

THE ROLE OF ISLAMIC INHERITANCE LAW IN WEALTH DISTRIBUTION AND SOCIAL WELFARE

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ABSTRACT

This study examines the economic and social impacts of Islamic inheritance law (faraidh) on wealth distribution and its adaptation to the modern context. Employing a qualitative approach with observation and literature review, the research explores how faraidh affects economic and social justice, and its capacity to adapt to evolving social and cultural landscapes. Findings indicate that while Islamic inheritance law plays a crucial role in fostering economic and social



justice, its effectiveness is often hindered by a lack of understanding, delays in distribution, and family disputes. The study emphasizes the potential of technology and enhanced inheritance law education to mitigate disputes and improve compliance. It recommends a greater role for scholars in providing guidance and the need for a strengthened legal system. Further research should explore the impact of technology in inheritance management, conduct case studies of law implementation in various communities, and evaluate the role of ulama and the impact of inheritance law education on legal compliance.

KEYWORDS:

Islamic Inheritance Law, Wealth Distribution, Economic Justice, Legal Adaptation, Technology in Inheritance Management, Inheritance Disputes.

INTRODUCTION

Islamic inheritance law plays a vital role in managing the distribution of wealth among family members after an individual's passing. Rooted in the Quran and Hadith, this system is designed to uphold justice and promote social welfare within Muslim communities. However, in today's rapidly evolving world, various social, economic, and cultural shifts influence how Islamic inheritance law is understood and implemented. Factors such as globalization, urbanization, and technological advancements contribute significantly to these transformations.

The implementation of inheritance distribution in Islamic law goes beyond merely adhering to legal guidelines set forth in the Quran and Hadith; it also has a profound impact on both family finances and broader societal structures. This process serves as a mechanism for wealth redistribution, which can help promote economic equity and alleviate poverty. In Jakarta—a city characterized by complex economic and social dynamics—the application of Islamic inheritance law often becomes a critical issue that requires careful consideration.¹

The level of expenditure inequality in Indonesia as measured using the Gini Ratio shows that there is an uneven distribution of income in the community, both at the national and regional levels. In March 2024, the national Gini Ratio was recorded at 0.379, showing a small decrease from the previous year but still showing significant inequality. This inequality is also seen to be higher in urban areas (0.399) compared to rural areas (0.306), reflecting a more pronounced difference in wealth distribution in urban areas.²

The distribution of inheritance according to Islamic law can play an important role in efforts to reduce economic inequality reflected in this Gini Ratio. Islamic inheritance law, as stipulated in the Quran and Hadith, establishes the mechanism for the fair and equitable distribution of inheritance among heirs, based on rights and family relationships. In this context, some of the ways in which Islamic inheritance law can contribute to economic equality in Indonesia are as follows:

1. Reduces Concentration of Wealth: Islamic inheritance law is designed to ensure that wealth is not concentrated in a specific individual or group only. By dividing the inheritance equally among all the rightful heirs, this law can reduce the concentration of wealth and increase

¹ Adilin, M. L., & Mufarid, K. S. M. K. S. (2021). The Concept of Justice in the Perspective of Islamic Inheritance Law. *Justicia Journal*, 10(2), 127-138.

² Indonesia, Badan Pusat Statistik. n.d. "Gini Ratio Maret 2024 Tercatat Sebesar 0,379." [Www.bps.go.id](https://www.bps.go.id). Accessed July 27, 2024. <https://www.bps.go.id/id/pressrelease/2024/07/01/2371/gini-ratio-maret-2024-tercatat-sebesar-0-379-.html>.

the distribution of wealth in society. This has the potential to reduce the inequality in expenditure as measured by the Gini Ratio.

2. Improving the Economic Welfare of Heirs: The timely distribution of inheritance and in accordance with the provisions of Islamic law can improve the economic welfare of heirs. When the inheritance is distributed according to the rights of each heir, they have the opportunity to use the asset for investment, education, or urgent needs. This can help reduce inequality in wealth distribution, especially in rural areas that have lower Gini Ratios.

3. Addressing Regional Inequality: Significant differences in the Gini Ratio between urban and rural areas indicate the existence of regional inequality. Islamic inheritance law can help reduce this inequality by ensuring that the distribution of inheritance in rural areas is carried out fairly. Thus, this law can contribute to reducing the economic gap between urban and rural areas.

4. Provides Protection to Vulnerable Groups: Islamic inheritance law provides special protection to vulnerable groups, such as orphans and women. A fair distribution of inheritance ensures that children who have lost a parent or a woman who has lost a husband retain their rights. This can improve the social and economic well-being of these vulnerable groups, who are often overlooked in an unfair system of wealth distribution.

