

RECONSTRUCTION OF ISLAMIC INHERITANCE LAW FROM THE PERSPECTIVE OF GENDER JUSTICE IN INDONESIA

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Abstract

This study examines the classical Islamic inheritance law provisions that assign unequal shares to male and female heirs, wherein males typically receive twice the share of females. Although these rules are rooted in strong textual foundations from the Qur'an and Hadith, they are increasingly viewed as less relevant within the context of contemporary Indonesian society, which emphasises gender equality and justice. The primary aim of this research is to critically analyse these inheritance provisions through the lens of gender justice and to reconstruct a more equitable approach without abandoning the fundamental principles of Islamic law (sharī'ah). This study adopts a Systematic Literature Review (SLR) method, analysing both primary and secondary sources, including classical Islamic legal texts, contemporary academic books, peer-reviewed journal articles, and previous studies. The findings reveal that the classical fiqh-based inheritance model continues to dominate in both legal understanding and practice. However, it often falls short in addressing substantive justice, particularly in modern social contexts where women increasingly assume economic and familial responsibilities. The study concludes that a reconstruction of Islamic inheritance law is necessary—one that is grounded in the objectives of Islamic law (maqāsid al-sharī'ah) and principles of gender justice. Such an approach aims to provide a contextual and fair solution while remaining faithful to the spirit and higher aims of Islamic legal tradition.

Keywords: Gender Justice, Islamic Inheritance Law, Legal Reconstruction



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INTRODUCTION

Islamic inheritance law in Indonesia generally still refers to classical provisions derived from the jurisprudence of certain madhhabs, particularly the Shafi'i school, which is dominant in the religious practices of Indonesian Muslims (Afifah & Dasuki, 2025; Aqbar dkk., 2022; Habel, 2023). One significant aspect of this inheritance system is the rule that male heirs receive a portion twice as large as that of female heirs. This rule is based on clear textual references in the Qur'an; however, in the context of modern society, critical questions arise regarding its fairness—especially in situations where women serve as the primary breadwinners, shoulder equal social responsibilities, and play significant public roles. Consequently, classical Islamic inheritance law is often perceived as unresponsive to the evolving dynamics of contemporary gender roles. Criticisms have been raised by academics, gender activists, and progressive Islamic legal practitioners who advocate for a reconstruction of inheritance law to reflect more substantive justice. Nevertheless, efforts to reinterpret inheritance provisions frequently face resistance, as such efforts are viewed as deviating from the established and authoritative norms of Islamic legal tradition.

The issue of gender disparity in Islamic inheritance law has attracted considerable attention in contemporary legal and gender studies (Padilah, 2025; Palem dkk., 2025; Tsani & Kudhori, 2024). Various studies highlight that normative texts in the Qur'an and Hadith are often interpreted literally by classical madhhabs, without due consideration for the socio-historical context in which those verses were revealed. In contrast, the development of contemporary Islamic legal theories—such as the *maqāṣid al-sharī'ah* approach and contextual hermeneutics—offers opportunities for more equitable reinterpretations. However, literature reviews show that these theories have not yet been comprehensively applied in the reconstruction of inheritance law, particularly in Indonesia's multicultural society and plural legal system. Furthermore, the classical fiqh approach, which remains the dominant reference in Indonesia's Compilation of Islamic Law, tends to provide limited room for the explicit incorporation of gender justice principles (M. Chandra, 2023; Rohmah, 2024). As a result, a gap persists between progressive Islamic legal theories grounded in gender justice and the implementation of prevailing inheritance norms, thereby necessitating further critical investigation.

This study aims to examine and reconstruct Islamic inheritance law from the perspective of gender justice, particularly within Indonesia's social context. The primary goal is to analyze the classical provisions of Islamic inheritance law and their application in contemporary Indonesian society. Furthermore, this research seeks to explore the relevance and challenges faced by these provisions in realizing the principle of gender justice in an ever-evolving social environment. The study endeavors to formulate a concept for reconstructing Islamic inheritance law that is more responsive to values of equality, while still upholding the core principles of Islamic law. Through an interdisciplinary approach combining fiqh studies, gender analysis, and progressive legal thought, this research is expected to contribute meaningfully to the discourse on the development of a contextual and just Islamic legal system. Thus, the results of this study will not only be theoretical but can also serve as practical recommendations for Islamic legal reform in Indonesia, particularly in the area of inheritance.

