



Initiating Equal Distribution of Inheritance: An Innovation in Islamic Inheritance Law in the Modern Era

Zulfan Efendi*

Universitas Islam Negeri Syekh Ali Hasan Ahmad Addary Padangsidimpuan

email: zulfanefendihisibuan@gmail.com

Nurma Harana Mora Siregar

Universitas Islam Negeri Syekh Ali Hasan Ahmad Addary Padangsidimpuan

email: nurmaharanamorasiregar1@gmail.com

Abstract

This article explores the concept of equal distribution of inheritance within Islamic inheritance law in the contemporary context, presenting it as a remedy for the injustices frequently faced by women and as a way to resolve disputes that often occur among heirs due to differing views on asset distribution. The research background highlights traditional rules that grant larger shares to men, along with the associated social and economic consequences. The study utilizes a library research method with a qualitative approach, examining relevant literature to grasp the idea of equal inheritance distribution. The findings suggest that equal inheritance distribution can foster gender equality and improve women's status in society. This method is anticipated to mitigate family disputes and foster a more harmonious atmosphere. Nevertheless, obstacles such as cultural traditions and insufficient public awareness of Islamic inheritance law persist in hindering its application. The article underscores the significance of dialogue and consensus among heirs to achieve an equitable distribution that adheres to Sharia principles, ultimately contributing to a more just and prosperous society.

Keywords: Equal Inheritance; Distribution; Islamic Inheritance Law

Abstrak

Artikel ini mengkaji gagasan pembagian warisan yang setara dalam hukum waris Islam di era modern, dengan menempatkannya sebagai solusi terhadap ketimpangan yang kerap dialami perempuan serta sebagai alternatif penyelesaian konflik di antara ahli waris akibat perbedaan pandangan terkait distribusi harta. Latar belakang penelitian mengangkat persoalan aturan klasik yang cenderung memberikan porsi lebih besar kepada laki-laki, beserta dampak sosial dan ekonomi yang menyertainya. Penelitian ini menggunakan metode studi pustaka dengan pendekatan kualitatif, yang bertujuan menelaah literatur terkait untuk menggali pemahaman mengenai konsep pembagian warisan yang adil. Hasil kajian menunjukkan bahwa distribusi warisan secara setara berpotensi mendorong kesetaraan gender serta memperkuat posisi perempuan dalam kehidupan sosial. Pendekatan ini juga diyakini mampu mengurangi konflik dalam keluarga dan menciptakan keharmonisan. Meskipun demikian, pelaksanaan konsep ini masih dihadapkan pada tantangan seperti kuatnya tradisi budaya dan rendahnya pemahaman masyarakat terhadap hukum waris Islam. Artikel ini menegaskan pentingnya musyawarah dan kesepakatan di antara para ahli waris demi mencapai pembagian yang adil dan tetap berlandaskan pada prinsip-prinsip syariah, guna mewujudkan masyarakat yang lebih adil dan makmur.

Kata Kunci: Pembagian; Warisan Setara; Hukum Waris Islam

*Corresponding author

Introduction

In the practice of inheritance distribution in various regions, there are often tensions between heirs who feel that the system of distribution based on traditional Islamic law does not fully reflect social justice in the context of modern life.¹ One of the real problems that often occurs is when boys get twice as much share as girls, when in reality girls are more active in taking care of their parents, taking care of family needs, or even becoming the main economic support. This inequality creates a sense of injustice and disillusionment, especially among women, who feel that their role in the family is not fairly recognized in the distribution of inheritance.² On the other hand, many urban Muslim families began to push for an equal distribution of inheritance through family deliberations in order to maintain harmony, but this effort was not uncommon to come under pressure from those who held a conservative interpretation of Islamic inheritance law.³

Inheritance law in Indonesia, especially those based on Islamic principles, has become an important element in the social and cultural practices of the community.⁴ Inheritance law is a law that regulates the mechanism of transfer of inheritance from the heir (the deceased) both in the form of property and debts and receivables to the heirs (living persons) based on the provisions that have been stipulated in the Quran and Hadith.⁵ The provision regarding the division of inheritance often refers to what is stipulated in the Qur'an and Hadith, which gives a larger portion to men than to women, which is two to one.⁶ However, this principle is often perceived differently in the context of modern society,

¹ Zafar Ali dkk., "The Role of Islamic Values in Promoting Social Justice and Community Welfare," *International Research Journal of Management and Social Sciences* 5, no. 1 (2024): 575–585.

