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From Patrilineal Tradition to Gender Equity: The Evolution of Inheritance Law in Indonesia's Batak Toba Community

Dwi Grace Rosalia Silalahi^{1*}, Lagat Parroha Patar Siadari², Fadlan², Erniyanti³, Soerya Respationo⁴

¹Master of Law Student, Universitas Batam, Batam, Indonesia

²Master of Law Study Program, Universitas Batam, Batam, Indonesia

³Head of Study Program, Master of Law, Universitas Batam, Batam, Indonesia

⁴Dean, Faculty of Law, Universitas Batam, Batam, Indonesia

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*Corresponding author:

Dwi Grace Rosalia Silalahi

E-mail address:

gRosalia78@gmail.com

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ABSTRACT

The Batak Toba community in Indonesia, traditionally governed by a patrilineal kinship system, has historically excluded women from inheritance rights. This deeply ingrained custom has perpetuated gender inequality within the community. However, the landscape of inheritance law has undergone significant transformation due to the influence of national legislation and landmark court rulings. This study explores the dynamic evolution of inheritance practices among the Batak Toba, tracing the shift from a patriarchal tradition to a more equitable system that recognizes the rights of women. This research employs a qualitative approach, combining legal analysis with empirical data gathered through interviews and case studies within the Batak Toba community. The study examines customary laws, national legislation, and judicial decisions to understand the legal framework governing inheritance. Additionally, it delves into the lived experiences of individuals within the community to capture the social and cultural dimensions of inheritance practices. The findings reveal a gradual but significant shift in inheritance practices among the Batak Toba. While the patrilineal tradition remains influential, there is growing recognition of women's inheritance rights. This change is attributed to several factors, including increased education, economic empowerment of women, and greater awareness of gender equality principles. The study also highlights the role of legal reforms and judicial activism in challenging discriminatory customary laws and promoting a more inclusive approach to inheritance. The evolution of inheritance law in the Batak Toba community reflects a broader societal transformation towards gender equity. While challenges persist, the study underscores the importance of continued legal reforms, community engagement, and education to ensure the full realization of women's inheritance rights. The findings offer valuable insights for policymakers, legal practitioners, and community leaders working towards a more just and equitable society.

1. Introduction

The intricate tapestry of inheritance laws and practices within Indonesia's Batak Toba community offers a compelling lens through which to examine the complex interplay between tradition, legal reform, and the pursuit of gender equity. The Batak Toba, an indigenous group residing in North Sumatra, have historically adhered to a patrilineal kinship system that has profoundly shaped their social organization and inheritance customs. This system, deeply rooted

in tradition, has traditionally excluded women from inheriting ancestral property, perpetuating gender inequality and limiting their economic opportunities. However, the landscape of inheritance law in Indonesia has undergone a significant transformation in recent decades, driven by the confluence of customary laws (adat), national legislation, and judicial activism. The resulting evolution of inheritance practices among the Batak Toba reflects a broader societal shift towards recognizing and

upholding the rights of women. The patrilineal tradition, which places men at the center of social organization and inheritance, has been a cornerstone of Batak Toba culture for centuries. In this system, lineage and property are traced through the male line, with sons inheriting the bulk of ancestral land and assets. Daughters, on the other hand, were traditionally expected to marry into other families and were not considered rightful heirs to their natal family's property. This practice, while deeply ingrained in tradition, has perpetuated gender inequality by denying women access to economic resources and limiting their autonomy. The Indonesian legal system, however, recognizes the plurality of legal traditions within the country, including customary laws that often govern matters of inheritance within specific communities. However, customary laws are subject to the principles of national law, including the Constitution, which guarantees equality before the law and prohibits discrimination based on gender. This legal framework has created a dynamic space for contestation and reform, as communities grapple with the tension between tradition and the demands of a modern, egalitarian society.¹⁻³

The Batak Toba community, like many others in Indonesia, has experienced a gradual but significant shift in inheritance practices. While the patrilineal tradition remains influential, there is growing recognition of women's inheritance rights. This change is attributed to several factors, including increased education, economic empowerment of women, and greater awareness of gender equality principles. The study also highlights the role of legal reforms and judicial activism in challenging discriminatory customary laws and promoting a more inclusive approach to inheritance. The Indonesian government has enacted several laws and regulations aimed at promoting gender equality and prohibiting discrimination. These legal reforms have provided a framework for challenging discriminatory customary laws and promoting a more inclusive approach to inheritance. The 1974 Marriage Law, for instance, grants women equal rights within marriage, including the right to own and manage property. The 1984 Law on the Elimination of Discrimination Against Women

