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Baduy Legal Culture in Customary Inheritance Dispute Resolution Based on Pancasila Citizenship Values

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ABSTRACT

The Baduy indigenous community maintains a traditional inheritance legal system that continues to function effectively amid legal pluralism and social change in Indonesia. However, studies linking the resolution of traditional inheritance disputes to the civic values of Pancasila remain limited. This study aims to analyze the Baduy community's legal culture in resolving traditional inheritance disputes and to examine the manifestations of Pancasila's civic values embedded within it. The research employs a qualitative case study method conducted in Kanekes Village, Lebak Regency, Banten Province. Data were collected through semi-structured interviews, documentation, and literature review, involving the Head of Kanekes Village (Jaro Pamarentah), traditional leaders, and members of the Baduy community selected through purposive sampling. Data analysis was conducted using the Grounded Theory technique through the stages of open coding, axial coding, and selective coding. The research findings indicate that inheritance distribution is based on a process that involves the stages of open, axial family deliberation, mutual agreement, and consideration of the heirs' needs and responsibilities. Disputes are resolved through non-litigation mechanisms involving traditional leaders and the Jaro as mediators to restore family harmony. These practices reflect the civic values of Pancasila, particularly deliberation to reach consensus, social justice, social responsibility, and harmony. This research contributes to the development of studies on legal culture, customary law, and Pancasila and Citizenship Education by demonstrating the relevance of local wisdom in building a peaceful, just, community-based model of dispute resolution.

ARTICLE INFORMATION

Keywords:
customary inheritance law; dispute resolution; legal culture; Pancasila citizenship; the Baduy community

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INTRODUCTION

Indigenous customary law continues to play a significant role in maintaining social order, resolving disputes, and preserving cultural identity in multicultural societies. Despite its constitutional recognition and continuing relevance, indigenous customary law faces increasing practical challenges arising from the interaction between traditional legal institutions and formal state legal systems within the context of legal pluralism. These developments raise important questions about the sustainability, legitimacy, and contemporary relevance of customary dispute-resolution mechanisms in maintaining social harmony while responding to changing social conditions. Existing scholarship has extensively examined customary law, indigenous inheritance systems, and dispute resolution mechanisms. However, previous studies have predominantly emphasized normative legal aspects, inheritance practices, or restorative justice approaches, providing only limited explanation of

how customary dispute resolution contributes to the formation of legal culture and the embodiment of citizenship values within indigenous communities. Consequently, significant theoretical and practical gaps remain concerning the relationship between customary inheritance dispute resolution, legal culture, and Pancasila citizenship values, indicating the need for a more integrative analytical perspective (Kasmawati, 2021; Fadli et al., 2024; Guspita & Sibawaihi, 2023; Kristanto et al., 2023; Murdiana et al., 2021; Rahman et al., 2016; Sabardi, 2026; Tuhuteru, 2025; Yulia et al., 2023).

Indonesia is a country characterized by ethnic, cultural, linguistic, and value system diversity that has evolved within its society. This diversity has given rise to various legal systems that coexist, ranging from state law and religious law to customary law, which has developed based on the traditions and local wisdom of each community. In Indonesian society, customary law continues to play a vital role in regulating social relations, resolving conflicts, and maintaining social order (Kristanto et al., 2023; Tuhuteru, 2025). The existence of customary law has even received constitutional recognition through Article 18B (2) of the 1945 Constitution of the Republic of Indonesia, which affirms that the state recognizes and respects customary law communities and their traditional rights as long as they remain in force and are consistent with societal development and the principles of the Unitary State of the Republic of Indonesia (Rahman et al., 2016; Sabardi, 2026).

One indigenous community that continues to uphold its traditional legal system strongly is the Baduy community in Kanekes Village, Leuwidamar Subdistrict, Lebak Regency, Banten Province. The Baduy are known as an indigenous community that preserves ancestral traditions through adherence to the Pikukuh Adat, which serves as the primary guide for social, cultural, economic, and legal life. Customary norms govern various aspects of Baduy society, passed down through generations, including resource management, social relations, marriage, inheritance, and dispute resolution. This high level of adherence to customary law demonstrates that the values embedded within the community retain strong social legitimacy and are an integral part of the Baduy people's collective identity (Murdiana et al., 2021).

In indigenous communities, inheritance is not merely understood as the transfer of material assets from one generation to the next, but is also closely associated with the continuity of kinship ties, social responsibility, and the preservation of cultural values. Consequently, inheritance systems play a crucial role in maintaining social stability and strengthening community cohesion (Anantha et al., 2023). A poorly managed inheritance distribution process can trigger conflicts among family members and disrupt community harmony. Conversely, an inheritance system grounded in mutually agreed-upon values can strengthen social solidarity and maintain balanced relationships among family members (Syafi'i et al., 2025). In this context, the Baduy community has developed a distinctive inheritance mechanism rooted in the principles of consensus-building, kinship, and respect for prevailing customary norms (Kasmawati, 2021).

The inheritance system in Baduy society is fundamentally based on customary norms transmitted across generations as an integral part of the community's cultural heritage. Inherited property generally consists of houses, gardens, farmland, and other family assets that possess both economic and social value for the continuity of family life. Unlike formal inheritance systems that rely primarily on codified legal provisions, the Baduy community prioritizes family deliberation in determining inheritance distribution. This deliberative process takes into account the family's circumstances, the needs of individual heirs, and the responsibilities of each family member, thereby ensuring that the final decision is collectively accepted and contributes to the preservation of family harmony (Maharani et al., 2024).

