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Substitute Heirs at the Intersection of Farā'id, Sasak Customary Law, and Article 185 KHI: A Socio-Legal Study in Lombok

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Abstract

Substitute succession sits at a contested intersection of classical Islamic inheritance doctrine, Sasak customary law, and Indonesian positive Islamic law. This study comparatively analyzes how descendants of a predeceased heir are positioned under classical farā'id, Sasak customary practice, and Article 185 of the Compilation of Islamic Law (KHI), and how these normative orders are negotiated in Lombok. A qualitative comparative socio-legal design was used, drawing on semi-structured interviews, contextual observation, three bounded community inheritance illustrations, relevant legal materials, and two 2024 Selong Religious Court decisions. The evidence shows that classical farā'id generally attaches entitlement to heirs alive when succession opens and does not establish a general doctrine of representation. Sasak practice, by contrast, contains locally mediated forms of intergenerational continuity, including Telajuk Mate, Tunas Waris, Patah Titi, hibah, and iṣlāḥ-oriented settlement. Article 185 KHI juridically institutionalizes a controlled form of substitution subject to a statutory share limitation. The study proposes a three-layer model in which farā'id provides the doctrinal baseline, Sasak custom mediates claims through locally legitimate mechanisms, and Article 185 supplies enforceable state-law recognition. Substitute succession is therefore best understood as contextual legal accommodation rather than as a simple rejection or reproduction of classical farā'id.

Keywords: Substitute heirs; Farā'id; Legal pluralism; Sasak customary law; Compilation of Islamic Law.

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INTRODUCTION

Islamic inheritance law regulates the transfer of property after death through rules concerning eligible heirs, exclusion, and allocated shares. In Indonesia, however, inheritance is practiced within a legally plural environment in which Islamic jurisprudence, state family law, and locally authoritative customary norms coexist. Legal-pluralism scholarship shows that such normative orders do not merely stand side by side; they may overlap, compete, and be selectively mobilized in concrete disputes [1], [2], [3], [4]. Indonesian socio-legal research likewise demonstrates that Islamic norms acquire practical meaning through continuing interaction with social institutions and custom [5], [6]. This interaction is especially visible in inheritance because questions of kinship, property, and family continuity carry simultaneous doctrinal, social, and juridical significance.

A persistent point of tension concerns descendants whose parent dies before the person whose estate is later distributed. Classical *farā'id* does not contain a general doctrine of representation equivalent to modern *bij plaatsvervulling*: entitlement is ordinarily assessed in relation to heirs who are alive when succession opens, and a more remote descendant may be excluded by a nearer heir through the rules of *ḥajb*. Indonesian Islamic inheritance scholarship nevertheless records important interpretive and institutional developments that complicate a simple classical-versus-modern opposition [7], [8], [9], [10]. Hazairin's bilateral theory, in particular, opened an Indonesian hermeneutical pathway for understanding Qur'anic *mawālī* as capable of sustaining a descendant's relationship to a predeceased parent [11], while contemporary scholarship shows that Indonesian Islamic law has repeatedly accommodated social considerations through jurisprudential and judicial development [12].

Article 185 of the Compilation of Islamic Law (*Kompilasi Hukum Islam*, KHI) crystallizes this development by allowing the children of an heir who predeceases the decedent to replace that heir, subject to the statutory limitation that the substitute's share may not exceed the share of an heir of equivalent status. The provision has generated sustained debate because it is not a straightforward transcription of the dominant classical *farā'id* doctrine. Studies of Religious Court practice reveal variation in the interpretation, scope, and restriction of substitute-heir claims [13], [14], [15], [16], while recent doctrinal work continues to question how Article 185 should be reconstructed in relation to justice, certainty, and *maqāṣid al-sharī'ah* [17], [18], [19], [20]. The problem is therefore not simply whether substitution is "Islamic" or "non-Islamic," but how its legal legitimacy is constructed across doctrinal, statutory, and social fields.

