



The Level of Jealousy toward High Heritage Assets Distribution in Minangkabau

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Minangkabau is a region of Indonesia that is home to the Minang tribe. The tribe has two streams of leadership known as Datuak Perpatih nan Sabatang and Datuak Katumanggungan. The people who follow the Datuak Parpatiah nan Sabatang movements are members of the Bodi and Caniago tribes, while the people who follow the Datuak Katumanggungan movement are members of the Koto and Piliang tribes. The Minangkabau people are Muslims. In the distribution of high heritage which is a form of inheritance in Minangkabau, the prevailing regulations do not adhere to Islamic principles. In this case, there are some differing views between Minangkabau culture and Islamic ideology about inheritance. Minangkabau adheres to matrilineal understanding, which means the line of inheritance is based on the mother's tribe. Meanwhile, the prevailing of Islamic ideology adheres to a patrilineal understanding, meaning the line of inheritance based on father's tribe. These differences led to Minangese people feeling doubt and jealousy regarding the distribution of inheritance. This study aims to provide solutions to avoid social jealousy towards the distribution of inheritance. The method of data analysis used is descriptive, obtained by direct observation from the sub-tribes (clans) in the Minangkabau. This research produced indicators in maintaining the existence of Minangkabau women, because it is predominantly women who are the heir to inheritances according to her lineage, compared to men. Thus, this study can eliminate the occurrence of social jealousy between men and women in Minangkabau.

Key words: Minangkabau, *Islam, social jealousy, high inheritance, inheritance.*



Introduction

Minangkabau is one of the largest tribes in Indonesia (Fatimah, 2012), initially consisting of 4 tribes i.e. the *Bodi* and *Caniago* tribes who follow *Datuak Perpatih nan Sabatang* while *Koto* and *Piliang* follow *Datuak Katumanggungan* (Amir M.S, 2003). The tribe cannot be separated from one another. This is in accordance with the expression of *basuko-basako-bapusako-baagamo* (have the will, have customary title, have inheritance, have religion which is Islam) (Amir M.S, 2003), and imposed conditions - the determination of Minangkabau people. That is the so-called Minang custom. Minang custom is the cultural heritage of ancestors and cultural values that influence behaviour (Fukushige, Aryupong, & Phijaranakul, 2019). Cultural variables are also integrated into various levels (Habisch & Zhu, 2017). Minang customs has exceptional adaptability, allowing it to survive for centuries. Traditional Minang is divided into four levels, namely *adat sabana adat*, *adat nan diadatkan*, *adat nan teradat* and *adat istiadat* (The customs that are basically of the Qur'an, the customs that are based on the consensus that has been determined, the customs that are the habit that can be increased or reduced, and the customs are the norms which are highly dependent on the socio-economic situation of the community) (Amir M.S, 2003). The Minangkabau region includes 3 regencies which consists of Agam Regency, Limapuluh Koto Regency, Tanah Datar Regency, and coastal areas of Sumatra. Many people migrated to the east coast of Sumatera and Riau (J.F. Holleman, 1981). The Minangkabau people also spread to remote areas in Indonesia and even the world. The areas of migration cover the Malacca Strait, known as *Negeri Sembilan* (Hanif, Wahab, & Bahauddin, 2018).

Minangese people are adherents of Islam and are well-known for the philosophy of *adat basandi syara'- syara' basandi Kitabullah* (The tradition is based on religion, and religion is based on Qur'an) (Fahmi, 2013). *Syara'* is the religion of Islam which comes after the people of Minangkabau have the custom. *Kitabullah* is the *Al-Qur'an* which is the guide for the life of the Muslims (Kosasih, 2013; Philip, 2017). The Islamic elements enter into the customary of Minangkabau (Stark, 2013) in accordance with the Minang proverb of *syara' mangato adat uncleani* (Islam issued the argument and the argument was implemented in customary terms). This became the foundation of the life philosophy of the Minangkabau society (Kosasih, 2013). Therefore, custom and religion in Minangkabau have been integrated into Minangese life and cannot be separated from one another, so that it is stated that Minang must be Muslim and if there are Minangese who are not Muslim, then they are out of *Islam* and not again in the corridor of Minang Customary terms. In accordance with the proverb of Minang that is *syara' dan adat bak aur jo tabiang, sanda manyanda ka duonyo* (Salmadanis, 2003) (religion and custom as bamboo with a cliff, strongly reinforcing each other), then, Minangese people is consistence and they respectful with Muslim religion. If there is a contradiction between the custom and the religion of *Islam*, then the contrary custom must be removed or eliminated. However, the distribution of inheritance does not follow the teachings