Although the Baduy customary inheritance system emphasizes kinship, consensus, and mutual agreement, inheritance disputes may still arise because of differing interpretations of inheritance rights, perceptions of unequal distribution, or competing claims among family members. Rather than

resolving such disputes through formal judicial institutions, the Baduy community prioritizes customary deliberation as the primary mechanism for dispute resolution. When consensus cannot be reached within the family, traditional leaders and the Jaro serve as mediators to facilitate dialogue and help the disputing parties reach a mutually acceptable agreement. This dispute resolution mechanism reflects a restorative orientation that prioritizes repairing social relationships, fostering communal harmony, and promoting collective responsibility rather than determining winners and losers through adversarial legal processes (Yulia et al., 2023).

The continuity of customary inheritance dispute resolution within the Baduy community provides an important context for understanding how indigenous legal systems remain effective despite the expansion of national law and the pressures of social modernization. Although younger generations of the Baduy community are increasingly familiar with the formal legal system, customary law remains the primary means of resolving disputes within the community. This situation demonstrates that customary law operates not merely as a collection of traditional norms but also as a social institution capable of maintaining order, harmony, and community stability. Consequently, examining the legal culture underlying the Baduy community's inheritance dispute resolution is essential for understanding how customary values continue to shape effective, legitimate, and sustainable mechanisms of conflict resolution in contemporary Indonesian society (Sodikin & Maranjaya, 2025).

To analyze the practice of resolving inheritance disputes within the Baduy community, this study adopts the concept of legal culture proposed by Friedman (2019). According to Friedman, the effectiveness of a legal system is determined not only by its legal structure and legal substance but also by the legal culture that develops within society. Legal culture encompasses the values, attitudes, perceptions, and patterns of behavior that influence how individuals understand, accept, and comply with legal norms. Within the Baduy community, legal culture is reflected in the strong adherence to the Pikukuh Adat, respect for the authority of customary leaders, and the preference for resolving disputes through deliberation rather than formal litigation (Murdiana et al., 2021). These characteristics indicate that the sustainability of customary law depends not only on the existence of customary rules but also on the successful internalization of customary values in community members' daily lives.

This study also adopts the living law perspective introduced by Ehrlich (2002), which argues that the law that genuinely governs society is the law practiced and observed in everyday life. From this perspective, the existence of Baduy customary law represents a form of living law, as customary norms governing inheritance and dispute resolution are consistently implemented and enjoy strong social legitimacy within the community. Although national law regulates various aspects of citizens' lives, the Baduy community continues to rely primarily on customary law to resolve internal disputes. This demonstrates that customary law remains socially effective, strengthens community cohesion, and functions as a living normative system capable of regulating relationships among community members (Murdiana et al., 2021; Rifal, 2025).

In addition to the perspectives of legal culture and living law, this study is examined through the lens of Pancasila Citizenship. The values reflected in the Baduy community's inheritance dispute-resolution practices are closely associated with the principles embodied in Pancasila, particularly the fourth principle, which concerns deliberative democracy, and the fifth, which concerns social justice. Deliberation serves as the primary mechanism for achieving consensus, while the pursuit of inheritance distribution acceptable to all parties reflects the implementation of social justice. Furthermore, mutual respect, social harmony, collective responsibility, and peaceful conflict resolution represent civic values that continue to flourish within indigenous communities (Salima et al., 2021; Yulia et al., 2023). Accordingly, examining the legal culture of the Baduy community extends

beyond the study of customary law by providing a broader understanding of how indigenous legal practices contribute to the implementation of Pancasila citizenship values within Indonesian society.

Previous studies have consistently demonstrated that the Baduy community's inheritance system remains firmly rooted in customary norms and continues to function as an important institution for maintaining kinship relationships and preserving social cohesion. Kasmawati (2021) found that inheritance practices among the Muslim Baduy community are strongly influenced by customary norms, while Maharani et al. (2024) emphasized that the principles of kinship, deliberation, and adherence to customary provisions guide inheritance distribution. Similarly, Guspita and Sibawaihi (2023) examined the interaction between customary and Islamic legal norms in Baduy inheritance practices, demonstrating that both legal systems coexist in regulating inheritance matters. Although these studies provide valuable insights into the characteristics and normative foundations of Baduy inheritance practices, they primarily focus on describing inheritance systems and the interaction between customary and religious law. Consequently, they provide only limited discussion of how inheritance dispute resolution reflects the operation of legal culture or how customary inheritance practices embody the civic values of Pancasila. This indicates that the relationship among customary inheritance practices, legal culture, and citizenship values remains underexplored in the existing literature.

Research on dispute resolution within the Baduy community has likewise confirmed the continuing importance of customary institutions in maintaining social harmony. Yulia et al. (2023) explained that the Baduy community prioritizes restorative justice through customary mechanisms that aim to restore social relationships disrupted by conflict. Likewise, Fadli et al. (2024) demonstrated that community-based dispute-resolution mechanisms significantly expand access to justice and maintain peace within indigenous communities. Murdiana et al. (2021) further highlighted the Baduy community's high level of legal awareness regarding the Pikukuh Adat, which serves as the principal guideline for social life. Nevertheless, these studies predominantly examine dispute resolution from legal, sociological, or restorative justice perspectives. They have paid relatively little attention to explaining how customary dispute resolution simultaneously represents the operation of legal culture and the implementation of Pancasila citizenship values. As a result, the civic dimension of customary inheritance dispute resolution remains theoretically underdeveloped and requires further scholarly investigation.