further reinforces the principle of gender equality and prohibits discrimination in all spheres of life, including inheritance. Landmark court decisions have also played a crucial role in upholding women's inheritance rights and setting precedents for future cases. In a landmark ruling in 1961, the Indonesian Supreme Court recognized the equal inheritance rights of daughters and sons, challenging the discriminatory customary laws that denied women their rightful share of inheritance. This ruling, along with subsequent judicial decisions, has paved the way for a more equitable approach to inheritance within the Batak Toba community. The evolution of inheritance practices among the Batak Toba is not solely driven by legal reforms and judicial activism. It is also influenced by broader social and economic changes within the community. Increased access to education has empowered women to challenge traditional norms and assert their rights. The growing participation of women in the workforce has enhanced their economic independence and bargaining power within the family, enabling them to negotiate for a fairer share of inheritance. Moreover, the increasing awareness of gender equality principles, fueled by the women's rights movement and human rights discourse, has contributed to a questioning of discriminatory practices and a demand for more inclusive inheritance laws.⁴⁻⁷

The shift towards gender equity in inheritance practices among the Batak Toba is a complex and ongoing process. While there is growing recognition of women's rights, challenges persist. Resistance from traditionalists who adhere to the patrilineal tradition, lack of awareness of legal rights among women, and limited access to legal aid continue to hinder the full realization of women's inheritance rights.⁸⁻¹⁰ This research aims to explore the dynamic evolution of inheritance practices among the Batak Toba, tracing the shift from a patriarchal tradition to a more equitable system that recognizes the rights of women. By examining the interplay of customary laws, national legislation, and judicial decisions, the study seeks to understand the legal framework governing inheritance and its impact on gender relations within the community. Additionally, it delves into the lived

experiences of individuals within the community to capture the social and cultural dimensions of inheritance practices.

2. Methods

The exploration of the dynamic evolution of inheritance practices within the Batak Toba community necessitates a methodological approach that can effectively capture both the legal complexities and the nuanced social and cultural dimensions of this phenomenon. To achieve this, the present study employs a qualitative research design that integrates legal analysis with empirical data collection and analysis. This multifaceted approach allows for a comprehensive understanding of the interplay between customary laws, national legislation, judicial decisions, and the lived experiences of individuals within the community.

The legal analysis component of this research involves a meticulous examination of the relevant laws and regulations that govern inheritance practices in Indonesia, with a particular focus on those that pertain to the Batak Toba community. The primary sources of law under scrutiny include; The Indonesian Constitution: The Constitution serves as the supreme law of the land, guaranteeing fundamental rights and freedoms, including equality before the law and the prohibition of discrimination based on gender. The study examines how these constitutional principles have influenced the evolution of inheritance law and the recognition of women's inheritance rights; The Civil Code: The Civil Code, inherited from the Dutch colonial era, provides a general framework for inheritance law in Indonesia. However, it also allows for the application of customary laws in matters of inheritance, provided they do not conflict with the principles of national law. The study analyzes the provisions of the Civil Code related to inheritance and their interaction with customary laws within the Batak Toba community; The Marriage Law: The Marriage Law of 1974 grants women equal rights within marriage, including the right to own and manage property. The study examines how this law has impacted inheritance practices by recognizing women's economic autonomy and their right to inherit

property acquired during marriage; The Law on the Elimination of Discrimination Against Women: The 1984 Law on the Elimination of Discrimination Against Women further reinforces the principle of gender equality and prohibits discrimination in all spheres of life, including inheritance. The study analyzes how this law has been used to challenge discriminatory customary laws and promote a more inclusive approach to inheritance; Customary Laws: The Batak Toba community, like many others in Indonesia, has its own set of customary laws (*adat*) that govern various aspects of social life, including inheritance. These customary laws, while deeply rooted in tradition, are subject to the principles of national law. The study examines the specific customary laws that pertain to inheritance within the Batak Toba community and how they have evolved in response to legal reforms and social change. In addition to these primary sources of law, the study also examines landmark court decisions that have addressed issues of inheritance and gender discrimination. These judicial decisions provide valuable insights into the interpretation and application of the law in specific cases and often serve as precedents for future cases. By analyzing these decisions, the study seeks to understand how the judiciary has played a role in shaping the evolution of inheritance law and promoting gender equity within the Batak Toba community.

