timou tumou tou* and *mapalus*, which prioritize familial welfare and cohesion. The persistence of these hybrid arrangements reflects a lived legal pluralism in which adat norms operate as a mediating force, ensuring that doctrinal restrictions do not disrupt kinship bonds or trigger social fragmentation.

These findings correspond to broader empirical research showing that in plural societies, customary law often coexists with or even takes precedence over Islamic law in inheritance matters (Rubab et al., 2025; Idrus et al., 2024; Fadhilah et al., 2024; Sinaga et al., 2022). Prior studies have documented negotiated settlements in other Indonesian regions where *'urf* influences property distribution, especially in interfaith families (Muhtarom & Nugroho, 2022). However, this contrasts with contexts where customary law imposes stricter gender-based limitations than Islamic law (Rumkel & Ode, 2025). The Minahasa case thus supports scholarship emphasizing legal pluralism's flexibility and context-dependence (Chevallier-Govers, 2010; Evans, 2015).

Theoretically, these results reinforce Legal Pluralism Theory by illustrating how adat functions as an operative legal order alongside state and religious law. Practically, the findings suggest that family-led negotiations grounded in local norms can defuse potential conflict in multi-faith households. For policy, this highlights the importance of recognizing and accommodating customary mediation mechanisms within formal legal frameworks, particularly in regions where pluralism is deeply embedded in social life. Such recognition could help courts balance doctrinal fidelity with community realities, thereby maintaining both legal legitimacy and social cohesion.

Application of *Wasiat Wajibah* to Non-Muslim Heirs

This study also reveals that Manado Religious Court decisions—such as No. 0138/Pdt.G/2014/PA.Mdo and No. 0228/Pdt.G/2015/PA.Mdo—have legitimized interfaith inheritance through *wasiat wajibah*. These rulings allocated one-third shares to non-Muslim heirs, reflecting judicial willingness to adapt Islamic inheritance norms in response to local socio-religious realities. Such jurisprudence complements family-level settlements, offering formal recognition that aligns with the community's inclusive inheritance practices. The courts' reliance on *wasiat wajibah* bridges doctrinal restrictions and social harmony by safeguarding non-Muslim heirs' welfare without fully overturning Islamic inheritance rules.

Comparatively, studies across Indonesia show that *wasiat wajibah* has been used by religious courts to address the exclusion of non-Muslim heirs, promoting justice and harmony in plural families (Alma'amun et al., 2022; Palasenda et al., 2025; Fauzan et al.,

2025). Scholars interpret this as an example of *maqāṣid al-sharī'ah* in action—prioritizing welfare and preventing harm over rigid textualism (Riyanta et al., 2025; Budiman et al., 2024). However, some critique it as a departure from classical doctrine, raising concerns about legal certainty (Muhammad & Ibrahim, 2023; Wahyudi, 2021; Amir, 2023). This debate reflects broader tensions in Islamic legal reform.

Theoretically, the application of *wasiat wajibah* illustrates the Maqasid al-Shari'ah framework's capacity to legitimize doctrinal adaptation in pursuit of social welfare. Practically, it provides a judicial tool to integrate excluded heirs while maintaining doctrinal continuity. From a policy perspective, codifying clear guidelines for *wasiat wajibah* in interfaith cases could reduce uncertainty, enhance uniformity in judicial practice, and signal the state's commitment to both religious law and social inclusion in plural settings.

Prioritizing Family Harmony over Doctrinal Exclusivity

Field data indicate that Minahasa Muslim families consistently prioritize harmony over rigid doctrinal adherence in inheritance disputes involving apostate heirs. Excluding such heirs is seen as a potential cause of familial rifts and long-term discord, conflicting with the local imperative to preserve kinship unity. In practice, deliberations are held privately, and settlements are reached that ensure all siblings receive shares, regardless of religion. This approach reframes inheritance as a collective responsibility rather than a purely legal entitlement.

These results are consistent with broader research documenting the social benefits of prioritizing harmony in inheritance disputes. Studies show that negotiated settlements can prevent protracted legal conflicts and sustain intergenerational relationships (Palasenda et al., 2025; Lestari & Wahyuningsih, 2018). Such practices resonate with conflict resolution traditions in other plural contexts, where mediation and consensus-building mitigate the divisive potential of formal legal rulings (Evans, 2015; Gosukonda, 2024). However, they diverge from more formalist approaches in communities that view doctrinal compliance as non-negotiable, even at the expense of familial unity.

Theoretically, these practices can be framed within Social Capital Theory, where trust, reciprocity, and shared norms drive cooperative outcomes. Practically, they suggest that embedding conflict resolution within culturally resonant processes increases compliance and satisfaction with outcomes. Policy-wise, this supports incorporating community mediation models into formal dispute resolution pathways, particularly in areas with strong customary cohesion, thereby reducing caseloads for courts and enhancing culturally sensitive justice delivery.