Although previous studies have examined Baduy customary law, inheritance systems, legal awareness, and dispute resolution, several important gaps remain. First, existing studies largely analyze customary inheritance from legal, sociological, or religious perspectives, while the role of legal culture in shaping inheritance dispute resolution has received limited scholarly attention. Second, little research has examined how customary inheritance dispute resolution functions as an embodiment of Pancasila citizenship values, particularly deliberation, social justice, mutual responsibility, and social harmony. Third, previous scholarship has generally investigated these issues separately and has not integrated the perspectives of legal culture, living law, and Pancasila Citizenship into a single analytical framework. Addressing these theoretical and practical gaps, this study offers a novel perspective by integrating these three complementary approaches to explain how the Baduy community resolves customary inheritance disputes while simultaneously preserving legal legitimacy, social cohesion, and civic values. This integrative approach is expected to enrich the development of studies on customary law, legal culture, and Pancasila Citizenship Education while providing practical insights into strengthening culturally rooted models of community-based dispute resolution. Based on the above discussion, this study aims to analyze the legal culture of the Baduy community in resolving customary inheritance disputes and to examine the Pancasila citizenship values reflected in these dispute resolution practices. The findings are expected to advance theoretical

studies on legal culture, customary law, living law, and Pancasila Citizenship Education, while also providing practical contributions to efforts to preserve local wisdom and strengthen culturally grounded approaches to civic character development and legal development in Indonesia.

METHOD

This study employed a qualitative case study design. The qualitative approach was selected because the study sought to obtain an in-depth understanding of the Baduy community's legal culture in resolving customary inheritance disputes and to explore the Pancasila citizenship values reflected in these practices. The case study design was considered appropriate because the research focused on an indigenous community with distinctive social, cultural, and legal characteristics, allowing a comprehensive examination of the phenomenon within its real-life context (Creswell & Poth, 2017; Yin, 2017). The study was conducted in Kanekes Village, Leuwidamar Subdistrict, Lebak Regency, Banten Province, which constitutes the traditional territory of the Baduy indigenous community.

Research participants were selected using purposive sampling, which involves choosing individuals based on their knowledge, experience, and direct involvement in the phenomenon under investigation (Sugiyono, 2026). The selection criteria included: 1) possessing knowledge of Baduy customary inheritance practices; 2) having direct experience related to inheritance distribution or inheritance dispute resolution; and 3) being recognized within the community as individuals who understand customary norms and traditions. Based on these criteria, eight informants participated in the study. Two served as key informants, namely Jaro Oom, the Head of Kanekes Village (Jaro Pamarentah), and Kang Sarpin, a Baduy traditional leader. Six additional Baduy community members—Sukri, Dewi, Sartom, Sardi, Sagimin, and Suwarti—participated as supporting informants. The inclusion of participants from different social roles was intended to provide diverse perspectives and facilitate a comprehensive understanding of the Baduy community's legal culture in resolving customary inheritance disputes. The details of research informants are presented in Table 1.

Table 1. Research Informants

Informant Name	Position
Jaro Oom	Head of Kanekes Village (*Jaro Pamarentah*)
Kang Sarpin	Baduy Traditional Leader
Sukri	Baduy Community Member
Dewi	Baduy Community Member
Sartom	Baduy Community Member
Sardi	Baduy Community Member
Sagimin	Baduy Community Member
Suwarti	Baduy Community Member

Fieldwork was conducted in June 2026 in Kanekes Village. Data were collected through in-depth semi-structured interviews, documentation, and literature review. All eight selected informants participated in face-to-face interviews, with each interview lasting approximately 45 minutes. The interview protocol was developed in accordance with the research objectives and explored inheritance distribution practices, categories of heirs, the position of men and women in inheritance, mechanisms for resolving inheritance disputes, and the role of traditional leaders in maintaining family harmony. The semi-structured interview format enabled participants to describe their experiences, perceptions, and customary legal practices in detail while allowing the researcher to probe emerging issues during the conversation (Moleong, 2021). Documentation was used to complement interview findings through field notes, records of research activities, and supporting

documents relevant to the Baduy customary legal system. In addition, a literature review was conducted by examining books, scientific articles, previous studies, and legal regulations related to customary law, legal culture, and Pancasila citizenship. Data collection continued until no substantially new information emerged from the interviews, indicating that thematic data saturation had been achieved. The primary research instrument was the researcher, who served as a human instrument, directly collecting, interpreting, and analyzing the research data (Creswell & Poth, 2017).

Supporting instruments included an interview guide, field notebooks, writing materials, an audio recorder, and a computer used for data storage and organization. These instruments facilitated accurate documentation and systematic analysis of the collected data. Prior to data collection, all participants received an explanation of the study's objectives, the voluntary nature of their participation, and the intended academic use of the collected information. All informants voluntarily agreed to participate before the interviews were conducted. Throughout the research process, the researcher respected the cultural values, customs, and traditions of the Baduy community and maintained the confidentiality and integrity of the information provided by participants.

