

THE ROLE OF HATOBANGON IN WAQF LAND DISPUTE RESOLUTION: A SOLUTION FOR RURAL CUSTOMARY CONFLICT IN BANGUN PURBA

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Abstract

This article aims to explore the role of Hatobangon, a respected traditional figure, in resolving waqf land disputes in Bangun Purba village, Kecamatan Lembah Sorik Marapi, Kabupaten Mandailing Natal. Specifically, it examines the effectiveness of Hatobangon as a mediator within the customary dispute resolution system and identifies the factors influencing their success in maintaining community harmony. The study employs a qualitative approach, utilizing field observations, in-depth interviews with key stakeholders, including Hatobangon leaders and community members, and a review of relevant local regulations and customary practices. Data were analyzed through thematic analysis to uncover patterns in how Hatobangon handles waqf land disputes and the challenges encountered in the process. The findings indicate that Hatobangon plays a central role in mediating disputes by combining customary law and social considerations. However, the effectiveness of this mediation process is hampered by several factors, including inadequate facilities, limited resources, and a lack of public trust in the customary dispute resolution mechanism. Despite these challenges, Hatobangon remains a key figure in ensuring that the outcomes of disputes reflect local cultural values and preserve community cohesion. This study provides new insights into the rarely examined role of Hatobangon in resolving waqf land disputes, highlighting the intersection of customary law and Islamic principles in rural conflict resolution. It adds to the body of literature on indigenous dispute mechanisms by focusing on the unique socio-cultural dynamics of Bangun Purba village. The research suggests that enhancing the resources and capacity of Hatobangon could improve the efficiency of dispute resolution in rural areas. Furthermore, increased community education and formalization of the waqf land dispute mechanism could strengthen public trust in this customary system, promoting social harmony and sustainable land management practices.

Keywords: Hatobangon; Dispute; Waqf Land; Dispute Resolution.

INTRODUCTION

Waqf plays a critical role in social and economic development in Indonesia.¹ As an Islamic philanthropic instrument, waqf enables individuals to donate their wealth for public benefit and is essential in promoting welfare. The concept of waqf continues to grow in both quantity and quality, especially with innovations like cash waqf and digital waqf donations.² According to recent reports, waqf in Indonesia is expanding rapidly, with the Indonesian Waqf Board (BWI) predicting increased public awareness and participation in waqf between 2019 and 2024. The introduction of new waqf formats, such as cash waqf and digital waqf, has simplified the donation process. This modernization has made waqf more accessible to the public, contributing to its rising popularity.³ These developments highlight waqf's significance as a social and economic tool in contemporary Indonesian society.⁴

Despite the benefits, waqf in Indonesia faces numerous legal and administrative challenges.⁵ One of the most significant problems is the frequent occurrence of land disputes regarding waqf property. These conflicts arise due to issues such as lack of legal ownership documentation, unauthorized interventions, and poor management. In many cases, disagreements about the ownership of waqf land lead to lengthy legal battles, which disrupt the intended purpose of the waqf. For instance, the case of Al-Markaz Al-Islam Mosque in Bogor, West Java, illustrates how third parties can make dubious claims on waqf land, resulting in protracted legal disputes.⁶ The resolution of such cases requires collaboration between local governments, waqf authorities, and communities. These

¹ Ani Yumarni et al., "The Implementation of Waqf as 'Urf in Indonesia," *Sriwijaya Law Review* 5, no. 2 (2021): 287-99, <https://doi.org/10.28946/slrev.Vol5.Iss2.1126.pp287-299>.

² Efri Syamsul Bahri, "The Proposed Model for Successful Cash Waqf Management for Waqf Institutions in Indonesia," *ITQAN: Journal of Islamic Economics, Management, and Finance* 2, no. 1 (2023): 1-9, <https://doi.org/10.57053/itqan.v2i1.13>.

³ BWI, *Laporan Indeks Literasi Wakaf Nasional 2020*, 2020.

