Legal Pluralism and the Role of Traditional Mediation in the Settlement of Inheritance Disputes in Multicultural Societies

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ABSTRACT

The distribution of family assets in a pluralistic society is a dynamic social and legal issue, as it involves interactions between the formal legal system, traditional mediation practices, and social forces within the family. This literature-based study aims to critically analyses how interactions between the formal legal system, traditional mediation, and power relations shape the process of resolving inheritance disputes in a multicultural society. Using a thematic synthesis approach, this study finds that legal pluralism, enriches the avenues for dispute resolution – whether through the courts, customary institutions, or family deliberations. However, pluralism presents ambiguities that can exacerbate rivalries between parties, especially when family communication is not effective. The fragility of communication and lack of legal literacy are obstacles to substantive justice and social acceptance of the distribution results. The success of inheritance conflict resolution is greatly influenced by the ability of families and communities to build participatory dialogue, understanding of norms, and the active involvement of mediators who have social legitimacy. The findings of this research not only add to the academic knowledge in the fields of legal sociology and family law, but also provide a practical basis for regulatory reform and innovation in inheritance mediation in pluralistic communities. Family-based legal education and the strengthening of community-based resolution mechanisms are key to ensuring a fair, inclusive distribution of assets that is accepted by all heirs.

INTRODUCTION

The issue of inheritance distribution has long been the focus of family law and sociology discourse. In societies with cultural diversity and legal systems, the resolution of inheritance disputes often reveals complex dynamics of customs, identity, and power relations at the family and community levels. The legal system in Indonesia itself offers pluralism, where the Civil Code, Islamic law, and customary law coexist and potentially overlap in the application of real cases in the field (Cammack & Feener, 2012). This situation highlights the importance of an adaptive policy approach to local cultural values so that legal resolutions can be carried out fairly and sustainably. The formal rules laid down in marriage and inheritance laws do not always reflect the diversity of values that exist, so the dispute resolution process is often marked by resistance and compromise among the heirs.

The uniqueness of multicultural societies is reflected in the choice of dispute resolution mechanisms regarding inheritance, which are highly dependent on perceptions of justice, family values, and social legitimacy, rather than solely on the formal basis of written law (Mundy, 2013; Powers, 2017). When formal judicial channels are ineffective or their outcomes are not socially accepted, there is a shift to informal mechanisms, such as family deliberation or traditional mediation. In this case, the principles of integrity and ethics in legal advocacy practice are very important to ensure that the settlement process, both formal and informal, upholds substantive justice and respects human values (Saktiawan et al., 2021). This illustrates the interconnection between legal structures and social configurations that frame the process of seeking inheritance justice.

Inheritance conflicts within families are often triggered by a limited understanding of the applicable legal system among the parties involved, so that resolutions often take place in the informal domain, dominated by the more powerful or influential parties (Holden & Chaudhary, 2013; Khosyi'ah & Rusyana, 2022). Social status, gender relations, and economic power are dominant factors that influence patterns of compromise and the emergence of prolonged conflicts.

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Inequality in resource management and perceptions of family welfare also play an important role, where views on prosperity are often measured in material terms rather than in terms of social harmony and equality (Hardyansah et al., 2022). When the available settlement mechanisms are unable to accommodate social expectations and cherished values, resistance to court decisions arises.

In addition to problems of understanding the law, the pluralism of legal systems in Indonesia is also often confusing. In families with different legal backgrounds, debates often arise regarding which system should be used as the main reference in the distribution of inheritance rights (Baderin, 2017; Arsyam et al., 2021). Administrative rigidity and the lack of coordination between institutions further complicate the settlement process. The formal regulatory system in the Marriage Law has indeed established legal boundaries, but in practice, traditional values greatly determine the patterns of negotiation that occur.

The main problems in resolving inheritance disputes are closely related to sociological and procedural issues. First, the public's limited knowledge of legal rights in inheritance means that many parties do not fair access to family assets. At the practical level, pluralistic legal systems, whether through the courts, mediation, or customary institutions, often increase the potential for conflict rather than creating constructive resolutions (Moors, 2018). Second, the implementation of formal regulations on inheritance distribution is still ineffective when confronted with social norms and local wisdom upheld by the community (Platt, 2017). Often, regulations that priorities legal certainty clash with expectations of family togetherness and harmony. This can be examined in a literature review showing that the reality on the ground does not always align with the prevailing normative design (Halley & Rittich, 2010).