The data were analyzed using thematic analysis following the procedures proposed by Braun & Clarke (2006, 2021). The analysis began with data familiarization through repeated reading of interview transcripts, field notes, and documentation to obtain an overall understanding of the data. The researcher subsequently generated initial codes by identifying meaningful statements related to inheritance practices, customary dispute resolution, legal culture, and Pancasila citizenship values. Similar codes were then organized into broader categories before being developed into overarching themes that represented recurring patterns across the dataset. The themes were continuously reviewed and refined to ensure their coherence, internal consistency, and relevance to the research objectives. Finally, the themes were interpreted by integrating concepts of legal culture, living law, and Pancasila citizenship to explain the Baduy community's legal culture in resolving customary inheritance disputes. Throughout the analytical process, data organization, condensation, and interpretation followed the interactive qualitative analysis procedures proposed by Miles et al. (2014). Examples of the coding process are shown in Table 2.

Table 2. Example of the Coding Process

Initial Codes	Categories	Final Themes
Family deliberation	Consensus-based decision making	Customary inheritance dispute resolution
Mediation by *Jaro*	Traditional leadership	Legal culture in dispute resolution
Compliance with *Pikukuh Adat*	Adherence to customary norms	Living law in the Baduy community
Respect for heirs' rights	Fair inheritance distribution	Pancasila citizenship values
Maintaining family harmony	Restorative conflict resolution	Social harmony through customary law

To ensure the trustworthiness of the findings, this study employed source triangulation and methodological triangulation. Source triangulation was conducted by comparing information obtained from Jaro Oom, Kang Sarpin, and the six supporting informants. Methodological triangulation involved comparing evidence derived from interviews, documentation, field notes, and the literature review. Interview findings were continuously cross-checked with documentary evidence and field observations to verify data consistency and strengthen interpretive accuracy. Formal member checking and peer debriefing were not conducted. Nevertheless, credibility was enhanced through prolonged fieldwork engagement, systematic documentation of the research process, iterative

thematic analysis, and triangulation across multiple data sources and methods. The quality of the findings was evaluated based on the criteria of credibility, dependability, confirmability, and transferability proposed by Lincoln and Guba (1985). These procedures were intended to ensure that the findings accurately represented the legal culture of the Baduy community in resolving customary inheritance disputes as an expression of Pancasila citizenship values.

RESULTS AND DISCUSSION

Research findings indicate that the Baduy community's customary inheritance system has been continuously preserved across generations and remains the principal framework governing inheritance practices within the community. Inheritance is understood not merely as the transfer of material assets but also as a social institution that safeguards kinship continuity, strengthens family solidarity, and maintains social harmony. Inherited property generally consists of houses, gardens, cultivated land, and other family assets that possess both economic value and symbolic meaning because they represent the continuity of ancestral heritage and family identity. Rather than emphasizing rigid legal entitlement, the Baduy inheritance system prioritizes collective consensus and social balance, reflecting the community's broader commitment to preserving harmonious social relations. Characteristics of the customary inheritance system of the Baduy community are detailed in Table 3.

Table 3. Characteristics of the Customary Inheritance System of the Baduy Community

Aspect	Research Findings
Basis for Inheritance Distribution	Family deliberation and customary provisions
Types of Inherited Property	Houses, gardens, cultivated land, and family assets
Primary Heirs	Children and the surviving spouse
Substitute Heirs	Siblings or close relatives in the absence of descendants
Status of Male and Female Heirs	Men and women have equal inheritance rights.
Basis for Determining Inheritance Shares	Needs, responsibilities, and family consensus
Primary Objective of Inheritance Distribution	Preserving family harmony and social cohesion

The interview findings consistently demonstrate that family deliberation constitutes the primary mechanism for determining the distribution of inheritance. Jaro Oom explained that inheritance is distributed through family consultation, in accordance with customary rules transmitted across generations.

> *"In Baduy society, the distribution of inheritance is carried out through family deliberation and in accordance with customary rules that have been passed down through generations. Inherited assets typically include houses, farmland, gardens, or the proceeds of family businesses. The distribution is carried out with due consideration for fairness and the needs of each family member."* (Jaro Oom, interview, 2026)

This explanation was reinforced by Kang Sarpin, who emphasized that inheritance decisions are reached through collective family agreement, while taking into account each heir's needs and responsibilities.

> *"The distribution of an inheritance is usually decided through family consultation. The inherited assets typically consist of houses, gardens, and farmland. The distribution is carried out fairly, based on the family's needs and mutual agreement."* (Kang Sarpin, interview, 2026)

The findings further reveal that biological children and the surviving spouse are recognized as the principal heirs. In situations where no descendants exist, inheritance may be transferred to siblings or other close relatives based on collective family agreement. As explained by Jaro Oom:

> *"The primary heirs are the biological children and the surviving spouse. If a person has no children, the inheritance may be passed on to close family members such as biological siblings or other blood relatives."* (Jaro Oom, interview, 2026)

Regarding gender, the Baduy customary inheritance system does not grant inheritance rights solely based on gender. Instead, inheritance allocation is determined by considering each heir's responsibilities, economic circumstances, and family needs. Kang Sarpin explained:

> *"Culturally speaking, there are no significant differences. Both sons and daughters receive a share, but the distribution takes into account each person's responsibilities and needs."* (Kang Sarpin, interview, 2026)

This perspective is consistent with Suwarti's statement that women possess inheritance rights equal to those of men, provided that the distribution is collectively accepted through family deliberation. These findings demonstrate that the Baduy customary inheritance system embodies a concept of substantive justice, in which fairness is evaluated by social responsibility, family needs, and collective acceptance rather than by fixed mathematical proportions. Consequently, inheritance serves not merely as a legal mechanism for transferring property but also as a cultural institution for preserving social equilibrium and preventing future conflict among family members. The emphasis on consensus-based decision-making illustrates that justice within the Baduy community is socially negotiated and culturally legitimized rather than determined exclusively by formal legal rules.