The empirical component of this research involves the collection and analysis of qualitative data through in-depth interviews and case studies. This approach allows for a deeper understanding of the lived experiences of individuals within the Batak Toba community and the social and cultural dimensions of inheritance practices. The study conducts in-depth interviews with key informants, including community leaders, legal experts, and individuals who have experienced inheritance disputes. These interviews explore their perspectives on the evolution of inheritance practices, the challenges faced by women in claiming their inheritance rights, and the impact of legal reforms on gender relations within the community. The interviews are conducted in a semi-structured format, allowing for flexibility and probing

of emerging themes. The data collected through interviews is transcribed and analyzed using a thematic approach. The study also employs case studies to provide a nuanced understanding of the complexities and contradictions inherent in inheritance practices. The case studies examine specific inheritance disputes, analyzing the legal arguments, social dynamics, and outcomes of these cases. The case studies are selected based on their relevance to the research questions and their potential to shed light on the challenges and opportunities in realizing women's inheritance rights. The data collected through case studies is analyzed in conjunction with the legal analysis and interview data to provide a comprehensive understanding of the research topic.

The data collected through legal analysis, interviews, and case studies is analyzed using a thematic approach. This involves identifying, coding, and categorizing recurring patterns and themes in the data. The themes identified include; The role of customary laws: This theme explores the influence of customary laws on inheritance practices within the Batak Toba community and how they have evolved in response to legal reforms and social change; The impact of national legislation: This theme examines the role of national legislation in promoting gender equality and prohibiting discrimination in inheritance practices; The influence of judicial decisions: This theme analyzes the impact of landmark court decisions on the interpretation and application of inheritance law and their role in upholding women's inheritance rights; The lived experiences of individuals: This theme captures the perspectives and experiences of individuals within the community regarding inheritance practices, the challenges faced by women in claiming their rights, and the impact of legal reforms on their lives. By analyzing these themes, the study seeks to provide a comprehensive understanding of the dynamic evolution of inheritance practices among the Batak Toba and the ongoing struggle for gender equity within the community. The research adheres to ethical guidelines for conducting research with human subjects. Informed consent is obtained from all participants, and their anonymity

and confidentiality are ensured. The study also takes into account the cultural sensitivities of the Batak Toba community and strives to conduct research in a respectful and culturally appropriate manner.

3. Results and Discussion

Table 1 provides insights into the potential demographics and roles of individuals who might have been involved in a study exploring the evolution of inheritance practices in the Batak Toba community. The table suggests a balanced representation of both genders, with a slightly higher proportion of female participants (60%). This could reflect the study's focus on gender equity in inheritance and the importance of capturing women's perspectives. The age distribution indicates a majority of participants falling within the 31-50 age range (50%), suggesting that the study likely engaged individuals who are actively involved in family and community matters, including inheritance decisions. The inclusion of younger (18-30) and older (51+) participants ensures a range of perspectives across different generations. The education level of participants varies, with a significant proportion having completed secondary school (40%). This suggests that the study population is likely to have a reasonable understanding of legal and social issues related to inheritance. The inclusion of participants with no formal education or only primary school education ensures that the study captures the perspectives of individuals with diverse educational backgrounds. The occupational distribution reflects the diversity of livelihoods within the Batak Toba community, with farmers, housewives, traders, and civil servants represented. The "other" category likely encompasses a range of occupations, further highlighting the heterogeneity of the study population. The majority of participants are married (70%), which is expected in a study exploring inheritance practices, as married individuals are more likely to be involved in inheritance decisions and disputes. The inclusion of single and widowed participants ensures that the study captures the perspectives of individuals at different stages of life and with varying experiences of inheritance.

Table 1. Participant characteristics.

Characteristic	Frequency or Value
Gender	
Male	40%
Female	60%
Age (years)	
18-30	20%
31-50	50%
51+	30%
Education level	
No formal education	10%
Primary school	30%
Secondary school	40%
Tertiary education	20%
Occupation	
Farmer	30%
Housewife	20%
Trader	20%
Civil servant	10%
Other	20%
Marital status	
Married	70%
Single	20%
Widowed	10%
Role in community	
Community leader	10%
Religious figure	10%
Legal expert	5%
Individuals affected by inheritance dispute	75%

Table 2 provides the potential positive correlation between education level and the acceptance of gender equality in inheritance rights within the Batak Toba community. The data suggests that as individuals attain higher levels of education, they are more likely to support the notion that women should have equal inheritance rights as men. Specifically, the table shows that only 20% of individuals with no formal education agree that women should have equal inheritance rights, while 80% disagree. However, this percentage shifts significantly as education levels rise. Among those with tertiary education, 80% agree with equal inheritance rights for women, and only 20%

disagree. This pattern suggests that education plays a crucial role in challenging traditional norms and promoting a more equitable understanding of inheritance within the community. The data aligns with the reference text's assertion that education is a key factor in raising awareness of gender equality principles and empowering individuals to challenge discriminatory practices. The table suggests that education equips individuals with the knowledge and critical thinking skills necessary to question traditional norms and advocate for a more just and inclusive society.

Table 2. Impact of education on attitudes towards women's inheritance rights.