This research is of critical importance due to the urgent need to bridge the tension between classical norms of Islamic inheritance law and contemporary demands for gender justice. Social realities in Indonesia show significant changes in gender roles, especially with regard to women's roles in the economy and family leadership, making discriminatory inheritance provisions increasingly incompatible with substantive justice. This aligns with the research objective to critically examine the normative foundations of inheritance law and propose new formulations that are more in tune with modern contexts. The arguments advanced in this study are grounded in the *maqāṣid al-sharī'ah* approach and contextual hermeneutics, which prioritize principles of justice and public interest (*maṣlaḥah*). Therefore, this research does not intend to negate the revealed texts (*nash*), but rather seeks a middle path between text and context, between normative ideals and social realities. With an appropriate reconstruction, Islamic inheritance law can continue to preserve its divine values while also addressing contemporary demands for justice.

Islamic inheritance law is a component of Islamic family law that regulates the distribution of a deceased person's estate to rightful heirs (Kerti dkk., 2023; Lusiana, 2022; Muhammad Al Mansur dkk., 2023). Terminologically, Islamic inheritance law, or *ilm al-mīrāth*, refers to the science that discusses who is entitled to inherit, the share they are to receive, and the method of distribution according to the Qur'an, Hadith, scholarly consensus (*ijmā'*), and analogical reasoning (*qiyās*) (Eltsany & Misbahuzzulam, 2023; C. Kurniawan & Listiani, 2022; Saputri, 2023). It upholds fundamental principles such as the clarity of kinship relations, the certainty of rights, and the protection of property to prevent disputes among heirs. Additionally, inheritance law plays a role in maintaining family economic continuity and intergenerational justice (F. Chandra dkk., 2024; Ichsan dkk., 2025; Marlina dkk., 2024). However, the classical Islamic inheritance system emphasizes fixed, quantitative distributions—such as the male heir receiving twice the share of the female heir—which often becomes a critical point in modern debates. Therefore, a conceptual understanding of Islamic inheritance law is essential before addressing the questions of justice and its potential reconstruction in the context of contemporary society.

Islamic inheritance law is generally categorized into three main components: the causes of inheritance, the categories of heirs, and the shares they are entitled to. The causes of inheritance include blood relations (*nasab*), marital ties, and *walā'* (a slave-master bond, now obsolete) (Munawar & Ghofur, 2023). Heirs are classified into two major groups: male heirs such as fathers, sons, and brothers; and female heirs such as mothers, daughters, and sisters. The system also distinguishes between *dhawū al-furūd* (heirs with prescribed shares) and *'aṣabah* (residuary heirs who receive the remainder after fixed shares are allocated). These distributions are clearly stipulated in the Qur'an, particularly in Surah al-Nisā'. As a result, Islamic inheritance law is one of the most detailed and systematically structured branches of Islamic law. Nevertheless, such categorizations may not reflect substantive justice in today's context—especially when women's economic roles and responsibilities have significantly evolved. Thus, understanding the structural and systemic aspects of inheritance law is crucial before entering critical and reconstructive discourse.

Gender justice refers to a condition in which men and women have equal rights, responsibilities, and opportunities across all spheres of life—legal, economic, social, and cultural (Anik Ifitah dkk., 2023; Manalu dkk., 2024; Wanda, 2023). In the framework of social theory and feminism, gender justice aims to eliminate systemic discrimination that treats individuals differently based on their sex (Larasati dkk., 2023; Lubis & Triadi, 2024; Sitanggang & Siregar, 2024). It does not necessarily imply identical treatment but emphasizes fair treatment based on individuals' needs, capacities, and contributions, without disregarding the essence of equality. Within Islamic legal discourse, gender justice is often contested due to existing distinctions in rights and duties between men and women. However, many contemporary Muslim scholars assert that Islamic justice is not synonymous with quantitative

equality, but rather with contextual and situational fairness. Therefore, the concept of gender justice serves as an essential tool in reassessing fiqh-based rulings that are increasingly perceived as incompatible with dynamic social realities.