The Sasak community of Lombok provides a particularly revealing setting for this problem because inheritance is embedded in local concepts of lineage, family property, customary authority, and Islamic observance. Empirical studies show that Sasak inheritance practices are neither uniform nor reducible to a single customary formula. Local arrangements may be shaped by concepts such as *Telajuk Mate*, *Tunas Waris*, *Patah Titi* or related expressions, by deliberation among kin, and by *iṣlāḥ*-oriented settlement [21], [22], [23], [24]. Other studies document the continuing negotiation between Islamic legal expectations, gendered inheritance practices, and local legal culture in Lombok [25], [26], [27], [28]. These findings indicate that customary law functions not merely as an alternative rule book but as a

mediating normative structure through which families interpret property, responsibility, and fairness.

The source material for the present study reflects that plurality in concrete form. In Sikur Barat, a grandchild was reported to have been excluded after the earlier death of the parent was understood to sever the inheritance pathway. In Pringgabaya, a grandchild instead received property through hibah from the grandparent, creating a transfer outside the formal succession mechanism. In Teratak, a hibah to a grandchild reportedly exceeded the portion received by an heir of comparable status, sharpening the distinction between an *inter vivos* gift and the quantitative limitation in Article 185(2). The documentary corpus also includes Selong Religious Court Decisions No. 827/Pdt.G/2024/PA.Sel and No. 1383/Pdt.G/2024/PA.Sel, where the KHI provided the formal framework for determining heirs and substitute heirs. Taken together, these cases show that an identical kinship problem can be processed through exclusion, gift, familial accommodation, or formal adjudication.

The state of the art consequently leaves an empirical and analytical gap. Existing studies have examined Article 185, Religious Court interpretation, Hazairin's theory, Sasak inheritance, and customary dispute settlement, but these strands are often treated separately [13], [14], [15], [17], [21], [22], [23], [24]. Less attention has been given to how classical *farā'id*, Sasak customary concepts, family-based settlement, and Article 185 KHI are negotiated simultaneously within one socio-legal field. The gap is substantive because the coexistence of these orders can change not only the doctrinal label attached to a claim but also the mechanism by which property reaches a descendant, the authority regarded as legitimate, and the meaning of justice that the family seeks to preserve.

To address that gap, this study combines legal pluralism with a contextual Islamic-law perspective. Legal pluralism explains the coexistence and interaction of normative orders rather than presuming that state law automatically displaces religious or customary authority [1], [2], [4], [29]. The Islamic-law dimension then asks whether accommodation can be justified without erasing doctrinal boundaries, including the distinction between inheritance, hibah, and consensual settlement. Maqāsid-oriented scholarship is relevant here because substitute succession raises questions of property protection, family continuity, vulnerability, and substantive fairness [19], [30]. The analytical contribution is therefore a three-layer model in which *farā'id* supplies a normative baseline, Sasak custom mediates claims through locally legitimate practices, and Article 185 juridically institutionalizes a controlled form of substitution.

Accordingly, this study asks three questions: (1) how do classical *farā'id*, Sasak customary law, and Article 185 KHI construct the legal status and entitlement of descendants of a predeceased heir; (2) how are these competing normative frameworks negotiated in Sasak inheritance practice and in the selected Religious Court decisions; and (3) what socio-legal model best explains their accommodation and its implications for substantive inheritance justice? By answering these questions, the study seeks to move beyond a binary account of conflict between *fiqh* and positive law and to explain how doctrine, custom, family negotiation, and adjudication jointly shape substitute succession in Lombok.

METHODS

Research Design

This study used a qualitative comparative socio-legal design with phenomenological sensitivity. The unit of analysis was the normative and practical treatment of descendants whose parent predeceased the decedent, examined across classical farā'id, Sasak customary practice, and Article 185 KHI. A socio-legal design was appropriate because the research question concerns both formal legal rules and the meanings through which those rules are interpreted in family and community settings. The phenomenological element was used to attend to participants' understandings of entitlement, fairness, lineage continuity, and settlement rather than to claim a universal essence of Sasak inheritance. The design was supported by established guidance on purposeful qualitative inquiry, thematic interpretation, and reflexive analysis [31], [32], [33], [34].