² Mai Vermeulen, "Alienation and the Narratives of Young Working-Class Individuals Seeking Assistance in an Era of Uncertainty" (PhD Thesis, Ghent University, 2024), https://libstore.ugent.be/fulltxt/RUG01/003/214/016/RUG01-003214016_2024_0001_AC.pdf.

³ Muhammad Fiqhri Arhaj dkk., "Religious Marriage and Its Impact on Family Economic Rights in Islamic Law and Positive Law in Indonesia," *Jurnal Riset Rumpun Ilmu Sosial, Politik dan Humaniora* 4, no. 3 (2025): 145–156.

⁴ Utama Wardi dkk., "Comparative analysis of Islamic family law and customary law in the settlement of inheritance disputes in Indonesia," *Hakamain: Journal of Sharia and Law Studies* 3, no. 1 (2024): 13–25.

⁵ I. Nengah Pasek Suryawan dan Rineke Sara, "Legal certainty regarding pluralism of inheritance law in Indonesia in the transfer of inheritance rights in Indonesia," *Indonesian Journal of Multidisciplinary Science* 4, no. 3 (2024): 145–154.

⁶ Maryam Muhammad Bature dan Jasni Sulong, "Inheritance Distribution among Muslims: A Comparative Analysis on the Practice of Some Muslim Countries," diakses 10 Juli 2025,

especially in societies that are more inclusive of women's roles. The debate on gender equality is an important issue, especially in urban societies where women also play an active role in the family economy.

With the growing awareness of the importance of gender equality, the idea of an equal distribution of inheritance is beginning to emerge as a relevant solution.⁷ This concept is also seen as a step to resolve disputes that often occur in society due to differences of opinion on how to distribute inheritance. This approach aims to address existing injustices, provide equal rights to all family members regardless of gender, as well as as an effort to achieve peace when there is conflict between heirs. In Indonesia, rapid social and economic changes have also triggered the need to update inheritance laws. The community is now more accepting of new ideas that prioritize justice and equality, including in terms of inheritance distribution.

Indonesia is a country whose society has a pluralistic character, which can be seen from various ethnic, linguistic, belief, and religious backgrounds.⁸ This diversity makes legal pluralism a reality that cannot be ignored. Customary law, which is an unwritten law, is recognized as part of the legal system that applies in Indonesia, so its existence illustrates the recognition of legal pluralism.⁹ Similarly, the inheritance law that applies in Indonesia to this day still shows a pluralistic nature.¹⁰ Inheritance law recognized in society does not only include Islamic Inheritance Law and BW; There are also many other systems that are applied, including customary law in the process of distributing inheritance. This is closely related to the kinship system in Indonesian society, which consists of three types of lineages: matrilineal, patrilineal, and parental. Variations in kinship and customary systems

https://kwpublications.com/papers_submitted/9612/inheritance-distribution-among-muslims-a-comparative-analysis-on-the-practice-of-some-muslim-countries.pdf.

⁷ Shahra Razavi, "The 2030 Agenda: Challenges of Implementation to Attain Gender Equality and Women's Rights," *Gender & Development* 24, no. 1 (2 Januari 2016): 25–41, <https://doi.org/10.1080/13552074.2016.1142229>.

⁸ Thita M. Mazya, Kholis Ridho, dan Ali Irfani, "Religious and cultural diversity in Indonesia: Dynamics of acceptance and conflict in a multidimensional perspective," *International Journal of Current Science Research and Review* 7, no. 7 (2024): 4932–4945.