⁴ Nanda Arisqa Lapatantja and Muammar Bakry, "Comparative Analyses of Maliki and Hanbali Thought on Waqf Istibdal," *Mazahibuna: Jurnal Perbandingan Mazhab* 3, no. 1 (2021): 49-60, <https://doi.org/10.24252/mh.v3i1.21129>.

⁵ Rahma Elsa Fitriani and Muhammad Taufiq, "Analisis Pengaruh Wakaf Digital Terhadap Kesejahteraan Masyarakat Di Kabupaten Lima Puluh Kota," *Jurnal Ilmiah Mahasiswa Ekonomi Syariah (JIMESHA)* 3, no. 1 (2023): 67-78, <https://doi.org/10.36908/jimesha.v3i1.201>.

⁶ Marihot Nasution, "Tantangan Pengelolaan Wakaf Di Indonesia," *Budget Issue Brief Kesejahteraan Rakyat* 02, no. April (2022): 5-6.

ongoing disputes underline the complexity of waqf land management in Indonesia, which demands more effective oversight and intervention.⁷

Various scholars have studied the management and resolution of waqf disputes in Indonesia. The literature on waqf highlights different aspects, such as legal frameworks, cultural practices, and dispute resolution mechanisms. Scholars have noted both the strengths and limitations of these frameworks in ensuring waqf property is properly managed. Discusses the role of local authorities in managing waqf property,⁸ while emphasizes the need for stronger legal protections for waqf land.⁹ The involvement of customary leaders in resolving waqf disputes.¹⁰ Highlight the role of digital waqf in modern contexts.¹¹ In addition, examines the impact of these innovations on waqf donations in Indonesia.¹² The breadth of literature reflects the ongoing interest in improving waqf management and resolving disputes effectively in Indonesia.

Despite extensive research, the role of traditional leaders, like Hatobangon, in resolving waqf disputes has not been sufficiently explored. Many studies focus on legal and governmental interventions, but few examine the crucial role that customary leaders play in mediating waqf conflicts. These leaders, who are often respected figures within their communities, have the ability to manage disputes in a way that aligns with both legal and cultural expectations. The role of Hatobangon, particularly in villages like Bangun Purba, illustrates how traditional authority can be instrumental in maintaining peace and ensuring fair resolutions in waqf disputes. Their involvement not only

⁷ Imam T. Saptono, *Perkembangan Perwakafan Nasional*, 2023.

⁸ L Hamdani and E Hamzah, "The Youtuber's Waqf and Zakat Model as a Fundraising Innovation for Waqf Funds," in *International Conference of Zakat*, 2021, 267-76, <https://iconzbaznas.com/submission/index.php/proceedings/article/view/283>.

⁹ Islamiyati et al., "Religious Practices of Land Endowment: Examining Reform and Dispute Resolution Alternatives of Land Waqf in Indonesia and Malaysia," *International Journal of Public Policy and Administration Research* 9, no. 3 (2022): 71-78, <https://doi.org/10.18488/74.v9i3.3204>.

¹⁰ Nasrul Hisyam Nor Muhamad et al., "Konsep Maqasid Syariah Dalam Pengurusan Wakaf (Maqasid Syariah In Waqf Management)," *UMRAN-International Journal of Islamic and Civilizational Studies* 2, no. 3 (2015), <https://doi.org/10.11113/umran2015.2n3.21>.

¹¹ Mohammad Ghozali and Yoanda Syah Putra, "The Management of Cash Waqf on Dinar and Dirham from The View of Islamic Law (Case Study at Wakala Parent Bintan)," *Al-Iktisab: Journal of Islamic Economic Law* 3, no. 2 (2019): 79-97, <https://doi.org/10.21111/al-iktisab.v3i2.3909>.

¹² Khaled Nour Aldeen, Inayah Swasti Ratih, and Risa Sari Pertiwi, "Cash Waqf from the Millennials' Perspective: A Case of Indonesia," *ISRA International Journal of Islamic Finance* 14, no. 1 (2022): 20-37, <https://doi.org/10.1108/IJIF-10-2020-0223>.

incorporates legal aspects but also preserves social harmony. This gap in the research leaves room for further investigation into how traditional mechanisms can complement formal legal processes. Understanding the influence of customary figures like Hatobangon is essential for developing more holistic approaches to waqf dispute resolution.