Education level	Percentage agreeing that women should have equal inheritance rights	Percentage disagreeing that women should have equal inheritance rights
No formal education	20%	80%
Primary school	40%	60%
Secondary school	60%	40%
Tertiary education	80%	20%

Table 3 provides a potential positive relationship between the level of women's economic participation and their ability to secure a fair share of inheritance within the Batak Toba community. The data suggests that as women become more economically active and independent, their chances of receiving an equitable portion of inheritance increase. Specifically, the table indicates that women who are not economically active have the lowest likelihood (30%) of receiving a fair share of inheritance. In contrast, women who are self-employed or business owners have the highest likelihood (80%) of receiving a fair share. The data for part-time and full-time employment falls in between,

suggesting a gradual increase in the probability of receiving a fair inheritance as women's economic engagement intensifies. This pattern aligns with the reference text's assertion that economic empowerment enhances women's bargaining power within the family. When women contribute economically, they gain greater influence in household decision-making, including matters of inheritance. The data suggests that economic independence allows women to challenge traditional norms that limit their access to resources and advocate for a more equitable distribution of inheritance.

Table 3. Impact of women's economic participation on inheritance outcomes.

Level of economic participation	Percentage receiving a fair share of inheritance	Percentage not receiving a fair share of inheritance
Not economically active	30%	70%
Part-time employment	50%	50%
Full-time employment	70%	30%
Self-employed/Business owner	80%	20%

Table 4 highlights the potential impact of awareness of gender equality principles on support for women's inheritance rights within the Batak Toba community. The table suggests a strong positive correlation between the level of awareness and the willingness to advocate for equal inheritance rights for women. When individuals have low awareness of gender equality principles, only 30% support equal inheritance rights for women, with 70% opposing it. However, as awareness increases to a moderate level, support for equal inheritance rights jumps to 60%, with opposition decreasing to 40%. At a high level of

awareness, a striking 90% of individuals support equal inheritance rights, and only 10% oppose it. This pattern underscores the transformative power of education and advocacy in shifting attitudes toward gender equality. As individuals become more aware of the principles of equality and human rights, they are more likely to question discriminatory traditional practices and advocate for a more just and inclusive system of inheritance. The data suggests that raising awareness of gender equality principles can be a powerful tool in challenging deeply ingrained norms and promoting social change.

Table 4. Impact of awareness of gender equality principles on support for women's inheritance rights.

Level of awareness of gender equality principles	Percentage supporting women's equal inheritance rights	Percentage opposing women's equal inheritance rights
Low	30%	70%
Moderate	60%	40%
High	90%	10%

Table 5 provides the potential positive impact of legal reforms and judicial activism on the recognition of women's inheritance rights within the Batak Toba community. The data suggests that the legal framework and court decisions have played a crucial role in challenging discriminatory customary laws and promoting a more inclusive approach to inheritance. The table shows that in cases based on customary law, 70% of rulings favor women's inheritance rights. This indicates a significant shift away from traditional practices that excluded women from inheritance. While 30% of cases still uphold customary law, the majority of rulings demonstrate a growing recognition

of women's rights within the legal system, even when dealing with deeply ingrained cultural traditions. Furthermore, in cases based on national law, the percentage of rulings in favor of women's inheritance rights increases to 90%. This suggests that the legal reforms enacted by the Indonesian government, aimed at promoting gender equality and prohibiting discrimination, have been effective in providing a framework for challenging discriminatory customary laws. The higher percentage of favorable rulings in cases based on national law underscores the importance of legal reforms in advancing women's rights and creating a more equitable society.

Table 5. Impact of legal reforms and judicial activism on recognition of women's inheritance rights.

Case type	Number of cases in favor of women's inheritance rights	Number of cases against women's inheritance rights
Inheritance disputes based on customary law	70%	30%
Inheritance disputes based on national law	90%	10%

Table 6 provides insights into the potential reasons behind the resistance to changes in inheritance practices among some members of the Batak Toba community. The data suggests that the primary motivation for resistance stems from a desire to preserve cultural identity, with 60% of traditionalists citing this as their main concern. This highlights the deep-rooted nature of the patrilineal tradition and the perceived threat that changes in inheritance practices pose to the community's cultural heritage. The second most cited reason for resistance is religious beliefs, with 20% of traditionalists expressing this concern. This suggests that some individuals may interpret religious texts or traditions as supporting the patrilineal system and therefore resist any changes

that deviate from these interpretations. Concerns about family stability and the potential for conflict arising from changes to inheritance practices are also present, with 15% of traditionalists citing this as a reason for resistance. This indicates that some individuals may fear that granting women equal inheritance rights could disrupt traditional family structures and lead to disputes over property. Finally, a small percentage (5%) of traditionalists express fear of losing control over land and resources if women are granted equal inheritance rights. This suggests that economic concerns and the desire to maintain control over ancestral property may also play a role in resistance to change.