Influence of *Si Tou Timou Tumou Tou* and *Mapalus* on Inheritance Resolution

The findings underscore the profound influence of *si tou timou tumou tou* ("to humanize others") and *mapalus* (mutual cooperation) in guiding inheritance dispute resolution. These values promote inclusivity, collective welfare, and consensus-building, shaping outcomes that favor substantive justice over strict proceduralism. In practice, *mapalus*

mediations create space for each heir to voice concerns, enabling flexible solutions that balance religious norms with family realities. This ethos redefines inheritance distribution as a communal duty to prevent poverty within the extended family.

These cultural influences mirror ethnographic and legal studies showing that Minahasa values systematically integrate into legal decision-making, producing socially cohesive outcomes (Marzuki, 2025; Pangalila & Mantiri, 2020; Tuela et al., 2023). Similar patterns appear in other Southeast Asian contexts where local philosophies prioritize communal harmony, influencing both customary and formal legal processes (Nelwan, 2020). However, unlike some traditions that subordinate religious norms entirely to adat, Minahasa practice retains core Islamic formulas, modifying only the exclusionary provisions.

Theoretically, this illustrates a Minahasan Cultural Values framework in action, where local ethics serve as mediators between competing legal regimes. Practically, it confirms that embedding dispute resolution in culturally anchored processes can enhance legitimacy and sustainability of settlements. For policy, these findings advocate for the formal recognition of cultural mediation in legal pluralism governance, ensuring that deeply held local values are leveraged as assets in the pursuit of equitable justice.

Theoretical Integration: Legal Pluralism, Maqasid, and Local Wisdom

This study's findings reflect the coexistence of multiple legal frameworks—Islamic inheritance law, state law, and Minahasa adat—operating in a mutually adaptive system. Adat provides the flexibility to accommodate interfaith inheritance, *wasiat wajibah* offers a judicial mechanism for inclusion, and Islamic law's distributive formula supplies a familiar normative anchor. Together, they form a composite system that is both doctrinally grounded and socially responsive.

This integrated model aligns with Legal Pluralism Theory, Maqasid al-Shari'ah reasoning, and Ijtihad-based adaptability (Rubab et al., 2025; Palasenda et al., 2025; Riyanta et al., 2025). Comparative studies in other plural Muslim societies also show similar hybridization, though local philosophical frameworks like *si tou timou tumou tou* give the Minahasa case distinctive moral and procedural dimensions (Marzuki, 2025; Tuela et al., 2023). This contrasts with regions where legal pluralism is contested and integration mechanisms are underdeveloped.

Theoretically, the Minahasa experience offers a model for reconciling doctrinal and pluralistic imperatives without eroding either. Practically, it demonstrates how cultural legitimacy can enhance legal compliance. At the policy level, it suggests that state recognition of adaptive pluralism could strengthen both the effectiveness of law and the resilience of social cohesion in multi-faith, multi-ethnic contexts.

Some Notes from Islamic Economic and Financial Perspectives

Wasiat Wajibah and Inclusive Interfaith Inheritance: Economic and Financial Dimensions

The findings reveal that the application of *wasiat wajibah* in Manado Religious Court decisions facilitates the participation of non-Muslim heirs in wealth transfer, fostering social harmony and preventing economic marginalization. By granting one-third shares in cases where classical doctrine would exclude them, the courts effectively mitigate wealth concentration risks and promote equitable asset distribution. This aligns with Islamic finance principles that emphasize fair allocation of resources and prevention of *darar* (harm) to dependents. Such judicial adaptation complements local family-based negotiations, ensuring that inheritance distribution functions not only as a legal process but also as an instrument of economic inclusion and empowerment.

Similar trends have been documented in other Indonesian jurisdictions, where *wasiat wajibah* has been used to bridge doctrinal restrictions and the socio-economic realities of plural families (Daud & Azahari, 2019; Elfia et al., 2023). Studies link this practice to the objectives of Islamic economics—wealth dispersion, social justice, and economic empowerment—while acknowledging tensions with formalist interpretations (Rusydiana, 2021; Amiruddin, 2022). In Malaysia, analogous frameworks involving institutions like Amanah Raya Berhad show how structured estate planning can integrate Islamic inheritance law with inclusive distribution goals (Saiman & Romeyzee, 2024). These parallels affirm that *wasiat wajibah* operates at the intersection of legal adaptation and economic justice.

Theoretically, this reflects the *maqasid al-shari'ah* framework, which prioritizes welfare and harm prevention over rigid legalism. Practically, it offers a tool for wealth redistribution aligned with Islamic financial ethics, reducing poverty risks among excluded heirs. Policy-wise, codifying *wasiat wajibah* application in interfaith contexts could standardize equitable distribution, strengthen Islamic finance's social justice mandate, and improve trust in religious courts. Integration with Islamic estate planning products could further connect jurisprudence with contemporary financial management practices.

Wealth Distribution, Social Justice, and Prevention of Economic Harm (Darar)

The research shows that Minahasa families' approach to inheritance—retaining the Islamic 2:1 formula for male and female heirs while disregarding religious differences—aligns with the distributive justice objectives of Islamic economics. By ensuring that all heirs receive portions, families avoid exclusionary outcomes that could cause financial hardship or intergenerational inequality. This flexible adaptation of religious norms through *musyawarah* preserves asset circulation within the family unit, reinforcing economic resilience and social cohesion, which are central to Islamic finance's ethos of balanced wealth distribution.

