

Economic and Social Impact of Islamic Inheritance Distribution (an Analysis of The Development and Adaptation of Inheritance Law in the Modern Context)

Mohammad Adnan

UIN Syarif Hidayatullah Jakarta

E-mail: moh.adnan@uinjkt.ac.id

Badrah Uyuni

Universitas Islam As-Syafi'iyah

E-mail: badrahuyuni.fai@uia.ac.id

Mahfuz

Universitas Islam As-Syafi'iyah

E-mail: mahfuznur.fai@uia.ac.id

Sarbini Anim

Universitas Islam As-Syafi'iyah

E-mail: sarbinianim.fai@uia.ac.id

Abstract: This study examines the economic and social impacts of the distribution of Islamic inheritance and the adaptation of inheritance law in a modern context. Islamic inheritance law stipulated in the Quran and Hadith provides clear guidelines on the division of inheritance, but its implementation often faces various challenges, including delays in the distribution and uncertainty of rights. This study uses qualitative methods with observation and literature review to explore how Islamic inheritance law affects wealth distribution, economic and social justice, and adaptation to social and cultural changes. The study found that inheritance sharing plays an important role in creating economic and social justice, but is often hampered by a lack of understanding, delays, and internal family disputes. The implementation of technology and increased inheritance law education are expected to reduce disputes and increase compliance. This study also recommends the role of scholars and scholars in providing guidance and the need for a firmer

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legal system to overcome existing challenges. Further research is suggested to explore the impact of technology in inheritance management, case studies of law implementation in various communities, and evaluation of the role of ulama and the impact of inheritance law education on legal compliance.

Keywords: Inheritance, Islam, Social, Economy, Modern Context.

Abstrak: Penelitian ini mengkaji dampak ekonomi dan sosial dari pembagian warisan Islam dan adaptasi hukum waris dalam konteks modern. Hukum waris Islam yang diatur dalam Al-Qur'an dan Hadits memberikan pedoman yang jelas mengenai pembagian harta warisan, namun penerapannya seringkali menghadapi berbagai tantangan, antara lain keterlambatan pembagian dan ketidakpastian hak. Penelitian ini menggunakan metode kualitatif dengan observasi dan tinjauan pustaka untuk mengeksplorasi bagaimana hukum waris Islam mempengaruhi distribusi kekayaan, keadilan ekonomi dan sosial, serta adaptasi terhadap perubahan sosial dan budaya. Studi ini menemukan bahwa pembagian warisan berperan penting dalam menciptakan keadilan ekonomi dan sosial, namun seringkali terhambat oleh kurangnya pemahaman, penundaan, dan perselisihan internal keluarga. Penerapan teknologi dan peningkatan pendidikan hukum waris diharapkan dapat mengurangi perselisihan dan meningkatkan kepatuhan. Kajian ini juga merekomendasikan peran ulama dalam memberikan bimbingan dan perlunya sistem hukum yang lebih tegas untuk mengatasi tantangan yang ada. Penelitian lebih lanjut disarankan untuk mengeksplorasi dampak teknologi dalam pengelolaan warisan, studi kasus penerapan hukum di berbagai komunitas, dan evaluasi peran ulama serta dampak pendidikan hukum waris terhadap kepatuhan hukum.

Kata kunci: Waris, Islam, Sosial, Ekonomi. Konteks Kekinian.

INTRODUCTION

Islamic inheritance law has an important role in regulating the distribution of wealth among family members after a person dies.¹ This system, which is based on the Quran and Hadith, aims to ensure justice and social welfare in Muslim societies. However, in the context of the dynamic modern world, many social, economic, and cultural changes

¹ Ash-Shabuni, Muhammad Ali. 1996. *Distribution of Inheritance According to Islam*. Jakarta: Gema Insani Press.

affect the way Islamic inheritance law is practiced and interpreted. Globalization, urbanization, and technological developments are some of the factors that contribute to this change.

The distribution of inheritance in Islamic law is not only about fulfilling the legal provisions that have been regulated in the Quran and Hadith, but also has a significant impact on the family economy and society at large. This process plays a role in the distribution of wealth, which in turn can affect economic equity and poverty alleviation. In Jakarta, a city with very complex economic and social dynamics, the distribution of inheritance according to Islamic law is often a crucial issue.²

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.³

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

² 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.

³ 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>.

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.⁴

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

⁴ 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.

distribution of inheritance can help reduce disputes and increase transparency in the distribution process.⁵

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.⁶

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.⁷

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.⁸

To overcome these challenges, the adaptation and development of Islamic inheritance law in the context of modern society is very important. For example, some Muslim communities in Jakarta have begun to adopt more progressive approaches to inheritance distribution, such as making clear and detailed wills before parents die.