Research Setting and Time

The research focused on selected communities in East Lombok and Central Lombok, West Nusa Tenggara, Indonesia, where Islamic norms, Sasak customary authority, and state family law coexist in inheritance practice. The empirical material included accounts connected with Sikur Barat, Pringgabaya, and Teratak. The documentary component included the KHI and Selong Religious Court Decisions No. 827/Pdt.G/2024/PA.Sel and No. 1383/Pdt.G/2024/PA.Sel. The comparative legal synthesis and preparation of the manuscript were finalized in 2026. Location identifiers are reported only at the level necessary to understand the legal and customary context.

Participants and Sampling

Participants were recruited purposively and, where appropriate, through snowball referral. The information-rich categories comprised religious leaders, customary leaders, heirs, and family members with direct knowledge of inheritance distribution or disputes involving descendants of a predeceased heir. Selection emphasized relevance to the research problem rather than statistical representativeness, consistent with the logic of purposeful qualitative sampling [31]. Because the underlying field record available for this article does not establish a defensible population denominator or probabilistic sampling frame, the study makes contextual and analytical claims rather than prevalence estimates. Interview adequacy was assessed through the recurrence and comparative usefulness of themes across participant categories, while avoiding the treatment of any numerical saturation threshold as a mechanical quality criterion [35].

Data Collection Procedure

Primary data were generated through semi-structured interviews and contextual observation. Interview prompts addressed the recognition or exclusion of grandchildren, meanings attached to Telajuk Mate, Tunas Waris, Patah Titi and related local concepts, the use of hibah and iṣlāḥ, perceptions of Article 185 KHI, and the authority of religious, customary, familial, and judicial actors. Documentary analysis covered relevant Qur'anic inheritance principles, fiqh materials represented in the scholarly literature, the KHI, applicable legislation, selected Religious Court

decisions, and peer-reviewed studies on substitute heirs and Sasak inheritance. The three community cases were treated as bounded empirical illustrations rather than as statistically representative case frequencies.

Data Analysis

Analysis proceeded in two linked stages. First, interview, observational, and documentary material was coded thematically to identify recurring categories concerning eligibility, exclusion, continuity of lineage, transfer mechanism, authority, and perceived justice. Second, the categories were entered into a structured comparative matrix contrasting (a) classical farā' id, (b) Hazairin's mawālī interpretation where relevant, (c) Sasak customary mechanisms, and (d) Article 185 KHI. Themes were then compared across the community cases and the two Religious Court decisions to identify convergence, divergence, and accommodation. The procedure follows principles of transparent thematic analysis and trustworthiness [32], [33], while reflexive memoing was used to make the researcher's interpretive role explicit [34].

Ethical Considerations

Participation in the empirical component was voluntary. Informed consent was obtained before interviews, and the presentation of findings was limited to information necessary for socio-legal analysis. Personal identifiers are not reproduced in the article; community locations and public court-decision numbers are used only where analytically relevant. Interview material was handled confidentially, and participants could decline to answer questions or discontinue participation. The study did not use experimental intervention, deception, or collection of biomedical data. Publicly accessible legal texts and court decisions were analyzed as documentary legal materials.

RESULTS AND DISCUSSION

Results

Evidence Profile and Comparative Scope

The evidence reveals a patterned but non-uniform response to substitute succession. The comparative corpus combines participant accounts, three community-based inheritance illustrations, Sasak customary terminology, Article 185 KHI, and two 2024 Selong Religious Court decisions. Across these sources, the central point of divergence is not kinship itself but the legal mechanism through which a descendant of a predeceased child may be excluded, recognized, or provided for. The evidence therefore supports comparison of legal status, transfer mechanism, decision-making authority, and the boundary between inheritance and alternative forms of family property transfer.