Although Islamic inheritance law has great potential to support economic equity, its implementation in Indonesia still faces various challenges. Delays in the distribution of inheritance, lack of understanding of legal provisions, and family disputes often hinder effective implementation. To overcome this challenge, there needs to be efforts to educate and better understand Islamic inheritance law, as well as the active role of institutions and scholars in educating the community.³

In the context of globalization and digitalization, there is an opportunity to use technology to facilitate the inheritance distribution process and ensure that Islamic inheritance law is applied consistently. The use of digital platforms for recording and monitoring the distribution of inheritance can help reduce disputes and increase transparency in the distribution process.⁴

However, the implementation of Islamic inheritance law in society faces various challenges. One of the main challenges is related to the practice of delaying the distribution of inheritance. Many families still retain inheritance without distributing it to their rightful heirs, especially as long as the parents or mother are still alive. In fact, in some cases, the distribution of inheritance is delayed for several generations, causing problems in the distribution of wealth and the economic stability of the family.⁵

Delays in the distribution of inheritance often lead to the accumulation of assets in one generation or an individual, which can ultimately lead to injustice and conflict among heirs. Case studies in Jakarta show that many families experience internal disputes related to the division of inheritance, which often leads to a decrease in the value of assets due to family breakdowns and litigation costs.⁶

³ Adnan, M., & Uyuni, B. (2021). Da'wah Strategies To Increase The Understanding Of Faraidh Science In Society: Da'wah Strategies To Increase The Understanding Of Faraidh Science In Society. *Journal of Building the Ummah: Building and Fortifying the Ummat*, 4(2), 19-40.

⁴ "Inheritance Software: Progressivity or Stagnation of Islamic Inheritance Law?" 2019. Faculty of Sharia. April 1, 2019. <https://syariah.uinsaid.ac.id/e-waris-progresivitas-atau-stagnasi-hukum-waris-islam/>.

⁵ Sarwat, Ahmad. 2016. *Why Are We Obligated to Study Inheritance Law?*. Jakarta: Rumah Fiqih Publishing.

⁶ Febrina, M. (2020). *Resolving family conflicts in the distribution of inheritance: a case study in Sedayu Kuripan Village, Kuripan District, West Lombok Regency* (Doctoral dissertation, UIN Mataram).

In addition, delaying the distribution of inheritance can have a negative impact on the economic well-being of the family. When the inheritance is not distributed immediately, heirs who may need the asset for investment or other urgent needs cannot take advantage of it. This can hinder economic opportunities and worsen the economic condition of the family.⁷

Addressing these challenges requires the adaptation and development of Islamic inheritance law to align with the realities of modern society. For instance, some Muslim communities in Jakarta have begun embracing more progressive methods in inheritance distribution, such as drafting clear and detailed wills before the passing of parents. Additionally, digital technology is increasingly being utilized to enhance transparency and fairness in the inheritance process. By acknowledging and addressing these challenges, the distribution of wealth under Islamic law can serve as a powerful tool in promoting economic equity, social justice, and overall family well-being.

Islamic inheritance law plays a fundamental role in wealth distribution and social welfare. Its guiding principles are designed to ensure an equitable and just allocation of assets among heirs, thereby mitigating economic disparities and fostering social stability. This system aligns with the broader Islamic economic framework, which prioritizes fairness, family responsibility, and financial balance. Wealth distribution is a core tenet of Islamic teachings, as it directly influences economic stability and societal harmony. By preventing wealth from becoming concentrated in the hands of a few, inheritance laws facilitate its circulation within the community, contributing to poverty reduction, financial sustainability, and the reinforcement of family structures.

In recent decades, shifts in social and economic landscapes have significantly influenced how Muslim communities manage inheritance distribution. While Islamic inheritance law remains a crucial foundation for regulating inheritance, contemporary developments necessitate new adaptations and interpretations to maintain its relevance and fairness. The primary challenge lies in ensuring that the core principles of Islamic inheritance law can be effectively implemented in the modern era without compromising its inherent justice and ethical values.⁸

This study explores the role of Islamic inheritance law in shaping wealth distribution and its broader implications for social welfare. By analyzing its economic impact, the research aims to demonstrate how inheritance laws contribute to financial security and the equitable allocation of resources within Muslim communities. Wealth distribution is a crucial factor in maintaining economic balance and social stability, making inheritance laws an essential component of the Islamic legal system. The study emphasizes how these laws, when properly implemented, can promote economic justice, prevent wealth concentration, and alleviate poverty within families and communities.

To achieve this objective, the study is primarily focused on evaluating the economic and social consequences of inheritance distribution within Muslim societies. It specifically investigates the evolution and adaptation of Islamic inheritance law in response to contemporary social transformations, with case studies drawn from both Muslim-majority countries and Muslim minority communities in non-Muslim nations. By concentrating on the broader economic and

⁷ Jakfar, T. M., Achyar, G., & Rizqy, D. F. (2022). The Impact of the Delay in the Distribution of Inheritance in Jantho City District, Aceh Besar Regency. *El-Hadhanah: Indonesian Journal Of Family Law And Islamic Law*, 2(2), 110-128. And see Jakfar, T. M., Achyar, G., & Rizqy, D. F. (2022). The Impact of the Delay in the Distribution of Inheritance in Jantho City District, Aceh Besar Regency. *El-Hadhanah: Indonesian Journal Of Family Law And Islamic Law*, 2(2), 110-128.

⁸ Wahyunadi, Z., & Azahari, R. H. (2015). Social Change and Its Relation to the Distribution of Inheritance in the Perspective of Islamic Law. *Futura Islamic Scientific Journal*, 14(2), 166-189.

social dimensions of inheritance law, rather than its technical and procedural aspects, the research provides a holistic view of how Islamic legal principles interact with modern societal needs and economic structures.