Another crucial aspect is the existence of power relations between family members, which often leads to domination in the inheritance negotiation process. In various cases, heirs who are economically or socially stronger are able to impose their will on weaker parties, making distributive justice difficult to achieve in practice (Larsen et al., 2013). This inequality creates structural injustice that cannot be easily overcome by a formal legal approach alone, but requires an understanding of social relations within the family and society.

Inheritance law functions not only as a normative instrument, but also as a social arena in which values, status and power are negotiated. These dynamics show that the implementation of law is often relational and contextual, depending on the social position of the parties and the applicable customary norms. Thus, the effectiveness of inheritance law cannot be separated from how society interprets the concepts of justice and legitimacy in the case of local culture. An interdisciplinary approach that combines legal and sociological analysis is key to understanding these patterns of inequality in greater depth.

Legal sociology studies view inheritance disputes as processes that cannot be approached solely from a dogmatic legal perspective. Within this process, the complexity of cultural identity, social structures, and issues of legitimacy play an important role in influencing the effectiveness of dispute resolution. Inheritance disputes reflect not only the distribution of economic assets, but also the interplay of power, interests, and the construction of family identity that are intertwined in the daily life of a multicultural society. This shows that a sociological approach provides an understanding that inheritance conflicts are often a reflection of broader social tensions. Gender inequality, differences in social status, and changes in modern values contribute to shaping the patterns of relationships between heirs. Therefore, efforts to resolve disputes cannot be limited to formal legal instruments, but require social reconstruction that places justice and solidarity as fundamental values.

The resolution of such conflicts tends to give rise to new problems when communication and family relationships are strained or even deteriorate. Disputes over inheritance are not only related to material gains, but also contain symbolic value, memories, and family integrity. If these conflicts are left unresolved, there is the potential for social divisions within the family to occur and widen the emotional distance between heirs (Khosyi'ah & Rusyana, 2022). In this case, the settlement of inheritance disputes cannot be understood solely as a legal process, but also as a social dynamic that requires coordination across legal and cultural systems. Mediation and reconciliation efforts based on local values are important for maintaining social harmony amid the complexity of applicable laws. An approach that integrates formal legal aspects with local wisdom has the potential to create solutions that are more fair, inclusive, and sustainable.

Another substantial problem that arises is confusion due to legal pluralism, poor coordination between institutions dealing with inheritance, including religious courts, general courts, and customary institutions, coupled with a lack of mediation models that genuinely adapt local values. As a result, communities often prefer informal channels and avoid courts, which are perceived as bureaucratic and insensitive to community values (Cammack & Feener, 2012).

Amidst the spirit of legal formalism, there are often clashes of expectations when social norms in the local environment are not accommodated by the positive legal system. This has an impact on the level of public acceptance of the results of dispute resolution, and can even trigger prolonged conflicts between heirs, either openly or covertly (Holden & Chaudhary, 2013). As a result, legal certainty is difficult to achieve while family harmony is at stake.

Studies on inheritance conflict resolution from a sociological perspective are significant because inheritance is not merely about the distribution of property, but also touches on identity, power relations, and efforts to maintain family harmony through various available mechanisms. In-depth observation of inheritance resolution patterns in multicultural societies is important to find an approach that is not only based on positive law but also considers social structures and dynamics. Thus, the resulting resolution model is expected to prevent social fragmentation and maintain a balance between legal norms and local values.

This study is important as a reference for developing concepts of justice and social acceptance in resolving family issues. Thus, discussions related to inheritance conflict resolution mechanisms must involve a study of the sociological perspective of law, so as not to be detached from social reality and community needs. This understanding will reinforce the idea of the need for innovation in the resolution approach, so that the rights of all parties can be guaranteed in a more just and sustainable manner.

This study aims to analyses in depth how the formal legal system, traditional mediation practices, and family power dynamics are interrelated in the process of resolving inheritance disputes in multicultural communities. This study also examines the influence of legal system pluralism and family communication dynamics on the realization of justice and social acceptance in the resolution of inheritance conflicts. The results of this study are expected to provide conceptual and practical contributions to enrich scientific discussion and formulate approaches to inheritance resolution that are relevant to the realities of a diverse society.