This approach resonates with broader studies noting that Islamic inheritance law is designed to prevent wealth concentration and stimulate economic activity (Puspitasari & Wahyudi, 2024). However, scholars also highlight practical challenges where gender



biases and conflicting customary norms undermine these aims (Rubab et al., 2025; Idrus et al., 2024). In such contexts, local adaptations—whether through *hibah* (grants) or negotiated settlements—reflect an attempt to balance doctrinal fidelity with the economic well-being of all stakeholders. These solutions embody an applied form of Islamic economic justice in pluralistic environments.

Theoretically, this underscores the compatibility of wealth distribution principles in Islamic economics with localized legal pluralism. Practically, it shows that inclusive inheritance arrangements can strengthen household economic security and reduce vulnerability to asset loss. From a policy perspective, embedding Islamic economic objectives in inheritance dispute resolution guidelines could enhance the role of family law as a vehicle for financial stability, complementing Islamic finance's broader poverty alleviation and wealth equality strategies.

Local Wisdom, Wealth Management, and Intergenerational Asset Transfer

The study finds that integrating Minahasa cultural values—*si tou timou tumou tou*, *mapalus*, and *tona'as*—with Islamic inheritance principles supports sustainable family wealth management. Practices such as adjusting shares to assist financially weaker heirs or recognizing caregiving contributions function as non-formal wealth redistribution mechanisms. These not only prevent economic harm but also optimize resource allocation within extended families, reinforcing economic resilience and ensuring smoother intergenerational asset transfer. This cultural-legal synergy mirrors Islamic finance's emphasis on stewardship (*amanah*) and responsible asset management.

Evidence from other Muslim communities confirms that local wisdom can be leveraged to enhance wealth management outcomes, especially when formal inheritance law interacts with customary practices (Afiani et al., 2023; Idrus et al., 2024). Such integration fosters flexible estate planning and aligns with Islamic finance's goals of maximizing societal welfare. In Malaysia, for example, culturally adapted estate planning has been linked to higher rates of asset preservation and productive wealth use (Saiman & Romeyze, 2024). These parallels validate the economic utility of culturally embedded inheritance practices.

Theoretically, this illustrates how cultural mediation can operationalize the wealth management and intergenerational equity principles of Islamic economics. Practically, it points to the potential for embedding local wisdom in formal Islamic estate planning instruments, such as *hibah amanah* or family waqf structures. From a policy standpoint, recognizing and integrating such practices into national inheritance frameworks could strengthen economic resilience at the household level while preserving legal and cultural legitimacy.

CONCLUSION

This study has demonstrated that the practice of interfaith inheritance in Minahasa emerges from the interplay between Islamic legal norms, local cultural values, and the socio-economic realities of multi-faith households. Findings reveal that mechanisms

such as *wasiat wajibah*, alongside cultural principles like *si tou timou tumou tou*, *mapalus*, and *tona'as*, are instrumental in resolving potential conflicts between doctrinal rules and kinship obligations. By integrating these mechanisms, communities preserve family harmony and ensure equitable wealth distribution while maintaining a degree of alignment with Islamic legal principles. This hybrid approach highlights the adaptability of Islamic law in responding to localized socio-cultural contexts without fully abandoning its normative structure.

The discussion has shown that while the classical prohibition of interfaith inheritance is doctrinally established, it is not always socially or economically viable in contexts like Minahasa. Comparative analysis with other Muslim-majority jurisdictions confirms that flexible legal tools, particularly *wasiat wajibah*, can reconcile religious prescriptions with pluralistic realities. The study also underscores that local dispute resolution traditions, grounded in consensus and mutual aid, align with the Islamic economic objectives of preventing harm and promoting distributive justice. This synergy between religious law and customary practice contributes to the resilience of social cohesion in multi-faith settings.

The contribution of this research lies in its interdisciplinary framing, merging doctrinal analysis, ethnographic insight, and Islamic economic principles into a coherent model of context-sensitive inheritance. It offers a theoretical bridge between normative Islamic jurisprudence and legal pluralism while providing actionable guidance for policymakers, judges, and Islamic finance practitioners. By highlighting Minahasa's example, the study demonstrates that culturally adaptive legal frameworks can strengthen both the legitimacy and the social effectiveness of Islamic inheritance law. This work thus advances scholarly understanding of how legal systems can evolve to address contemporary socio-religious complexities in ways that remain faithful to the spirit of *maqāṣid al-sharī'ah*.

Limitation of the Study

While this study provides valuable insights into the interaction between Islamic inheritance law and Minahasa customary practices, it is not without limitations. First, the qualitative methodology, grounded primarily in interviews and case study analysis, means that the findings are context-specific and may not be directly generalizable to other regions or communities. The social and cultural dynamics of Minahasa—such as its strong kinship bonds and deeply rooted mutual aid traditions—are distinctive and may not be replicated in other Indonesian or Muslim-majority contexts. Furthermore, the reliance on self-reported accounts could introduce bias, as participants may present idealized or selective narratives of inheritance practices to preserve family reputation or social harmony.