Table 1. Evidence Profile and Role in the Comparative Analysis

Evidence Stream	Empirical / Legal Content	Analytical Role	Interpretive Boundary
Interviews and observation	Religious leaders, customary leaders, heirs, and family members with direct inheritance knowledge	Lived interpretations of entitlement, custom, and settlement	Information-rich qualitative evidence; not prevalence data

Evidence Stream	Empirical / Legal Content	Analytical Role	Interpretive Boundary
Three community illustrations	Sikur Barat exclusion; Pringgabaya hibah; Teratak hibah and equivalent-share issue	Contrasts routes by which descendants are excluded or economically protected	Bounded illustrations; not statistically representative cases
Sasak customary concepts	Telajuk Mate, Tunas Waris, Patah Titi and related local expressions	Identifies customary continuity and family mediation mechanisms	Terminology and application may vary across paer
KHI Article 185	Statutory replacement of a predeceased heir by children, with a share ceiling	Defines controlled state-law substitution	Must be distinguished from hibah and consensual redistribution
Religious Court documents	Selong Decisions No. 827/Pdt.G/2024/PA.Sel and No. 1383/Pdt.G/2024/PA.Sel	Shows institutional application of the KHI in formal adjudication	Court decisions illuminate adjudication, not all community practice

Classical Farā'id Establishes a Survival-Based Baseline

The first finding is that the dominant classical farā'id construction does not operate through a general doctrine of representation. Succession opens at the decedent's death, and entitlement is determined by the heirs legally present at that moment; a predeceased child therefore does not first acquire a share that can automatically pass to his or her descendants. Grandchildren may also be excluded by nearer descendants under the rules of ḥajb. Indonesian scholarship confirms this doctrinal baseline while showing that its application has been reinterpreted in national legal development [7], [9], [10]. Hazairin's bilateral theory creates a distinct interpretive pathway by reading mawālī in Q.S. al-Nisā' (4):33 as capable of preserving a descendant's juridical connection to a predeceased parent [11]. The evidence thus distinguishes the dominant classical rule from an Indonesian reformist interpretation rather than conflating the two.

Sasak Custom Preserves Descendant Claims Through Negotiated Mechanisms

The second finding is that Sasak customary practice contains locally meaningful mechanisms for preserving intergenerational claims, but these mechanisms are neither uniform nor automatically equivalent to Article 185. Participant accounts referred to Telajuk Mate, Tunas Waris, Patah Titi and related expressions to describe continuity after the earlier death of a parent. Decisions may be shaped by kinship, responsibility for family property, deliberation, and the authority of elders or religious figures. This adaptive character is consistent with empirical studies showing that Sasak inheritance is negotiated through the interaction of adat, Islamic norms, material value, and family settlement [21], [22], [23], [24], [25], [26], [27], [28]. Customary continuity therefore functions as a social-juridical pathway, not as a single codified rule of substitution.

Article 185 KHI Converts Substitution into a Controlled Legal Entitlement

The third finding concerns the distinctive legal construction introduced by Article 185 KHI. Paragraph (1) allows the children of an heir who dies before the decedent to replace that heir, subject to the disqualification rules referenced by the KHI; paragraph (2) limits the substitute's share so that it does not exceed the share of an heir of equivalent status to the person replaced. This is more than a procedural convenience: it creates legal continuity that may not exist under the dominant classical survival-based construction. Prior studies likewise describe Article 185 as an Indonesian legal reform whose application has generated interpretive variation in Religious Courts [13], [14], [15], [16], [17], [18], [19], [20]. The provision should therefore be understood as controlled statutory substitution rather than as an unlimited right to inherit the exact hypothetical share of the predeceased parent.

Community Cases Reveal Multiple Pathways to Property and Recognition

The three community illustrations demonstrate that a similar kinship position can generate different outcomes. In Sikur Barat, the descendant was reported to have been excluded because the parent's earlier death was understood to interrupt the inheritance pathway. In Pringgabaya, the grandchild received property through hibah, thereby obtaining economic protection without being treated as an heir under the same doctrinal mechanism. In Teratak, a hibah reportedly exceeded the portion received by an heir of comparable status; analytically, this does not by itself violate Article 185(2), because a valid inter vivos gift and an inheritance share are legally distinct mechanisms, although the circumstances of the transfer remain relevant to fairness and family conflict. The two Selong Religious Court decisions show a different pathway again: when a dispute enters formal adjudication, the KHI becomes the operative institutional framework, consistent with scholarship documenting the increasingly structured but still interpretively contested judicial use of Article 185 [14], [15].