RESEARCH METHOD

This study uses a qualitative approach based on literature review, which aims to examine the dynamics of inheritance dispute resolution from a legal sociology perspective in a multicultural society. Literature study was chosen because this method allows researchers to conduct in-depth searches and analyses of relevant primary and secondary scientific sources, both in the form of books and accredited journals that discuss social construction, legal pluralism, and inheritance settlement practices. This method provides ample opportunity to understand social processes and legal arguments by referring to validated secondary data (Bryman, 2016).

In accordance with the nature of legal sociology studies, the research analysis was conducted using thematic synthesis techniques. Thematic synthesis focuses on organizing data from various literature in order to identify important patterns that emerge, relationships between concepts, and the construction of social meaning in the resolution of inheritance conflicts (Clarke & Braun, 2017). The researchers selected the most relevant publications and then coded the main issues in inheritance law regulations, patterns of internal family conflict, and traditional mediation practices. Thematic synthesis analysis has proven effective for examining issues related to legal pluralism and family conflict, as described by Marshall and Rossman (2014) in an in-depth and structured social qualitative study.

The critical literature analyzed was derived from empirical research in the fields of family law, pluralism legal theory, and legal reviews of inheritance systems within the frameworks of Islamic law, customary law, and civil law. The analysis was conducted systematically, linking legal, sociological, and cultural aspects to obtain a comprehensive picture of inheritance dispute resolution in multicultural societies. The validity of the research results is maintained through triangulation of sources and cross-checking of references used by the author previously (Marshall & Rossman, 2014). Thus, the qualitative literature study method provides a strong foundation for producing critical, factual studies that reflect empirical and theoretical realities.

RESULT AND DISCUSSION
Interaction between Resolution Mechanisms and Power Dynamics

The discussion of the interaction between formal legal systems, traditional mediation mechanisms, and social power dynamics in the settlement of inheritance disputes in multicultural societies is closely related to the diversity of legal systems in Indonesia. The Civil Code (KUH Perdata), Islamic law through the Compilation of Islamic Law (KHI), and customary law, which is still thriving in various regions, provide options for resolving inheritance conflicts. In practice, the existence of these various legal systems creates a new field of interaction, where formal validity is often tested by social legitimacy that exists in a pluralistic

society. Salim (2015) emphasizes that legal pluralism is a key feature of the legal system in Indonesia, presenting its own challenges in the effort to realize distributive justice over family inheritance.

When inheritance disputes arise, heirs generally face a choice: to settle formally in a religious or civil court, or to settle through deliberation using customary or family mechanisms. The trend of evidence in court often conflicts with the aspirations or social expectations of the parties. The KHI regulates the principle of proportionality in the distribution of inheritance according to sharia, such as a two-to-one ratio between men and women (Article 176 KHI).

Inheritance cases submitted to the court will be examined through an adjudication process. Before being examined, the parties must attempt to reach an amicable settlement, either through the panel of judges or through mediation. The application of mediation in court stems from Article 130 of the HIR and Article 154 of the RBg, which regulate the institution of peace and the obligation of judges to reconcile the parties before examining the case (Maradona et al., 2021). However, in a pluralistic backround, the implementation of this article is often influenced by family values, traditional mediation, and the symbolic power of individuals within the family (Rifqi, 2021). Rigid formal laws are sometimes unable to accommodate sociological nuances, because substantive justice in society is largely determined by collective judgement.

In the dispute resolution process, there are various legal options and forums for resolving disputes. The parties will make a selection to determine which law and forum is most appropriate to their interests, or what is known as forum shopping (Pradhani, 2021). Differences in the applicable legal systems have contributed to the emergence of forum shopping, whereby heirs choose the route that is considered more advantageous or in line with the interests of their group (Yilmaz, 2016). The option of resolution through traditional mediation continues to priorities harmony and family relations, even though the process does not always guarantee a fair distribution of rights according to legal standards. In certain cases, the role of traditional elders or religious leaders becomes the main determinant of the final decision on the distribution of inheritance, so that the authority of the court is sometimes ignored (Cederroth & Hassan, 2012).