Another limitation is the absence of extensive quantitative data to measure the economic impact of practices such as *wasiat wajibah* in multi-faith inheritance cases. Without statistical evidence, it is challenging to fully assess the long-term financial consequences of these adaptations for wealth distribution, poverty reduction, and intergenerational equity. Additionally, legal interpretations and practices are subject to

change over time, particularly as state legislation, judicial decisions, and religious fatwas evolve. Therefore, the conclusions drawn here should be viewed as reflecting a particular socio-legal moment rather than a static condition. Future studies would benefit from mixed-method approaches and broader geographic comparisons to enhance both validity and applicability.

Recommendations for Future Research

Future research should explore the comparative application of *wasiat wajibah* and other adaptive inheritance mechanisms in diverse cultural and legal environments across Indonesia and beyond. This would allow for the identification of patterns, challenges, and best practices in harmonizing Islamic inheritance law with pluralistic socio-cultural realities. A cross-regional approach could also shed light on how local values interact with Islamic jurisprudence in contexts with different kinship systems, economic conditions, and degrees of religious diversity. Such comparative work would provide a stronger empirical basis for policy recommendations and legal reforms.

It is also recommended that future studies incorporate quantitative analysis to evaluate the economic outcomes of interfaith inheritance adaptations, particularly their impact on poverty alleviation, wealth distribution, and family cohesion. Longitudinal research could track how these practices evolve over time in response to shifting socio-political landscapes, legal reforms, and religious discourse. Finally, interdisciplinary collaboration between legal scholars, anthropologists, economists, and Islamic finance experts could produce more comprehensive models for inheritance law reform that remain faithful to *maqāṣid al-sharī'ah* while accommodating the realities of pluralistic societies. Such an approach would further bridge the gap between doctrinal ideals and lived social experience.

Author Contributions

Conceptualization	M.M.L. & F.H.	Resources	M.M.L. & F.H.
Data curation	M.M.L. & F.H.	Software	M.M.L. & F.H.
Formal analysis	M.M.L. & F.H.	Supervision	M.M.L. & F.H.
Funding acquisition	M.M.L. & F.H.	Validation	M.M.L. & F.H.
Investigation	M.M.L. & F.H.	Visualization	M.M.L. & F.H.
Methodology	M.M.L. & F.H.	Writing – original draft	M.M.L. & F.H.
Project administration	M.M.L. & F.H.	Writing – review & editing	M.M.L. & F.H.

All authors have read and agreed to the published version of the manuscript.

Funding

This study received no direct funding from any institution.

Institutional Review Board Statement

The study was approved by Program Studi Hukum Ekonomi Syariah (S1), Institut Agama Islam Negeri Manado, Kota Manado, Indonesia.

Informed Consent Statement

The questionnaire was completed by the respondents with their full awareness and consent.

Data Availability Statement

The data presented in this study are available on request from the corresponding author.

Acknowledgments

The authors thank Program Studi Hukum Ekonomi Syariah (SI), Institut Agama Islam Negeri Manado, Kota Manado, Indonesia, for administrative support for the research on which this article was based.

Conflicts of Interest

The authors declare no conflicts of interest.

Declaration of Generative AI and AI-Assisted Technologies in the Writing Process

During the preparation of this work the authors used ChatGPT, Grammarly, and PaperPal in order to translate from Bahasa Indonesia into English, and to improve clarity of the language and readability of the article. After using these tools, the authors reviewed and edited the content as needed and take full responsibility for the content of the published article.