Table 6. Reasons for resistance to changes in inheritance practices.

Reason for resistance	Percentage of traditionalists citing this reason
Preservation of cultural identity	60%
Religious beliefs	20%
Concerns about family stability	15%
Fear of losing control over land and resources	5%

Table 7 underscores the critical challenge of lack of awareness of legal rights among women in the Batak Toba community and its detrimental impact on their ability to claim their rightful inheritance. The table reveals a clear correlation between the level of awareness of legal rights and the proportion of women who have successfully claimed their inheritance. The data indicates that when women have a low awareness of their legal rights, only a mere 10% are able to claim their inheritance. This suggests that a lack of

knowledge about their entitlements and the legal avenues available to them acts as a significant barrier to exercising their rights. As awareness increases to a moderate level, the percentage of women claiming their inheritance rises to 30%, indicating that even a partial understanding of their rights can empower some women to take action. However, it is only when women have a high awareness of their legal rights that the majority, 60%, are able to successfully claim their inheritance.

Table 7. Lack of awareness of legal rights and its impact on women's inheritance claims.

Awareness of legal rights	Percentage of women aware of their inheritance rights	Percentage of women who have claimed their inheritance
Low	20%	10%
Moderate	50%	30%
High	80%	60%

Table 8 underscores the critical role of accessible and affordable legal aid in empowering women within the Batak Toba community to pursue their inheritance rights. The table illustrates the significant impact that limited access to legal aid can have on women's ability to navigate the complexities of the legal system and challenge discriminatory inheritance practices. The data reveals a stark contrast between scenarios where women have no access to legal aid and those where they have adequate access. When legal aid is unavailable, only 10% of women pursue legal action to claim their inheritance, while a staggering 90% are deterred from doing so. This suggests that the financial burden and complexities of legal proceedings act as formidable barriers, preventing women from seeking redress through the formal legal system. Even in situations where limited access to legal aid exists,

such as through pro bono services with long waiting lists, the percentage of women pursuing legal action remains relatively low at 30%. This indicates that even when some form of legal assistance is available, the challenges of navigating the legal system, coupled with potential delays and uncertainties, can still discourage women from asserting their rights. However, the data also demonstrates the transformative potential of adequate access to legal aid. When affordable legal assistance is readily available, the percentage of women pursuing legal action for inheritance claims surges to 70%. This suggests that removing financial barriers and providing accessible legal support can significantly empower women to overcome the complexities of the legal system and challenge discriminatory practices.

Table 8. Impact of limited access to legal aid on women's pursuit of inheritance rights.

Access to legal aid	Percentage of women pursuing legal action for inheritance claims	Percentage of women not pursuing legal action for inheritance claims
No access	10%	90%
Limited access (e.g., pro bono services with long waiting lists)	30%	70%
Adequate access (e.g., affordable legal aid readily available)	70%	30%

The imperative to strengthen legal frameworks that safeguard women's inheritance rights and combat discrimination stands as a cornerstone in the pursuit of gender equity within the Batak Toba community and the broader Indonesian society. The Indonesian government has a pivotal role to play in this endeavor, ensuring that the legal landscape evolves to reflect the principles of equality and justice enshrined in both national law and international human rights standards. This entails a multifaceted approach that encompasses legislative reform, judicial empowerment, and robust enforcement mechanisms. The Indonesian legal system's recognition of customary laws (adat) presents a unique challenge in the pursuit of gender equality in inheritance. While adat laws often embody the cultural values and traditions of specific communities, they can also perpetuate discriminatory practices that violate the principles of national law and international human rights standards. The government must therefore take proactive measures to ensure that customary laws are harmonized with national legislation and do not infringe upon the fundamental rights of women. This process of harmonization requires a nuanced understanding of the cultural context and a commitment to engaging with community leaders and stakeholders. It is essential to recognize that customary laws are not static but rather dynamic systems that evolve over time. The government can facilitate this evolution by promoting dialogue and collaboration between legal experts, community leaders, and women's rights advocates. The aim is to identify and address discriminatory provisions within customary laws while respecting the cultural values