This article aims to examine the role of Hatobangon in resolving waqf land disputes in Bangun Purba village. The study focuses on understanding how Hatobangon, as customary leaders, mediate disputes and ensure that resolutions are both legally sound and culturally appropriate. By examining specific cases, the research will shed light on the factors influencing dispute resolution in waqf matters. The research will analyze a prominent case involving a dispute over waqf land in Bangun Purba, where Hatobangon played a key role in the mediation process. The study will draw on interviews, historical documentation, and legal records to assess how these leaders navigate the complexities of land ownership and community interests. The findings will contribute to broader discussions on integrating traditional and legal methods in waqf dispute management. This article will provide valuable insights into the role of Hatobangon in maintaining social and legal balance in waqf land disputes.

Traditional mechanisms, like those led by Hatobangon, are vital in resolving sensitive waqf land disputes in Indonesia. While formal legal processes are crucial, they may not always align with the social and cultural dynamics of rural communities. Hatobangon, as respected figures, can mediate these disputes by blending customary law with formal legal principles, ensuring that outcomes are acceptable to all parties. In the case of Bangun Purba, Hatobangon's leadership helped prevent conflict escalation by incorporating historical, legal, and cultural considerations into their decision-making process. The success of these traditional leaders is evident in the community's acceptance of their rulings, which not only resolve legal issues but also maintain social harmony. The integration of customary dispute resolution practices with legal frameworks is supported by local government regulations, such as Mandailing Natal's Regent Regulation No. 17 of 2021, which emphasizes the role of customary leaders in conflict resolution.¹³ The

¹³ Peraturan Bupati Mandailing Natal No 17 Tahun 2021 Tentang Pedoman penyelesaian perkara dengan tiga pilar pemerintahan (umaro), Tokoh agama (Ulama), dan Tokoh Adat Kabupaten Mandailig Natal

study argues that a combination of traditional and formal legal approaches can offer more sustainable solutions to waqf disputes in Indonesia.

METHOD

This study adopts an empirical juridical research design to examine the role of Hatobangon in resolving land disputes in Bangun Purba village, Mandailing Natal Regency. Empirical juridical research integrates both legal theory and direct observation to analyze real-world practices. By combining primary and secondary data sources, this approach allows for an in-depth understanding of the legal and customary dynamics surrounding land dispute resolution. Primary and secondary data were collected to ensure comprehensive coverage of the research topic. Primary data was gathered through interviews with key informants, including local leaders such as the village head, Hatobangon members, and community representatives, as outlined in the respondent table. Secondary data sources were obtained through books, legal documents, and media reports that provided contextual and legal information related to land disputes and customary law in Indonesia

Table 1: Data of Research Respondents

No	Infroman	Position
1	Zubeir S.H	Bangun Purba Village Head
2	Rahmad	Social and Cultural Section of Bangun Purba Village
3	Jahriana	Economic Section of Bangun Purba Village
4	Saroha	Development and Environment Section
5	Hendri	Hatobangon Bangun Purba Village
6	Lindung	Bangun Purba Village Community
7	Desi	Bangun Purba Village Community

This research aims to analyse and observe the customary dispute resolution practices of the Hatobangon of Bangun Purba village. The research involved the community and the parties, in order to explore their perspectives on the role of Hatobangon in customary dispute resolution applied by the community, in terms of the legal factors considered in the decision-making process in the dispute. After collecting the data, it was analysed

qualitatively by performing data reduction, data presentation, and logical and systematic conclusion drawing.

RESULT AND DISCUSSION

1. Hatobangon's Role in Land Dispute Resolution

In the belief of the indigenous people of Bangun Purba village, hatobangon has the ability to solve a problem and can decide a case in the midst of society, both big problems and small problems, especially those involving customs and religion, can be resolved through deliberation. However, not all disputes that arise in indigenous communities must be resolved in deliberations, but only disputes that have disturbed the interests of the customary community.