REFERENCES

- Adnan, Z., Ishak, A., Syihab, M. A., Diah, M., & Ismail, I. (2024). Existence of Risalatul Qadha Umar bin Khattab in the Islamic judicial system Indonesia. *Petita: Jurnal Kajian Ilmu Hukum Dan Syariah*, 9(2), 641–653. <https://doi.org/10.22373/petita.v9i2.247>
- Afriani, I. N., Syah, R., & Avita, N. (2023). Parental grants to children and their relation to inheritance in the perspective of positive and customary laws of Indonesia. *Al-Bayyinah*, 7(1), 31–44. <https://doi.org/10.30863/al-bayyinah.v7i1.3064>
- Ahmad, K., & Alam, M. S. (2020). Asghar Ali Engineer and his thoughts: Introduction and over-all analysis. *Journal of Asian and African Social Science and Humanities*, 6(2), 20–37. <https://www.aarcentre.com/ojs3/index.php/jaash/article/view/206>
- Alma'amun, S., Kamarudin, M. K., Wan Nadiyah Wan Mohd Nasir, Muhammad, N. H. N., & Ahmad, R. (2022). Legislative provisions for waṣīyyah wājibah in Malaysia and Indonesia: To what extent do they differ in practice? *ISRA International Journal of Islamic Finance*, 14(2), 157–174. <https://doi.org/10.1108/ijif-01-2021-0013>
- Al-Qaradhāwī, Y. (2006). *Dirasah fī fiqh maqāṣid asy-Syari'ah (Baina al-maqāṣid al-kulliyyah wa an-nushūsh al-juz'iyyah) [A Study in the jurisprudence of the objectives of Sharia (Between the universal objectives and the particular texts)]*. Dār ash-Syurūq.
- Al-Qurtubi, A. 'Abd A. M. I. A. I. A. B. (2006). *Al-Jami' li-ahkam al-Qur'an wa al-mubayyin lima tadammanahu min al-Sunnah wa ayi al-Furqan [The Compendium of Qur'anic rulings and the clarification of what it contains from the Sunnah and the verses of the Criterion]* (A. A. I. 'Abd al-Muhsin Al-Turki & M. R. 'Ar'ir, Eds.). Mu'assasat al-Risālah.
- Al-Zurqani, M. I. 'Abd A.-B. I. Y. (2015). *Sharh al-Zurqani 'ala Muwatta' al-Imam Malik [Al-Zurqani's Commentary on the Muwatta' of Imam Malik]* (M. 'Abd al-Baqi, Ed.; Vol. 3). Dar al-Kutub al-Hadithah.
- Amir, M. R. (2023). Pandangan hukum Islam terhadap Putusan MA No. 721.K/Ag/2015 tentang Pembagian Waris Bagi Non Muslim [The view of Islamic law on Supreme Court Decision No. 721.K/Ag/2015 on the Division of Inheritance for Non-Muslims]. *Jshel*, 1(1), 1–10. <https://doi.org/10.37680/jshel.v1i1.2327>



- Amiruddin, M. M. (2022). Revealing the economic justice in the inheritance legal system in Indonesia. *Al-Risalah Jurnal Ilmu Syariah Dan Hukum*, 22(2), 142–153. <https://doi.org/10.24252/al-risalah.vi.33523>
- Anders, G. (2015). Law at its limits: Interdisciplinarity between law and anthropology. *The Journal of Legal Pluralism and Unofficial Law*, 47(3), 411–422. <https://doi.org/10.1080/07329113.2015.1110909>
- An-Na'im, A. A. (1996). *Toward an Islamic reformation: Civil liberties, human rights, and international law*. Syracuse University Press.
- Asmuni, & Mujiatun, S. (2018). Different religion heritage in scholars perspective and its implementation in Religious Courts Medan North Sumatra – Indonesia. *International Journal of Scientific and Technology Research*, 7(9), 1–5. <https://www.ijstr.org/final-print/sep2018/Different-Religion-Heritage-In-Scholars-Perspective-And-Its-Implementation-In-Religious-Courts-Medan-North-Sumatra-Indonesia.pdf>
- Aziz, A., Maksum, G., Asyari, N. A., & Huda, N. (2023). Wasiat wajibah bagi ahli waris non-muslim di Indonesia perspektif Najmuddin At-Thufi [Compulsory testament for non-Muslim heirs in Indonesia from the perspective of Najmuddin At-Thufi]. *Tasyri Journal of Islamic Law*, 2(1), 141–173. <https://doi.org/10.53038/tsyr.v2i1.72>
- Bachri, S., Roibin, R., & Ramadhita, R. (2024). Sociological dimensions of the application of Islamic inheritance in Indonesia. *Justicia Islamica*, 21(1), 63–86. <https://doi.org/10.21154/justicia.v2i1.8707>
- Banakar, R., & Travers, M. (2005). Introduction. In R. Banakar & M. Travers (Eds.), *Theory and method in socio-legal research* (pp. ix–xvi). Bloomsbury Publishing. https://www.researchgate.net/publication/228262192_Theory_and_Method_in_Socio-Legal_Research
- Banakar, R., & Travers, M. (Eds.). (2013). *Law and social theory* (2nd ed.). Hart Publishing.
- Behrouz, A. N. (2003). Transforming Islamic family law: State responsibility and the role of internal initiative. *Columbia Law Review*, 103(5), 1136–1162. <https://doi.org/10.2307/1123833>
- Bolotio, R., & Yusuf, N. (2025). Transformative Islamic education management in the revitalization of the mapalus North Minahasa Muslim community. *Nazhruna: Jurnal Pendidikan Islam*, 8(1), 214–232. <https://doi.org/10.31538/nzh.v8i1.87>
- Budiman, A., Saifullah, M., & Ulum, B. (2024). Wājibah will for Non-Muslim heirs in Indonesia: A legal political perspective based on justice and welfare. *Ijtihad Jurnal Wacana Hukum Islam Dan Kemanusiaan*, 24(2), 223–250. <https://doi.org/10.18326/ijtihad.v24i2.223-250>
- Cakal, E. (2020). Pluralism, tolerance and control: On the millet system and the question of minorities. *International Journal on Minority and Group Rights*, 27(1), 34–65. <https://doi.org/10.1163/15718115-02701004>
- Çevik, S. (2024). From empire to nation: Management of religious pluralism in the Ottoman Empire and Turkey. *Philosophy & Social Criticism*, 50(4), 597–607. <https://doi.org/10.1177/01914537241232962>
- Chevallier-Govers, C. (2010). The rule of law and legal pluralism in Malaysia. *ICR Journal*, 2(1), 90–108. <https://doi.org/10.52282/icr.v2i1.682>
- Cownie, F., & Bradney, A. (2013). Socio-legal studies: A challenge to the doctrinal approach. In D. Watkins & M. Burton (Eds.), *Research methods in law* (pp. 34–54). Routledge.
- Daud, Z. F. M., & Azahari, R. (2019). The wajibah will: Alternative wealth transition for individuals who are prevented from attaining their inheritance. *International Journal of Ethics and Systems*, 38(1), 1–19. <https://doi.org/10.1108/ijoes-09-2018-0133>