The study aims to accomplish several key objectives:

1. **Economic Impact Analysis** – It seeks to identify and assess how the distribution of inheritance under Islamic law affects financial stability within families and communities. This includes examining whether the existing inheritance system contributes to economic equity, financial security, and poverty reduction.
2. **Legal Development and Adaptation** – The research evaluates how Islamic inheritance law has evolved over time to accommodate modern social, economic, and cultural shifts. Given the rapid pace of globalization and technological advancements, the study investigates whether contemporary applications of inheritance law remain aligned with Islamic principles while also addressing the realities of modern financial and social structures.
3. **Challenges and Opportunities in Implementation** – Islamic inheritance law, despite its foundational role in wealth distribution, faces numerous practical challenges. These include delays in inheritance distribution, legal disputes among heirs, and misinterpretations of Islamic legal provisions. The study aims to explore these obstacles while identifying potential opportunities, such as the integration of digital technology and legal reforms, to enhance the effectiveness of inheritance distribution.
4. **Role of Scholars and Religious Institutions** – Islamic scholars and religious institutions play a crucial role in ensuring the proper application of inheritance law. This study evaluates their influence in interpreting Islamic legal principles in ways that address contemporary societal needs while preserving the integrity of Islamic jurisprudence.

The study aspires to contribute to academic discourse by offering a theoretical framework for understanding the economic and social ramifications of Islamic inheritance distribution. It seeks to expand scholarly discussions on the adaptability of Islamic law in an era of globalization, technological innovation, and shifting socio-economic dynamics.

From a practical perspective, the research aims to provide actionable recommendations for scholars, legal practitioners, and policymakers on how to refine and modernize the implementation of Islamic inheritance law. These insights will help ensure that inheritance law remains a fair and effective mechanism for wealth distribution, supporting economic equity and social cohesion.

Additionally, the study endeavors to raise awareness within Muslim communities about the significance of adhering to Islamic inheritance principles. By promoting better understanding and application of these laws, the research aims to mitigate inheritance-related conflicts, enhance financial planning, and reinforce social justice.

Through this comprehensive approach, the study is expected to make a significant contribution to the development of Islamic inheritance law. It seeks to demonstrate that while these laws remain firmly rooted in Islamic principles, they must also be interpreted and applied in ways that align with contemporary economic realities and social structures. The ultimate goal is to ensure that Islamic inheritance law remains both a relevant and effective tool for promoting economic justice and social welfare in modern society.

LITERATURE REVIEW

Distribution of Inheritance in Islamic Law

The law of inheritance in Islam, known as *faraidh*, is one of the important aspects of Islamic law that governs the distribution of inheritance after a person dies. This distribution of inheritance is carefully regulated in the Qur'an and Hadith, and is an integral part of the implementation of religious obligations.⁹ Although Islamic inheritance law is not always the main focus compared to the obligation of worship such as prayer and fasting, it has a very important position in maintaining social and economic justice in society.

1. The Basic Concept and Importance of Islamic Inheritance Law

The Islamic law of inheritance is regulated in the Qur'an, especially in Surah An-Nisa (4:11), which states: "*Allah has decreed for you (the distribution of inheritance to) your children. The part of a boy is the same as the part of two daughters.*" This verse explains that a son's share in the inheritance is twice as much as a daughter's share. This law clearly regulates the division of inheritance rights based on blood relations, marriage, and other shari'a rights. The Prophet PBUH also emphasized the importance of studying the science of faraidh. A hadith narrated by Abu Hurairah says: "Study the knowledge of faraidh, because it is half knowledge and the knowledge of faraidh is the first knowledge to be taken away from my people." (HR. Bukhari and Muslim). The importance of studying inheritance is not only for knowledge, but as part of obedience to God and to ensure that the rights of heirs are granted fairly.¹⁰

2. Rights in the Distribution of Inheritance

There are four rights that must be fulfilled before the inheritance is distributed to the heirs:

1. Funeral Expenses: Expenses for the care of the body must be met in advance.
2. Debt Repayment: All debts left by the deceased must be paid.
3. Execution of Will: If there is a valid will, it must be executed.
4. Distribution of Inheritance: After the above rights are fulfilled, the rest of the property is distributed to the heirs in accordance with the provisions of sharia.

3. Criteria and Reasons for Obtaining an Inheritance

To become a rightful heir, one must meet several conditions:

1. Blood Relations: Such as children, siblings, and parents.
2. Marital Relationship: Like husband or wife.
3. Citizenship or Treaty Rights: As provided in the context of slavery that has been abolished, or the party that frees the slave who becomes the heir.

⁹ Ministry of Religion of the Republic of Indonesia. 2019. *Problems of Contemporary Islamic Inheritance Law in Indonesia*. Ed. I. Cet. 1. Jakarta: Agency for Research and Development and Training of the Ministry of Religion of the Republic of Indonesia.

¹⁰ Ash-Shabuni, Muhammad Ali. 1996. *Distribution of Inheritance According to Islam*. Jakarta: Gema Insani Press.