Many types of disputes require resolution through the role of hatobangon. But among the many disputes that exist, inheritance disputes, waqf land disputes, marriage disputes are also often carried out through the role of hatobangon. The waqf land dispute in Bangun Purba village community is a process that has been carried out for generations. Therefore, the people of Bangun Purba village respond and respect the decision of the hatobangon role in resolving all disputes.¹⁴

The conflict problem that occurred in Bangun Purba Village, Sorik Marapi Valley Subdistrict, Mandailing Natal Regency is a conflict over waqf land disputes due to the large amount of inherited land left by families who have died and do not have land deeds, where the conflicted land is very useful for educating the nation's children in other words, the inherited land was established as an Education Madrasah. The land is used as educational land. And also this waqf land was reclaimed by the descendants of the owner to restore ownership rights. Where residents and hatobangon are increasingly aware of the importance of their rights.

Therefore, an appropriate mechanism is needed to resolve the waqf land dispute case. In order to avoid disputes that will lead to community conflict. One of the most effective

¹⁴ Elizabeth Nela Sari, Muhammad Yamin, and Edy Ikhsan, "Peran Dalihan Natolu Dalam Penyelesaian Sengketa Tanah Hak Ulayat Untuk Pengadaan Kepentingan Umum Di Kabupaten Humbang Hasundutan," *Jurnal Hukum Dan Kemasyarakatan Al-Hikmah* 3, no. 2 (2022): 358–67. Doi : <https://doi.org/10.30743/jhah.v3i2.5417>

methods to resolve land disputes is deliberation or mediation and the most suitable mediator in the case of waqf land disputes is the village customary hatobangon because he is the one who best understands the history / heritage of the village he is also respected by the people of Bangun Purba village, Sorik Marapi Valley District, Mandailing Natal Regency.¹⁵

In Bangun Purba Village, Sorik Marapi Valley Sub-district, Mandailing Natal Regency, the role of hatobangon in the village justice process adheres to three important elements of village justice, namely hatobangon, village head, and village meetings. Hatobangon as the single key in village deliberations, he is the organizer of land disputes and other disputes, in the implementation of his role is assisted by the village government for the benefit of hatobangon's role in guiding deliberations.

According to Mr. Hendri as hatobangon of Bangun Purba village, Sorik Marapi Valley District, Mandailing Natal Regency.¹⁶

“That the role of the hatobangon in resolving disputes that occur is to receive complaints from the parties concerned and when there is a complaint report from one of the parties then the hatobangon handles the dispute”.

The following are the steps in the process of resolving waqf land disputes in Bangun Purba Village, Sorik Marapi Valley District, Mandailing Natal Regency.

The settlement of waqf land disputes in Bangun Purba Village, Sorik Marapi Valley Sub-district, Mandailing Natal Regency is caused by several things.

- a. The owner of the waqf land has died
- b. The condition of people who realize that waqf land is claimed by the descendants of the waqf donor
- c. The land title is not clear
- d. Unclear land boundaries between owners

Case of waqf land dispute in Bangun Purba village, Sorik Marapi Valley Subdistrict, Mandailing Natal Regency. Between the descendants of the waqf giver of the conflict and

¹⁵ Ilham Syukur, *“Alternatif Penyelesaian Sengketa Waris Oleh Dalihan Na Tolu Di Desa Lumban Dolok Kecamatan Siabu,”* Jurnal El-Thawalib. Vol. 3. No. 6 Desember 2022. Hal. 1101. Doi: <https://doi.org/10.24952/el-thawalib.v3i6.6664>

¹⁶ Wawancara dengan bapak Hendri, Selaku Hatobangon Desa Bangun Purba, tanggal 24 Mei 2024

the people of Bangun Purba village, both are equally strong in their arguments that the community says the land has been waqf'ed by the previous owner. However, the descendants of the waqf land giver claim that the land was never waqf'ed by his family. Which is not based on the lack of ownership of land deeds that cause the land given is waqf land or not.¹⁷

The dispute handling mechanism according to the view of land law is usually organized in the following pattern.