- Dupret, B., Berger, M., & Al-Zwaini, L. (1999). *Legal pluralism in the Arab World*. Brill. <https://doi.org/10.1163/9789004416628>
- Elfia, E., Surwati, S., & Bakhtiar, B. (2023). The struggle of custom and Sharia: Classic dilemma of inheritance settlement in Javanese and Minangkabau ethnic communities in Indonesia. *Al-Istinbath Jurnal Hukum Islam*, 8(1), 75–94. <https://doi.org/10.29240/jhi.v8i1.5480>
- Engineer, A. A. (1990). *Islam and liberation theology: Essays on liberative elements in Islam*. Sterling Publishers.
- Evans, R. (2015). Working with legal pluralism: Widowhood, property inheritance, and poverty alleviation in urban Senegal. *Gender & Development*, 23(1), 77–94. <https://doi.org/10.1080/13552074.2015.1013678>
- Fadhilah, N., Anam, M. M. A., & Maratus, N. F. (2024). Contestation and negotiation on interfaith inheritance in Pancasila Village. *Justicia Islamica*, 21(2), 377–400. <https://doi.org/10.21154/justicia.v21i2.9577>
- Fahimah, I., Suwarjin, S., Gusmansyah, W., Zubaedi, Z., & Jayusman, J. (2024). Interfaith inheritance in Muslim families in Indonesia: Practices, philosophy, and the direction of national inheritance law development. *AHKAM: Jurnal Ilmu Syariah*, 24(2), 379–396. <https://doi.org/10.15408/ajis.v24i2.40907>
- Fauzan, R. A., Amalia, L., & Abas, M. (2025). Wasiat wajibah dalam sistem kewarisan Islam di Indonesia: Studi kasus yurisprudensi dan implikasinya bagi ahli waris non-muslim [Wasiat wajibah in the Islamic inheritance system in Indonesia: A case study of jurisprudence and its implications for non-Muslim heirs]. *Widya Yuridika*, 8(1), 83–94. <https://doi.org/10.31328/wy.v8i1.5890>
- Gabriel, M. A. (2016). *Reforming Hudud ordinances to reconcile Islamic criminal law with international human rights law* [Doctoral thesis, University of Cape Town]. <http://hdl.handle.net/11427/23724>
- Gaitanos, G. (2022). Religious freedom and millet during the Tanzimat Reform. *Theology & Culture*, 4, 57–79. <https://doi.org/10.13140/RG.2.2.35412.07040>
- Gosukonda, V. S. (2024). The constitution and the Kadhis: Women's land ownership rights and democracy in Kenya. *Berkeley Undergraduate Journal*, 38(1), 1–14. <https://doi.org/10.5070/b3.40000>
- Hayati, R. (2020). Kebijakan Ekonomi Islam Umar Bin Khattab dalam menghadapi krisis [Umar Bin Khattab's Islamic Economic Policy in the face of crisis]. *Al-Mawarid Jurnal Syariah Dan Hukum (JSYH)*, 2(2), 41–51. <https://journal.uir.ac.id/JSYH/article/view/18551>
- Ibn Qudamah, A. M. 'Abd A. I. A. I. M. (1997). *Al-Mughni [The Comprehensive reference]* (3rd ed., Vol. 10). Dār 'Ālam al-Kutub.
- Idrus, R. H. A., Ramlah, R., Yanti, I., Mubarrak, H., & Mukhlisa, D. (2024). Flexibility of women's inheritance distribution in Jambi Malay society: Compromising Islamic and customary law. *El-Usrah Jurnal Hukum Keluarga*, 7(1), 42–61. <https://doi.org/10.22373/ujhk.v7i1.22038>
- Ilyas, I., Rani, F. A., Bahri, S., & Sufyan, S. (2023). The accommodation of customary law to Islamic law: Distribution of inheritance in Aceh from a pluralism perspectives. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 7(2), 897–919. <https://doi.org/10.22373/sjhk.v7i2.15650>
- Jamilah, P. (2021). Kebijakan fiskal Umar bin Khattab [Fiscal policy of Umar bin Khattab]. *Jurnal Islamika*, 4(1), 25–38. <https://doi.org/10.37859/jsi.v4i1.2506>