Table 2. Comparative Construction of Substitute Succession

Framework	Eligibility / Trigger	Mechanism	Legal Implication
Classical farā'id	Heirship assessed when succession opens; proximity and ḥajb matter	No general modern doctrine of representation	A descendant of a predeceased child may be excluded by nearer heirs
Hazairin's mawālī interpretation	Bilateral reading of Q.S. al-Nisā' (4):33	Hermeneutical continuity through the predeceased parent	Provides an Indonesian Islamic rationale for reform; not classical consensus
Sasak customary law	Kinship continuity interpreted through local concepts and family circumstances	Customary recognition, deliberation, hibah, or iṣlāḥ	Can protect descendants, but outcomes and terminology vary locally

Framework	Eligibility / Trigger	Mechanism	Legal Implication
Article 185 KHI	Child of an heir who predeceases the decedent, subject to KHI conditions	Statutory substitution with a quantitative ceiling	Creates enforceable legal recognition in Indonesian Islamic family law

An Integrated Model of Normative Negotiation and Institutional Accommodation

Taken together, the findings support a three-layer socio-legal model. Classical farā'id supplies the doctrinal baseline concerning succession, proximity, and exclusion; Sasak custom mediates difficult kinship situations through locally legitimate concepts, deliberation, hibah, and iṣlāḥ; and Article 185 KHI institutionalizes a legally enforceable form of substitution within the state Islamic-law framework. These layers may conflict in legal reasoning while coexisting in social practice. The decisive analytical distinction is therefore between normative source, transfer mechanism, and institutional authority. A grandchild may be economically protected through custom or hibah without acquiring the same juridical status as a substitute heir under Article 185, while a Religious Court may formally recognize substitution even when family custom would have resolved the case differently.

Table 3. Pathways of Legal Accommodation in Sasak Substitute-Succession Disputes

Pathway	Normative Basis	Practical Function	Limit / Legal Risk
Classical exclusion	Farā'id proximity and ḥajb	Preserves the survival-based doctrinal structure	May leave descendants of a predeceased child without a substitute share
Customary continuity	Sasak concepts of lineage and family-property continuity	Maintains social recognition of the descendant's position	Not uniform and not automatically enforceable as Article 185
Hibah	Inter vivos property transfer	Provides economic protection outside succession	Must be distinguished from inheritance and assessed on its own legal validity
Familial iṣlāḥ	Consent-based family settlement	Reduces conflict and allows negotiated accommodation	Requires genuine consent and clarity about rights being adjusted
Article 185 adjudication	KHI and Religious Court authority	Creates formal substitute-heir entitlement	Eligibility and Article 185(2) ceiling must be reasoned and calculated transparently

Discussion

The principal contribution of this study is to show that substitute succession in Lombok is better explained as negotiated legal pluralism than as a binary conflict between “Islamic law” and “custom.” The evidence contains at least three concurrent normative orders—fiqh, adat, and state Islamic family law—plus family-level mechanisms that can redirect a dispute before formal adjudication. This pattern closely reflects classic accounts of legal pluralism, in which multiple normative fields retain social effectiveness and actors move among them depending on authority, context, and desired remedy [1], [2], [3], [4]. Comparative socio-legal work further suggests that plural orders are often stabilized through accommodation rather than through the complete displacement of one system by another [29].

The movement from classical exclusion to statutory recognition is therefore a transformation in legal architecture. Article 185 does not merely recalculate an existing classical share; it creates a route by which a descendant can occupy the position of a predeceased heir under Indonesian positive Islamic law. This interpretation is consistent with studies that distinguish the classical inheritance structure from the KHI’s reformist construction [7], [8], [13], [14]. Judicial studies show, however, that recognition is not mechanically uniform: courts have developed restrictions and interpretive techniques around the provision [15], [16]. Recent reform literature similarly frames substitute-heir doctrine as an unresolved field of legal certainty, justice, and institutional design [17], [18], [20].