The dynamics of social power among heirs also often determine the direction of negotiations and the outcome of the distribution of inheritance. The involvement of more influential family members or those with greater economic power can result in the marginalization of the rights of weaker parties, especially women and children (Ahmed, 2021). Even though the KHI and Civil Code provide a specific legal basis for distribution, without the support of social understanding and protection, procedural justice will not be in line with the substantive justice expected by the community. Therefore, strengthening oversight and assistance mechanisms for vulnerable parties is essential to ensure that their rights are protected. Improving legal literacy among the public can promote transparency in the inheritance distribution process and minimize the dominance of certain parties in the negotiation process.

In terms of implementation, traditional mediation has strong legitimacy in many communities. The community's assessment of the heirs is very decisive in relation to the distribution of inheritance rights, so that local wisdom is needed as a strategic means of resolving disputes through internal family discussions and mediation by traditional leaders (Khilmi & Hafidzah, 2020). The settlement of inheritance disputes can take place within family forums or customary institutions before proceeding to court if consensus cannot be reached. This mechanism is capable of collectively reducing the potential for open conflict (Korteweg & Selby, 2012). However, its success greatly depends on the capacity of the mediator and the power relations within the family. The formal legal system, as regulated in Article 49 of the Religious Court Law, does provide a way for inheritance disputes to enter the judicial realm, but the community does not fully rely on the courts because they are often considered rigid and unresponsive to localities (Salim, 2015).

The complexity of inheritance conflicts is even more pronounced in families with multiple legal and ethnic identities. A number of studies highlight that mixed or cross-ethnic families sometimes experience ambiguity in their choice of legal system, resulting in compromise or even rivalry in the use of formal and informal channels (Sportel, 2016; Lemons, 2019). This phenomenon shows that social dynamics and conflict management within the family have a complexity similar to that found in modern organizational backgrounds, where negotiation, adaptation and communication are determining factors in reaching mutual understanding.

The absence of a single interpretation of the inheritance system broadens the meaning of social justice, so that the motivation to seek legitimacy through the most accepted mechanisms becomes a reflection of the power of collective views.

The diversity of legal systems increases the likelihood of inconsistencies between formal outcomes and social acceptance. Religious and state courts have legal authority, but in practice, the legitimacy of internal agreements is still considered important in order to maintain harmony and family dignity (Rokhmad & Susilo, 2017). In situations like this, strengthening communication between family members and adopting an empathy-based approach are strategic steps to bridge differences in perception and avoid escalating conflict. This approach also helps to ensure that the outcome of the resolution is not only legally valid, but also emotionally acceptable to all parties involved. This is particularly noticeable in cases of conflict between siblings or between male and female heirs, where formal provisions are often considered too technical and insensitive to interpersonal relationships.

Another factor that often arises is the interpretation of religion and customs, which sometimes do not align, for example in the distribution of inheritance to daughters. Certain communities prefer compromises based on customs in order to maintain social relations rather than adhering to formal legal rules. In this case, there is tension between the principle of legal equality and the need to maintain social stability. When customary norms are prioritized, women are often placed in a weak bargaining position, requiring more inclusive social intervention and legal education to strengthen their understanding of their rights. In a number of cases, women's rights to inheritance are often compromised in order to avoid horizontal friction within the community. This phenomenon demonstrates the power of local values to shift the power of formal law (Korteweg & Selby, 2012).

Law enforcement officials, particularly religious courts, sometimes face a dilemma between applying positive law textually or accommodating local social and cultural demands. The role of judges as peacemakers and interpreters of the law requires a high degree of sensitivity so that their decisions are not further contested in society. The presence of judges who understand the socio-cultural case of the parties is important to ensure substantive justice, not just procedural justice. An empathetic, participatory approach based on local values can strengthen the legitimacy of decisions in the eyes of the community. In some cases, compromise solutions such as joint division (muwashalah) or gifts within the family are taken to maintain harmony, even though they are not fully in line with the wording of the law (Santoso & Nasrudin, 2021).

Community mediators, including religious leaders, village officials, and family elders, are playing an increasingly prominent role in the inheritance dispute resolution system in the region. These informal mechanisms, which are steeped in local wisdom, are considered effective in preventing family fragmentation and maintaining communal solidarity. The strength of this mechanism lies in the mediator's ability to navigate the social, moral, and spiritual values that exist within society, so that the outcome of the settlement is considered fairer and more reassuring to the parties involved. This deliberative approach also helps to strengthen the culture of communication and collective responsibility in maintaining family harmony. This is inseparable from the importance of the mediator's social status and the full trust of the disputing parties, which can accelerate the process of reaching consensus without going through litigation (Schenk, 2018).