⁹ Firdaus Arifin dkk., "Recognition of Customary Norms Within the Framework of Indonesian Legal Positivism," *Khazanah Hukum* 7, no. 1 (2025): 92–104.

¹⁰ Sulistyowati Irianto, "Inheritance Legal Pluralism and Gender Justice: A Court Room Study in Indonesia," *Legal Pluralism and Critical Social Analysis* 56, no. 3 (September 2024): 459–78, <https://doi.org/10.1080/27706869.2024.2379738>.

within a society often lead to debates and conflicts among the heirs when inheritance is distributed. This opens up opportunities to discuss and implement more progressive changes.

Several previous studies have discussed the issue of inheritance distribution in the context of Islamic law and its challenges in the modern era. Research conducted by Icha Choerunnisa and Tjempaka revealed that the practice of equal distribution of inheritance is often applied in society as a solution to prevent conflicts between heirs.¹¹ He concluded that family deliberation is an important mechanism in reaching a fair agreement, especially in areas that prioritize family values over faraid rules. Another study by Arbanur Rasyid et. al., showed that the agreement to divide inheritance equally was influenced by customary factors, local culture, and the limited understanding of the community towards Islamic inheritance law.¹² In addition, Akhmad Jalaludin are also important references in looking at the possibility of a more flexible interpretation of inheritance division in Islam.¹³ These studies are an important foothold for developing inheritance law innovations that consider substantive justice, especially in an ever-evolving social context.

The significance of this research lies in the attempt to propose a system of inheritance distribution that is not only fair but also in line with broader Islamic principles. Humanitarian values, justice, and respect for individual rights should be the foundation of every aspect of the law. This innovation in inheritance law is expected to be part of a broader Islamic law reform effort in Indonesia, which not only focuses on legal aspects, but also considers social values that are more inclusive and just.

Method

This research uses a qualitative method with a library research approach to explore and analyze contemporary ideas on the concept of equal distribution of inheritance in

¹¹ Icha Choerunnisa dan Tjempaka Tjempaka, "The Distribution of Inheritance Rights To Heirs of Different Religions: Study of Court Decision Number 0554/PDT. P/2023/PA. SBY," *Journal of Law, Politic and Humanities* 4, no. 4 (2024): 920–929.

¹² Arbanur Rasyid, Rayendriani Fahmei Lubis, dan Idris Saleh, "Contestation of Customary Law and Islamic Law in Inheritance Distribution: A Sociology of Islamic Law Perspective," *Al-Ahkam* 34, no. 2 (2024): 419–448.

¹³ Akhmad Jalaludin, "From Patrilineal to Bilateral: A New Balance of Islamic Inheritance Law in Indonesia's Religious Court," *Al-Hukama': The Indonesian Journal of Islamic Family Law* 14, no. 2 (2024): 201–231.

Islamic law. Data was collected from various literature sources such as classical jurisprudence, interpretation of the Qur'an, results of previous research, scientific articles, and regulations related to inheritance law in Indonesia, including the Compilation of Islamic Law (KHI).¹⁴ Literature search was carried out through physical and digital libraries, as well as a database of scientific journals relevant to issues of inheritance law, gender equality, and Islamic law reform. Data analysis was carried out in a descriptive-analytical manner by identifying the main arguments, evaluating the relevance of fiqh postulates, and comparing the thinking of classical and contemporary scholars.¹⁵ In addition, the maqāṣid al-sharī'ah approach is used as an analytical framework to assess the extent to which the idea of equal distribution of inheritance is acceptable as a form of modern ijtihad that remains in line with the principles of justice in Islam.