From the perspective of Ehrlich's (2002) concept of living law, these practices illustrate that customary inheritance norms continue to function as living law because they are consistently practiced, socially accepted, and regarded by community members as the most legitimate means of regulating inheritance relations. The authority of these norms does not derive primarily from statutory recognition but from their continuous implementation in everyday social life. This finding confirms that customary law remains an effective normative system capable of regulating social relationships within indigenous communities despite the coexistence of national legal institutions. Similar observations have been reported in recent studies on indigenous legal systems, which argue that the effectiveness of customary law is sustained through collective legitimacy, social acceptance, and the continuous reproduction of customary norms within everyday community life rather than through formal legal codification (Anggraeni, 2023; Diala, 2024).

The findings also reinforce previous empirical studies while extending their analytical scope. Kasmawati (2021) demonstrated that inheritance practices among the Muslim Baduy community remain strongly influenced by customary norms, whereas Maharani et al. (2024) concluded that inheritance distribution is fundamentally based on kinship, deliberation, and customary values. Comparable findings have also been reported in other customary communities, where inheritance distribution emphasizes family consensus, social responsibility, and the preservation of communal harmony rather than rigid legal entitlement (Al Idrus et al., 2024; Ismail et al., 2024). The present

study corroborates these findings by confirming that deliberation continues to constitute the principal mechanism of inheritance distribution. However, unlike previous studies, which primarily described the characteristics of the inheritance system or examined the interaction between customary and religious inheritance law, this study demonstrates that family deliberation functions as a manifestation of legal culture through which customary norms are continuously reproduced, social legitimacy is maintained, and collective acceptance of inheritance decisions is achieved.

These findings therefore extend existing scholarship by showing that the Baduy customary inheritance system should not be understood solely as a traditional inheritance mechanism but also as a cultural process through which legal values, social cohesion, and indigenous identity are continuously sustained. This interpretation aligns with recent comparative studies that emphasize that indigenous legal institutions remain adaptive and resilient because their legitimacy derives from shared cultural values, collective participation, and community recognition rather than from formal state authority (Diala, 2024). In this regard, inheritance distribution represents an important expression of the interaction between customary law, legal culture, and living law, thereby providing a broader explanation of how indigenous legal institutions maintain their legitimacy and effectiveness within contemporary Indonesian society.

The findings indicate that the Baduy community consistently prioritizes customary, non-litigious mechanisms in resolving inheritance disputes. Rather than relying on formal judicial institutions, disputes are addressed through family deliberation followed, when necessary, by mediation facilitated by traditional leaders (Jaro) and customary authorities. Within the Baduy community, inheritance disputes are not merely disagreements over property ownership but social conflicts that may threaten family cohesion and community harmony. Consequently, dispute resolution is primarily directed toward restoring interpersonal relationships and preserving social balance rather than determining legal winners and losers. The details are presented in Table 4.

Table 4. Mechanisms for Resolving Customary Inheritance Disputes Among the Baduy People

Resolution Stage	Involved Parties	Objective
Family Deliberation	Heirs and immediate family members	To reach a mutual agreement
Customary Mediation	Traditional leaders and the Jaro	To facilitate mediation and provide customary guidance
Verification of Family Relationships	Extended family members and the customary community	To verify the legitimacy of inheritance rights
Decision-Making	All relevant parties	To restore family harmony
Implementation of the Agreement	Heirs	To maintain social harmony and prevent further conflicts

Interview data demonstrate that family deliberation constitutes the first stage of dispute resolution. Jaro Oom explained that every inheritance dispute is initially addressed within the family before involving customary authorities.

> *"In the event of a dispute, it is first resolved through family-based deliberation. If no agreement is reached, traditional leaders or jaro will assist by offering guidance and acting as mediators. In Baduy society, traditional resolution is prioritized over taking matters to court because the primary goal is to restore family harmony."* (Jaro Oom, interview, 2026)

This explanation was supported by Kang Sarpin, who emphasized that traditional leaders play an essential role in ensuring that dispute resolution remains consistent with customary principles.

> *"Disputes are resolved through family deliberations led by traditional leaders or jaro."* (Kang Sarpin, interview, 2026)

Community members expressed similar perspectives. Sardi explained that families always attempt to resolve disagreements collectively before seeking assistance from customary leaders. Sagimin stated that he had never witnessed inheritance disputes being brought before state courts because deliberation had consistently provided an acceptable solution. Likewise, Suwarti emphasized that traditional leaders serve as impartial mediators who help families reach mutually acceptable compromises while preserving family relationships. The findings further indicate that Baduy customary law recognizes inheritance claims submitted after a considerable period, provided that the claimant can demonstrate legitimate kinship and the claim receives collective approval through customary deliberation. As explained by Jaro Oom:

> *"According to Baduy custom, inheritance claims made years later can still be discussed and considered as long as the claimant has a legitimate family relationship that the family and the indigenous community can prove."* (Jaro Oom, interview, 2026)

The findings demonstrate that inheritance dispute resolution within the Baduy community is fundamentally relationship-oriented rather than rights-oriented. While formal legal systems generally prioritize determining legal entitlement and producing binding judicial decisions, the Baduy customary system seeks to restore social relationships through consensus-building and collective responsibility. This orientation reflects the community's belief that maintaining family harmony is more valuable than securing individual legal victory. Consequently, customary dispute resolution functions not only as a legal mechanism but also as a social institution that preserves long-term community cohesion.