At the normative level, the government is increasingly striving to implement formal inheritance law through the issuance of various technical regulations. However, the reality in society shows that social legitimacy through traditional deliberation and family mediation is often the preferred option due to practical reasons and internal family harmony. The uncertainty of formal law due to pluralism of systems is increasingly felt when court decisions lack social legitimacy at the local level.

The interaction between the formal legal system, traditional mediation mechanisms, and social power dynamics is a continuous negotiation process to achieve distributive justice and maintain the balance of internal family relationships. Formal inheritance law is the basic reference, but in reality, social justice is formed through a combination of customary mediation, the symbolic power of the family, and the collective ability to reach a consensus that is accepted by all parties. Such interactions reveal a dialectic between legal norms, local values, and power relations that are constantly dynamic in a pluralistic society.

Thus, the settlement of inheritance disputes in a multicultural environment never shifts solely to the formal legal realm, but is embedded in social structures, local wisdom, informal policies, and the bargaining power of each heir. The continuity of the family as a social unit, harmonious relationships, and collective acceptance of the results of deliberations are crucial parameters that often exceed the parameters of legal decisions alone. It is this dynamic that makes inheritance cases one of the most complex, multidimensional, and contextual issues in the realm of family law in pluralistic societies.

The Interaction of Legal Pluralism and Relationships on Inheritance Justice

The development of legal pluralism in a diverse society provides more than one option for resolving inheritance disputes, whether through Islamic law, customary law, or civil law. However, the existence of this pluralism sometimes creates uncertainty for heirs in choosing the path that can guarantee their sense of justice (Salvatore, 2016). Pluralism can enrich the choice of solutions and flexibility of resolution, but it can also create ambiguity in determining which regulations are more appropriate to apply. Conflicts of norms and interests at the family level are also not uncommon, complicating the process of distribution and acceptance of mediation results (Syarif, 2021).

Case studies in various regions show that families with members from different legal backgrounds often face debates over the final reference for inheritance mechanisms — whether based on Islamic law, local wisdom, or civil law (Grijns & Horii, 2018). When consensus is not reached, disputes risk becoming protracted and giving rise to vertical-horizontal conflicts, especially if communication is not effective. A lack of information about inheritance rights and obligations often leads to the unequal distribution of assets. Social stereotypes attached to gender roles and family status exacerbate the dynamics of the debate, as social perceptions often shape inequalities in decision-making and the distribution of rights among family members (Zahid & Darmawan, 2022). Misinterpretation or distortion of regulations is exacerbated by the weak legal education received by the community (Charrad, 2011; Wieringa, 2015). In such conditions, substantive justice is difficult to achieve if the legal system used is not in harmony with local values and the collective expectations of the family.

Poor family communication often exacerbates inheritance disputes. Strained interpersonal relationships, mutual suspicion, and the existence of dominant groups that steer the flow of discussion prevent other heirs from voicing their needs and rights. Communication skills and conflict management are important factors in maintaining harmony and preventing divisions among family members. An empathetic and collaborative approach to communication is necessary for the deliberation process to run effectively and accommodate the interests of all parties (Marsal & Darmawan, 2022). An emotionally charged atmosphere can hinder the achievement of consensus-based resolutions (Nurlaelawati & Van Huis, 2019). At the sociological level, communication failure within families not only results in unequal inheritance distribution, but also damages social capital, solidarity, and trust, which were previously important foundations within the community (Fineman, 2013).

Formal regulations such as the KHI do attempt to close the gap of injustice through a distribution proportion based on Sharia law. However, the enforcement of law in court institutions and the practice of Islamic inheritance law in society still prioritizes customary law over Islamic law (Nasution, 2018). Furthermore, regulatory expansion that is not accompanied by efforts to transform communication within families and adequate legal literacy actually creates space for parties with greater power to define justice according to their own version (Nasution & Nasution, 2021). In families with harmonious communication, legal pluralism actually opens up space for healthy negotiation and adaptation, so that the distribution of inheritance can be accepted by all parties. Conversely, if communication is minimal and distorted by interests, legal pluralism tends to be exploited to legitimize the interests of certain parties.