Results and Discussion

The Concept of Inheritance Distribution in Islamic Law

Islamic inheritance law is an aspect of the study of law that regulates the transfer of a person's inheritance after death, including determining who is entitled to receive an inheritance and how much of it.¹⁶ Rules regarding the rights and obligations of heirs, both individuals and legal entities, are included in the jurisprudence. In the compilation of Islamic law, inheritance law is defined as a system that regulates the transfer of ownership rights over inherited property, including who is entitled to be the heir as well as the proportion received.¹⁷ In other words, inheritance law regulates the transfer of property from the deceased to the entitled recipient in accordance with the provisions of the sharia.

In QS. An-Nisa Verse 11, states that boys receive a double share compared to girls. This verse explains that God has arranged the division of inheritance for children, where a

¹⁴ Jennifer Anuchiracheeva-Zamarripa, "A Qualitative Phenomenological Study of Adult School Counselors' Importance and Influence in Supporting Adult Learners" (PhD Thesis, University of La Verne, 2024).

¹⁵ John W. Creswell dan Cheryl N. Poth, *Qualitative inquiry and research design: Choosing among five approaches* (Sage publications, 2016).

¹⁶ Sarah Suleman dan Arfan Arfan, "Inheritance Transitioning to Gift in The Issuance of Land Certificates: an Islamic Legal Perspective," *NUKHBATUL'ULUM: Jurnal Bidang Kajian Islam* 10, no. 1 (2024): 118–137.

¹⁷ Naskur Bilalu dkk., "Reevaluating Inheritance Distribution in Indonesia: The Role of Hibah as a Preventive Measure," *Al-Istinbath: Jurnal Hukum Islam* 10, no. 1 (2025): 378–406.

boy's share is equal to two daughters. If all the children are girls and the number is more than two, they are entitled to two-thirds of the property left behind; If there was only one daughter, she would get half of the wealth. Each parent is entitled to one-third of the estate if the deceased has children; If there are no children, the mother is entitled to one-third, and if there are siblings, she also gets one-third. All of these distributions are made after the will is fulfilled and the debt is paid off. Allah affirms that no one can know which of parents and children is more beneficial to us, and this is a decree of the All-Knowing and Wise God.

From this verse, it is clear that the part of the daughter is half of the part of the boy, which is God's unchangeable provision.¹⁸ In another verse, Allah reminds Muslims to obey His commands and threatens those who violate. This is stated in QS. An-Nisa Verse 14, which states that whoever disobeys Allah and His Messenger will be put into the fire of Hell and will face humiliating torment. The provisions set by Allah are absolute and undeniable. Therefore, a larger share of boys compared to girls is a definite provision. This is in line with Article 176 of the KHI, which explains that if there is one daughter, she will get half share; if there are two or more, they will get two-thirds; and if there are boys and girls, the division is two to one.

In this modern age, social values continue to evolve, with increasing awareness and gender equality.¹⁹ The issue of gender equality is one of the contemporary issues that often arise in various fields of life, including in education, law, and others.²⁰ Almost all sectors recognize this concept as an effort to achieve a balance between men and women. This has led to the emergence of the idea of equitable inheritance distribution in response to the injustices that often occur in the Islamic inheritance system.²¹ Today, the roles of men and women in the family economy are almost equal.²² Women, who were previously seen only

¹⁸ Christopher B. Hays dan Richard B. Hays, *The widening of God's mercy: sexuality within the biblical story* (Yale University Press, 2024).

¹⁹ Karakat Nagymzhanova dkk., "Gender inequalities: Understanding gender identity and changing trends," *Rivista di studi sulla sostenibilità: XIV*, 1, 2024, 2024, 27–44.

²⁰ Olena Ivani, "Family legal relations in the context of gender equality: Legal protection of women and men," *Legal Horizons* 24, no. 1 (2025): 51–62.

²¹ Mahfuz Mahfuz dkk., "THE ROLE OF ISLAMIC INHERITANCE LAW IN WEALTH DISTRIBUTION AND SOCIAL WELFARE," *Al-Risalah: Jurnal Studi Agama dan Pemikiran Islam* 16, no. 1 (2025): 290–307.