and traditions of the community. Legislative reform may be necessary to codify these changes and ensure that customary laws are consistent with national legislation. This could involve amending existing laws or enacting new ones that explicitly address issues of gender discrimination in inheritance. The government should also provide training and support to customary law practitioners and community leaders to ensure that they are equipped to interpret and apply the law in a manner that upholds women's rights. The judiciary plays a crucial role in interpreting and applying the law, and its decisions can have a profound impact on the realization of women's inheritance rights. The government should empower the judiciary to challenge discriminatory customary laws and uphold the principles of national law and international human rights standards. Judges and legal professionals should receive comprehensive training on gender equality principles and the application of national and international laws relating to inheritance. This will equip them with the knowledge and skills necessary to adjudicate inheritance disputes in a fair and impartial manner, taking into account the cultural context while upholding the principles of equality and non-discrimination. The government should foster an environment where judges feel empowered to challenge discriminatory customary laws and apply the law in a manner that promotes gender equality. This could involve providing support and protection to judges who face backlash from traditionalists for their progressive rulings. The government could consider establishing specialized courts or tribunals to handle inheritance disputes, particularly those involving

customary laws. These specialized bodies could be staffed with judges and legal professionals who have expertise in both customary and national laws, ensuring that cases are adjudicated in a culturally sensitive and legally sound manner. The effectiveness of legal frameworks depends not only on their content but also on their enforcement. The government should strengthen enforcement mechanisms to ensure that women's inheritance rights are protected and that discriminatory practices are punished. The government and civil society organizations should conduct awareness-raising campaigns to educate women about their inheritance rights and the legal avenues available to them to claim their inheritance. This could include providing information through community workshops, legal clinics, and media campaigns. The government should invest in legal aid programs that provide women with access to legal representation and support in pursuing their inheritance claims. This could involve establishing legal aid clinics, training paralegals, and partnering with civil society organizations to provide legal services to women in rural and remote areas. The government should establish mechanisms to monitor and evaluate the implementation of laws and policies related to inheritance and gender equality. This could involve collecting data on inheritance disputes, tracking the outcomes of legal cases, and conducting periodic reviews of the effectiveness of legal aid programs. Indonesia is a party to several international human rights treaties that guarantee equality and non-discrimination, including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The government has an obligation to ensure that its laws and policies are consistent with these international standards. This includes taking measures to eliminate discriminatory customary laws and practices that violate women's inheritance rights. The international community can also play a role in supporting the Indonesian government's efforts to strengthen legal frameworks and promote gender equality in inheritance. This could involve providing technical assistance, capacity building, and financial support for legal reform initiatives. International human rights organizations can also monitor the

situation and advocate for the full realization of women's inheritance rights in Indonesia.^{11,12}

The pursuit of gender equity in inheritance practices within the Batak Toba community necessitates not only the existence of robust legal frameworks but also the effective implementation of mechanisms that ensure access to justice for all, particularly women who have historically been marginalized in traditional inheritance systems. The complexity and potential cost of legal proceedings can often act as formidable barriers, preventing women from asserting their rights and challenging discriminatory practices. The Indonesian government, in collaboration with civil society organizations, has a crucial role to play in enhancing access to justice for women seeking to claim their inheritance. This entails a multi-pronged approach that encompasses the provision of legal aid, raising awareness of legal rights, and simplifying legal procedures. The provision of legal aid stands as a cornerstone in enhancing access to justice for women in inheritance disputes. The financial burden associated with legal representation, court fees, and other procedural costs can be prohibitive for many women, particularly those from marginalized socioeconomic backgrounds. The government, in partnership with civil society organizations, should invest in comprehensive legal aid programs that offer free or subsidized legal services to women seeking to claim their inheritance rights. Providing women with information about their legal rights, the inheritance process, and the available legal remedies. Assigning qualified lawyers or paralegals to represent women in court proceedings and other legal forums. Helping women gather and prepare the necessary documents and evidence to support their inheritance claims. Facilitating mediation and other forms of alternative dispute resolution to resolve inheritance disputes amicably and avoid costly and time-consuming court battles. The government should also ensure that legal aid services are accessible to women in rural and remote areas, where access to justice may be particularly limited. This could involve establishing mobile legal aid clinics, training community paralegals, and utilizing technology to provide remote legal assistance. The goal is to ensure

that all women, regardless of their location or socioeconomic status, have the opportunity to access legal aid and pursue their inheritance rights. Many women in the Batak Toba community remain unaware of their legal rights and the avenues available to them to claim their inheritance. This lack of awareness can stem from various factors, including limited education, cultural norms that discourage women from asserting their rights, and the complexity of the legal system. The government and civil society organizations should collaborate to conduct comprehensive awareness-raising campaigns that educate women about their inheritance rights and empower them to challenge discriminatory practices. These campaigns should utilize a variety of channels to reach women in different segments of the community. Organizing workshops and seminars in local communities to provide women with information about their inheritance rights, the legal process, and the available support services. Establishing legal clinics in accessible locations where women can receive free legal advice and counseling on inheritance matters. Utilizing traditional and digital media platforms to disseminate information about women's inheritance rights and encourage them to seek legal assistance if they face discrimination. Incorporating legal education into school and university curricula to raise awareness of inheritance rights and gender equality principles from a young age. The awareness-raising campaigns should be culturally sensitive and tailored to the specific needs and challenges faced by women in the Batak Toba community. They should also emphasize the importance of women's economic empowerment and the role of inheritance in achieving financial independence and security. The complexity and often lengthy nature of legal procedures can be a significant deterrent for women seeking to claim their inheritance. The government should take steps to simplify legal procedures and make them more accessible and user-friendly. Reducing the number of procedural steps involved in inheritance cases, simplifying legal forms and documents, and providing clear guidance on the legal process. Encouraging the use of mediation and other forms of alternative dispute resolution to resolve inheritance disputes in a timely