The manifestation of gender justice in social, legal, and religious life can be observed in the increasing participation of women in sectors such as education, economics, and public leadership. In legal terms, gender justice is reflected in efforts to eliminate discriminatory laws that hinder women's access to justice or equitable rights (I. Kurniawan dkk., 2024; Mahmudah, 2023). In Indonesia, various affirmative policies have been implemented to promote women's roles in development and governance. However, in the realm of Islamic family law—particularly inheritance—numerous norms are still perceived as unjust toward women. This disparity is evident in inheritance provisions that allocate smaller shares to women, despite their significant contributions to the family. As a response, reinterpretation movements have emerged, advocating for more contextual and gender-sensitive readings of religious texts, including inheritance laws. Thus, gender justice must move beyond normative discourse to inform legal policies and systems that are responsive to ongoing social transformation.

Legal reconstruction is a process of reforming or reorganizing existing legal systems to better align with principles of justice, public welfare, and evolving societal needs (Pradana dkk., 2024; Wahyu dkk., 2024). In the context of Islamic law, reconstruction involves re-evaluating classical fiqh norms through contextual approaches, while preserving the foundational principles of the *sharī'ah*. Reconstruction does not entail the abolition of law, but rather the revitalization of meaning and the adjustment of application in light of contemporary realities. This process is especially critical when classical legal norms no longer correspond with the justice objectives inherent in the *sharī'ah*. Regarding Islamic inheritance law, reconstruction aims to redesign the distribution framework so that it can address current challenges, including issues of gender justice. Through the lens of *maqāṣid al-sharī'ah*, legal reconstruction is seen as a form of *ijtihād* that is ethically and methodologically responsible, ensuring the continued relevance and flexibility of Islamic law in addressing the complexities of modern life.

The manifestation of legal reconstruction can be found in various efforts to renew Islamic law, both conceptually and practically. In practice, reconstruction may take the form of reinterpretation of normative texts, reformulation of legal provisions that are more responsive to local contexts, or the development of statutory laws based on progressive Islamic values. For example, there have been proposals to revise Indonesia's Compilation of Islamic Law (KHI) to make it more gender-inclusive and supportive of women's rights. Reconstruction is also evident in the issuance of fatwas or contemporary scholarly opinions that allow inheritance distribution based on economic contributions and social responsibilities of the heirs, rather than solely on gender. These developments demonstrate that Islamic law possesses an inherent elasticity through the mechanism of contextual *ijtihād*. Therefore, the reconstruction of inheritance law from a gender justice perspective is not a rebellion against the *sharī'ah*, but rather an effort to preserve its spirit of justice—the very essence of Islamic teachings.

RESEARCH METHOD

The object of this study is the Islamic inheritance law system in Indonesia, which continues to adhere to classical fiqh doctrines, particularly those of the Sunni Shafi'i school. Under this system, inheritance distribution between men and women is determined numerically, with men generally receiving twice the share of women (2:1). This provision is considered valid based on textual interpretation of Qur'anic verses but has sparked criticism in modern social contexts, especially as women are no longer subordinate within the family's economic structure. Many women today are highly educated, financially independent, and even serve as primary breadwinners—roles that are functionally equivalent to those of men.

Consequently, various stakeholders—including gender activists, progressive Islamic legal scholars, and legal practitioners—have called for a reconstruction of inheritance law to better reflect substantive justice and gender equality. Nevertheless, such reinterpretation efforts continue to face resistance from conservative groups who argue that altering these provisions risks contradicting sacred texts and the traditions of classical Islamic jurisprudence.

This research is a library-based study utilizing the Systematic Literature Review (SLR) approach as its primary methodological framework. The SLR method allows researchers to systematically identify, evaluate, and synthesize relevant literature focused on Islamic inheritance law, gender justice, and legal reconstruction. Primary data consist of authoritative documents and literature on Islamic inheritance law in Indonesia, including classical Shafi'i fiqh provisions and applicable Islamic legal texts. Secondary data include books, peer-reviewed journal articles, and research findings related to gender justice, contemporary Islamic legal theory, and legal reconstruction within Indonesia's socio-cultural context. The literature selected adheres to rigorous inclusion and exclusion criteria to ensure the relevance and quality of data sources. By adopting this approach, the study aims to produce a comprehensive synthesis that minimizes selection bias and serves as a conceptual foundation for the discourse on equitable reform of Islamic inheritance law.

