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Symbolic Ownership, Limited Control: An Intersectional Socio-Legal Study of Minangkabau Women and Ancestral Property

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Abstract

This study examines how Minangkabau women, as normative heirs of harta pusaka tinggi (ancestral communal property), experience the management of inheritance within Indonesia's plural legal context. Although Minangkabau adat institutionalizes matrilineal transmission and communal ownership of ancestral property, empirical realities show persistent disputes and unequal decision-making practices shaped by informal customary authority. Employing an empirical socio-legal research design with a qualitative approach, this study draws on in-depth, semi-structured interviews with three Minangkabau women heirs (conducted on 5 and 10 December 2024), complemented by observation and documentation, and supported by secondary and tertiary legal sources. The findings reveal a structural gap between normative recognition and lived practice: women are culturally positioned as custodians of the rumah gadang and customary land, yet substantive control over strategic decisions particularly the utilization of pusaka tinggi often remains dominated by mamak and male clan authorities. Women's experiences are not uniform; differences in social class and education shape their bargaining capacity, ranging from subsistence-oriented use of rice fields to more formalized management supported by economic and legal literacy resources. Moreover, women bear layered burdens across domestic care work, productive labor, and customary obligations, which can intensify vulnerability despite matrilineal legitimacy. This study contributes to socio-legal debates on legal pluralism and gender justice by demonstrating that matrilineal inheritance may reproduce inequality through informal customary power. The study concludes that strengthening gender-just governance of pusaka tinggi requires more transparent customary mechanisms, enhanced customary legal literacy for women, and written procedures regulating the use of ancestral property by mamak to reduce unilateral practices and potential conflict.

INTRODUCTION

Under Minangkabau adat, ancestral property (*harta pusaka*) is transmitted matrilineally, passing to daughters through the mother's line of descent.[1] For the principle of ownership, it is emphasized that *pusako* (ancestral property) is defined under a system of communal ownership.[2] Restrictions on the transfer of *pusako* especially land are stated explicitly: *pusako* land may neither be sold nor mortgaged, as captured in the adat maxim *dijual indak dimakan bali, digadai indak dimakan sandera* (i.e., it must not be alienated through sale or pledge).[3] In the context of the *rumah gadang* as a socio-cultural symbol, the study notes that the house is owned by the women of the resident lineage and is inherited matrilineally, passing from mother to daughter.[4]

However, in practice, the governance of *pusaka* is far from straightforward: disputes over ancestral property in West Sumatra particularly in Minangkabau are increasingly difficult to resolve through deliberation and consensus (*musyawarah mufakat*).[5] This complexity is also linked to shifting gender roles in *pusaka* governance; notably, one contributing factor is the weakening or declining involvement of women in the management of ancestral property.[6] On the other hand, feminist movement scholarship underscores power relations that can disadvantage women. In Minangkabau, men's control over *harta pusaka* often renders women the group that is systematically marginalized.[7]

Recent studies indicate that Minangkabau women play a crucial role as custodians of *harta pusaka tinggi* (ancestral communal property); however, in practice, they face significant challenges in safeguarding family assets due to economic pressures and unequal social relations. Research on gender dynamics within Minangkabau customary law emphasizes that while women often bear substantial responsibilities for ancestral

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[1] Mohammad Sabri bin Haron, Iza Hanifuddin. "Harta dalam konsepsi adat Minangkabau." *JURIS (Jurnal Ilmiah Syariah)* 11.1 (2018): 1-13.
[2] Rahmi Murniwati. "Sistem pewarisan harta pusako di Minangkabau ditinjau dari hukum waris Islam." *UNES Journal of Swara Justisia* 7.1 (2023): 103-111.
[3] Iza Hanifuddin. "Posisi Perempuan Minangkabau dalam Sistem Ulayat Menurut Adat Matrilineal dan Syarak." *Juris* 10.2 (2011): 270199.
[4] Azizi Bahauddin. "The Matriarch, the Matrilineal System, and the Minangkabau Rumah Gadang." *Eco-Urbanism and the South East Asian City: Climate, Urban-Architectural Form and Heritage*. Singapore: Springer Nature Singapore, 2023. 199-222.
[5] Yuhelna, Sri Rahmadani, Waza Karia Akbar. "Penguatan peran perempuan dalam pengelolaan harta pusaka tinggi di Minangkabau." *Ekasakti Jurnal Penelitian dan Pengabdian* 1.2 (2021): 292-297.
[6] Yuhelna, Sri Rahmadani, Waza Karia Akbar. "Penguatan peran perempuan dalam pengelolaan harta pusaka tinggi di Minangkabau." *Ekasakti Jurnal Penelitian dan Pengabdian* 1.2 (2021): 292-297.
[7] Silvia Hanani. "Tanah ulayat dan kemiskinan perempuan." *Kafaah: Journal of Gender Studies* 3.1 (2013): 27-43.

property, decision-making authority remains frequently shaped by the *mamak* structure and male authority within the clan.[8] Moreover, within Indonesia's plural customary law context, both patrilineal and matrilineal inheritance systems continue to exhibit gender-based inequalities when confronted with the principles of modern legal justice and international human rights norms. Several legal studies highlight that customary systems often do not fully align with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and gender equality principles in the distribution and control of inheritance.[9] This indicates that matrilineal inheritance does not automatically guarantee justice for women, as internal power relations can continue to generate vulnerability.