⁵ "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/>.

⁶ Sarwat, Ahmad. 2016. *Why Are We Obligated to Study Inheritance Law?*. Jakarta: Rumah Fiqih Publishing.

⁷ 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).

⁸ 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.

In addition, the use of digital technology to ensure transparency and fairness in the heritage distribution process has also begun to be implemented. By understanding and overcoming these challenges, inheritance distribution according to Islamic law can be an effective instrument in supporting economic equity, social justice, and family welfare in society.

This research is expected to make a significant contribution to the development of Islamic inheritance law that is relevant to the needs of the times, as well as provide practical solutions to the problem of delaying the distribution of inheritance that often occurs. This study aims to examine how Islamic inheritance law impacts economic distribution and social welfare in Muslim communities, as well as how it develops and adapts to modern social changes. Thus, this research is expected to make a significant contribution to the understanding and development of Islamic inheritance law that is relevant to the needs of the times.

In recent decades, many changes have affected the way Muslim societies manage the distribution of inheritance. On the one hand, Islamic inheritance law remains an important foundation in the arrangement of inheritance. On the other hand, social and economic developments require new adaptations and interpretations so that inheritance law remains relevant and fair. The main problem faced is how to ensure that the basic principles of Islamic inheritance law can be applied effectively in the modern context without compromising the essence and justice contained in it.⁹

This study tries to examine how the economic impact of the distribution of inheritance according to Islamic law on families and society, how Islamic inheritance law develops and adapts to social, economic, and cultural changes in the modern context, what are the challenges and opportunities in the application of Islamic inheritance law in the era of globalization and digitalization?, and what is the role of scholars and religious institutions in interpreting Islamic inheritance law in accordance with contemporary needs?

To answer this, this study is limited to the analysis of the economic and social impact of inheritance distribution according to Islamic law in

⁹ 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.

Muslim communities. This study will examine the development and adaptation of inheritance law in the context of modern social change, focusing on several case studies in Muslim countries and Muslim communities in non-Muslim countries. This study will not discuss the technical or procedural aspects in the distribution of inheritance, but rather the impact and adaptation of the law.

This study aims to identify and analyze the economic impact of the distribution of inheritance according to Islamic law on the family and society, examine the development and adaptation of Islamic inheritance law in the context of modern social, economic, and cultural changes, research the challenges and opportunities in the application of Islamic inheritance law in the era of globalization and digitalization, and evaluate the role of scholars and religious institutions in interpreting Islamic inheritance law according to contemporary needs.

It is hoped that this research will theoretically add academic insight into the economic and social impact of the distribution of Islamic inheritance, as well as the development and adaptation of inheritance law in the modern context. And practically provide recommendations to scholars, legal practitioners, and policymakers on effective ways to adapt Islamic inheritance law to remain relevant and fair in modern society. As well as socially increasing the awareness of the Muslim community about the importance of understanding and applying Islamic inheritance law fairly and relevant to contemporary situations. With this comprehensive approach, the research is expected to make a significant contribution to the development of Islamic inheritance law that is not only in accordance with the basic principles of the religion, but also relevant and fair in the modern social context.

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.¹⁰ Although Islamic

¹⁰ 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.

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.¹¹

2. Rights in the Distribution of Inheritance

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

- a. Funeral Expenses: Expenses for the care of the body must be met in advance.
- b. Debt Repayment: All debts left by the deceased must be paid.
- c. Execution of Will: If there is a valid will, it must be executed.
- d. 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:

- a. Blood Relations: Such as children, siblings, and parents.
- b. Marital Relationship: Like husband or wife.
- c. 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.

However, there are some obstacles to inheritance, including religious differences, slavery, and murder. For example, a person who

¹¹ Ash-Shabuni, Muhammad Ali. 1996. *Distribution of Inheritance According to Islam*. Jakarta: Gema Insani Press.

kills a deceased person is not entitled to receive an inheritance from the victim.¹²

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.¹³

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.¹⁴

Challenges in the Implementation of Islamic Inheritance Law

¹² Ibid

¹³ 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.

¹⁴ 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.

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 institutions is essential to ensure that inheritance law is applied fairly and in accordance with sharia principles.¹⁵

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

Several studies have also examined how Islamic inheritance law can adapt to modern social, economic, and cultural changes. The use of digital technology in the inheritance distribution process can increase transparency and fairness. Digital applications and platforms can help record and manage inheritances more efficiently, as well as minimize potential conflicts between heirs.