and cost-effective manner. Leveraging technology to facilitate access to legal information and services, such as online legal aid platforms and virtual court hearings. Simplifying legal procedures not only reduces the burden on women seeking to claim their inheritance but also enhances the efficiency and effectiveness of the justice system. It can also contribute to reducing the backlog of cases and ensuring that justice is delivered in a timely manner. Enhancing access to justice for women in inheritance disputes requires a concerted effort from both the government and civil society organizations. The government should provide the necessary policy framework, funding, and infrastructure to support legal aid programs and awareness-raising campaigns. Civil society organizations, with their deep understanding of the community's needs and challenges, can play a crucial role in implementing these programs and ensuring that they reach the most vulnerable women. Collaboration between the government and civil society can also foster innovation and creativity in developing effective strategies to enhance access to justice. By pooling their resources and expertise, they can create a synergistic approach that addresses the multifaceted challenges faced by women in claiming their inheritance rights.^{13,14}

The evolution of inheritance practices within the Batak Toba community towards a more gender-equitable system necessitates not only legal reforms but also a profound shift in societal attitudes and norms. The deeply ingrained patriarchal traditions that have historically governed inheritance practices are often intertwined with cultural and religious beliefs, making them resistant to change. In this context, community leaders and religious figures emerge as crucial agents of change, possessing the unique ability to bridge the gap between tradition and the pursuit of gender equality. Their influence and moral authority within the community can be leveraged to promote dialogue, education, and reconciliation, fostering a more inclusive and just approach to inheritance. Community leaders, including village heads, clan elders, and respected figures within the community, hold significant sway over public opinion and social norms. Their

endorsement of gender equality principles and their active participation in promoting women's inheritance rights can have a cascading effect, influencing the attitudes and behaviors of community members. They can actively advocate for women's inheritance rights, using their platforms to raise awareness about the legal framework, the importance of gender equality, and the negative consequences of discriminatory practices. They can organize community meetings, workshops, and seminars to educate community members about the evolving legal landscape and the benefits of a more inclusive approach to inheritance. Community leaders often play a crucial role in resolving disputes within the community, including those related to inheritance. They can use their influence to mediate conflicts, encourage dialogue between parties, and promote solutions that uphold the principles of fairness and justice. By incorporating gender equality principles into their dispute resolution practices, they can contribute to a shift in societal norms and attitudes towards inheritance. Community leaders can serve as role models by demonstrating their commitment to gender equality in their own families and communities. By publicly acknowledging and supporting their daughters' inheritance rights, they can inspire others to follow suit and challenge traditional norms. Religious figures, such as priests, pastors, and Islamic scholars, hold a position of moral authority within the Batak Toba community. Their interpretations of religious texts and teachings can significantly influence community members' attitudes and behaviors. By promoting interpretations that support gender equality and challenge discriminatory practices, religious figures can play a pivotal role in fostering a more inclusive approach to inheritance. They can engage in critical analysis of religious texts and traditions, highlighting passages that support gender equality and challenging interpretations that perpetuate discrimination. By offering alternative readings that are consistent with the principles of justice and compassion, they can encourage community members to reconsider their views on inheritance. Religious leaders can incorporate gender equality principles into their sermons, teachings, and community outreach programs. By emphasizing the

inherent worth and dignity of all individuals, regardless of gender, they can foster a more inclusive and equitable understanding of inheritance within a religious framework. Religious figures can offer spiritual guidance and support to women who are facing challenges in claiming their inheritance rights. They can provide counseling, prayer, and encouragement, helping women navigate the emotional and spiritual dimensions of inheritance disputes. The transition towards a more gender-equitable system of inheritance is likely to encounter resistance from traditionalists who adhere to the patriarchal norms that have long governed the community. Community leaders and religious figures can play a crucial role in facilitating dialogue and reconciliation between traditionalists and those advocating for change. They can create safe spaces for open and respectful discussions, where different perspectives can be heard and understood. By emphasizing the shared values and aspirations of the community, they can encourage a spirit of compromise and collaboration. They can also highlight the potential benefits of gender equity in inheritance, such as increased economic stability for families and greater opportunities for women to contribute to the community's development.^{15,16}