In Minangkabau society, women holding the status of *bundo kanduang* perform dual roles: they function as symbols of clan honor while simultaneously serving as domestic managers and executors of customary practices. However, contemporary studies reveal that the burden of these public and domestic roles is often not accompanied by adequate access to economic resources and educational opportunities, rendering women structurally vulnerable.[10] On the other hand, intersectionality within feminist theory constitutes a crucial approach for explaining how multiple forms of oppression intersect in shaping individuals' identities and social positions within power hierarchies. This framework offers significant analytical value, as it captures social experiences as simultaneous, complex, and irreducible to a single factor, while remaining inclusive in its explanatory scope. Furthermore, the concept of intersectionality has been continuously examined and refined through critical engagements responding to debates within contemporary feminist scholarship.[11] Accordingly, Minangkabau women cannot be understood solely as customary heirs; rather, they must be viewed as social subjects who experience layered pressures within cultural and economic structures.

Studies on transformations within the Minangkabau matrilineal system further underscore significant challenges arising from modern capitalism, male out-migration

[8] Miswardi Miswardi, Gusril Basir, Edi Rosman, Elfiani Elfiani, Adlan Sanur Tarihoran, *Gender Dynamics in Minangkabau Customs: Women's Role in Safeguarding and Preserving High Heirlooms*, *HUMANISMA: Journal of Gender Studies*, 8, no. 2 (2024): 165–179, https://doi.org/10.30983/humanisma.v8i2.9158

[9] Wahyuni Retno Wulandari, Nadzriah Ahmad, Yulia Fitriliani, Rini Purwaningsih, *Inheriting Inequity: A Comparative Legal Dissection of Gender Discrimination in Indonesian Inheritance Law*, *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi*, 8, no. 1 (2025): 285–307, https://doi.org/10.24090/volksgeist.v8i1.12994.

[10] Irma Suryani, Yulnetri, Amrina, Ifelda Nengsih, *Menelusuri Peran Dan Fungsi Bundo Kanduang Saat Ini Sebagai Bagian Lembaga Adat Dan Kaitannya Dalam Menyelesaikan Kasus KDRT Di Sumatera Barat*, *JISIP (Jurnal Ilmu Sosial Dan Pendidikan)*, 6, no. 2 (2022): 2538–2549.

[11] Anna Carastathis, *The Concept of Intersectionality in Feminist Theory*, *Philosophy Compass*, 9, no. 5 (2014): 304-314.

(*merantau*), and the weakening of women's authority over collective ancestral property. The matrilineal system is increasingly predicted to undergo structural transformation due to the pressures of patriarchal national gender ideologies and shifts in the global economy.[12] The Minangkabau matrilineal kinship system represents one of the most distinctive social systems within the Indonesian context, particularly in the regulation of inheritance. Within this system, property is classified into *pusaka tinggi* (ancestral communal property), *pusaka rendah* (secondary inherited property), and *harta pencaharian* (acquired property), each governed by distinct mechanisms of inheritance and management.[13] Normatively, Minangkabau women occupy a central position within this inheritance structure, particularly as recipients and custodians of ancestral property through the maternal line. Beyond safeguarding material assets such as customary land and *rumah gadang*, women also play a crucial role in preserving Minangkabau values, norms, and cultural practices.[14]

However, contemporary social dynamics marked by modernization, population mobility, and shifting gender relations require Minangkabau women to continuously adapt. Negotiating between customary norms and present-day socio-economic demands has thus become unavoidable. Although the matrilineal customary system grants women strong normative legitimacy over inheritance rights, their involvement in strategic decision-making processes concerning ancestral property remains relatively limited. This condition reflects a structural disparity between normative recognition and social practice within Minangkabau customary society.

The Minangkabau customary inheritance system also exhibits characteristics distinct from Islamic inheritance law, which is generally oriented toward patrilineal principles. Under customary law, women are positioned as the primary recipients of ancestral property through the maternal line, whereas Islamic inheritance law distributes assets proportionally among male and female heirs in accordance with sharia provisions.[15] This divergence has generated complex historical and cultural dynamics, particularly in