of Islam. According to the distribution of inheritance in Islam, men get a greater share than women. In Minangkabau, women get a greater share than men. In some cases, men do not get anything (Rozalin, 2016). The boy's principle in Minangkabau does not want to bring the inheritance of his peers because it is a disgrace to him (Amir M.S, 2003). Traditionally, boys are trained to be rigid, dynamic, and independent in their lives, so they have a duty to support their children and wives, and to help nephews included in the lineage of the mother. If a boy has been expecting heritage, this is a reflection of poor character. Therefore, the distribution of inheritance often creates social jealousy, potentially dividing the community (Munir Taher, 2013).

The distribution of inheritance in Minangkabau follows the maternal lineage (-----, 2008) and self-assets apply to Islamic law (Dt.Bagindo, 2009). While, Islam and tradition are united in the life of Minangkabau people (Agustar, 2008). Therefore, it is important to understand that inheritance in Minangkabau is a unit of process. The nature and way of obtaining it and its distribution is also very different. Therefore the distribution of inheritance is grouped into three types: high inheritance, low inheritance, and personal property or individual assets (Naim, 2011). Based on the research on inheritance in Minangkabau conducted by Ovelia (2014), women get more inheritance than men, whereas in Islam men get more (Ovelia, 2014). Febrianti (2015) stated that men were able to make effort of their life while women are not, thus inheritance is more needed by women (Febrianti, 2015). Febrina (2010) conducted a study about the implementation of Islamic inheritance law and customary inheritance law in Minangkabau was not implemented in the distribution of high heritage and low inheritance (Febrina, 2010). Roswita Sitompula, A Alesyantib (2018) researched Islamic inheritance law and the influence of customary law on the settlement of inheritance in Minangkabau (Sitompula & Alesyanti, n.d.).

The principles of Islam are universal rules that must be followed by its adherents, both Minangkabau and other tribes. If the adherents of Islam do not run the rules of Islam itself, they will be blasphemies. Therefore, the distribution of inheritance that is not suitable will have an impact on subsequent family members, including children, and nieces and nephews. As a result, there will be jealousy between children and nephews that will cause a fight. This research also brings up the new idea of religious and cultural rules in implementing inheritance division. To avoid this incident, this research must be conducted as this problem has never previously been reviewed by other researchers. Therefore, social jealousy over the distribution of high heritage assets in Minangkabau can be avoided and quarrels do not occur.



Literature Review

Inheritance in Minangese Culture

Before discussing inheritance in Minangese culture, we have to understand *Sako*, *Pusako* and *Sangsoko*. *Sako* which relates to the original wealth or old property in the form of intangible rights (Munir Taher, 2013), among others, the chief of the tribe titles. *Sako* is an indigenous spirit that plays a role in the morality of the people and the preservation of Minangkabau customs. *Pusako* is a tangible wealth in the form of possessions (Munir Taher, 2013) which include forest land, farmland, ponds and fields, houses, yards, public tombs, jewelry, money, mosques, weapons and symbols of greatness. *Pusako* is a tool unifying in the family in Minangkabau because the inheritance will be passed within the mother's family. *Sangsoko* is a title given by institutions the tribe to individual because of his/her service (Munir Taher, 2013). *Sangsoko* is a great title, but not a hereditary, and can move from one person to another. *Sako* and *Pusako* is inherited for generations between uncle and nephew, while *Sangsoko* passed on to others in turn to deal *ninik* uncle of the same ethnicity and is not hereditary.

Inheritance

Inheritance is property passed from generation to generation based on the line of descent of the mother (Is Sikumbang, 2009). This inheritance consists of *Rumah Gadang* (traditional house of Minangkabau), rice fields and farms, fish ponds, graveyard and *customary lands* (lands of customary lawcommunities) (Amiruddin, 2015). According to the proverb Minangkabau that is *sacupak duo baleh kati, disukek baru digantang, nan bancah tanami padi, nan kareh jadikan ladang* (One cup of twelve pounds, measured the new bushel, soft or muddy cultivated rice, hard to make farm) (Amir M.S, 2003). The description of high heritage assets can be seen in Figure 1.