1. Complaints

The complaint contains a number of matters and events that illustrate that the applicant/complainant is the party entitled to the disputed land by attaching strong evidence and requesting settlement with the hope that the land can be prevented from mutation so as not to harm the applicant.

2. Research

The next mechanism after the completion of the complaint is research in the form of data collection or administrative and physical research results in the field regarding the ruler. The results of the research can be concluded temporarily that whether the complaint is reasonable or not for further processing.

3. Mutation prevention

The follow-up to the dispute settlement is on the basis of instructions or orders or on the initiative of the head of the agrarian office concerned for the disputed land. This step is taken to secure the temporary prevention of any form of change or mutation. It is intended that the prevention of mutation is to temporarily stop all forms of change to the disputed land.

4. Mediation or deliberation

According to the etymological view, the term mediation comes from the Latin word *Meriare* which is in the middle. This means that the role played by the third party as a mediator in carrying out his duties also means that the mediator must be in a neutral and impartial position in resolving the dispute. In Government Regulation No. 54 of 2000 ,

¹⁷ Muhammad Rifqi Hidayat and Parman Komarudin, "Penyelesaian Sengketa Wakaf Melalui Jalur Litigasi Dan Non-Litigasi," *Al-Adl : Jurnal Hukum* 11, no. 2 (2020): 184, <https://doi.org/10.31602/al-adl.v11i2.1936>.

there are criteria for becoming a mediator of an institution providing out-of-court environmental dispute resolution services, namely:

- a) Capable of performing legal acts
- b) At least 30 years old
- c) There are no objections from the public, namely the decision with a period of one month.
- d) Have the skills to conduct negotiations or apprenticeships

There is a dispute resolution process in Bangun Purba Village, Sorik Marapi Valley District, Mandailing Natal Regency in resolving waqf land disputes that occur in the community, namely by means of:

1. Filing a complaint with the hatobangon or customary chief After one of the parties files a complaint, the customary chief or hatobangon then handles the dispute, asking for information and trying to reconcile in a family manner first, but if both parties do not want to reconcile then the dispute asks the hatobangon to play a role.
2. Hatobangon presents the parties to a hatobangon dispute by first presenting the first party (plaintiff), asking for information, then presenting the second party (defendant) and then being asked for information about the contested land dispute.
3. Collecting data, hatobangon asks for information about the genealogy of the contested land from both parties, finding out who the original owner of the disputed land was, who the descendants are related to the disputed land, sometimes when collecting data about the genealogy of the land, hatobangon as the oldest becomes a reference in knowing and understanding the genealogy of the land in Bangun Purba village.
4. Negotiations between the two parties assisted by Hatobangon Bangun Purba Village, Lebah Sorik Marapi Sub-district, Mandailing Natal Regency.
5. The mediation of the two parties is then reunited in a judicial deliberation of the hatobangon trial, hatobangon as a mediator tries to reconcile the disputing community first, because most of the cases handled by hatobangon, the parties to the dispute have a family relationship.
6. If the mediation does not reconcile then the hatobangon will make the decision to decide the ownership of the land dispute.

7. And if you cannot accept the decision, the judicial settlement will be carried out later so that the court has the authority to decide who is wrong and who is right about the waqf land dispute.¹⁸

Table 2. Dispute Case Data from 2019 to 2023

No.	Year	Dispute Type				Disputes Resolved in the Village Land Dispute	Disputes Resolved in Court
		Divorce	Land Dispute	Inherited Property	Showdown		
1	2019	1	1	-	-	1	1
2	2020	-	1	-	-	1	-
3	2021	1	3	-	-	2	1
4	2022	1	1	-	-	1	1
5	2023	1	2	-	-	1	1

Data source: Kantor Kepala Desa Bangun Purba

Table 2 above shows. That the highest number of dispute cases was dominated by land disputes, followed by divorce, while inheritance and disputes using data from 2019 to 2023 did not exist. The most cases of land disputes and the least in 2021 were 3 times and were resolved by custom and kinship in the village court. Meanwhile, divorce cases in 2019, 2020, 2021, and 2022 proved that there was only 1 divorce during that time period. And resolved by the village customary court.