This study is grounded in several key theoretical frameworks that serve as conceptual anchors for analysis and argument construction. First, Gender Justice Theory is employed to assess the extent to which legal systems apply justice equitably between men and women, especially in inheritance matters. Second, Maqāṣid al-Sharī'ah Theory provides a normative framework for evaluating whether Islamic inheritance law still aligns with the core objectives of the Shari'ah, such as justice (ʿadl), public benefit (maṣlaḥah), and the protection of human rights. Third, Islamic Hermeneutics Theory is utilized to reinterpret inheritance texts contextually, making their meaning more adaptable to evolving social realities while upholding fundamental Islamic principles. Fourth, Legal Reconstruction Theory or Sociological Jurisprudence underscores the dynamic nature of law and its necessity to adjust in response to societal needs. These four theories collectively provide a robust foundation for constructing a critical and argumentative analysis aimed at developing a more inclusive and just model of Islamic inheritance law.

The research process follows a systematic and rigorous data collection procedure aligned with the principles of the Systematic Literature Review (SLR). The initial phase involves formulating specific research questions focused on how Islamic inheritance law can be reconstructed to align with gender justice. Subsequently, a detailed research protocol is developed, outlining strategies for literature search, inclusion and exclusion criteria, and methods for data analysis. Literature is sourced from various academic databases such as Google Scholar, DOAJ, Scopus, and national journal portals using keywords like “Islamic inheritance law,” “gender justice,” and “legal reconstruction.” The collected materials are screened for relevance and credibility, followed by a quality assessment of each study. All stages are conducted systematically and transparently to ensure that the resulting synthesis accurately represents scholarly perspectives and avoids bias. This structured approach enhances the study's validity and contributes to a well-grounded analysis of the reform discourse in Islamic inheritance law.

Data analysis in this study is conducted using content analysis techniques to explore and identify patterns, relationships, and meanings within the selected literature. This involves a thorough reading of each document, classifying relevant information, and categorizing findings into key themes such as gender justice in inheritance law, issues within classical provisions, and proposed legal reconstructions. Content analysis also enables the researcher to capture critical nuances within the texts, such as ideological resistance to reform or alternative perspectives presented by contemporary scholars. This method ensures that the literature synthesis is not merely descriptive but includes in-depth critical reflection and scholarly

argumentation. It is particularly suited to addressing the study's aim of developing a conceptual and argumentative foundation for rethinking Islamic inheritance law in light of modern demands for justice and social equality. Through this analytical lens, the study aspires to contribute constructively to the ongoing efforts toward inclusive legal reform in the Islamic tradition.

RESULTS AND DISCUSSION

The literature on Islamic inheritance law reveals that the system is fundamentally based on Qur'anic injunctions, particularly Surah an-Nisā' verses 11, 12, and 176. Classical fiqh literature from various Sunni schools, especially the Shafi'i school, serves as the primary reference for determining inheritance shares between male and female heirs. Most sources consistently apply the 2:1 formula, in which a male inherits twice as much as a female. Foundational texts such as *al-Umm* by Imam al-Shafi'i, *al-Muwaththa'* by Imam Malik, and modern texts like *Fiqh al-Mawārīts* reflect adherence to this formula. These rulings were structured in accordance with the socio-economic norms of early Arab society, where men were predominantly breadwinners. Some modern sources maintain that this distribution is a normative and immutable aspect of divine law, while others begin to propose reinterpretative approaches to these texts, recognizing shifts in social structures and the growing agency of women in contemporary Muslim societies.