Figure 1. Inheritance, (a) *Rumah Gadang*, (b) Rice field and farm, (c) Cemetery, (d) Communal Land



(a)



(b)



(c)



(d)

The proceeds of the inheritance are used to fulfill the needs of the people based on the maternal lineage (Dodi Rulianda, 2015).

The inheritance in Minangkabau is generally divided into two, namely *pusako tinggi* (high inheritance) and *pusako randah* (low inheritance) (Fatimah, 2012). The assets also divided into four parts, namely high inheritance, low inheritance, and personal assets (Is Sikumbang, 2009). High estate is all heritage inherited generation to the nephew by the mother (Amir M.S, 2003). The real estate is not inherited from uncle to nephew, but from grandmother to mothers and to daughters.

Low inheritance assets are obtained from businesses in a family of Minangkabau people (Alfi Husni, 2016), or property income between father and mother during marriage and coupled with property given to mamak and lend to his nephews from mamak and his own (Amir M.S, 2003). This father and mother's estate is usually passed on to his children and this inheritance



is called a treasure house (Amir M.S, 2003). Potential assets can be high estate because inheritance from their parents is not divided into Islam, but the property is managed or professionally employed so that the results can be utilized or shared proportionally between their brothers and sisters (brothers and sisters).

Livelihoods are the property of the husbands and wives after marriage (Nuriz, Sukirno, & Ananingsih, 2017). The property is acquired by the owner due to the result of his own business or the giving of another person (Haron & Hanifuddin, 2012). This property belongs together between husband and wife and children. In the event of death, the property falls on the wife or husband and their children, and in the event of divorce then the property is divided between the husband and wife. The property can change its status into a high estate because one of its owners (husband or wife) dies, while this property is not divided according to the Islamic religion. This inheritance is managed by the husband or wife and it happens on a sustainable basis, then this property is potentially a high estate.

Personal properties (*harato suarang*) are assets owned by husband or wife prior to marriage (Is Sikumbang, 2009). *Harato suarang* is the treasure under the husband or wife when they are married, this property is called the right treasure (Is Sikumbang, 2009). This local property can be used by both parties (husband and wife) provided that there is an agreement between husband and wife about the use of the property. If there is a dispute resulting in divorce, then the ownership of this property returns to the respective owner and cannot be shared like any other property. This can be divided if the husband and wife have merged into a single unit of the property, so the property is jointly owned by husband and wife. The distributions of these assets are also distinguished, namely for high inheritance assets following the customary provisions and for low inheritance, personal assets and possessions following the rules of Islam (*Faraid*) (Agustar, 2008).

The system inherited in the customs of Minangkabau is Collective-Matrilineal (Winstar, 2017), meaning abandoned inheritance cannot be shared with the heir but the right of use can be omitted by the lineage of the mother. The ownership of this property collectively does not have effect if the family is in death or birth.

The high heritage property is inherited from uncle (uncle of mother lineage) to niece and the treasure cannot be shared with other people because it belongs to the people in the clan (Alfi Husni, 2016). However, low inheritance is private property and can be shared with others in accordance with the provisions that apply in Islamic teachings (Alfi Husni, 2016).

The distributions of inheritance in Minangkabau are more applicable to women than to men, because if women are divorced by their husbands, they do not have economic power (Yunus, n.d.). Inheritance trains Minang women to be independent (Hanani, 2013). Nuns are able to