[12] Lyn Parker, *Matrifocal, Matrilineal, or Matriarchal? Cultural Resilience and Vulnerability Among the Matrilineal and Muslim Minangkabau in Indonesia*, in *Matrilineal, Matriarchal, and Matrifocal Islam: The World of Women-Centric Islam*, 3–41 (2024).
[13] M. Iqbal, *The System of Inheritance Law in Minangkabau: A Social History Study*, *Indonesian Journal of Education, Social Sciences and Research (IJESSR)*, 1, no. 2 (2020): 87–93.
[14] Miswardi Miswardi, Gusril Basir, Edi Rosman, Elfiani Elfiani, Adlan Sanur Tarihoran, *Gender Dynamics in Minangkabau Customs: Women's Role in Safeguarding and Preserving High Heirlooms*, *HUMANISMA: Journal of Gender Studies*, 8, no. 2 (2024): 165–179, https://doi.org/10.30983/humanisma.v8i2.9158
[15] Nelna Saprina, Yulia Rahmi, *Evolution of the Minangkabau Inheritance System and its Relevance to Gender Justice in Islamic Law*, *USRATY: Journal of Islamic Family Law*, 2, no. 1 (2024): 89–101

efforts to maintain harmony between customary norms and the principles of Islamic law amid ongoing social and religious transformations.[16]

However, existing studies tend to emphasize the symbolic roles of women or the normative dimensions of customary law, while research that specifically analyzes Minangkabau women's lived experiences in managing ancestral property through an intersectional lens remains limited. Many studies have yet to examine how social class and education shape differentiated experiences among women in managing inheritance for instance, between lower-class women who can only utilize rice fields for subsistence and middle-class women who are able to optimize ancestral property as a productive economic asset. Meanwhile, contemporary customary law scholarship has increasingly underscored the urgency of reinterpreting adat to become more responsive to gender justice, particularly in relation to the control and utilization of inherited resources. [17]

Therefore, the scholarly novelty of this study lies in its intersectional analysis of Minangkabau women's experiences as heirs of ancestral property, positioning the management of inheritance as an arena where customary structures, class inequality, access to education, and gender relations within the clan intersect. This study not only examines women as normative holders of ancestral property but also as social actors who confront layered burdens in everyday practice. Based on this background, the central research question of this study is formulated as follows: How do the intersections of gender, social class, education, and Minangkabau cultural structures shape women's experiences in managing ancestral property?

METHODS

This study employs an empirical socio-legal research design with a qualitative approach. Empirical research is adopted because the focus of this study is to examine Minangkabau customary law not merely as a set of normative rules, but as a living practice embedded in social life. As noted by Fuad (2020), legal studies are not solely normative in nature; they also possess an empirical dimension that closely engages with social sciences and the realities of society.[18] Accordingly, empirical or socio-legal research

[16] Vini Aprila D. Andra, Sonny Dewi Judiasih, Hazar Kusmayanti, *Shifting The Customary Inheritance of The Minangkabau Tribe Based on The Perspective of Justice and Gender Equality*, *Eduvest - Journal of Universal Studies*, 5, no. 1 (2025): 457–469, https://doi.org/10.59188/eduvest.v5i1.49914.
[17] Farah Nizrina Aulia, Dominikus Rato, Dyah Ochtorina Susanti, *The Urgency of Gender Equality in Indonesian Customary Inheritance Law: Review and Comparison with Other Countries*, *Veteran Law Review*, 8, no. 1 (2025): 106-117.
[18] Fuad Fuad, *Socio Legal Research Dalam Ilmu Hukum*, *Widya Pranata Hukum: Jurnal Kajian Dan Penelitian Hukum*, 2, no. 2 (2020): 32-47.

constitutes a non-doctrinal approach that conceptualizes law as a living social practice and an integral component of legal scholarship. Creswell and Poth emphasize that qualitative research is an interpretive process that produces representations such as interviews and field notes, as "qualitative research consists of a set of interpretive practices that make the world visible."[19] Thus, Minangkabau women's experiences in managing ancestral property can be understood in depth within the broader socio-cultural contexts that shape them.

The data employed in this study consist of primary, secondary, and tertiary sources. Primary data were obtained directly through interviews with women who are heirs of *harta pusaka tinggi* (ancestral communal property). Secondary data were drawn from academic journals, books, and documents related to Minangkabau customary law. According to Azaria and Aristiawati, within the Minangkabau customary legal system, "the property that is inherited is *harta pusaka tinggi*," and heirs are traced exclusively through the maternal line, as women are regarded as the "central link of the clan.".[20] Meanwhile, tertiary data were utilized to strengthen conceptual understanding through legal encyclopedias, dictionaries, and indexes of scientific publications.

Data collection techniques in this study included semi-structured interviews, observation, and documentation. Interviews were conducted to explore women's experiences in managing farmlands, rice fields, and *rumah gadang* in relation to *mamak* (maternal uncles) and husbands. This approach is consistent with an intersectional framework, as Cole argues that intersectionality is an analytical lens that "simultaneously considers the meaning and consequences of multiple categories of identity, difference, and disadvantage." [21] Accordingly, Minangkabau women's experiences are analyzed as the outcomes of intersecting factors of gender, social class, education, and customary structures.