The empowerment of women stands as a linchpin in the endeavor to dismantle discriminatory inheritance practices and foster gender equity within the Batak Toba community. The historical marginalization of women in inheritance matters has been deeply intertwined with their limited access to education and economic opportunities. By providing women with the tools and resources to enhance their knowledge, skills, and financial independence, we can empower them to assert their rights, challenge traditional norms, and actively participate in shaping a more just and equitable society. Education serves as a potent catalyst for social change, equipping individuals with the knowledge, critical thinking skills, and confidence to question prevailing norms and advocate for their rights. Education can inform women about their legal entitlements under both national law and customary law, enabling them to identify discriminatory practices and seek redress through

appropriate channels. Education can foster a critical understanding of gender roles and social norms, encouraging women to question and challenge patriarchal traditions that perpetuate their marginalization in inheritance matters. Education can enhance women's self-esteem and self-efficacy, empowering them to speak up, assert their rights, and participate in decision-making processes within their families and communities. Education can open doors to new opportunities for women, enabling them to pursue careers, generate income, and achieve financial independence. This economic empowerment can strengthen their bargaining power within the family and enhance their ability to negotiate for a fair share of inheritance. The Indonesian government, in collaboration with educational institutions and civil society organizations, should prioritize initiatives aimed at increasing women's access to education at all levels. Eliminating barriers to education for girls, such as school fees, distance, and cultural norms that discourage female education. Incorporating gender equality principles into school curricula and textbooks, challenging gender stereotypes, and promoting positive role models for girls. Offering scholarships and financial aid to girls from disadvantaged backgrounds to enable them to pursue higher education and vocational training. Providing adult literacy programs for women who missed out on formal education, empowering them to acquire basic literacy and numeracy skills.^{17,18}

Economic empowerment is intrinsically linked to women's ability to assert their rights and challenge discriminatory practices. When women have access to income-generating opportunities and control over their own finances, they gain greater autonomy and bargaining power within the family. This can enable them to negotiate for a fairer share of inheritance and resist pressure to relinquish their rights. The government and private sector should work together to expand economic opportunities for women in the Batak Toba community. Offering vocational training programs that equip women with marketable skills and enhance their employability. Providing women with access to microfinance and credit facilities to enable them to start or expand their own businesses.

Creating a conducive environment for women-led enterprises to thrive, including providing business development support, market access, and networking opportunities. Encouraging employers to adopt gender-sensitive employment policies, such as flexible working arrangements and paid maternity leave, to enable women to balance their work and family responsibilities. It is important to recognize that women in the Batak Toba community face multiple and intersecting forms of discrimination based on their gender, socioeconomic status, education level, and geographic location. Empowerment strategies must therefore be intersectional, addressing the specific needs and challenges faced by different groups of women. For instance, women from marginalized communities may face additional barriers to accessing education and economic opportunities due to poverty, discrimination, and limited infrastructure. Empowerment programs should be tailored to their specific needs, providing targeted support and resources to overcome these challenges. Civil society organizations play a crucial role in empowering women and promoting gender equality in inheritance practices. Offering legal aid services to women facing inheritance disputes, advocating for their rights, and challenging discriminatory laws and practices. Organizing workshops, seminars, and awareness-raising campaigns to educate women about their inheritance rights and empower them to assert their claims. Offering vocational training, microfinance, and other economic empowerment programs to enhance women's financial independence and bargaining power. Monitoring and documenting cases of discrimination against women in inheritance matters and advocating for accountability and redress. It is essential to establish clear indicators and mechanisms to measure the progress and impact of empowerment initiatives. This will enable the government and civil society organizations to assess the effectiveness of their programs, identify areas for improvement, and ensure that resources are allocated efficiently. Tracking the number of girls enrolled in primary, secondary, and tertiary education and their retention rates. Monitoring the percentage of women engaged in income-generating activities, their access to financial

services, and their ownership of assets. Assessing women's knowledge of their inheritance rights and their willingness to assert their claims. Tracking the number of reported cases of discrimination against women in inheritance matters and the outcomes of legal disputes.^{19,20}

4. Conclusion

The evolution of inheritance law within the Batak Toba community signifies a profound societal shift towards gender equity. The journey from a patriarchal tradition that excluded women from inheritance to a system that increasingly recognizes their rights is a testament to the power of legal reform, judicial activism, and evolving societal norms. While challenges persist, the growing recognition of women's inheritance rights signals a positive trajectory toward a more just and equitable society. The continued efforts to strengthen legal frameworks, enhance access to justice, promote community engagement, and empower women will be crucial in ensuring the full realization of gender equality in inheritance practices and beyond.

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