- Jura, D., Simatupang, P., & Rumbay, C. A. (2024). Embracing the emic of Minahasa celebration culture and Christian religious education. *HTS Teologiese Studies / Theological Studies*, 80(1), a9523. <https://doi.org/10.4102/hts.v80i1.9523>
- Khamidiyah, L. N., Sj, A. S., & Ayu, D. P. (2021). Kebijakan ekonomi Khalifah Umar Ibn Khatab [Economic policy of Caliph Umar Ibn Khatab]. *Indonesian Journal of Islamic Economics and Finance*, 1(1), 15–36. <https://doi.org/10.37680/ijief.v1i1.878>
- Lestari, S. N., & Wahyuningsih, S. E. (2018). The division of distributable assets to the Non-Muslim heirs based on Compilation of Islamic Law. *Jurnal Akta*, 5(2), 397–402. <https://doi.org/10.30659/akta.v5i2.3093>
- Mahmudi, Z., Zenrif, M. F., Haris, A., Mustafa, A. D., & Yasin, N. (2024). The charity values within Islamic law of inheritance in Malang: Maqāṣid al-Sharī'ah and social construction perspectives. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 8(3), 1324–1345. <https://doi.org/10.22373/sjhk.v8i3.19986>
- Marzuki, I. W. (2025). Disaster management and settlement arrangement during 1800–1945 in Minahasa, Indonesia. *Iop Conference Series Earth and Environmental Science*, 1503(1), 012025. <https://doi.org/10.1088/1755-1315/1503/1/012025>
- Matyasovszky-Németh, M., & Fábíán, Á. (2025). A pluralistic model of the responsiveness of law: The case of Hungary. In F. Gárdos-Orosz (Ed.), *The resilience of the Hungarian legal system since 2010* (Vol. 16, pp. 225–240). Springer Nature Switzerland. https://doi.org/10.1007/978-3-031-70451-2_14
- Maulidiy, F. K., Masrohatin, S., & Fathiyaturrahmah, F. (2024). Liberation Theology and Gender (Asghar Ali Engineer's Thoughts). *Indonesian Interdisciplinary Journal of Sharia Economics (IJSE)*, 7(1), 1621–1635. <https://doi.org/10.31538/ijse.v7i1.4650>
- Muhammad, H. S., & Ibrahim, M. (2023). Kompetensi pengadilan agama dalam menangani perkara warisan beda agama (Analisis Perkara 1854/Pdt.G/2013/PA.Plg) [Competence of religious courts in handling inheritance cases of different religions (Analysis of Case 1854/Pdt.G/2013/PA.Plg)]. *Mahakim Journal of Islamic Family Law*, 7(1), 67–89. <https://doi.org/10.30762/mahakim.v7i1.184>
- Muhibban, & Hasan, N. (2025). Analisis fatwa Ibnu Taimiyyah tentang warisan beda agama dan relevansinya di era modern [Analysis of Ibnu Taymiyyah's fatwa on inheritance among different religions and its relevance in the modern era]. *ALFATWA Journal of Sharia and Law*, 1(1), 14–17. <https://doi.org/10.37010/alfatwa.v1i1.16>
- Muhtarom, A., & Nugroho, Y. S. (2022). Grants as a model of inheritance prospective distribution in the coastal santri community. *Al-Ahkam*, 32(2), 169–188. <https://doi.org/10.21580/ahkam.2022.32.2.12557>
- Mujahidin, M. S. (2023). Kritik Asghar Ali Engineer terhadap teologi Islam klasik [Asghar Ali Engineer's critique of classical Islamic theology]. *Tasamuh: Jurnal Studi Islam*, 15(1), 152–171. <https://doi.org/10.47945/tasamuh.v15i1.822>
- Nasr, S. H. (2004). *The heart of Islam: Enduring values for humanity*. HarperOne.
- Nelwan, J. E. (2020). Mapalus dalam pembangunan kesehatan masyarakat Minahasa di Sulawesi Utara [Mapalus in the development of Minahasan public health in North Sulawesi]. *Sam Ratulangi Journal of Public Health*, 1(1), 23–32. <https://doi.org/10.35801/srjoph.v1i1.27275>