Data analysis was conducted qualitatively using an interactive model consisting of data reduction, data display, and conclusion drawing. Miles, Huberman, and Saldaña emphasize that qualitative analysis requires systematic data displays, as "a visual format presents information systematically so the user can draw conclusions." [22] Data validity

[19] John W. Creswell , Cheryl N. Poth, *Qualitative Inquiry and Research Design: Choosing Among Five Approaches* (Sage Publications, 2018).
[20] Avvisa Azaria, Ayu Karisa Fania Aristiawati, *Pembagian Warisan Tanah Hukum Adat Minangkabau dalam Perspektif Kompilasi Hukum Islam*, *Journal of Law, Society, and Islamic Civilization*, 10, no. 2 (2022): 75-88, https://doi.org/10.20961/jolsic.v10i2.57743
[21] Elizabeth R. Cole, *Intersectionality and Research in Psychology*, *American Psychologist*, 64, no. 3 (2009): 170.
[22] Matthew B. Miles, A. Michael Huberman, Johnny Saldana, *Qualitative Data Analysis: A Methods Sourcebook* (3rd ed.; SAGE Publications, 2014).

was strengthened through source and method triangulation to ensure that the findings on Minangkabau women's vulnerability in customary inheritance are academically accountable.

RESULTS AND DISCUSSION

1. Regulation and Customary Structures in the Management of Minangkabau Ancestral Property

Within the Minangkabau customary system, the management of *harta pusaka tinggi* (ancestral communal property) is embedded in a matrilineal kinship structure, in which women serve as the primary heirs to *rumah gadang* (traditional clan houses), rice fields, and farmlands. This system positions women as symbolic owners and custodians of clan continuity. Women are recognized as *Bundo Kanduang*, a figure culturally represented as *Limpapeh rumah nan gadang*—the central pillar of Minangkabau customary life.[23] *Rumah gadang* functions not only as a domestic space but also as a public arena for the enactment of customary practices.[24] The presence of daughters is regarded as crucial, as it determines the continuity of the lineage and the ownership of ancestral property.[25]

The strengthening of women's roles within customary structures is also reflected in Regional Regulation No. 9 of 2000, which provides space for women's participation in *nagari* governance institutions as well as customary bodies. Nevertheless, historically, women have remained excluded from several strategic customary positions, such as *Manti*, *Malin*, and *Dubalang*.[26] In this context, *mamak* as representatives of male authority continue to hold dominant control over decision-making concerning ancestral property, while husbands are positioned as "honored guests" within their wives' households.[27]

Customary inheritance practices concerning *harta pusaka tinggi* emphasize that ancestral property may not be sold and may only be pledged under specific circumstances, such as covering the costs of women's marriages, the renovation of *rumah*

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[23] Silvia Hanani, *Tanah Ulayat dan Kemiskinan Perempuan*, *Kafa'ah: Journal of Gender Studies*, 3 (2013): 26–43, https://doi.org/10.15548/jk.v3i1.67.

[24] Mina Elfira, *Minangkabau Mothers and Daughters in Contemporary "Rantau" Society; Regaining Power with Modified Matrilineal Principles and Patriarchal "Rantau" Norms*, *Wacana* 24, no. 2 (2023): 197–224, https://doi.org/10.17510/wacana.v24i2.1170.

[25] Refisrul, *Keluarga Minangkabau Tanpa Anak Perempuan: Problematika dan Implikasi Sosial*, in *Kementerian Kebudayaan dan Pariwisata, BPSNT Padang* (Kementerian Kebudayaan dan Pariwisata, BPSNT Padang, 2011), https://books.google.co.id/books?id=HCYYnQEACAAJ

[26] Iva Ariani, *Nilai Filosofis Budaya Matrilineal Di Minangkabau (Relevansinya Bagi Pengembangan Hak-Hak Perempuan Di Indonesia)*, *Jurnal Filsafat*, 25, no. 1 (2016): 32, https://doi.org/10.22146/jf.12613

[27] Joke Schrijvers, Els Postel-Coster, *Minangkabau Women: Change in a Matrilineal Society*, *Archipel*, 13, no. 1 (1977): 79–103, https://doi.org/10.3406/arch.1977.1328

gadang, or the funeral expenses of clan members.[28] However, contemporary realities documented in various studies reveal significant shifts and inequalities, including practices of gender injustice in the management of ancestral property.[29] This phenomenon aligns with studies indicating that the Minangkabau matrilineal system continues to harbor concealed patriarchal practices within its social structure Saputri et al., (2024), Although Minangkabau society formally adheres to a matrilineal system, various studies demonstrate that patriarchy persists in subtle and embedded forms. Women are symbolically honored within customary representations; however, decision-making spaces in adat affairs remain largely dominated by men through the authority of *niniak mamak* and other traditional leaders. This condition underscores that matrilineality does not necessarily equate to gender equality, as patriarchal practices continue to operate in less visible but structurally significant ways.[30]