take advantage of the result of high heirs but are not entitled to have it (Prasna, 2018). Women have lifelong management rights, known as *Ganggam bauntuak* (Syahrizal & Meiyenti, 2012). *Ganggam bauntuak* means management rights for life until a woman dies and then that right falls to her daughter (Syahrizal & Meiyenti, 2012). The management of the highest heirlooms are given to women in Minangkabau culture because women are the sign of deep source enlightenment (Padua, 2010). Thus, the *ganggam bauntuak* is the right to use non - property in accordance with the Minang phrase which is kabau *tagak – kubangan tingga* (Sulaiman, 2007) (the buffalo stands - abandoned abandonment). This phrase means that no one can acquire the estate forever and if he has died then the property returns to its next generation. Whereas male or headman of inheritance is authorized to protect, maintain and develop inheritance (Dodi Rulianda, 2015). It is told in the old adage that *pusek jalo pupunan ikan-tampek batanyo anak kamanakan-ka pai tampek batanyo-ka pulang tampek babarito* (Salmadani, 2003) (center nets of fishing- where to ask for nephews-if they want to travel) then discuss with mamak-if they have returned from the region then give information to mamak). Later reinforced by another adage that is *in the hands of umpamo baringin ditengah koto-daun tampek balinduang wakatu paneh-tampek bataduah diwakatu hujan-ureknyo tampek baselo-batangnyo tampek basanda* (Salmadani, 2003) (like a banyan tree in the middle *Koto-daunya* shelter during the heat-shelterin a rain-vein can be used for seat-stick can be used to lean). This means that male elders are tasked to protect, guide nephews and preserve the estate. Inheritance assets do not increase, while those who process them increase, the processing of inheritance is carried out in turns (Syahrizal & Meiyenti, 2012). Highly utilized use rights in rotation are usually delivered at *Rumah Gadang* by mothers in a community meeting (Prasna, 2018). However, in the implementation there is still a discrepancy or mistake in realizing the result of deliberation so that there is a nephew that does not get a share or turn over the use of high estate. The processing of inheritance in turns causes social jealousy because of non-compliance with the agreements that have been made or because of greed and selfishness that makes them worthless (Edition, Vyas-doorgapersad, & Auriacombe, 2019).

These inheritances must be kept from generation to generation and are not allowed to be sold. However, it is allowed in very critical conditions, such as: death, an unmarried old lady, *Rumah Gadang* is damaged and a tribal chief to be appointed (Reza. Kharima, 2013). The estate is not allowed to be sold as assets sold means the property has changed hands so they cannot be redeemed, therefore the property was already missing from the same ethnicity.

Research Methodology

The method used in this research is descriptive method. Descriptive research to obtain information about the level of social jealousy towards the distribution of high estate in Minangkabau, especially in the *Kanagarian Saruaso*. Data was obtained directly relating to