The conditions of legal pluralism and diversity in family communication not only affect the outcome of justice, but also social acceptance of the outcome of the settlement. In many studies, acceptance of the outcome of dispute resolution — whether through customary, family, or formal channels — is more influenced by social legitimacy than by the formal output of court decisions (Macfarlane, 2012). This is where variations in local values and social structures are closely attached to inheritance practices, showing that legal instruments are not always the sole determinant of acceptance of justice. Community mediation and legal socialization are important institutions to prevent pluralism from widening the conflict gap.

In practice, distributive justice in inheritance is often thwarted by various informal mechanisms such as community pressure, joint decisions that are twisted by vested interests, or even the stigma attached to heirs who formally demand their rights. This fact is in line with the findings of several studies that highlight the importance of open dialogue and reconciliation within families as key prerequisites for achieving socially accepted inheritance justice (Rinaldo, 2014; Lazreg, 2018). Mediation processes based on empathy and participatory communication are crucial to prevent conflict escalation (Barsky, 2016; Darmawan et al., 2018).

In addition to strengthening mutual trust, this approach also helps to integrate moral, customary, and positive legal values in a balanced manner, so that the resulting decisions are not only legally valid but also socially and emotionally acceptable to all parties involved (Ojelabi & Sourdin, 2011). When community-based decision-making structures dominate inheritance practices, they often bypass formal adjudicatory safeguards and open paths for inequitable distributions. The manipulation of informal consensus may subvert the principle of equal distribution among rightful heirs and embed systemic bias in asset transfer. Open family dialogue can serve as a mechanism for surfacing hidden power dynamics and reconciling divergent expectations among stakeholders. Empathy-driven mediation enables heirs to articulate non-material interests such as recognition and dignity, thereby expanding the scope of justice beyond purely economic allocation. By aligning informal procedures with formal legal standards, parties can reach outcomes that have both legitimacy and enforceability. Enhancing transparency in inheritance deliberations reduces the likelihood of later litigative challenges and reinforces stability in familial relationships. Structured mediation encourages heirs to internalise the logic of fair distribution and thereby strengthens the normative foundation of inheritance law in plural legal environments.

The formal judicial system must continue to improve in order to provide space for dialogue between legal rules, local values, and the aspirations of marginalized groups. The participation of stakeholders, including law enforcement officials, mediators, and civil society, in the resolution of inheritance disputes serves as a bridge to ensure that legal pluralism does not become a source of fragmentation, but rather an arena for harmonious coexistence (An-Na'im, 2021). These efforts also need to be accompanied by an increase in the capacity of judicial institutions to understand the socio-cultural bagckground of the community, as well as strengthening coordination mechanisms between the formal legal system and customary institutions (Sinaga et al., 2022). Thus, the judicial process is not only oriented towards textual law enforcement, but also towards restoring social relations and substantive justice recognized by local communities.

Legal education and strengthening family communication are also becoming increasingly relevant in a multicultural society. Empowering family members—especially women and vulnerable groups—to understand their rights and the applicable legal system, while facilitating intergenerational dialogue, will reduce the potential for inheritance conflicts. This effort also serves as a means of building sustainable legal awareness and fostering a sense of shared responsibility in maintaining family harmony. Strengthening legal literacy and open communication among family members can create a healthier space for deliberation, where every voice is valued and decisions are made fairly. The success of dispute resolution depends on individuals' belief that mediation forums, litigation channels, and consensus outcomes truly accommodate the values of justice and collective aspirations, without harming any party (Caeiro, 2017).

The principle of legal pluralism can widen the gap between conflicts between various legal systems through reciprocal relationships to achieve the sustainability of legal system diversity in accordance with the principles of Sharia law, or in the background of a nation state, referred to as the constitution, to analyses the diversity of legal systems that exist in a pluralistic society (Sumardi, 2016). In practice, efforts to seek justice in pluralistic environments are less successful if they rely solely on formal interpretations of the law without adapting participatory communication. Differences in social background and cultural identity in multicultural societies also influence perceptions of justice and acceptance of legal outcomes, where psychological factors and social involvement are important aspects in maintaining balance and avoiding discrimination (Darmawan et al., 2015; Pakpahan et al., 2022). Information disclosure, cross-party consultation, and multi-stakeholder involvement are key to ensuring that any resolution of inheritance disputes in diverse communities is widely accepted and has an impact on strengthening family cohesion.