Moreover, recent studies in customary law indicate a shift in Minangkabau inheritance practices, whereby inheritance distribution is no longer entirely collective and matrilineal but increasingly influenced by bilateral and individual systems. As documented by Faridha et al. (2024) in the Minangkabau community of Bandar Jaya Barat, Central Lampung, two inheritance systems are applied simultaneously: collective matrilineal inheritance for *pusaka tinggi* and bilateral individual inheritance for *pusaka rendah*, the latter being implemented without requiring approval from customary leaders.[31]

2. Empirical Findings on Minangkabau Women's Experiences in Managing Ancestral Property

This study obtained primary data through in-depth interviews with three Minangkabau women as heirs of *harta pusaka tinggi* (ancestral communal property). The interviews were conducted on 5 December 2024 with Informant A and Informant B, and on 10 December 2024 with Informant W. The locations and specific times of the interviews were kept confidential in accordance with agreements made with the informants. The research informants consisted of: Informant A (the only daughter, a domestic worker,

[28] Lany Verayanti, *Partisipasi Politik Perempuan: Minang dalam Sistem Masyarakat Matrilineal* (Insist Press, 2003).
[29] Mery Kurnia, *Buruh Perempuan di Negeri Perempuan: Studi Kasus Pergeseran Peran Perempuan Minangkabau*, *Kafa`ah: Journal of Gender Studies*, 7, no. 1 (2017): 57, https://doi.org/10.15548/jk.v7i1.164.
[30] Rahmah Eka Saputri, Amril, Erma Gusti, Nurjannah, *Under the Shadow of Patriarchy: Women Position in Minangkabau Matrilineal System*, *AJIS: Academic Journal of Islamic Studies*, 9, no. 2 (2024): 393–411, https://doi.org/10.29240/ajis.v9i2.10149.
[31] Erlin Faridha, I Gede AB Wiranata, Nunung Rodliyah, *Analysis of Inheritance Distribution Among Minang Community Against High Heritage and Low Heritage*, *Indonesia Private Law Review*, 5, no. 2 (2024): 79–88, https://doi.org/10.25041/iplr.v5i2.3463.

owner of a *rumah gadang* and farmland); Informant W (the eldest daughter, a housewife, owner of a *rumah gadang* and rice fields); and Informant B (a civil servant teacher, owner of a *rumah gadang* and rice fields). These three informants represent variations in social class and educational background, which are critical for analyzing the differentiated vulnerabilities experienced by women as heirs of ancestral property.

Based on the interview findings, women's experiences in managing ancestral property reveal significant disparities. In managing *rumah gadang*, rice fields, and farmlands, Informants A and W faced limited access to capital and were only able to utilize ancestral property for subsistence purposes. This condition is reflected in the following statement:

> *"Saya dulu pernah menanam limau di ladang ini, tetapi sudah kena penyakit tumbuhannya, dan sekarang hanya menanam cabai dan pisang... ini aja, yang gampang ditanam" – (Interview with Informant A, 5 December 2024).*
> *"Uni di sawah menanam padi, sama memantau batas sawah punya, ini hasilnya untuk makanan sehari-hari aja" – (Interview with Informant W, 10 December 2024).*

In contrast, Informant B was able to manage her rice fields as productive assets with the support of hired labor.:

> *"Sawah ini yang Kelola ante tapi yang mengerjakan anak buah Ante, nanti kalau sudah panen bisa dijual di pasar dan buat makan juga" (Interview with Informant B, 5 December 2024).*

These findings underscore that *harta pusaka tinggi* does not automatically function as an equal source of welfare; rather, its benefits are highly contingent upon the socio-economic position of women heirs. This condition aligns with studies indicating that Minangkabau women's participation in the management of ancestral property has declined due to limited knowledge and restricted access in the context of globalization. Yuhelna et al., (2021) In the context of West Sumatra, issues surrounding the management of ancestral property have become increasingly difficult to resolve through *musyawarah mufakat* (deliberative consensus), as reflected in the growing number of ancestral property disputes brought before the courts. One contributing factor is the weakening or decline of women's roles and participation in ancestral property management, despite the fact that such responsibilities are customarily "entrusted" to Minangkabau women. This decline in women's involvement is closely linked to limited knowledge among Minangkabau women in the era of globalization regarding their customary status and roles, as globalization has significantly reshaped women's perceptions of identity, responsibility, and social position. Therefore, enhancing women's knowledge and

capacity in managing ancestral property is essential to minimizing conflicts in inheritance distribution and strengthening customary governance.[32]

In everyday life, women who inherit ancestral property in Minangkabau society are confronted not only with issues related to property management but also with heavy workloads across multiple spheres of life. These burdens encompass productive, domestic, social, and customary labor performed simultaneously. This condition is clearly reflected in the experiences of the research informants. Informant A, for instance, engages in intensive economic and social activities to meet her family's needs. She works in the fields, tends livestock, participates in farmer group activities, and is also employed as a domestic worker. These activities occupy nearly her entire day and function as survival strategies amid economic constraints, as expressed in the following statement:

> *"Kegiatan sehari-hari biasanya mulai dari pukul 9.00 pagi sampai setengah 6 patang (Sore), ke sawah, ngurus kambing sepupu, ikut kegiatan kelompok tani nyambi' padi (menyambit padi), ada timbal balik juga nanti kita dapat uang atau jasa di sawah orang yang membantu kita. Selesai nyambi' banyak yang di dapat pembagian-pembagiannya, lumayan untuk biaya anak sekolah.. alhamdulillah anak sekolah semua, kadang Saya berhutang dengan saudara. Malam noyan (senin) biasanya ada juga kegiatan ngaji yasin seminggu sekali sampai satangah 11 malam" – (Informant A, interview, 5 December 2024.*

These experiences indicate that the management of ancestral property does not operate in isolation but is intertwined with subsistence labor and social networks that women must sustain to ensure family survival. Meanwhile, Informant W faces substantial domestic burdens, as in addition to managing household responsibilities, she is also tasked with caring for her ill mother. This situation positions her as the primary caregiver within the family, as reflected in her account:

> *"Kegiatan uni biasanya masak dirumah, urus ibu uni kini lah sakik-sakik…" – (Informant W, interview, 10 December 2024).*

The caregiving role (*care work*) performed by Informant W demonstrates that reproductive responsibilities remain strongly attached to women, even though they are recognized as heirs within the customary system. In contrast to Informants A and W, Informant B encounters broader responsibilities that extend into both the public and customary domains. In addition to her professional role as an educator, she serves as an active *bundo kanduang* involved in various clan activities, such as marriage ceremonies and the appointment of *penghulu* (clan leaders). These roles require intensive engagement in the management of the *rumah gadang* and the implementation of customary rituals, as reflected in her account:

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[32] Yuhelna Yuhelna, Sri Rahmadani, Waza Karia Akbar, *Penguatan Peran Perempuan dalam Pengelolaan Harta Pusaka Tinggi di Minangkabau*, *Ekasakti Jurnal Penelitian Dan Pengabdian*, 1, no. 2 (2021): 292–297, https://doi.org/10.31933/ejpp.v1i2.354.

"Ante setiap hari ngajar di sekolah, suami Ante biasanya yang mengontrol karyawan yang kerja di ladang Ante, biasanya Ante sibuk kalau ada nikahan Bako (anak mamak) atau acara pengangkatan Penghulu (datuk), karena kan kita mengadakannya di rumah gadang, jadi Ante semua yang urus" Informant B, interview, 5 December 2024).

These varied experiences demonstrate that Minangkabau women shoulder double, and even layered, burdens across domestic, economic, social, and customary spheres. This condition is consistent with findings from studies on matrilineal cultures and gender roles within migrant households, which position women as simultaneously responsible for both reproductive and productive labor. As demonstrated in the study by Husna and Wahyuni (2024), within Minangkabau society the matrilineal system does provide women with access to family resources and ancestral property; however, such access does not automatically translate into full ownership. Research conducted among Minangkabau migrant households indicates that women are largely limited to utilizing and accessing resources, while men retain control rights and exercise supervisory and maintenance functions over these assets. Accordingly, although lineage and ethnic identity are traced through the maternal line, power relations over material resources continue to reflect male dominance. The study further confirms that gendered role inequalities persist within Minangkabau migrant households, where women experience double workloads as reproductive labor remains disproportionately assigned to them compared to men.[33]

3. Intersectional Analysis: Gender, Class, Education, and Customary Power

Intersectionality is a concept that explains how social class, gender, and race are interconnected. These intersections can produce compounded forms of discrimination or social disadvantage, thereby intensifying issues such as health disparities, poverty, trauma, and other social problems.[34] As emphasized by Andrasik et al. (2022), injustices experienced by gender, sexuality, and racial minority groups stem from long-established social and political structures. When compounded by ongoing experiences of discrimination, these conditions generate sustained adverse effects on the health, livelihoods, and self-worth of marginalized communities.[35]

In the context of Minangkabau society, the matrilineal kinship system normatively positions women as the primary heirs of *pusaka tinggi*. However, in everyday social

[33] Latifah Husna, Ekawati Sri Wahyuni, *Keterikatan Budaya Matrilineal dengan Peran Gender dalam Rumah Tangga Perantau Minang (Kasus: Ikatan Keluarga Minang Kota Jakarta Timur)*, *Jurnal Sains Komunikasi dan Pengembangan Masyarakat [JSKPM]*, 8, no. 03 (2024): 40–54, https://doi.org/10.29244/jskpm.v8i03.1328
[34] Patricia Hill Collins, Sirma Bilge, *Intersectionality* (John Wiley & Sons, 2020).
[35] Michele P. Andrasik, Alika K. Maunakea, Linda Oseso, Carlos E. Rodriguez-Diaz, Stephaun Wallace, Karina Walters, Michi Yukawa, *Awakening: The Unveiling of Historically Unaddressed Social Inequities During the COVID-19 Pandemic in the United States*, *Infectious Disease Clinics of North America*, 36, no. 2 (2022): 295–308, https://doi.org/10.1016/j.idc.2022.01.009

practice, customary power relations often do not fully favor women. The management of and decision-making over ancestral property remain dominated by men, particularly *mamak* (maternal uncles) and male siblings, thereby creating a disparity between customary norms and social realities. This condition indicates that women's symbolic ownership of ancestral property is not always accompanied by effective control over these assets.