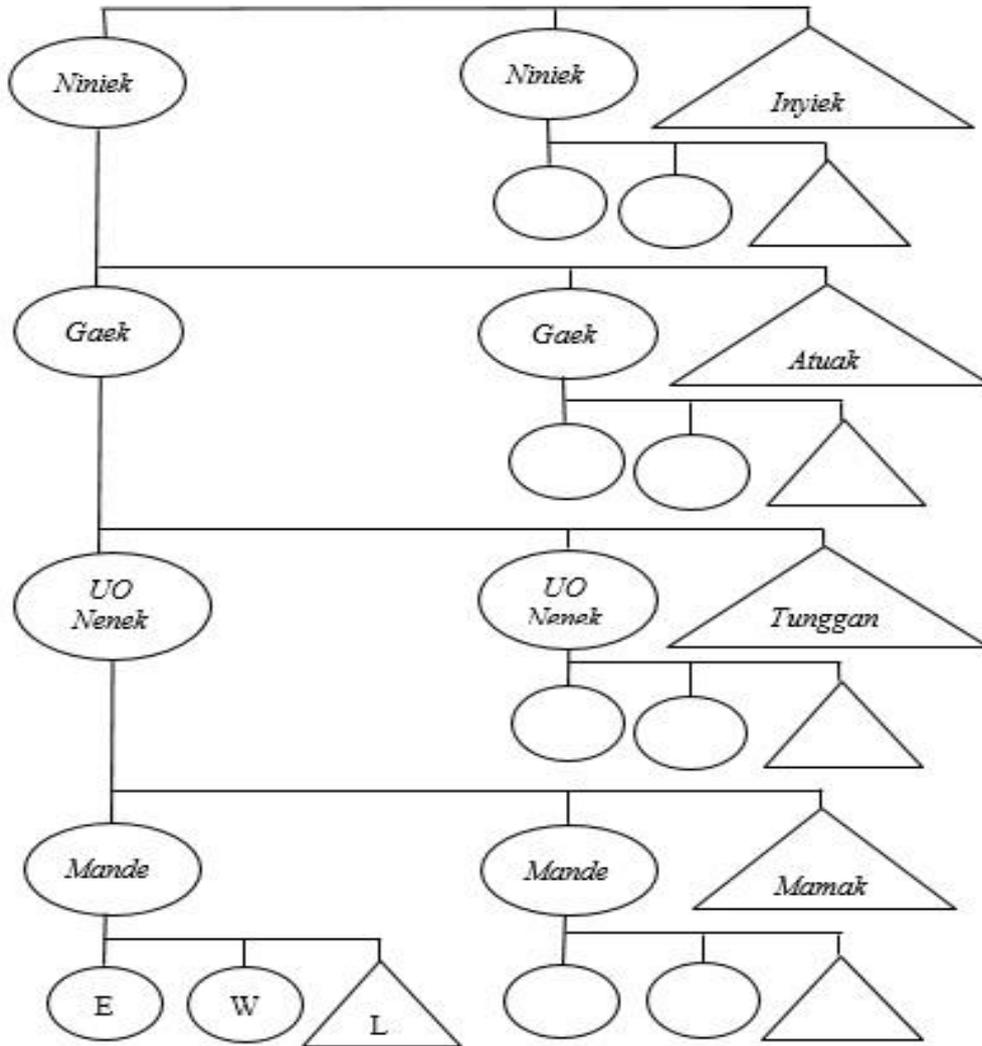


the object of research. The sample in the study was carried out in the *Ninik* Uncle and the community in *Kenagarian Saruaso, Tanah Datar* Regency, West Sumatra Province with 34 respondents.

Result

The results according to Minangkabau custom are *chapters amande* (one mother), *sanenek/jurai* (one grandmother), *sagaek/saparuik* (one womb) and *saniniek* (one tribe) (Amir M.S, 2003). *Samande* means children born by a mother. So *mande, amak, ummitier* is the name of Minang children to his mother and a thousand including the first of mother's lineage. *Saniniek* means children born of a mother and mother have some sisters born of the same mother, or a child born born from a grandmother's stomach. So, the mother of a child in Minangkabau is called *grandmother* or *Uo*. *Sanna* enters into the second level of the mother. *Sapranik* means a child born of a mother and a mother has several sisters of the same mother as well as her mother also has sisters who come from the same mother or a child born from one womb in one tribe. Therefore, *gaek* is the mother of the mother and the mother of the child. *Saparuik stage* enters the third of the mother line. *Sakaum* means a child born of a mother and a mother has several sisters of the same mother and her mother also have several sisters who come from the same mother, then the mother of this mother also has some sisters of the same mother or child born originated from a *niniek* in one tribe. So *niniek* is the mother of the mother and the mother and the mother of the child. *Sakaum stage* enters the fourth of the mother's lineage. *Niniek* is the highest level of tribal arrangement in Minangkabau. It can be seen in Figure 2.

Figure 2. Minangkabau Folklore Scheme



Description Image 2 (Amir M.S, 2003):