However, there are some obstacles to inheritance, including religious differences, slavery, and murder. For example, a person who kills a deceased person is not entitled to receive an inheritance from the victim.¹¹

The Economic Impact of the Distribution of Islamic Inheritance

The distribution of inheritance in Islamic law has a significant impact on the economic well-being of individuals and society as a whole. The concept *of faraidh* not only regulates the distribution of wealth but also aims to create economic balance and justice in the Muslim community. One of the main impacts of the distribution of Islamic inheritance is its contribution to the equitable distribution of wealth. The distribution of inheritance in accordance with Islamic provisions can improve the distribution of wealth in the family. By assigning a clear share of inheritance to each heir, this system prevents the concentration of wealth on one party and reduces economic inequality. For example, in a society that applies Islamic inheritance law, an equal distribution of wealth can increase family access to economic resources, improve the quality of life, and reduce economic dependence on outsiders.¹²

The fair distribution of inheritance also has the potential to alleviate poverty among Muslim families. The inheritance received by the heirs can be used for a variety of productive purposes, such as investing in small businesses, education, and home improvements. This not only improves the welfare of individuals but also contributes to the growth of the local economy. For example, the use of inheritance for education can result in a better skilled workforce and, in turn, contribute to an increase in family income. The timely distribution of inheritance in accordance with Islamic provisions can improve the economic welfare of heirs by giving them the right to inheritance fairly. Research shows that families who acquire inheritance in a sharia-compliant manner tend to experience improvements in their quality of life. They can use the wealth to meet basic needs, invest in ventures, or improve their children's education. For example, if inheritance is used for business capital, it can increase the family's income potential and support long-term economic stability.¹³

Challenges in the Implementation of Islamic Inheritance Law

However, there are many challenges in the implementation of Islamic inheritance law, especially in the context of modern society. Delays in the distribution of inheritance often occur for a variety of reasons, including the reluctance of parents to divide the property before they die and internal conflicts among heirs. These delays can hinder the distribution of wealth and lead to injustice. The economic sustainability of the family can be threatened if the inheritance is not distributed immediately. Retained assets can decrease their economic value and reduce the ability of heirs to use them productively. Additionally, inheritance-related conflicts often require settlement in court, which can be time-consuming and costly.

Religious scholars and institutions play an important role in the interpretation and application of Islamic inheritance law. They help resolve inheritance disputes and provide guidance according to contemporary needs. Therefore, collaboration between clerics, religious courts, and related

¹¹ Ibid

¹² **Husien, Syarief, and Akhmad Khisni.** 2018. "Islamic Inheritance Law in Indonesia: A Study on the Development of Inheritance Law in the Compilation of Islamic Law and Practice in Religious Courts." *Our Journal*, Vol. 5, No. 1, March 2018.

¹³ Jakfar, T. M., Achyar, G., & Rizqy, D. F. (2022). The Impact of the Delay in the Distribution of Inheritance in Jantho City District, Aceh Besar Regency. *El-Hadhanah: Indonesian Journal Of Family Law And Islamic Law*, 2(2), 110-128.

institutions is essential to ensure that inheritance law is applied fairly and in accordance with sharia principles.¹⁴

Overall, the distribution of inheritance in Islamic law is a comprehensive system and is designed to ensure justice. Despite the challenges faced in the modern era, a deep understanding and consistent application of the law will help address the problem and improve social justice. Efforts to improve education on inheritance law and adapt practices to the times are essential to achieve this goal.

Adaptation of Inheritance Law in the Modern Context

Numerous studies have explored the ways in which Islamic inheritance law can adapt to contemporary social, economic, and cultural transformations. One of the most promising advancements in this area is the integration of digital technology into the inheritance distribution process. By leveraging digital applications and platforms, the management and documentation of inheritances can be streamlined, leading to greater transparency and fairness. These technological tools can help ensure that wealth is allocated in accordance with Islamic principles while also minimizing potential disputes among heirs.

In the modern era, the implementation of Islamic inheritance law faces an array of challenges, particularly in the context of globalization and rapid technological advancements. In cities such as Jakarta, as well as in many other regions, inheritance distribution is often delayed due to prolonged family disputes and administrative inefficiencies. One of the primary factors contributing to these issues is a widespread lack of understanding of Islamic inheritance principles. Many individuals struggle to interpret and apply the legal provisions correctly, leading to inconsistencies in compliance and, in some cases, unjust distribution practices. Additionally, in certain communities, uncertainty surrounding the specific requirements of Islamic law, coupled with internal family conflicts, further complicates the inheritance process.

Given these challenges, it is crucial to prioritize education and public awareness regarding Islamic inheritance law. A significant number of inheritance-related issues stem from a general lack of knowledge about the legal framework governing wealth distribution in Islam. To address this, targeted education campaigns and initiatives aimed at improving legal literacy among Muslim communities are essential. These efforts can equip individuals with the necessary understanding to navigate inheritance matters effectively, ensuring that wealth is distributed in a just and equitable manner. Furthermore, integrating technology-driven solutions—such as digital record-keeping systems and automated legal guidance—can provide additional support in overcoming the barriers to efficient and transparent inheritance administration.

By fostering a well-informed society and embracing technological innovations, the challenges associated with Islamic inheritance distribution can be mitigated. Ensuring widespread awareness of inheritance laws will not only help reduce conflicts but also strengthen financial security and social stability within Muslim communities. Ultimately, a combination of education, legal reform, and digital transformation can enhance the application of Islamic inheritance law, making it more accessible, efficient, and aligned with the realities of modern life.