The role of hatobangon is very important in aligning the relationship between the central government and the village, especially in delivering information and socializing the government. Based on the meaning of a legal community unit that has an area that has the authority to regulate and manage its own household affairs. Local community interests based on community initiatives, origin rights, and traditional rights are recognized and respected by the state and the Indonesian state government system.

¹⁸ Wawancara bersama bapak Lindung, masyarakat desa Bangun Purba, tanggal 25 Mei 2024

Based on the results of interview data with Mr. Zubeir S.H as the head of Bangun Purba village:

“That land disputes occur due to several factors that make the classification of problems, namely related problems:

- a) Ownership recognized on land*
- b) Transfer of land rights (waqf land)*
- c) Imposition of rights*

The most common aspects of conflict disputes, according to the village head, are the recognition of ownership of land and the transfer of land rights. In the case of recognition of ownership of land by the family, the waqf land is disputed. In addition, there is also a transfer of land rights between the waqf donor and the local community. It turns out that the family of the waqf land giver does not recognize that the land is waqf land or is given freely to the community for educational purposes and is supported by the absence of evidence of certificates of ownership of waqf land.

Through an interview with Mr. Rahmad from the socio-cultural section of Bangun Purba village, Sorik Marapi Valley District, Mandailing Natal Regency.¹⁹

“It is known that the function or role of hatobangon in resolving conflicts is not only land conflicts, but other conflicts as well:

- a. Provides guidance to disputing parties on how to resolve disputes through peaceful resolution.*
- b. Maintain the integrity of the community fellowship, so that the fellowship can be established and maintained and felt by the people of Bangun Purba village.*
- c. Be a guide in making decisions when conflicts occur or disputes occur*
- d. Pay attention to any decisions that have been determined by Mandailing Natal customary law*
- e. As the community relies on hatobangon to solve, protect, and ensure peace, it is the only place the community relies on to solve problems*

When a waqf land dispute occurs in Bangun Purba village, it is certain that it will reach the court level, either the customary court or the civil law court. Then everything

¹⁹ Wawancara dengan bapak Rahmad, Seksi sosial budaya desa Bangun Purba, tanggal 25 Mei 2024

has become convoluted and difficult, because at that time the parties to the Dispute means that the parties will be faced with the problem of lawsuits, plaintiffs, defendants, witnesses, confessions, and oaths. Dispute resolution through village customary courts is much more efficient and effective. A lawsuit will only be filed if there is no other customary way to resolve the dispute.²⁰

2. Factors Affecting the Settlement of Waqf Land Disputes in Bangun Purba Village

Based on the results of interviews with Mrs. Saroha as the section of guidance and environment that the settlement of waqf land disputes by way of deliberation and involving the role of hatobangon there are several factors that can affect the effectiveness of dispute resolution and many people who do not understand the role of hatobangon as a mediator in the settlement of adat justice disputes in Bangun Purba village.²¹

Basically what happened in Bangun Purba village was that the settlement of land disputes through the village customary court by the role of hatobangon did not run effectively. Based on the results of field observations, there are several factors that become obstacles or obstacles to the role of hatobangon as a mediator in terms of resolving waqf land disputes in Bangun Purba village community, so as not to reach an agreement between the two parties to the dispute including:

a. Facilities

Through an interview with Jahriana as the economic section of Bangun Purba village, the occurrence of land disputes that occur cannot be resolved through customary justice by the role of hatobangon because it requires cooperation with other village governments to be able to resolve land disputes by deliberation. Likewise, the village government still has limitations in resolving land disputes in Bangun Purba village.²²

Other facilities and facilities such as operational matters, caused in Bangun Purba village are still very limited in resolving land disputes in the deliberation channel from the village government which is still not good. Because the village government does not have village government equipment related to checking the size of the parties. Based on

²⁰ Aulia Azhari, "Peran Kepala Desa Dalam Penyelesaian Sengketa Pada Masyarakat Ujung Gurap Kecamatan Padang Sidempuan Btunadua Kota Padang Sisimpuan," 2021. Hal. 43.