E : Self, **W**: Woman, **L**: Male

Mamak : mother of mother, Tungganail : brother of grandmother

Atuak's : brother Ghee, InyiekNinieik's : brother: Emphasizing Blowing

○ : Women

△ : Men

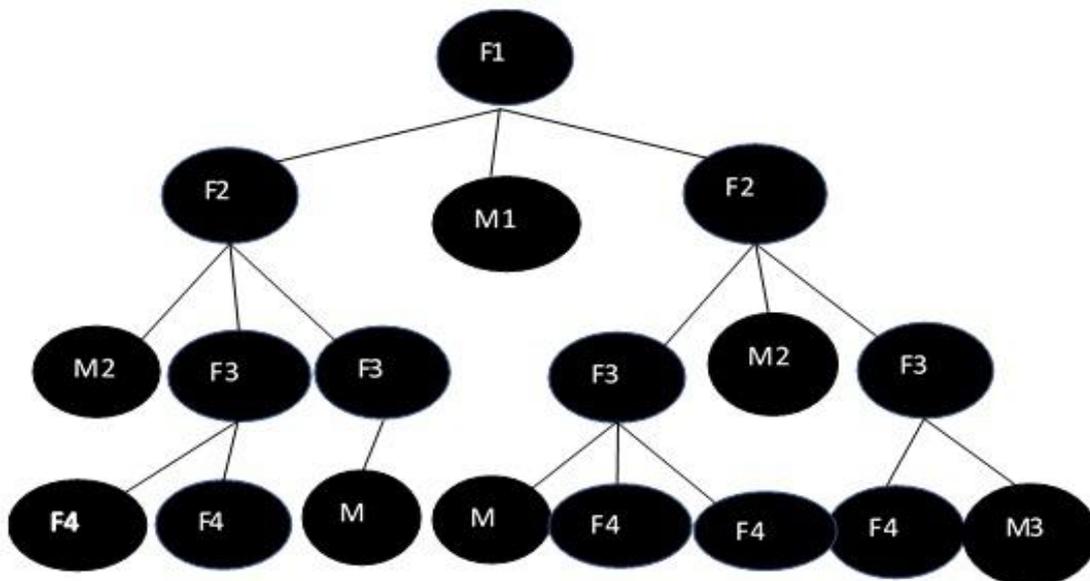
| : Descendants

┌ : Brothers Relatives

Based on the schema in Figure 2, there are four generations of *mande*, *grandmother*, *ghee* and *niniek* originating from the lineage of the mother. The acceptance of heritage property also follows the scheme in Figure 2 above which is the daughter receiving heritage from *mande*, *mande* receiving heritage from grandmother (*UO*), grandmother receiving legacy from *gaiety* and *gaek* receiving heritage from *her*.

The structures of the distribution of inheritance are 1) Tribe (group of several people), 2) Clan (group of several *jurai*), 3) *Belt* (group of several community matrilineal families), 4) *Jurai* (a collection of several nuclear families from the same mother line), 5) Core family (group of mothers and children, not including father) (Azhari, 2015). These are in the accordance with the structure and can be seen in Figure 3.

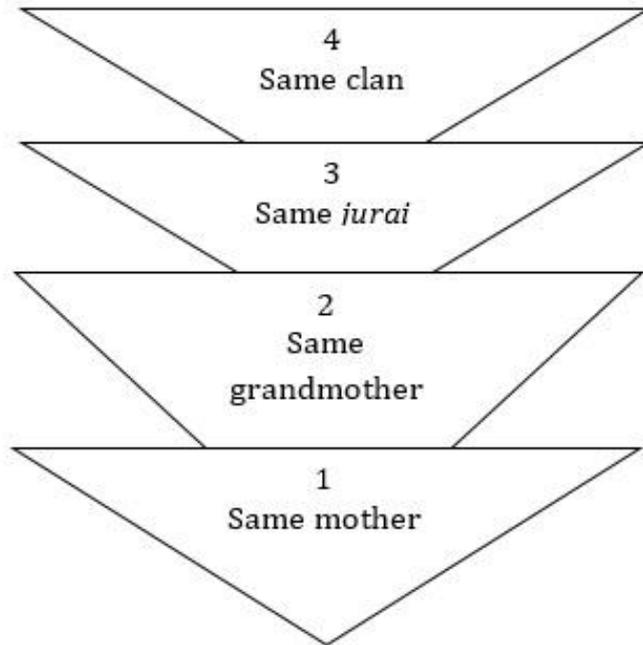
Figure 3. Structure of High Heritage Assets Processing



Distribution and processing of property inheritance based on predefined structure and starting from the smallest, so the structure of the distribution of the benefits of inheritance in Minangkabau starts from the smallest clan, namely same mother, same grandmother, same *jurai* and one clan. This can be seen in Figure 4.

Structure of High Heritage Assets Processing

Figure 4. Distribution Structure of Heritage Assets



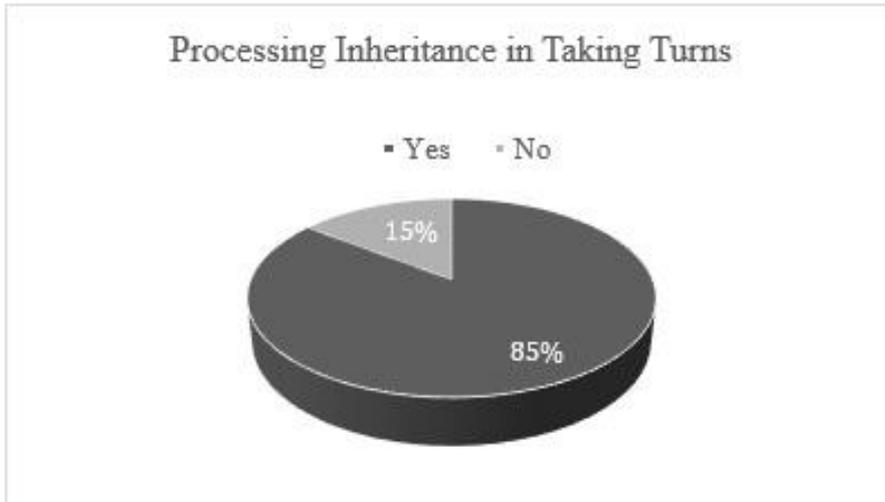
If the clan is too large, the distribution of benefits from inheritance is limited to the existing *jurai* (Reza. Kharima, 2013).