- Palasenda, N. F., Kamila, A. C., & Nurfuadi, F. (2025). Analysis of Maqasid Shari'ah on religious court decisions on the granting of compulsory wills to Non-Muslim heirs. *Diktum Jurnal Syariah Dan Hukum*, 23(2), 132–148. <https://doi.org/10.35905/diktum.v23i2.11577>
- Pangalila, T., & Mantiri, J. (2020). Nilai budaya masyarakat Sulawesi Utara sebagai model pendidikan toleransi [Cultural values of North Sulawesi society as a model of tolerance education]. *Jurnal Ilmiah Mimbar Demokrasi*, 20(1), 55–64. <https://doi.org/10.21009/jimd.v20i01.15924>
- Puspitasari, I., & Wahyudi, A. (2024). Asset management in Islamic inheritance: A solution for economic empowerment obstacles. *Islamic Economics Journal*, 10(1), 1–17. <https://doi.org/10.21111/iej.v10i1.11071>
- Putra, A. J. K. (2023). Revitalizing Islamic liberation theology according to Asghar Ali Engineer: Insights into human equality, gender injustice, and economic inequality. *Nasir: Jurnal Pendidikan Islam*, 1(2), 43–48. <https://doi.org/10.59698/nasir.v1i2.77>
- Refliani, R., Lestari, S. I., Hidayatullah, S., & Hidayat, F. (2024). Kebijakan fiskal zaman Abu Bakar As-Siddiq dan Umar Bin Khattab [Fiscal policy during the time of Abu Bakr As-Siddiq and Umar Bin Khattab]. *DIRHAM: Jurnal Ekonomi Islam*, 5(2), 87–95. <https://doi.org/10.53990/dirham.v5i2.282>
- Riyanta, Najib, A. M., Bahiej, A., & Falah, M. B. (2025). Toward interfaith equality in Islamic inheritance law: Discourse and renewal of judicial practice in Indonesia. *Al-Manahij Jurnal Kajian Hukum Islam*, 19(1), 1–16. <https://doi.org/10.24090/mnh.v19i1.10762>
- Rizani, A. K. (2020). Musyawarah sebagai alternatif penyelesaian sengketa waris beda agama: Avidence based solution from Indonesia [Deliberation as an alternative to resolving inheritance disputes between different religions: Evidence based solution from Indonesia]. *El-Mashlahah*, 10(2), 52–64. <https://doi.org/10.23971/maslahah.v10i2.2063>
- Rubab, I., Malik, B., Bano, S., & Lyndon, N. (2025). Issues of information literacy in South Punjab, Pakistan: An analysis of women's inheritance deprivation through the theory of manufactured consent. *Sage Open*, 15(1). <https://doi.org/10.1177/21582440251321992>
- Rumbay, C. A., Hartono, H., & Siahaya, J. (2022). Binocular vision and archaic religiosity in Minahasa. *HTS Teologiese Studies / Theological Studies*, 78(4), a7685. <https://doi.org/10.4102/hts.v78i1.7685>
- Rumkel, N., & Ode, M. T. L. (2025). Justice of inheritance rights for women in Sahu Tribe customary law: A comparative study and efforts toward harmonization. *Cepalo*, 9(1), 53–68. <https://doi.org/10.25041/cepalo.v9no1.4027>
- Rusydiana, A. S. (2021). Islamic inheritance: A sentiment analysis on 80 literatures. *Fara Id and Wealth Management*, 1(1), Article 1. <https://doi.org/10.58968/fwm.v1i1.68>
- Saiman, M. Z., & Romeyzee, M. D. F. (2024). Unclaimed money in Islamic inheritance: A case study at Amanah Raya Berhad. *Sains Insani*, 9(2), 192–202. <https://doi.org/10.33102/sainsinsani.vol9no2.648>
- Salma, S., Alwi, B. M., Hasan, F., & Karim Hammad, H. A. A. (2025). The dilemma of joint property (gono-gini) in multi-ethnic marriage communities in North Sulawesi. *Al-Istinbath: Jurnal Hukum Islam*, 10(1), 280–302. <https://doi.org/10.29240/jhi.v10i1.11802>
- Sinaga, I., Nurhayati, N., & Razali, H. A. M. (2022). Legal pluralism in the context of the distribution of women's inheritance. *Mazahibuna*, 107–131. <https://doi.org/10.24252/mh.vi.29786>
- Taufiq, A. (2018). Pemikiran Abdullah Ahmed An-Naim tentang dekontruksi syari'ah sebagai sebuah solusi [Abdullah Ahmed An-Naim's thoughts on deconstructing shari'ah as a solution]. *International Journal Ihya' Ulum al-Din*, 20(2), 145–166. <https://doi.org/10.21580/ihya.20.2.4044>



- Tuela, A. I., Palar, Y. N., & Kalintabu, H. (2023). Filosofi Sitou Timou Tumou Tou merawat manusia dalam bingkai moderasi beragama [The Sitou Timou Tumou Tou philosophy of caring for humans in the frame of religious moderation]. *Vox Dei Jurnal Teologi Dan Pastoral*, 4(2), 253–267. <https://doi.org/10.46408/vxd.v4i2.447>
- Wahyudi, M. (2021). Melacak illat hukum larangan waris beda agama [Tracing the legal illat of the prohibition of inheritance from different religions]. *Jurnal Hukum Dan Peradilan*, 10(1), 155–172. <https://doi.org/10.25216/jhp.10.1.2021.155-172>
- Yusuf, N., & Hasan, F. (2020). Pilar-pilar kerukunan beragama di Sulawesi Utara [Pillars of religious harmony in North Sulawesi]. *Gorontalo Journal of Government and Political Studies*, 3(2), 13–25. <https://doi.org/10.32662/gjgops.v3i2.1116>
- Yusuf, N., Usup, D., Tumiwa, A. J., Bilalu, N., & Isima, N. (2025). Mapalus tradition: North Sulawesi Muslim society in the maqashid Syariah discourse. *AL-IHKAM: Jurnal Hukum & Pranata Sosial*, 20(1), 63–93. <https://doi.org/10.19105/al-lhkam.v20i1.14025>