²¹ Wawancara dengan Bapak Saroha, Seksi pembinaan dan lingkungan desa Bangun Purba, 25 Mei 2024

²² Wawancara dengan ibu Jahriana, Seksi ekonomi desa Bangun Purba, tanggal 25 Mei 2024

the results of the interview, the existing facilities in Bangun Purba village are not sufficient to be able to conduct deliberations in the event of a land dispute.

b. Human Resources

Hatobangon who acts as a mediator of the village court deliberation process still lacks understanding or is not fully capable of resolving land disputes that occur within the Bangun Purba village community. In the implementation of deliberations in the village court, hatobangon should have the ability to influence both parties. Based on the results of interviews with Mrs. Desi as the community of Bangun Purba village.

*“In the settlement of deliberations, it has not been effective because the role of hatobangon is not able to resolve land disputes because there is no peace between the disputing parties”.*²³

c. Awareness of Bangun Purba Village Community

Some communities do not resolve disputes at the village level due to a lack of trust from the community to the hatobangon and even the village government as mediators in dispute resolution. This is because the community does not fully understand the waqf land dispute resolution mechanism implemented by the hatobangon due to the absence of written rules and guidelines related to the land dispute resolution mechanism and the lack of information through socialization related to dispute resolution in the village by the local hatobangon which raises public doubts about resolving land disputes in the village. This then resulted in the decision of the hatobangon's role being perceived as unfair and objective by the people of Bangun Purba village.

CONCLUSION

This research highlights the critical role of Hatobangon in resolving waqf land disputes in Bangun Purba Village, Lembah Sorik Marapi District, Mandailing Natal Regency. As respected customary figures, Hatobangon have full authority to lead negotiations and seek equitable solutions based on local values and laws. Their approach involves a series of steps, including complaint submission, investigation, and the prevention of land mutations. Importantly, their decisions are not solely legal but also consider cultural and social aspects to preserve community harmony. Factors that

²³ Wawancara dengan Ibu Desi, masyarakat desa Bangun Purba, tanggal 25 Mei 2024

influence Hatobangon's role include human resources, facilities, and community awareness. The strengths of this research lie in its in-depth exploration of the Hatobangon's role, offering a unique perspective on how traditional figures navigate the complexities of waqf land disputes. By examining the interplay between legal, cultural, and social dynamics, the study provides a holistic understanding of dispute resolution in rural communities. Moreover, the research underscores the significance of local traditions and the authority of customary leaders in maintaining societal balance, highlighting the adaptability of traditional conflict resolution methods within modern contexts.

However, this study has certain limitations. It primarily focuses on a single village, which limits the generalizability of the findings to other regions with different social or legal structures. Additionally, the research does not extensively investigate alternative dispute resolution mechanisms that could complement the role of Hatobangon. The limited sample size and reliance on interviews also mean that other factors influencing dispute resolution may not have been fully captured, necessitating further research for broader applicability.

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Interviews

Interview with Mr Zubeir (as the head of Bangun Purba village) on 25 May 2024

Interview with Mr Hendri (as Hatobangon of Bangun Purba Village) on 24 May 2024

Results of Interview with Mr Lindung (as Bangun Purba Village Community) on 25 May 2024

Interview results with Mr Rahmad (as the socio-cultural section of Bangun Purba village) on 25 May 2024

Results of interviews with Mr Saroha (section of guidance and environment of Bangun Purba village) 25 May 2024

Results of interviews with Mrs Jahriana (economic section of Bangun Purba village) on 25 May 2024

Result of interview with Mrs Desi (as the community of Bangun Purba village) on 25 May 2024