These findings provide empirical support for the concept of restorative justice, which emphasizes dialogue, participation, reconciliation, and the restoration of social relationships rather than punitive or adversarial approaches to conflict resolution (Yulia et al., 2023). However, the present findings suggest that restorative justice within the Baduy community extends beyond procedural mediation because it is deeply embedded in customary values that define collective responsibility, mutual respect, and social solidarity. Thus, restorative justice is not merely a dispute resolution technique but an expression of the community's broader legal culture. Recent studies similarly demonstrate that customary dispute resolution remains effective because it is grounded in local wisdom, community participation, and consensus-based decision-making, enabling indigenous institutions to preserve social cohesion while resolving conflicts outside formal judicial mechanisms (Sukirno & Wibawa, 2024; Sukriono et al., 2025).

From the perspectives of Friedman (2019) and legal culture theory, the preference for customary deliberation suggests that legal behavior is strongly influenced by socially internalized values rather than solely by formal legal institutions. Community members voluntarily comply with customary procedures because they regard traditional institutions as more legitimate, culturally meaningful, and socially effective in maintaining harmony. This finding demonstrates that the effectiveness of customary law depends not only on its normative substance but also on the collective acceptance and cultural legitimacy that sustain its implementation across generations. Recent research on legal pluralism likewise argues that customary institutions continue to gain legitimacy

because community recognition and cultural acceptance remain the principal foundations of legal compliance despite the coexistence of state law (Arifin et al., 2025).

The present findings also corroborate previous empirical research while offering a broader analytical interpretation. Yulia et al. (2023) reported that inheritance disputes in the Baduy community are resolved primarily through restorative mechanisms that aim to rebuild social relationships. Similarly, Fadli et al. (2024) found that community-based dispute resolution strengthens access to justice and contributes to social peace within indigenous communities. Comparable findings have also been reported in other Indonesian indigenous communities, where customary dispute resolution functions not only as an alternative to litigation but also as a mechanism for reinforcing social solidarity, maintaining customary authority, and strengthening legal legitimacy through collective participation (Sukirno & Wibawa, 2024; Sukriono et al., 2025). While these studies primarily interpreted customary dispute resolution from restorative justice and community justice perspectives, the present study demonstrates that these mechanisms simultaneously represent the operation of legal culture, the persistence of living law, and the embodiment of collective civic values. Accordingly, customary mediation should be understood not merely as an alternative dispute resolution mechanism but also as a culturally legitimate institution that continuously reproduces social order within the Baduy community.

These findings therefore extend previous scholarship by demonstrating that the effectiveness of customary inheritance dispute resolution cannot be explained solely by restorative justice principles. Rather, its effectiveness derives from the interaction between customary authority, collective legal consciousness, and deeply internalized cultural values that encourage voluntary compliance and consensus-based conflict resolution. This broader interpretation is consistent with recent scholarship emphasizing that indigenous dispute resolution institutions remain resilient because they integrate legal norms, cultural legitimacy, and community participation within a plural legal system (Arifin et al., 2025; Sukirno & Wibawa, 2024).

The findings demonstrate that the resolution of customary inheritance disputes within the Baduy community cannot be separated from the legal culture that has developed and been continuously maintained across generations. This legal culture is reflected in the community's strong adherence to Pikukuh Adat, which functions as the principal normative framework governing social relationships, inheritance practices, and dispute resolution. Compliance with customary law is not based merely on formal obligations but emerges from collective beliefs that regard customary norms as an ancestral legacy essential for preserving community identity, social order, and cultural continuity, as presented in Table 5.

Table 5. Dimensions of the Baduy Community's Legal Culture in the Resolution of Inheritance Disputes

Legal Culture Dimension	Research Findings
Value System	Adherence to *Pikukuh Adat* (customary principles)
Dispute Resolution Orientation	Deliberation and restoration of harmony
Legal Authority	Traditional leaders and the *Jaro*
Objective of Law Enforcement	Maintaining social harmony and social balance
Form of Compliance	Collective awareness and internalization of customary values
Relationship with State Law	Customary law serves as the primary mechanism for resolving internal disputes.

Interview findings consistently indicate that the Baduy community continues to preserve customary law because it is regarded as an inseparable part of their ancestral heritage. Jaro Oom explained:

> *"To this day, customary laws are still upheld because they are considered a legacy of our ancestors."* (Jaro Oom, interview, 2026)

This statement was reinforced by Kang Sarpin, who emphasized that changes to customary law are extremely limited because maintaining ancestral teachings represents a collective moral responsibility.