By referring to this previous study, this study aims to make a new contribution in understanding the economic and social impact of the distribution of Islamic inheritance and the adaptation of inheritance law in a modern context, especially in Jakarta. This research will explore

¹⁴ Firdaus, M. (2015). Renewal of Islamic Inheritance Law in the Contemporary Era. *Istinbath: Journal of Islamic Law IAIN MATARAM*, 14(1), 41830.

how the delay in inheritance distribution and related practices can affect the economic well-being of families and the distribution of wealth in society.

RESEARCH METHODS

This study uses a qualitative approach with observation methods and literature review to explore the economic and social impacts of the distribution of Islamic inheritance and the adaptation of inheritance law in the modern context in Jakarta. The design of the qualitative descriptive research was chosen to deeply understand how the practice of inheritance division affects the family economy and society and how Islamic inheritance law adapts to social changes.

Data collection was carried out through non-participant observation and literature review. Observations were made at the Jakarta Religious Court to observe the process of resolving inheritance disputes, at the taklim council and the Muslim community to understand the practices and views related to the distribution of inheritance, and on families who experienced delays in the distribution of inheritance to observe the economic and social impacts. Field notes from these observations will be analysed to find relevant key themes. Literature reviews include book reviews, academic journals, government documents and reports, and relevant news articles. This literature will help understand the theoretical and empirical context of research and identify existing research gaps.

RESULTS AND DISCUSSION

Distribution of Wealth in Muslim Communities

The results of the study show that Islamic inheritance law plays an important role in the distribution of wealth in the Muslim community, including in Jakarta. The inheritance law stipulated in the Quran and Hadith provides detailed guidance on who is entitled to receive the inheritance and how much it is shared. As in Surah An-Nisa verses 11-12, and An-Nisa verse 176 and various inherited hadiths.

Here are some important aspects regarding the distribution of wealth in Muslim communities:

1. The Principle of Justice in the Distribution of Inheritance

Islamic inheritance law, or *faraidh*, establishes the fundamental principle of justice in the distribution of wealth. Based on the Qur'an and Hadith, each heir has clear and measurable rights according to their relationship with the deceased. For example, the Qur'an in Surah An-Nisa (4:11) stipulates that "Allah obliges you to divide your children; The part of a boy is like the part of two daughters." This division aims to ensure that all heirs get a fair and proportionate share, based on their relationship and responsibilities.¹⁵

2. Positive Impact on Economic Equity

The distribution of inheritance in accordance with Islamic law can contribute to economic equality in the Muslim community. By establishing a clear section for each heir, Islamic

¹⁵ Ash-Shabuni, Muhammad Ali. 1996. *Distribution of Inheritance According to Islam*. Jakarta: Gema Insani Press.

inheritance law helps prevent the accumulation of wealth in a single individual or group. This has the potential to reduce economic inequality and increase the distribution of wealth among family members.¹⁶ For example, if a father leaves a sizable fortune, Islamic law will ensure that the property is divided among his children, including his daughters, so that all family members get their fair share.

3. Influence on Family Welfare

The fair distribution of wealth also has a direct impact on family welfare. The inheritance received by the heirs can be used to improve their quality of life through education, investment, or the fulfillment of basic needs. In many Muslim communities, inheritance helps families to achieve economic stability and improve their standard of living.¹⁷ For example, inheritance can be used to establish a small business, buy a house, or finance children's education, which in turn supports the family's economic growth.

4. Challenges in Implementation

Although Islamic inheritance law is designed to ensure fair distribution, challenges in its implementation often arise. In some Muslim communities, there are problems of delays in the distribution of inheritance, misunderstanding of legal provisions, and disputes between heirs. These delays can lead to injustice and conflict, potentially negatively affecting the distribution of wealth. To address these challenges, it is important to improve understanding of inheritance law and facilitate a fair and efficient settlement process.¹⁸

The Islamic division of inheritance contributes to economic and social justice by ensuring that each heir receives a share according to his or her rights. Generally, this means ensuring that assets are not only controlled by a particular party, but are distributed evenly among the family. However, delays in the distribution of inheritances often lead to economic injustice, especially for heirs who need the assets for urgent purposes. In addition, although Islamic inheritance law aims to protect the rights of orphans, in practice, inheritance delays and disputes can result in such children not receiving their rights in full.

5. Adaptation to Social Change

In the modern era, social and economic changes affect the way wealth distribution is implemented. Globalization, urbanization, and technological advances have introduced new ways of managing and distributing heritage treasures. For example, the use of digital platforms for inheritance planning and documentation can simplify the distribution process and reduce conflicts. Adaptation to these changes can help ensure that Islamic inheritance law remains relevant and effective in a changing social context.¹⁹

¹⁶ Hadi, A. C. (2016). Islamic inheritance system and equitable distribution of wealth. *Coordinates*, 15(2), 295-312.

¹⁷ Fahmi, M. A. (2024). Analysis of the Utilization of Inheritance in Improving the Welfare of Heirs in Puguk Village, Sungai Ambawang District. *Journal of Muamalat Indonesia–April*, 4(1), 486-496.