In the case of Informant A, the intersection of gender, low economic status, and limited educational attainment significantly intensifies her vulnerability in the management of ancestral property. Restricted access to knowledge of customary law and a weak bargaining position within the family structure leave Informant A with little room to resist or effectively monitor the control of ancestral property by her *mamak* and male siblings. As a result, she has experienced practices of appropriation and utilization of ancestral assets without her consent, as reflected in the following statement:

> *" Suami sekarang kerja juga di sawah milik ibunya, kalau mamak ini ada abang Saya yang makai tanah pusako dijadikannya rumah dan warung, awalnya bikin eler untuk taruh padi lama kelamaan jadi rumah dan warung kini.. terus abang Saya yang pertama manjual ladang Amak diam-diam, baru dikabarin pas sudah dijual katanya anak-anak Saya disuruh kerja cari duit… terus tanah itu dijual dapat 17 Ameh… Sekarang Saya mikir, anak Saya 3 perempuan semua, gimana dia bisa hidup sampai cucu cicit Saya nanti kalau tanah pusakonya lah abis" (Informant A, interview, 5 December 2024).*

These experiences illustrate how inequalities in customary power, when intersecting with class and educational factors, can erode women's rights to ancestral property that they are normatively entitled to inherit. Informant A's concerns regarding the future of her daughters underscore that the loss of ancestral property is not merely an economic issue but also implicates the continuity of identity, social security, and intergenerational well-being within Minangkabau customary society. This finding is consistent with the study by Faridha et al. (2024), which reveals that although *pusaka tinggi* is collectively inherited through the female line in Minangkabau practice, the management of its yields remains under the supervision of *niniak mamak* as family authorities. Consequently, women as holders of ancestral property do not fully exercise autonomy over its benefits, as the use of and decisions regarding ancestral assets must involve male customary authorities.[36]

In addition, research on the resolution of *pusako tinggi* disputes through the institution of *niniak mamak nan salapan* further highlights the central role of customary mechanisms. In their study, Sonanda et al. (2023) explain that the settlement of *pusako tinggi* land

[36] Erlin Faridha, I Gede AB Wiranata, Nunung Rodliyah, *Analysis of Inheritance Distribution Among Minang Community Against High Heritage and Low Heritage*, *Indonesia Private Law Review*, 5, no. 2 (2024): 79–88, https://doi.org/10.25041/iplr.v5i2.3463.

disputes in Nagari Ampalu is conducted through the *Niniak Mamak Nan Salapan* customary institution, prioritizing *musyawarah mufakat* (deliberative consensus). The decisions reached are subsequently submitted to the *Kerapatan Adat Nagari* (KAN) to be formally recognized as valid under applicable customary law. Accordingly, this customary mechanism functions as the primary pathway for mitigating *pusako tinggi* conflicts, particularly in situations where core heirs no longer exist and ancestral property must be transferred to parties deemed entitled under customary norms.[37]

In contrast to Informant A, Informant B's position as a woman with a higher level of education and employment as a civil servant (ASN) affords her stronger negotiating capacity when engaging with customary structures. Educational capital, administrative knowledge, and economic stability enable Informant B to establish clearer boundaries regarding the use of ancestral land by *mamak*. This is reflected in her statement emphasizing the necessity of a written agreement should *mamak* seek to utilize ancestral property:

> "*kalau mamak pengangguran atau indak punyo penghasilan, harus ada tandatangan di atas materai, perjanjian dulu… boleh menempatkan tanah pusako sampai dia punya kerja.. kalau suami sekarnag sedang indak ada kerjaan yang formal... tp suami mantau-mantau kerjaan orang yang kerja di sawah" (Informant B, interview, 5 December 2024).*

These findings indicate that education and social class function as critical forms of capital for women in strengthening their bargaining positions within the customary system. Women with access to education and formal employment possess greater capacity to understand their rights, formulate agreements, and monitor the use of ancestral property, thereby enabling customary power relations to be negotiated in a more balanced manner. The findings of Miswardi et al. (2024) are consistent with the study *Gender Dynamics in Minangkabau Customs*, which underscores that Minangkabau women hold a central role as custodians of *pusaka tinggi* while simultaneously preserving customary values and community identity. However, this role is increasingly confronted by the challenges of modernization, urbanization, and shifting gender relations, requiring women to continuously negotiate between maintaining tradition and adapting to contemporary socio-economic realities. The study highlights the importance of women's