Discussion

Processing inheritance in taking turns

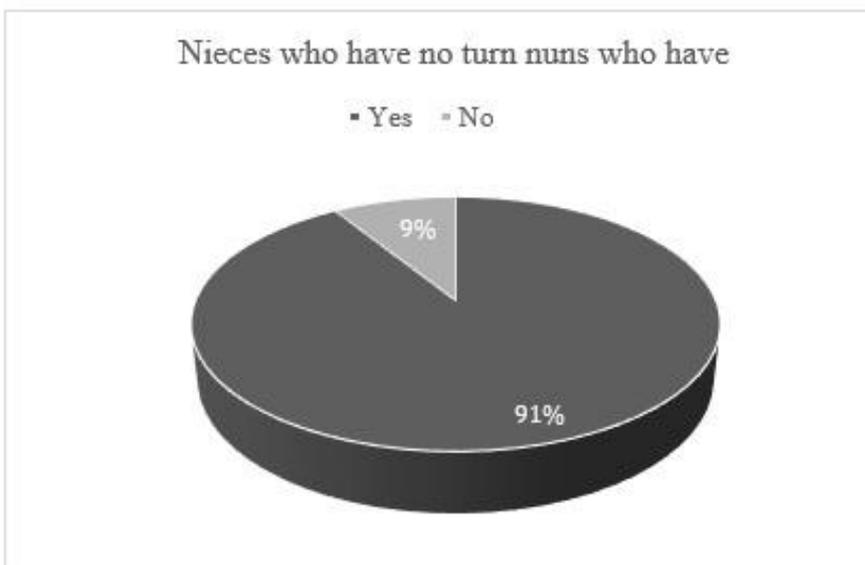
The legacy belonging to the high estate has been distributed to the nephew, so the benefits of the proceeds derived from the heritage property can be a source of family economy. The provisions for the management of heritage property in Kenagarian Saruaso, Tanah Datar Regency have been implemented in rotation. It can be proved, according to the results of the questionnaire responded by respondents that is 85% answered, that the management of heritage property is dispensed. See in Figure 5.

Figure 5. Processing inheritance in taking turns



Based on the results of the questionnaire in Figure 5 that the heirs of the heirs have carried out their duties. This streamlines the processing or cultivation of high estate, so that the results can prosper the life of the nephew which is in the lineage of the mother. There is still a confusion when it is taken turn, so there are still members of the who do not get a turn. It can be seen from the respondent's answer, that 91% answered that they did not get a turn. See Figure 6.

Figure 6. Nieces who have no turn nuns who have



Based on the data in Figure 6 above, there are still some who have not got a turn to cultivate heritage property from their peoples. In this case the head of the heirs has determined that the