¹⁸ Uyuni, B., & Adnan, M. (2021). Application of Islamic inheritance law among Muslim society. *El-Arbah: Journal of Islamic Economics, Business and Banking*, 5(1), 19-32.

¹⁹ Adnan, M., & Uyuni, B. (2021). Maqashid Sharia in Millennial Da'wah. *SALAM: Journal of Social and Cultural Syar-i*, 8(5), 1483-1498. And Adnan, M., & Uyuni, B. (2021). Da'wah Strategies To Increase The Understanding Of Faraidh Science In Society: Da'wah Strategies To Increase The Understanding Of Faraidh Science In Society. *Journal of Building the Ummah: Building and Fortifying the Ummat*, 4(2), 19-40.

Adaptation to Social Change

Islamic inheritance law in Jakarta and across Indonesia has increasingly adapted to modern social, economic, and cultural dynamics. The forces of globalization and technological advancements have encouraged some communities to adopt more progressive approaches to inheritance distribution. One notable development is the growing use of digital technology to record and manage the inheritance process, enhancing transparency and efficiency. Additionally, an increasing number of families are drafting detailed wills to ensure equitable wealth distribution and minimize potential disputes among heirs. Despite these advancements, challenges persist, particularly in raising public awareness and fostering a deeper understanding of the importance of comprehensive inheritance planning. Many individuals remain unaware of the legal and religious obligations surrounding inheritance, which can lead to delays, conflicts, and mismanagement of assets.

Beyond Indonesia, several Muslim communities in other countries have successfully implemented best practices in inheritance management, serving as valuable models. For instance, in some regions, Islamic inheritance systems are supported by well-structured and transparent sharia courts that facilitate the fair and timely distribution of assets. Meanwhile, in the Gulf countries, advanced digital technologies have been integrated into the inheritance system, ensuring that the rights of all heirs are accurately determined and fairly allocated. These technological solutions help eliminate ambiguities, reduce disputes, and improve compliance with Islamic legal principles.

In Jakarta, religious study circles (taklim councils) have taken an active role in educating their members about the significance of timely and sharia-compliant inheritance distribution. These educational initiatives highlight the importance of proper estate planning, encouraging individuals to proactively manage their wealth according to Islamic guidelines. The efforts of these councils, alongside broader legal and technological innovations, demonstrate that Islamic inheritance law can be effectively implemented in contemporary contexts when supported by proper education, structured legal frameworks, and modern technological tools.

To further strengthen the application of Islamic inheritance law, it is essential to enhance public awareness through systematic education, promote legal reforms that facilitate smoother inheritance processes, and leverage digital solutions to streamline wealth distribution. By addressing these challenges and building upon successful models from other Muslim communities, Indonesia can develop a more efficient and just inheritance system that aligns with both religious principles and modern societal needs.²⁰

The Role of Islamic Inheritance Law in Wealth Distribution and Social Welfare

Islamic inheritance law serves as a critical framework for wealth distribution within Muslim communities, promoting social welfare and justice. This law is deeply rooted in the Qur'an and Hadith, providing specific guidelines for the distribution of assets among heirs. Institutions such as religious courts and the ulama (Islamic scholars) play pivotal roles in interpreting these laws, resolving disputes, and educating the public about their rights and obligations.

²⁰ Firdaus, M. (2015). Renewal of Islamic Inheritance Law in the Contemporary Era. *Istinbath: Journal of Islamic Law IAIN Mataram*, 14(1), 41830

Religious Courts as Dispute Resolution Institutions

Religious courts are fundamental in managing inheritance disputes, acting as formal mechanisms for adjudicating cases based on sharia law. They ensure that inheritance distribution adheres to Islamic principles, balancing legal fairness with the social and economic interests of heirs. Research indicates that these courts not only mediate conflicts but also foster social justice by expediting the often protracted process of inheritance distribution. By rendering decisions that reflect both legal standards and community values, religious courts help mitigate disputes and enhance public trust in the inheritance process.

Functions of Religious Courts

1. **Adjudication:** They have the authority to resolve inheritance disputes according to Islamic law.
2. **Mediation:** Acting as mediators, they facilitate discussions among heirs to reach amicable solutions.
3. **Social Justice:** Decisions are made with consideration for social equity, ensuring that all heirs receive their rightful shares.

The Role of Ulama in Education and Counseling

Ulama play a crucial role in educating the community about Islamic inheritance law. They disseminate knowledge regarding the rights and obligations of heirs through lectures, seminars, and training sessions. This educational outreach is vital in reducing misunderstandings that can lead to disputes over inheritance. Research shows that when ulama clarify how these laws apply, they empower individuals to navigate the complexities of property division effectively.

Contributions of Ulama

1. **Public Education:** Providing clear explanations of inheritance laws helps prevent conflicts.
2. **Counseling:** Offering guidance to families during inheritance distribution ensures that all parties' rights are respected.
3. **Community Engagement:** Engaging with the community through various platforms enhances awareness and understanding of Islamic teachings.