Hazairin’s mawālī theory helps explain how this reform acquired an Islamic intellectual vocabulary without requiring the claim that the Qur’an expressly codifies the modern Article 185 mechanism. Cammack’s analysis of Hazairin shows that bilateral inheritance theory was part of a broader Indonesian effort to reinterpret Qur’anic kinship against assumptions embedded in classical juristic structure [11]. The present findings support treating mawālī as hermeneutical legitimation: it expands the range of plausible Islamic legal reasoning, but it should not be presented as proof of a unanimous classical doctrine of representation. This distinction strengthens rather than weakens the argument for contextual reform because it makes the interpretive step transparent.

Sasak customary law complicates the same issue from below. Telajuk Mate, Tunas Waris, Patah Titi and related ideas indicate that intergenerational continuity is not simply a statutory invention. Prior research in Lombok documents inheritance settlements shaped by customary authority, family deliberation, changing valuations of inherited assets, and the interaction of adat with Islamic legal norms [21], [22], [23], [24], [25]. Research on Sasak women’s inheritance rights also shows that local legal consciousness can both preserve tradition and generate resistance when customary outcomes are perceived as inequitable [26]. The present study extends that literature by locating substitute succession within the same field of negotiated legitimacy.

The empirical distinction between inheritance, hibah, and iṣlāḥ is particularly important. A family may protect a grandchild through an inter vivos gift even when the grandchild would not receive the same position under a strict classical inheritance calculation. It may also settle competing claims by agreement, provided that consent is genuine and the legal nature of the arrangement is understood. Studies from Lombok and other Indonesian Muslim communities show that peace agreements, takharruj-like arrangements, postponement, and local redistribution practices can function as socially effective forms of inheritance conflict

management [26], [27], [36], [37], [38]. Yet legal accommodation should not erase categories: a gift should not be retroactively described as an Article 185 inheritance share, and a consensual settlement should not be presented as though it were the mandatory *farā'id* calculation.

Formal adjudication adds another layer of authority. The two Selong Religious Court decisions in the study demonstrate that once a claim is judicialized, the KHI provides a standardized legal vocabulary for identifying heirs and applying substitute succession. This institutionalization can increase legal certainty for descendants who might otherwise depend on discretionary family generosity, but it also exposes the interpretive questions created by Article 185's brevity. Research on Religious Court practice documents restricted readings, jurisdictional variation, and continued debate concerning the scope of replacement [14], [15], [16], [20]. The practical challenge is therefore to combine predictable adjudication with transparent reasoning about why substitution applies and how the statutory ceiling is calculated.

The justice rationale for substitute succession should likewise be framed carefully. Maqāṣid-oriented analysis supports attention to property protection, family continuity, and the avoidance of preventable vulnerability [19], while Islamic inheritance scholarship emphasizes that justice cannot be reduced to mathematical equality detached from kinship and legal entitlement [30], [39]. The present evidence suggests that Article 185 can serve substantive justice where a descendant would otherwise experience abrupt intergenerational exclusion, but the claim is strongest when paired with procedural safeguards: accurate identification of the replaced heir, separation of inheritance from prior gifts, transparent calculation, and respect for the rights of other heirs. Justice is therefore a structured legal objective rather than an unrestricted license to redistribute an estate.

The wider Indonesian literature also cautions against treating inheritance reform as a single-axis problem. Studies of women's inheritance, gendered property claims, interfaith succession, judicial reinterpretation, and the continuing reconstruction of substitute-heir rules show that Islamic inheritance law is repeatedly negotiated at the intersection of doctrine, social vulnerability, and national legal development [25], [40], [41], [42], [43], [44], [45]. These studies do not make every reform normatively equivalent, but they demonstrate that Indonesian inheritance law is a living field in which courts and communities confront situations not exhaustively resolved by a single inherited doctrinal formulation. Substitute heirs belong within that broader reform trajectory.