Research shows that fostering trust and mutual understanding through facilitated communication is essential to reaching compromises that do not burden either party. When dialogue is conducted effectively, legal pluralism serves as an opportunity to enrich solutions rather than trigger new conflicts within families (Guenin et al., 2022). The presence of multiple legal systems can be transformed into a resource for achieving fairness by providing more adaptive frameworks to resolve disputes. Effective communication allows family members to clarify expectations and reinterpret obligations in ways that align with both normative beliefs and legal obligations. In emotionally charged disputes, structured dialogue can mitigate escalation by

promoting empathy and de-escalating accusatory language. Facilitators who understand both legal frameworks and cultural sensitivities can bridge interpretive gaps between formal legal norms and lived familial values. Mutual understanding does not arise spontaneously but must be nurtured through consistent efforts to maintain openness, emotional restraint, and a willingness to negotiate. Well-structured mediation not only resolves the dispute at hand but also establishes precedents for handling future disagreements more constructively. In this regard, dialogue is not a temporary tool but a sustainable strategy for cultivating a culture of consensus within the family unit.

In practice, informal mechanisms and local values often provide more solid legitimacy than legal decisions in preventing divisions. Emphasis on dialogue, collective value-based mediation, and inclusive legal education must be prioritized. Therefore, it becomes essential to establish a hybrid model of inheritance dispute resolution that integrates formal legal frameworks with traditional wisdom and community-based justice practices. Such a model can bridge normative gaps between state law and customary law, allowing the process to remain legally valid while still maintaining the moral and emotional harmony within families. The involvement of local leaders, mediators, and religious figures plays a strategic role in ensuring that agreements reached not only have legal strength but also social acceptance, thus preventing the recurrence of disputes in the future. Amidst systemic pluralism, communication consolidation and social adaptation are the main forces behind the formation of inheritance justice that is truly accepted by families and the wider community.

Reflectively, legal pluralism is not a barrier to quality justice, but rather a catalyst. The key is how inclusive all stakeholders are in managing internal social communication, maintaining a balance between formal rules and the emotional needs of the family. Without this, inheritance justice tends to stagnate and lose hope for future generations.

The chosen resolution process, whether informal or formal, ultimately depends heavily on family relationships, forms of communication, and social legitimacy within each community. Each community establishes its own parameters of fairness and acceptability, proving that inheritance fairness cannot be standardized but must be adapted to the cultural roots, social structure, and family atmosphere that exist among the heirs.

CONCLUSION

It can be concluded that the resolution of inheritance disputes in multicultural societies cannot be simplified as merely a formal legal problem, but is closely related to social structures, legal pluralism, and communication dynamics within families. The interaction between formal legal systems, customary mediation practices, and social power relations forms a complex but dynamic space for negotiation to determine distributive justice among heirs. Legal pluralism does indeed present opportunities to seek contextual and inclusive solutions, but it also carries the potential for fragmentation if it is not accompanied by adequate communication and legal education efforts. The success of inheritance dispute resolution greatly depends on the ability of families and communities to build participatory dialogue while balancing personal and collective interests.

The theoretical and practical implications of this description emphasize the need for collaboration between formal legal instruments and local wisdom based on community values. Policy reform, legal education advocacy, and the facilitation of ongoing family dialogue must be a key agenda accommodated by the government, religious institutions, and civil society. Strengthening the capacity of traditional mediators, ensuring transparency in inheritance procedures, and promoting family-based mediation can reinforce substantive justice and minimize vertical and horizontal conflicts within families. Furthermore, synergy between formal law and social practices must continue to be pursued so that inheritance settlements are not only legally valid but also truly meaningful for all parties.

As a suggestion, efforts to resolve inheritance disputes should be directed towards strengthening family-based legal literacy, revitalizing community mediation mechanisms, and actively involving all community groups without exception. The principles of transparency, inclusive justice, and social solidarity must be emphasized at every stage of the resolution process. The government and formal institutions are expected to be able to open special channels for inheritance law education and facilitate training for mediators who are sensitive to cultural diversity. Thus, distributive justice in inheritance is no longer just rhetoric, but is realized in the sustainable practices of families and communities.

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