²² Kadumbri Kriti Randev, "Why Do Women Today Earn More Than Their Mothers, But Still Less Than Their Brothers? A Gendered Organization Perspective," *Employee Responsibilities and Rights Journal* 36, no. 2 (Juni 2024): 251–64, <https://doi.org/10.1007/s10672-023-09476-z>.

as housekeepers, are now undergoing a change in values along with the times. With the rapid growth of industry in Indonesia, the role of women as male companions in the household has changed significantly. The increasing number of women working outside the home also has an impact on people's living patterns.

This change in roles between men and women has become a significant gender issue. Women demand their rights according to their position in the family, so Islamic inheritance law needs to be adapted to meet the needs of a society that wants justice for women today. In Islamic inheritance law, there is an imbalance where men get a larger share than women. From a socio-historical perspective, the determination of a ratio of 2:1 is intended to solve the problems that existed at the time of the descent of the verse. It can be seen that in the pre-Islamic era, women did not have the right to inherit, but through this verse, women were recognized as having the position and right to their inheritance.

It was noted that men got a larger portion because the family system at that time required men to take full responsibility and earn a living for the family. Although this has been clearly explained, it is important to interpret who is entitled to be recognized as male or female. This determination does not only depend on gender, but can also be assessed based on the role of each individual.²³ If a woman has a more dominant role in earning a living and caring for family members, including parents and siblings, she may be entitled to two shares of the inheritance, while men only get one. In this context, the assessment of individual contributions is essential to determine a fairer distribution of inheritance, which can allow women to receive an equal or even greater share than men. Another option is to reach a peace agreement (*al-sulh*) among the heirs.²⁴ These two approaches can strengthen women's inheritance rights without changing the provisions set by Allah in the Qur'an.

In terms of inheritance, the theory of boundaries proposed by Muhammad Syahrur can also be applied. In this theory, justice or equality would be close, although women and

²³ Angela M. Young dan David Hurlic, "Gender enactment at work: The importance of gender and gender-related behavior to person-organizational fit and career decisions," *Journal of Managerial Psychology* 22, no. 2 (2007): 168–187.

²⁴ Muhammad Salleh Abdul Saha dkk., "The Concept of Reclamation in Muslim Inheritance," diakses 10 Juli 2025, https://kwpublications.com/papers_submitted/13404/the-concept-of-reclamation-in-muslim-inheritance.pdf.

men still do not get a 1:1 split.²⁵ This is because Syahrur points out that there are limits in calculations that are elastic and dynamic. In this case, men get two parts as the maximum limit, while women get one part as the minimum limit. Women can get more than one share, as long as they do not exceed or equal to men. Although men still earn more than women according to the provisions of the Qur'an, it should be emphasized that justice or equality do not have to be identical, so gender justice can be seen from the flexibility of this interpretation and theory.

According to Bature dan Sulong, the inheritance system listed in the Qur'an is basically a system of relationships, which can be seen in the division of heirs such as *Dhawī Al-Furud*, *Dhawī Al-Qaraba*, and *Mawālī*.²⁶ In this context, the concept of *asabah* is not applied; Instead, there are two options: first, the distribution is done fairly to all the heirs; Second, the selection is made based on proximity to the person who has died. Hazairin follows a bilateral inheritance system, in which the division of inheritance is determined by the classification of heirs. He divided the inheritance between men and women according to their position in the group of heirs, thus providing equality in the opportunity to receive an inheritance in the family as equals.

In addition to gender issues, the division of inheritance also often triggers disputes among heirs due to differences of opinion about how to divide, which can lead to conflicts in the family. This is based on differences in customs in a community. Because most Indonesian people use customary law in the distribution of inheritance. Customs are community habits that are maintained and carried out continuously. Inheritance law in customary law is a set of laws that govern the process of transferring or handing over inheritance from one generation to the next.²⁷ Equitable distribution of inheritance is a solution that society takes to achieve peace and prevent disputes.