For practice, the three-layer model suggests a sequence for judges, mediators, religious leaders, and customary authorities. First, identify the doctrinal inheritance structure and the status of the predeceased intermediary. Second, distinguish whether the family is proposing inheritance, *hibah*, or negotiated settlement. Third, where Article 185 governs, apply its eligibility and quantitative limits explicitly rather than relying on a generalized appeal to compassion. Fourth, document consent and the legal basis of any non-judicial settlement. This sequence does not eliminate pluralism; it makes the movement between normative orders more transparent and reduces the risk that different mechanisms are treated as interchangeable.

Methodologically, the study benefits from triangulating participant perspectives, bounded community cases, primary legal materials, and judicial decisions, but its claims remain interpretive rather than statistical. Purposeful sampling is appropriate for information-rich socio-legal inquiry [31], while thematic analysis provides a systematic way to compare meaning across heterogeneous qualitative sources [32], [33]. At the same time, qualitative

adequacy should not be equated with a fixed interview count [35], and reflexivity is necessary because the researcher's legal categories can shape what is recognized as conflict or accommodation [34]. These considerations support analytical transferability while limiting claims about prevalence across all Sasak communities.

In synthesis, the Sasak evidence reframes substitute succession as a process of contextual legal accommodation. *Farā'id* remains the indispensable doctrinal reference; Sasak custom supplies socially embedded forms of continuity and settlement; and Article 185 KHI converts one form of replacement into an enforceable state-law entitlement. The innovation of the study lies not in declaring one order superior, but in demonstrating how their different functions can be analytically separated and then recombined within a coherent socio-legal model. This explains why apparently similar family situations may produce exclusion, hibah, customary recognition, negotiated settlement, or judicial substitution while still being understood locally as efforts to preserve inheritance justice and family continuity.

CONCLUSION

This study concludes that substitute succession among Sasak Muslims is produced through the interaction of three distinct but overlapping normative layers: the survival- and proximity-based structure of classical *farā'id*, the mediating practices of Sasak customary law, and the controlled statutory substitution established by Article 185 KHI. The community cases show that descendants of a predeceased heir may be excluded, protected through hibah, accommodated through customary or familial settlement, or formally recognized through state Islamic law, and these pathways should not be treated as legally identical. The study's central contribution is a socio-legal model that separates normative source, transfer mechanism, and institutional authority while explaining how they are negotiated in practice. Within that model, Article 185 is best understood as contextual Islamic legal accommodation rather than a simple reproduction or rejection of classical *farā'id*. Its legitimacy and practical value lie in combining family continuity and substantive protection with clear doctrinal boundaries, transparent calculation, and respect for the rights of other heirs.

LIMITATIONS

The findings are bounded by a qualitative socio-legal design focused on selected Sasak communities in East and Central Lombok and therefore cannot establish the prevalence of particular inheritance practices across Lombok or Indonesia. The available field record does not support statistical estimates by participant category, and the three community illustrations are analytically informative cases rather than a representative sample. Interview and observational evidence may also reflect retrospective interpretation, while publicly available court decisions capture only disputes that reached formal adjudication. In addition, local terms such as *Telajuk Mate*, *Tunas Waris*, and *Patah Titi* may vary in meaning across paer and should not be generalized without community-specific verification. Future research should combine multi-site ethnography with systematic coding of Religious Court decisions and, where feasible, mixed-method measurement of inheritance pathways to test how often exclusion, hibah, *iṣlāḥ*, customary recognition, and Article 185 adjudication occur under different kinship and socioeconomic conditions.

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AUTHOR CONTRIBUTION

A.K.: Conceptualization, Methodology, Investigation, Data curation, Formal analysis, Visualization, Writing – original draft, Writing – review & editing, and Project administration. The author read and approved the final manuscript and accepts accountability for the work.

CONFLICT OF INTEREST

"The authors declare no conflict of interest."

DECLARATION OF USE OF AI IN SCIENTIFIC WRITING

OpenAI ChatGPT was used during manuscript preparation for English-language refinement and reference-format cross-checking. The author reviewed and verified the final content, citations, legal interpretations, and conclusions and accepts full responsibility for the manuscript.

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