> *"There have been very few changes because customs must be upheld in accordance with the ancestors' teachings."* (Kang Sarpin, interview, 2026)

The findings further reveal that the younger generation continues to accept customary law despite increasing exposure to national legal institutions. Jaro Oom explained:

> *"Most young people still follow traditional customs because they have been taught from childhood the importance of adhering to traditional norms."* (Jaro Oom, interview, 2026)

Similarly, Kang Sarpin stated:

> *"Young people still respect traditional customs because they are considered part of the Baduy community's identity."* (Kang Sarpin, interview, 2026)

These interview findings indicate that the sustainability of Baduy customary law is supported not only by traditional authority but also by continuous processes of cultural transmission occurring within families and the wider community. As a result, customary norms remain socially legitimate and continue to regulate community behavior even amid broader legal and social changes. The findings demonstrate that the effectiveness of Baduy customary law originates primarily from the internalization of legal values rather than from coercive enforcement mechanisms. Community members comply with customary rules because these norms have become embedded within their collective identity and moral consciousness through long-standing processes of socialization. Consequently, legal obedience emerges voluntarily from shared cultural commitments rather than from fear of legal sanctions. This finding suggests that legal legitimacy within indigenous communities is fundamentally cultural before it becomes institutional.

From the perspective of Friedman's (2019) theory of legal culture, the Baduy community illustrates the close relationship between legal values, legal consciousness, and legal behavior. Friedman argues that the effectiveness of any legal system depends not only on legal structures and substantive rules but also on the cultural values that encourage individuals to recognize legal norms as socially legitimate. The Baduy case provides empirical evidence supporting this proposition by demonstrating that customary institutions remain effective because they are continuously reinforced through collective beliefs, cultural traditions, and social expectations shared by community members. Recent studies on indigenous legal systems similarly demonstrate that the legitimacy of customary institutions depends largely on collective recognition, shared cultural identity, and the internalization of customary values rather than on formal legal authority alone (Anggraeni, 2023; Arifin et al., 2025).

The findings also provide strong empirical support for Ehrlich's (2002) concept of living law. The persistence of Pikukuh Adat demonstrates that customary law remains a living normative system because it is actively practiced, voluntarily obeyed, and socially recognized as the primary reference for regulating internal community affairs. Although national law formally exists alongside customary institutions, community members continue to rely predominantly on customary mechanisms because these are perceived as more consistent with their cultural values and social realities. This illustrates that the practical authority of law derives not solely from state recognition but also from its acceptance in everyday social life. This interpretation is consistent with recent scholarship on legal pluralism, which argues that customary law remains resilient because its legitimacy is rooted in continuous social practice and community acceptance within plural legal systems (Anggraeni, 2023; Diala, 2024).

The present findings corroborate those of Murdiana et al. (2021), who reported that the Baduy community has a high level of legal awareness regarding Pikukuh Adat. However, the present study extends previous scholarship by demonstrating that legal awareness represents only one dimension of a broader legal culture. Beyond promoting compliance with customary norms, legal culture simultaneously functions to preserve collective identity, strengthen social cohesion, reinforce customary authority, and ensure the continuity of indigenous legal institutions across generations. Comparable findings have also been reported in recent studies showing that indigenous legal institutions remain sustainable because legal culture continuously reproduces social legitimacy, collective identity, and intergenerational transmission of customary values (Arifin et al., 2025; Diala, 2024). This broader interpretation provides a more comprehensive explanation of why customary law continues to function effectively despite increasing interaction with formal state legal systems.

Furthermore, the findings indicate that the resilience of the Baduy legal system should be understood not merely as resistance to legal modernization but as an adaptive cultural mechanism through which indigenous communities preserve normative stability while selectively engaging with external legal developments. In this respect, legal culture serves not only as a foundation for dispute resolution but also as a strategic resource for maintaining indigenous identity and institutional continuity within an increasingly pluralistic legal environment. This finding supports recent comparative studies suggesting that indigenous legal systems are dynamic rather than static, enabling communities to preserve cultural continuity while adapting to broader legal and social transformations (Diala, 2024).

The findings indicate that the customary mechanism for resolving inheritance disputes within the Baduy community embodies fundamental civic values of Pancasila that are continuously practiced in everyday social life. Rather than functioning solely as customary legal procedures, inheritance distribution and dispute resolution represent collective efforts to preserve justice, family solidarity, social responsibility, and community harmony. These values are reflected through deliberation, respect for the rights of every family member, peaceful conflict resolution, and shared responsibility in maintaining social cohesion. The relationship between the two is described in Table 6.

Table 6. Relationship Between Research Findings and the Civic Values of Pancasila

Research Findings	Pancasila Citizenship Values	Pancasila Principle
Inheritance distribution through family deliberation	Deliberative democracy	Fourth Principle
Involvement of traditional leaders as mediators	Peaceful conflict resolution	Fourth Principle
Equal inheritance rights for men and women	Equality of rights and respect for human dignity	Second Principle

Distribution based on needs and responsibilities.	Substantive justice	Fifth Principle
Prioritization of family harmony	Unity and social cohesion	Third Principle
Adherence to *Pikukuh Adat*	Responsibility and legal awareness	Third and Fifth Principles

The interview findings demonstrate that deliberation constitutes the fundamental principle guiding inheritance distribution and dispute resolution. Jaro Oom explained that inheritance decisions should always be reached through family consensus to avoid future conflict.

> *"In our view, it is fair because it prioritizes consultation and balance within the family."* (Jaro Oom, interview, 2026)

This explanation was reinforced by Kang Sarpin, who emphasized that family deliberation remains the principal mechanism for determining inheritance distribution.