In the modern era, the division of Islamic inheritance faces new challenges, including adaptation to globalization and technology. In Jakarta and many other places, there are often delays in the distribution of inheritance and prolonged family disputes. A lack of a deep understanding of Islamic inheritance law and inconsistent compliance are often the main causes of this problem. In some communities, the process of inheritance distribution is often hampered by uncertainty

¹⁵ Firdaus, M. (2015). Renewal of Islamic Inheritance Law in the Contemporary Era. *Istinbath: Journal of Islamic Law IAIN MATARAM*, 14(1), 41830.

regarding the provisions of sharia and internal family conflicts. This shows the need for better education about inheritance law and the use of technology to facilitate inheritance administration.¹⁶

Therefore, the importance of education and public awareness about Islamic inheritance law. Many problems arise due to a lack of understanding of inheritance provisions in Islam. Therefore, education campaigns and increasing legal literacy among Muslim communities can help overcome challenges in inheritance distribution.

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 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.

¹⁶ 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).

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.¹⁷

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 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.¹⁸ 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

¹⁷ Ash-Shabuni, Muhammad Ali. 1996. *Distribution of Inheritance According to Islam*. Jakarta: Gema Insani Press.

¹⁸ Hadi, A. C. (2016). Islamic inheritance system and equitable distribution of wealth. *Coordinates*, 15(2), 295-312.

living.¹⁹ 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.²⁰ 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.²¹

¹⁹ 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.

²⁰ 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.

²¹ 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

Adaptation to Social Change

Islamic inheritance law in Jakarta and Indonesia in general has begun to adapt to modern social, economic, and cultural changes. The influence of globalization and technology has prompted some communities to adopt a more progressive approach to inheritance distribution. For example, the use of digital technology to record and manage the distribution of inheritance is becoming increasingly common. Some families have also begun to make more detailed wills to ensure fair distribution and avoid disputes. However, this adaptation still faces challenges, especially in terms of public awareness and understanding of the importance of mature inheritance planning.

Some Muslim communities in other countries have developed best practices in managing inheritance law that can be used as examples.²² For example, in some places, the inheritance sharing system uses efficient and transparent sharia courts, while in the Gulf countries, digital technology is used to ensure that each heir gets his or her rights fairly. In Jakarta, several taklim councils have begun to educate their members on the importance of timely and sharia-compliant inheritance distribution. These practices show that with good education and planning, Islamic inheritance law can be effectively implemented in a modern context.

The Role of Institutions and Ulema

In the context of the application of Islamic inheritance law, institutions such as religious courts and the role of clerics play a very crucial function. They are not only in charge of resolving inheritance disputes but also in interpreting and disseminating knowledge about inheritance law in accordance with contemporary needs. Research shows that the active role of these two entities can be very influential in reducing conflicts and increasing public awareness regarding the distribution of inheritance.

1. Religious Courts as Dispute Resolution Institutions

In many places, religious courts have a central role in resolving inheritance disputes that often arise in society. As a legal institution that has the authority to decide cases related to sharia law, religious courts provide a formal mechanism to handle inheritance disputes. Research shows that religious courts function not only as mediators

Society. *Journal of Building the Ummah: Building and Fortifying the Ummat*, 4(2), 19-40.

²² Firdaus, M. (2015). Renewal of Islamic Inheritance Law in the Contemporary Era. *Istinbath: Journal of Islamic Law IAIN Mataram*, 14(1), 41830.

in resolving disputes but also as guardians to ensure that the distribution of inheritance is carried out in accordance with sharia provisions.²³ Religious courts also have the responsibility to ensure that decisions taken are not only legally fair but also take into account the social and economic interests of the heirs. In this process, religious courts often play a role in rendering decisions that favor social justice and assist in speeding up the often delayed process of inheritance distribution.

2. The Role of Ulama in Education and Counseling

Muslim scholars and scholars play an important role in educating the public about Islamic inheritance law. They are responsible for disseminating knowledge of the provisions and principles of inheritance law, including the rights and obligations of heirs. Scholars are often involved in giving lectures, seminars, and training on the fair distribution of inheritance in accordance with Islamic teachings. Research shows that the education provided by ulama is very helpful in reducing misunderstandings and inheritance disputes. By providing a clear understanding of how Islamic inheritance law is applied, scholars can help people to avoid mistakes in the practice of dividing property and reduce the likelihood of conflict. In addition, the role of scholars in providing advice and guidance to families who are facing the process of inheritance distribution is very important to ensure that the rights of all parties are respected.