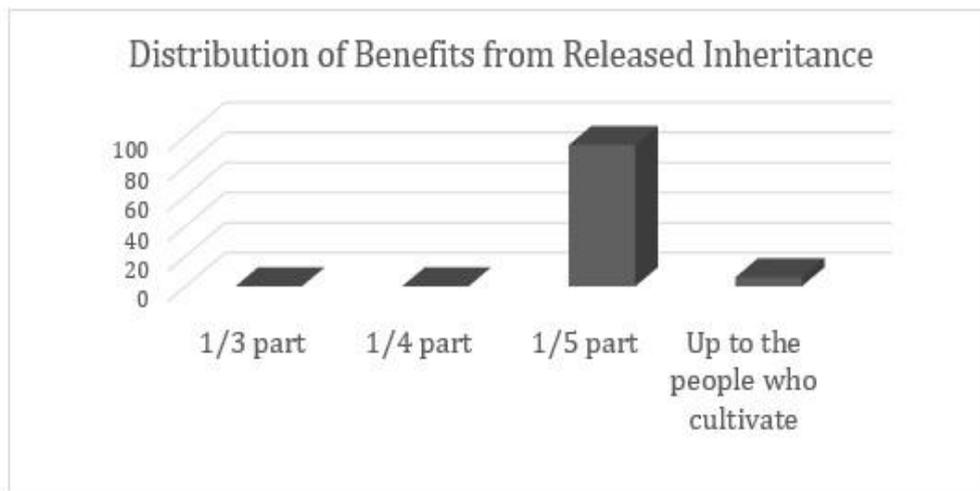
management of heritage property is in rotation. The reality is far different from the expectation. On the one hand is already on the line and on the other hand there is still a nephew who does not get a turn. It means that, in reality, there is still confusion in the implementation of inheritance management that is set by rotation. The mistake was caused by the non-compliance of the nephews to the prescribed provisions, or the heirs of the heirs who do not control the outcome of the agreed agreement, or the heirs of the heirs are favorable to the nephew, so that there are between the abandoned or not included in the deliberation of the processing of the estate processing turn. If this is left without being evaluated by *Ninik* Uncle or the *Penghulu* of his people then this will trigger a quarrel, potentially resulting in fighting and killing. Therefore, all custom tools ranging from *penghulu* or *ninik* uncle to the heirs of the heirs always carry out their duties and responsibilities well, so the estate is preserved, nourished, and guided to the right path. This is in line with the Minangkabau proverb which is the *manuruik alua nan lurui, mananpuah jalan nan pasa, mamaliharo harato pusako dan mamaliharo anak dan kamanakan* (Penghulu, 1994) (following the rules set by the religion and custom, the implementation of the provisions, the maintenance of the estate, and nurturing the child and nephew). It is reinforced by the customary law that is *kalau sumbiang dititik, patah ditimpa, hilang dicari, tabanam disalami, anyuik dipinteh, talamun dikakeh, kurang ditukuak, rusak dibaiki* (Penghulu, 1994) (if chipped patched or repaired defective, if the fracture is wrapped or rolled over, if compensation sought den, if a sunset dive, if the drift is preceded or pursued so that water does not bring any further, if buried cleaned objects hoarding it, if there is a deficiency then added to the same size, if damaged repaired damage). If all the parties in *Kenagarian Saruaso* understand and carry out their duties and responsibilities, then there will be no problems in the next generation, so families will feel the comfort and well-being of living in the community.

Distribution of Benefits of High Inheritance

The yields from high estate benefits is given to those who manage the oldest mother or woman in their respective ages. This outcome is used for the needs of his family and is also used for the management of matters relating to his or her race and family, such as *maantaan utang* (paying debt). The *maantaan utang* means that if one of his folks died then the treasurer managed to charge him for the maintenance of the high heirloom processing stored at *Rumah Gadang*. Cultivating the land also gets a share of the proceeds of the inheritance he cultivated. The percentage of revenue sharing is agreed before the estate is processed because of the large or small share of the revenue is heavily influenced by the person who provided the initial capital, the maintenance costs and the costs used during the harvest. The comparisons set in the division of the processing business are 4:1 part or 1:4 parts. The division 4:1 means that the person working or who works gets 4/5 part and the person who manages gets 1/5 part. That is because the people who work on the land finance it entirely from initial capital, maintenance costs to harvest and harvest costs. Whereas the person

managing the estate only accepts the agreed outcome of 1/5 part. Likewise, the division of 1:4 is that if the person who works is only relying on the power alone and he does not provide the initial capital, does not provide the maintenance cost and does not provide the cost during harvest then he earns 1/5 part. Whereas managing gets 4/5 part because he pays all costs used for land use from initial capital, maintenance costs and costs required during harvest. This can be seen in Figure 7.

Figure 7. Distribution of Benefits from Released Inheritance



Distribution of benefits from inheritance has been carried out at Saruaso Village, Tanjung Emas District, West Sumatra Province. This is proved by the questionnaire that has been carried out to 34 respondents with the results of 94% answering the distribution of benefits resulting from inheritance of 1/5 part. Based on the data in Figure 7 above, the sharing of benefits or yields from the estate is given as much as 1/5 part. That means 1/5 part is given to the person who manages the estate and 4/5 part is given to the person employed by the estate. This is because all land processing costs are financed by the person who works and the manager only accepts *baki* (tray) (the results given by the person working on the land to the land owner when the harvest is finished). Based on the results of the questionnaire in Figure 6, it is concluded that the processed products from inheritance can be used by those who process and manage, so that the results become an economic source by both parties.

Conclusion

Women in Minangkabau get the trust to manage the inheritance. This is an indicator of preserving the role of women in the Minangkabau. While monitoring and safeguarding the inheritance would be authorized to men in the clan. By that, social jealousy does not occur.



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