In response to these various problems, Islamic law provides innovations in the

²⁵ Saiful Anuar, "JULA-JULA AS A MODEL OF SHARIAH-COMPLIANT MICROFINANCE: COMMUNITY PRACTICES IN RURAL INDONESIA.," *Share: Journal of Islamic Economics & Finance/Jurnal Ekonomi dan Keuangan Islam* 14, no. 1 (2025).

²⁶ Bature dan Sulong, "Inheritance Distribution among Muslims."

²⁷ Ahmad Ismail Nasution, "PROBLEMATICS OF DUALISM CONCEPT OF DIVISION INHERITANCE AND RESOLUTION OF INHERITANCE DISPUTES (CASE STUDY IN GUNUNG TUA VILLAGE, PANYABUNGAN DISTRICT, MANDAILING NATAL DISTRICT)," diakses 10 Juli 2025, <https://repository.uinjkt.ac.id/dspace/handle/123456789/79899>.

distribution of inheritance with an equal concept, which is allowed as long as it can prevent harm.²⁸ This concept can be applied after all heirs have negotiated and reached an agreement to divide the inheritance equally. Before implementation, it is important to know the portion of each part in accordance with Islamic provisions. This is in line with the provisions in the Compilation of Islamic Law article 183 which states, "The heirs can agree to make peace in the distribution of inheritance after each of them is aware of his share.

Challenges in the Implementation of Equitable Distribution of Inheritance

The equal distribution of inheritance in accordance with Islamic inheritance law in its implementation does not always run smoothly and faces various challenges. As we know, Indonesia has three legal systems: Islamic law, customary law, and positive law.²⁹ Among these three systems, customary law has a more significant influence in society.³⁰ This is because the Indonesian population consists of various tribes, so the distribution of heritage is also very diverse according to the customary provisions that apply in each region. Therefore, in the division of inheritance, many people still adhere to the traditions of their ancestors that have been passed down from generation to generation. For example, in Kepahiang Regency, people often override the rules in the Qur'an and prioritize local customs. This custom requires that the division of inheritance be done fairly, known as "one-to-one," where all assets are considered joint property and divided by granting equal rights between boys and girls, regardless of the number of existing heirs.

The lack of public understanding and awareness of Islamic inheritance law so that in practice they often ignore the principle of Islamic inheritance and prefer to use the principle of kinship in the distribution of inheritance.³¹ The implementation of fair distribution of inheritance can have an important impact on the social and economic welfare of the

²⁸ Nizam Ubaidilah dan Asmaul Husna, "Regulation of Maintenance in Islamic Family Law: Implications for Family Welfare," *International Journal of Health, Economics, and Social Sciences (IJHESS)* 5, no. 4 (2023): 601–612.

²⁹ Achmad Bustomi, "The Relationship Between Islamic Law and Positive Law of Indonesia and Recht Customs," *Jurnal Legisci* 2, no. 1 (2024): 91–101.

³⁰ Rahmi Dwi Sutanti, Nur Rochaeti, dan Arsyad Rifki Damora, "Customary law as an instrument of restorative justice: an alternative approach to criminal conflict resolution in plural legal systems," *Clío. Revista de Historia, Ciencias Humanas y Pensamiento Crítico.*, no. 10 (2025): 1348–1381.

³¹ Muhammad Asad Latif, "An Evaluation of the Gender Gap between Islamic Law and Practice from an Anthropological Perspective on Female Share in Inheritance: A Case Study from Pakistan," *MAQOLAT: Journal of Islamic Studies* 2, no. 4 (2024): 319–330.

community. By giving women equal rights in inheritance, they will be more economically independent, which in turn can improve their position in the family and society. It can also reduce women's dependence on men and increase their participation in various areas of life, such as education and employment.