Despite their essential roles, both religious courts and ulama face significant challenges. Limited access to information and legal assistance can hinder equitable participation in the inheritance process. In some regions, geographical or socio-economic barriers restrict individuals from seeking necessary guidance or resolution through these institutions. However, there are opportunities to enhance their effectiveness through technology. Online platforms can facilitate broader access to counseling on inheritance law, while digital case management systems can streamline dispute resolution processes. By embracing these innovations, religious courts and ulama can significantly improve their outreach and impact on wealth distribution practices within communities.

Key Challenges

1. **Access to Information:** Inequitable access can lead to injustices in inheritance distribution.
2. **Geographical Barriers:** Remote areas may lack sufficient resources or institutions for legal support.

Opportunities for Improvement

1. **Technology Utilization:** Online counseling services can reach wider audiences.
2. **Innovative Case Management:** Digital tools can expedite dispute resolutions.

The roles of religious courts and ulama are vital in applying Islamic inheritance law effectively within Indonesia and beyond. They not only resolve disputes but also educate communities about their rights under this legal framework. Addressing existing challenges while leveraging technological advancements can enhance their capabilities, ensuring fair wealth distribution that aligns with Islamic principles. Ultimately, these efforts contribute significantly to social welfare by fostering equity and reducing conflicts within families regarding inheritance matters.

Discussion

Islamic inheritance law, known as *faraidh*, is a critical yet often overlooked discipline within Islamic jurisprudence. While many individuals may focus on contemporary issues such as technology or politics, the principles of inheritance law play a vital role in shaping economic and social justice. This law governs the transfer of wealth from deceased individuals to their heirs, impacting family dynamics and community welfare. Despite its significance, *faraidh* frequently remains marginalized, akin to a neglected child within its own home.

Islamic inheritance law is rooted in the Qur'an and Hadith, providing clear guidelines for the distribution of assets among heirs. It emphasizes that inheritance rights are not solely determined by physical proximity to the deceased but also by established legal principles. For instance, emotional closeness does not automatically confer inheritance rights; rather, these rights are defined by Islamic teachings that prioritize fairness and equity.

The law serves multiple purposes:

- a. **Wealth Distribution:** It aims to prevent the concentration of wealth within a few individuals, promoting broader economic equity.
- b. **Social Justice:** By ensuring that both men and women have defined shares in inheritance, it helps uphold social justice and dignity.
- c. **Family Cohesion:** The law encourages family unity by providing a structured approach to wealth distribution, which can mitigate potential conflicts.

Despite its potential to foster economic and social justice, the application of Islamic inheritance law faces several challenges in Indonesia, particularly in Jakarta. Key issues include:

- a. **Lack of Public Understanding:** Many individuals are unaware of their rights under Islamic inheritance law, leading to disputes and injustices.
- b. **Delays in Distribution:** The process of distributing inheritance can be prolonged due to bureaucratic inefficiencies or family disagreements.
- c. **Family Disputes:** Inheritance distribution often triggers deep-seated conflicts among family members, resulting in long-lasting feuds that can damage relationships.

These challenges highlight the need for improved education and awareness regarding faraidh. Many families experience significant turmoil during inheritance distribution, with disputes escalating to severe conflicts that can even lead to violence.

To address these challenges, several strategies can be implemented enhancing education about Islamic inheritance laws is crucial for increasing public awareness and understanding of faraidh. Community programs and educational initiatives, such as workshops led by scholars, can clarify the principles of inheritance law and emphasize its relevance in contemporary society. Additionally, utilizing technology can streamline inheritance management processes and improve transparency. Online platforms could facilitate consultations with legal experts and provide valuable resources for families navigating inheritance issues. Strengthening institutional support is also essential; religious courts and ulama should be empowered to actively educate communities about their rights and responsibilities under Islamic inheritance law, helping to mediate disputes before they escalate into larger conflicts. Furthermore, advocating for legal reforms that align local practices with Islamic principles can enhance the effectiveness of inheritance distribution processes, ensuring that legal frameworks support equitable distribution according to faraidh. Collectively, these strategies can significantly improve the implementation of Islamic inheritance law, promoting social justice and equity within communities.

Islamic inheritance law is not merely a set of rules governing wealth transfer; it is a vital component of social welfare and justice within Muslim communities. By addressing the existing challenges through education, technology, and institutional support, the implementation of faraidh can be significantly improved. These efforts will not only facilitate fair wealth distribution but also promote harmony within families and communities, ultimately contributing to greater social justice in society. As we recognize the importance of this discipline, it becomes imperative to advocate for its rightful place within discussions on economic equity and social welfare.

Ignorance of inheritance law, property management, and greed are the three main factors that often cause prolonged inheritance conflicts. In this context, some of the problems that often arise in Jakarta and Indonesia in general include:

- a. **Delay in Inheritance Distribution:** Many families postpone the process of inheritance distribution, both when the heirs are still alive and when there are disputes between heirs. This delay can create injustice and uncertainty in the distribution of wealth, as well as worsen the situation for those entitled to receive the inheritance.
- b. **Lack of Understanding:** There are still many people who do not have a deep understanding of the provisions of Islamic inheritance law. This lack of knowledge often leads to errors in the practice of dividing inheritance, resulting in conflict and uncertainty among heirs.
- c. **Family Disputes:** Internal family disputes regarding the distribution of inheritance often result in a lengthy and complicated process, which can even involve courts. These disputes not only add to the emotional burden for the family left behind but can also significantly extend the inheritance settlement time.
- d. **Compliance with the Law:** The implementation of Islamic inheritance law is often inconsistent. Some families may not fully comply with the provisions of sharia, either out of ignorance or out of personal interest. This non-compliance can lead to injustice in the distribution of inheritance and add complexity in dispute resolution.