3. Challenges and Opportunities in the Role of Institutions and Ulema

Although religious courts and clerics have a very important role, they also face some challenges. One of the main challenges is ensuring that all parties have equal access to information and legal assistance. In some areas, access to religious courts or consultation with clerics may be limited, which can lead to injustice in the inheritance distribution process. On the other hand, there is an opportunity to increase the effectiveness of the role of institutions and scholars through the use of technology and media. For example, counseling on inheritance law can be conducted online to reach a wider community, and religious courts can utilize technology-based case management systems to speed up dispute resolution. By utilizing this innovation,

²³ Thohari, I. (2015). Conflict of authority between the district court and the religious court in handling cases of Muslim inheritance disputes. *Universum*, 9(2), 173-188.

institutions and scholars can be more effective in implementing Islamic inheritance law and educating the public.

The role of religious courts and clerics is very important in the application of Islamic inheritance law in Jakarta and Indonesia in general. They not only function as dispute resolvers but also as educators who guide the community in understanding and applying inheritance law. To increase the effectiveness of their roles, joint efforts are needed to overcome existing challenges and take advantage of available opportunities. With the right support and the use of technology, institutions and clerics can play a greater role in ensuring that the distribution of inheritance is carried out fairly and in accordance with the teachings of Islam, thereby reducing conflict and improving social justice in society.

Discussion

Islamic inheritance law is often considered an overlooked discipline, although it is actually very important. Many people who do not delve into this law thoroughly, may be more interested in other issues such as technology or politics. Often, inheritance law, also known as *faraidh*, is considered a marginalized field. In the context of the family, inheritance law is often like a neglected child in his own home. In fact, inheritance law has a crucial role in determining a person's wealth status and involves a deep desire to inherit property from a deceased person, both by direct descendants and those who have an emotional closeness to the heir. Unfortunately, many people don't realize that inheritance rights don't always depend on physical proximity to the heir. Not everyone who is physically close to the heir has the right to inherit, and conversely, not everyone who is not physically close should be excluded from the division of the inheritance. Although Islamic inheritance law has great potential in supporting economic and social justice, its application in various places, including Jakarta and Indonesia in general, still faces various challenges. Delays in inheritance distribution and lack of understanding of the importance of inheritance planning often lead to injustice and conflict. Many inheritance disputes end in deep family disputes, which often result in divisions, feuds between children and grandchildren, even bloodshed and damaged relationships.

The implementation of Islamic inheritance law in Jakarta and Indonesia faces several significant challenges. Although the provisions of the Quran and Hadith provide clear guidelines regarding the distribution of inheritance, their implementation is often hampered by

factors such as lack of public understanding, delays in distribution, and internal family disputes. With adaptation to social and economic changes, the use of technology in inheritance management, and the active role of institutions and clerics, these challenges can be overcome. This research underscores the importance of improving inheritance law education, utilizing technology for transparency and efficiency, and strengthening law enforcement and guidance for scholars in overcoming inheritance disputes. These efforts are expected to increase the fair and effective implementation of Islamic inheritance law, as well as support economic and social justice in society.

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:

1. 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.
2. 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.
3. 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.
4. 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.

Penutup

This study has examined the economic and social impacts of inheritance distribution according to Islamic law, as well as how it has evolved and adapted to social, economic, and cultural changes in the modern context. The main findings of the study show that although Islamic inheritance law is designed to create justice in the distribution of wealth, its implementation in the field often faces various challenges. *First*, the economic impact of the distribution of Islamic inheritance is very significant. This law has the potential to improve the distribution of wealth and improve the economic well-being of families and communities by providing clear guidelines on inheritance rights. However, delays in division, lack of understanding, and family disputes often hinder the effectiveness of these laws, resulting in injustice and conflict.

Second, the development and adaptation of Islamic inheritance law in the context of modern social, economic, and cultural changes shows the flexibility of this law to adapt to the dynamics of the times. In the era of globalization and digitalization, Islamic inheritance law faces new challenges but also great opportunities for innovation, such as the use of technology in inheritance management and increased access to legal information. *Third*, challenges in the application of Islamic inheritance law include ignorance of the law, inconsistent compliance, and poor property management. However, there are opportunities to improve the application of these laws through education, stricter law enforcement, and the use of technology. *Fourth*, the role of scholars and religious institutions is very important in interpreting Islamic inheritance law in

accordance with contemporary needs. Ulama serve as a bridge between sharia law and social practice, helping to resolve inheritance disputes and providing relevant guidance in the modern context.

Overall, to overcome these challenges and take advantage of the opportunities that exist, it is important to improve public understanding of Islamic inheritance law, accelerate the process of inheritance distribution, and ensure compliance with sharia provisions. In addition, adaptation to social and technological changes as well as the active role of clerics and religious institutions will play a key role in optimizing the implementation of Islamic inheritance law. This research is expected to provide useful insights for policymakers, academics, and legal practitioners to improve justice in the distribution of inheritance and adapt inheritance law to the needs of contemporary society.

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