In addition, by reducing injustice in the distribution of inheritance, it is hoped that a more prosperous and just society will be created. The relationship between the parties involved can also be better and closer, because in a harmonious process there is an element of giving and relinquishing rights. This concept is not time-consuming or protracted, so it does not interfere with other activities. The division of assets through deliberation between the heirs with a 1:1 agreement is more quickly accepted. Therefore, an equitable distribution of inheritance is not only a legal innovation, but also a strategic step towards more inclusive social development. However, on the other hand, when this concept of equality is applied not in accordance with Islamic inheritance law (*Faraid*), it can cause a number of significant legal impacts.

The dissatisfaction of the heirs who feel that their rights are not being taken into account under the provisions of *Faraid* may perceive this treatment unfair, which can lead to dissatisfaction and conflict.³² Those who feel aggrieved can take the matter to court to demand that the distribution of the inheritance be carried out in accordance with Islamic law. Inconsistency with sharia. Equitable distribution of inheritance is contrary to the basic principles of Islamic law. This situation can create problems for families who are trying to stay compliant with sharia. Religious leaders or scholars may issue fatwas or recommendations to redistribute inheritance in accordance with Islamic law.

Non-compliance with Islamic inheritance law can result in a loss of trust among more conservative members of society.³³ Customs that are not in line with Islamic law can be considered as weakening religious values, thus giving rise to a debate about the importance

³² Ms Sajida dan Mudassara Sabreen, "THE IMPACT OF COLONIALISM ON WOMEN'S RIGHTS TO INHERITANCE: A CRITICAL EVALUATION UNDER SHARIAH AND PAKISTANI LEGAL SYSTEM,,"

³³ Ahmad Nawir dkk., "Comparative Analysis of The Family Law Systems in Indonesia and Saudi Arabia in The Context of Unregistered Marriage: Maqashid Al-Syari'ah Perspective," *International Journal of Health, Economics, and Social Sciences (IJHESS)* 6, no. 4 (2024): 1075–1084.

of maintaining customs and implementing sharia.³⁴ In a number of Muslim-majority countries, positive law also recognizes and implements Islamic inheritance law in national regulations.³⁵ Inheritance distributions that do not comply with these provisions may be considered legally invalid. The Religious Court may refuse to certify the distribution of inheritance contrary to Faraid and order the redistribution in accordance with the provisions of Islamic law and national law.

Conclusion

Equitable inheritance distribution in the context of Islamic inheritance law offers innovative solutions to address the injustices that women often experience. Although traditional Islamic inheritance law gives a larger portion to men, social developments and awareness of the importance of gender equality have driven the emergence of this idea. Through this approach, it is hoped that women's rights can be upheld, giving them the opportunity to be economically independent and improving the overall well-being of society. This concept is also present as a solution to resolve disputes that often occur between heirs due to differences in interpretation in the division of inheritance.

The implementation of an equal division of inheritance requires deliberation and agreement among the heirs, as well as a better understanding of Islamic inheritance law. However, challenges such as customary traditions and lack of understanding of the community are still obstacles. Nevertheless, the application of this concept has the potential to create a more just and prosperous society, with more harmonious relationships between family members. On the other hand, it is important to ensure that the distribution of inheritance remains in accordance with sharia principles, so as not to cause family conflicts and legal problems. Thus, equitable inheritance distribution is not only a legal innovation, but also a strategic step towards inclusive and equitable social development.

³⁴ Sahin Husain, Nasir Purkon Ayoub, dan Mukhammadolim Hassmann, "Legal pluralism in contemporary societies: Dynamics of interaction between islamic law and secular civil law," *SYARIAT: Akhwal Syaksyah, Jinayah, Siyasah and Muamalah* 1, no. 1 (2024): 1–17.

³⁵ "Human Rights Law in Muslim Majority Countries: An Assessment," dalam *Political Economy of Islam*, oleh Asif Mohiuddin (Cham: Springer Nature Switzerland, 2024), 35–74, https://doi.org/10.1007/978-3-031-63859-6_2.

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