These conflicts reflect the importance of better application of Islamic inheritance law and a deeper understanding of the various practical aspects of this law. Efforts to address these issues, such as increasing education on inheritance law, speeding up the distribution process, and ensuring compliance with sharia provisions, are essential to reduce disputes and create fairness in the distribution of wealth.

The importance of education and public awareness about inheritance law cannot be ignored. Educational efforts by the taklim council and religious institutions can help increase public understanding of the importance of inheritance distribution in accordance with sharia. In addition, examples of best practices from Muslim communities in other countries can be used as a reference to develop a more efficient and fair inheritance distribution system in Jakarta.

With a comprehensive and adaptive approach, Islamic inheritance law can continue to be relevant and make a positive contribution to the economic and social well-being of Muslim families in Jakarta and Indonesia in general. This research provides new insights and practical solutions to improve the implementation of Islamic inheritance law in the modern context, so as to support economic equity and social justice in the Muslim community.

Conclusion

Islamic inheritance law, rooted in the Qur'an and Hadith, serves as a vital mechanism for wealth distribution and social welfare within Muslim communities. This study underscores its potential to foster economic justice, reduce wealth concentration, and provide financial security to vulnerable groups. However, the realization of this potential is challenged by factors such as limited public understanding, protracted distribution processes, and the prevalence of family disputes. To enhance the effectiveness of *faraidh*, it is essential to promote comprehensive education on inheritance laws, leverage technology for transparency and efficiency, and strengthen the role of religious institutions and scholars in providing guidance and resolving conflicts. Legal reforms that align with Islamic principles and contemporary societal needs are also necessary. By addressing these challenges and embracing opportunities for improvement, Islamic inheritance law can continue to serve as a relevant and effective tool for promoting economic equity, social cohesion, and overall well-being in modern society. Continued research into the evolving landscape of Islamic inheritance law, particularly concerning technology and localized case studies, remains crucial to ensuring its continued success in achieving its intended goals.

Suggestions, Implications and Further Research

To improve the implementation of Islamic inheritance law (*faraidh*) in Jakarta and Indonesia, several key strategies should be prioritized. Firstly, comprehensive and widespread education on Islamic inheritance law is crucial. This education should be delivered through diverse channels, including formal educational institutions, community-based religious gatherings (taklim councils), and targeted public awareness campaigns. The goal is to foster a deep understanding of inheritance distribution principles and individual rights under *faraidh*. Secondly, leveraging technology offers a significant opportunity to streamline inheritance management. The development and utilization of user-friendly digital applications for documenting assets, calculating shares, and facilitating communication among heirs can enhance efficiency and transparency. Thirdly, strengthening legal enforcement by religious courts is essential. This includes ensuring that inheritance disputes are resolved promptly and fairly, with clear mechanisms for accountability and redress. Fourthly, empowering Islamic scholars (ulama) to

provide informed guidance and mediation services is vital. Scholars can play a crucial role in interpreting Islamic legal principles in a contemporary context, offering culturally sensitive solutions to complex inheritance challenges. Finally, promoting proactive inheritance planning through the drafting of clear and legally sound wills is necessary. Encouraging individuals to prepare wills with the assistance of notaries or religious institutions can ensure that inheritance distribution aligns with both Sharia principles and individual preferences.

The successful implementation of these suggestions holds significant implications for Indonesian society. Increased adherence to Islamic inheritance law can promote greater social and economic justice by ensuring equitable wealth distribution and reducing economic disparities within families and communities. Improved inheritance management can mitigate family disputes, fostering stronger relationships and social cohesion. Stronger legal enforcement and proactive scholarly guidance can enhance compliance with Sharia principles, promoting transparency and fairness in inheritance processes. Furthermore, the integration of technology can drive innovation in the Islamic inheritance system, increasing efficiency and accuracy in wealth transfer.

To further refine and optimize the implementation of Islamic inheritance law, several avenues for future research should be explored. Firstly, **in-depth studies on the impact of technology** on inheritance management are needed. This includes evaluating the effectiveness of digital applications and information systems in streamlining processes, reducing disputes, and improving user satisfaction. Secondly, **case studies of inheritance law implementation** in diverse Indonesian Muslim communities can provide valuable insights into local challenges and best practices. These case studies should consider regional variations, cultural nuances, and socio-economic factors. Thirdly, **evaluating the role of ulama in dispute resolution** is essential. Research should focus on identifying effective strategies for training and empowering scholars to provide culturally sensitive and religiously sound guidance. Finally, **exploring the adaptation of Islamic inheritance law to modern socio-economic changes** is critical. This includes examining how *faraidh* can be adapted to address issues such as digital assets, complex family structures, and evolving economic realities. Additionally, research on the impact of inheritance law education on legal compliance can help design more effective educational programs, improve public understanding, and reduce inheritance disputes.

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