> *"The rules of inheritance remain essentially the same, but family deliberations play a decisive role in how they are implemented."* (Kang Sarpin, interview, 2026)

The findings further indicate that inheritance distribution is determined not by rigid equality but by considering each heir's needs, responsibilities, and socio-economic conditions. Kang Sarpin explained:

> *"Boys and girls both get their share, but the distribution takes into account their respective responsibilities and needs."* (Kang Sarpin, interview, 2026)

Likewise, the role of customary leaders extends beyond legal mediation to facilitating consensus and maintaining harmonious family relationships. Suwarti explained:

> *"The important thing is that the family agrees and does not cause any arguments. If there is a disagreement, traditional leaders help find a compromise."* (Suwarti, interview, 2026)

Collectively, these findings indicate that inheritance dispute resolution within the Baduy community is consistently directed toward achieving peaceful agreement while protecting the dignity and interests of every family member. The findings demonstrate that the civic values of Pancasila are not introduced solely through formal civic education to the Baduy community but are embedded in customary institutions that regulate everyday social life. Deliberation, consensus-building, mutual respect, social responsibility, and the preservation of harmony operate simultaneously as customary legal principles and civic values that guide community behavior. Consequently, customary law functions not only as a legal institution but also as an informal mechanism for civic education through which Pancasila values are continuously transmitted across generations.

The central role of deliberation in inheritance distribution reflects the implementation of the Fourth Principle of Pancasila, which emphasizes democracy guided by wisdom through deliberation and representation. Rather than relying on hierarchical authority or adversarial decision-making, the Baduy community encourages every family member to participate in reaching collectively acceptable agreements. This participatory process strengthens mutual trust, reinforces collective responsibility, and minimizes the potential for prolonged social conflict. The findings also illustrate the implementation of the Fifth Principle of Pancasila through the application of substantive justice. Instead of distributing inheritance according to rigid mathematical calculations, the Baduy community

considers individual responsibilities, economic circumstances, and family needs. Such an approach demonstrates that justice is understood as achieving social balance and collective acceptance rather than merely ensuring formal equality. This interpretation broadens the understanding of social justice by illustrating how indigenous communities adapt universal principles of fairness to their own cultural context.

Furthermore, the emphasis on maintaining harmony throughout dispute resolution reflects the implementation of the Third Principle of Pancasila, namely the value of national unity expressed through solidarity, cooperation, and peaceful coexistence. The objective of customary mediation is not simply to resolve legal disagreements but to restore interpersonal relationships and preserve long-term family cohesion. This orientation indicates that customary dispute resolution contributes to strengthening social integration while preventing fragmentation within the indigenous community. From the perspective of Pancasila and Civic Education, these findings demonstrate that the Baduy customary inheritance system represents a practical manifestation of civic disposition, including tolerance, responsibility, respect for the rights of others, peaceful conflict resolution, and commitment to the common good (Lubis, 2020; Murdiana et al., 2021). These civic dispositions are not developed through formal instruction but through continuous participation in customary institutions and collective social practices that shape individual attitudes and behavior.

The present study extends previous scholarship by demonstrating that the relationship between customary law and Pancasila citizenship is considerably broader than previously understood. Earlier studies generally discussed customary inheritance, legal awareness, or dispute resolution as separate issues. In contrast, the present findings reveal that these customary practices simultaneously serve as mechanisms for strengthening civic values by fostering the internalization of deliberation, justice, social responsibility, and collective harmony. Accordingly, the Baduy customary inheritance system should be understood not only as an indigenous legal institution but also as a culturally grounded model of citizenship education that contributes to the implementation of Pancasila values within Indonesia's multicultural society. These findings therefore contribute to the growing discourse on indigenous legal systems by demonstrating that local wisdom and customary law can complement formal civic education in strengthening democratic values, legal awareness, and social cohesion. This broader interpretation highlights the strategic role of indigenous communities in preserving constitutional values through culturally embedded legal practices, thereby offering a more integrative perspective on the relationship between customary law, legal culture, and Pancasila citizenship.

CONCLUSION

This study concludes that the Baduy community's legal culture for resolving customary inheritance disputes is grounded in adherence to the Pikukuh Adat, family deliberation, and a focus on maintaining social harmony. The Baduy customary inheritance system designates children and spouses as primary heirs, with the distribution of assets taking into account needs, responsibilities, and mutual agreement, without any strict distinction in inheritance rights between men and women. In the event of a dispute, resolution is carried out through non-litigious mechanisms involving the family, customary leaders, and the Jaro as mediators to reach consensus and restore social relations. Research findings indicate that Baduy customary law continues to function as a living law with strong legitimacy, supported by the community's collective consciousness and passed down from generation to generation. These practices of resolving inheritance disputes reflect the civic values of Pancasila, particularly deliberation to reach consensus, social justice, unity, responsibility, and respect for the rights of every family member. The scientific contribution of this research lies in integrating perspectives on legal culture, customary law, and Pancasila and Citizenship Education to explain the

resolution of customary inheritance disputes as a manifestation of the civic values of Pancasila. This research enriches the study of the legal culture of indigenous communities while affirming that local wisdom can serve as a source for developing dispute resolution models oriented toward peace, substantive justice, and the strengthening of civic character.

DECLARATION OF GENERATIVE AI

The authors declare that no generative AI or AI-assisted technologies were used in the writing process of this manuscript.

CONFLICTING INTEREST STATEMENT

The authors declare that they have no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

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