[37] Rahmi Sonanda, Syuryani Syuryani, Jasman Nazar, *Penyelesaian Sengketa Tanah Harta Pusako Tinggi Terhadap Ahli Waris Yang Punah Melalui Niniak Mamak Nan Salapan Di Nagari Ampalu Kabupaten Lima Puluh Kota*, *Law, Development and Justice Review*, 6, no. 2 (2023): 147–165, https://doi.org/10.14710/ldjr.6.2023.147-165.

empowerment and community-based support in ensuring the sustainability of Minangkabau cultural heritage.[38]

Furthermore, the double burden borne by women in managing both ancestral property and domestic responsibilities demonstrates that customary norms which are normatively framed as protective of women may, in practice, transform into sources of socio-economic vulnerability. This condition is consistent with studies on the double burden experienced by Minangkabau women, which emphasize that women today operate simultaneously within domestic and public spheres. Nengsih(2020) research in Padang City shows that socio-economic transformations have reshaped women's roles, enabling them to move beyond domestic labor and actively participate in public economic activities. The study further demonstrates that women's double burden does not necessarily hinder economic empowerment, particularly when women are provided with financial access through sharia-based financial inclusion. With adequate financial support, Minangkabau women navigating multiple roles are able to strengthen economic independence and enhance household welfare.[39]

Accordingly, this study addresses the research question by demonstrating that the intersections of gender, social class, education, and customary power relations significantly shape Minangkabau women's experiences in managing ancestral property. The matrilineal system does not automatically guarantee justice, as social practices such as the dominance of *mamak*, economic constraints, and domestic burdens often intensify the vulnerability of women heirs of *harta pusaka tinggi*.

CONCLUSION

This study demonstrates that the governance of harta pusaka tinggi (ancestral communal property) within the Minangkabau matrilineal kinship system is far more complex than its normative formulation in customary principles. Normatively, women are positioned as the primary heirs and custodians of lineage continuity through the inheritance of the rumah gadang, rice fields, and farmlands. Yet, in everyday practice, strategic decisions regarding the use and management of ancestral property are frequently shaped by customary power relations in which mamak and male customary

[38] Miswardi Miswardi, Gusril Basir, Edi Rosman, Elfiani Elfiani, Adlan Sanur Tarihoran, *Gender Dynamics in Minangkabau Customs: Women's Role in Safeguarding and Preserving High Heirlooms*, *HUMANISMA: Journal of Gender Studies*, 8, no. 2 (2024): 165–179, https://doi.org/10.30983/humanisma.v8i2.9158

[39] Novia Nengsih, *Beban Ganda Perempuan: Penguatan Ekonomi Perempuan melalui Inklusi Keuangan Syariah di Minangkabau*, *Al-Maiyyah: Media Transformasi Gender dalam Paradigma Sosial Keagamaan*, 13, no. 2 (2020): 173–183.

authorities continue to exercise dominant control. This produces a clear gap between normative recognition and lived reality.

Empirical findings from in-depth interviews with three women heirs reveal differentiated experiences in managing ancestral property. Women with limited economic resources and lower educational attainment tend to utilize ancestral assets mainly for subsistence, face restricted access to capital, and hold weaker bargaining power when negotiating with mamak or male relatives over the control and use of communal property. In contrast, women with higher education and formal employment demonstrate stronger negotiating capacity, are better able to establish clearer boundaries, and can monitor the use of ancestral property to prevent the erosion of women's inheritance rights.

The study further confirms that women's management of pusaka tinggi is inseparable from layered everyday burdens that span domestic, productive, social, and customary labor. Women heirs simultaneously perform household management, income-generating activities, caregiving responsibilities, and participation in customary obligations. Under such conditions, ancestral property does not automatically function as an equal source of welfare; instead, it can become an arena of vulnerability when unequal power relations, economic constraints, and domestic responsibilities intersect.

Theoretical contribution. Theoretically, this study strengthens the argument that matrilineality may produce symbolic ownership without effective control. While women are recognized as the normative and symbolic owners of ancestral communal property, substantive control over decisions and resource utilization often remains embedded in male-dominated customary authority structures. An intersectionality framework explains why women's experiences are not homogeneous: differences in social class, education, and economic access shape unequal bargaining capacities, meaning that pusaka tinggi may function as protection for some women while becoming a source of vulnerability for others.

Policy implication. Policy implications highlight the need for more transparent and accountable customary mechanisms in decision-making processes related to pusaka tinggi. Strengthening women's capacity through customary legal literacy is essential so that women understand their rights, customary procedures, and the limits of mamak authority. To prevent unilateral use of ancestral property, this study also recommends formal written procedures when mamak utilizes pusaka tinggi such as written agreements specifying the purpose of use, time limits, boundaries of benefit extraction, and evaluation mechanisms so that women's inheritance rights are not merely symbolic but operationally protected in practice.

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