Explanations found in the reviewed literature consistently frame the 2:1 inheritance distribution as a qath'i (definitive) legal provision rooted in Islamic law. Classical sources attribute this distribution to the financial responsibilities shouldered by men, including the duty to provide for the household, pay mahr (dowry), and meet family needs. Works such as *al-Mabsūt* and *al-Mughnī* clarify that justice in Islam is not synonymous with equality but rather aligned with each party's obligations. Contemporary literature supporting traditional application argues that the rule remains relevant as part of Islam's integral value system. However, progressive literature by scholars such as Fazlur Rahman and Amina Wadud has begun to explore contextual reinterpretations of inheritance verses, considering changing socio-economic roles of women. These works do not deny the divine texts but advocate for a reevaluation of their historical and social context to ensure a just application in present-day realities. The relationship between literature findings on Islamic inheritance law and contemporary social realities reveals a clear disjunction. In many regions of Indonesia, women are actively engaged in education, the workforce, and public life—often surpassing men in economic contributions. Despite this, the inheritance system still applies the traditional 2:1 formula, which may result in substantive injustice for women contributing significantly to their families. The literature indicates that classical inheritance law has not adequately addressed these structural transformations. This gap has fueled discourse around reconstructing Islamic inheritance law to better reflect current societal realities while remaining rooted in Islamic values. Sources advocating reinterpretation seek to bridge the normative stipulations with modern contexts, thereby creating a more contextually just and equitable inheritance framework.

The literature on gender justice reveals that the concept has evolved within the broader struggle for equal rights between men and women across social, legal, and economic domains. International scholarship by Nancy Fraser and Martha Nussbaum emphasizes the need for both formal and substantive dimensions of justice. In Islamic contexts, gender justice has gained prominence through the works of scholars like Riffat Hassan, Asghar Ali Engineer, and Amina Wadud, who highlight the patriarchal underpinnings of many Islamic legal interpretations. These scholars argue that gender justice in Islam is derived from the principles of tawhid (divine unity) and God's justice, which do not differentiate based on gender. Accordingly, literature increasingly advocates for reinterpretation of Islamic legal norms, including

inheritance laws, using contextual hermeneutics. In Indonesia, this discourse has also been enriched by local academics focused on Islam and gender, reflecting growing awareness of the need for equitable legal systems.

Explanations within the gender justice literature identify gender bias in legal systems as a key source of inequality, often rooted in sociocultural constructs and rigid interpretations of religious texts. Scholars argue that gender justice does not necessitate identical roles or outcomes for men and women but demands equitable treatment based on each individual's role and contribution. Works such as *Qur'an and Woman* by Amina Wadud and *The Rights of Women in Islam* by Asghar Ali Engineer assert that justice in Islam should be realized through fair distribution of rights rather than discriminatory norms. These sources emphasize the importance of contextual readings of the Qur'an, including inheritance verses, to avoid rigid, literal applications that no longer suit modern realities. The literature positions gender justice as an integral part of *maqāṣid al-sharī'ah* (objectives of Islamic law), which prioritize welfare (*maṣlaḥah*) and justice, forming a theological and methodological foundation for rethinking legal norms that marginalize women.

The intersection between gender justice data and the research problem underscores the growing relevance of equality-based approaches in modern society. Indonesian women today hold influential roles in both familial and public spheres. However, Islamic inheritance provisions continue to restrict women's rights based on traditional formulas that do not account for actual economic participation. This legal framework contributes to unequal access to resources and reinforces the marginalization of women. The literature suggests that gender justice must serve as a core parameter for reassessing Islamic legal rules, especially those related to inheritance. Reframing justice in Islamic law is essential for addressing contemporary challenges and ensuring legal outcomes that are fair, inclusive, and reflective of present-day societal dynamics. Thus, gender justice literature offers a strong theoretical basis for reconstructing Islamic law in ways that align with both religious values and social equity.

The literature on legal reconstruction is grounded in the view that law is a normative system that must adapt to social development. Legal theorists such as Roscoe Pound and proponents of sociological jurisprudence argue that law cannot be isolated from society's evolving needs. In the Islamic context, thinkers like Fazlur Rahman and Abdullahi An-Na'im have pioneered efforts to reconstruct Islamic law using critical-historical and contextual methodologies. These works emphasize that legal reconstruction is a legitimate endeavor aimed at realigning legal principles with core religious values while accommodating contemporary realities. In the field of Islamic inheritance, reconstruction is proposed as a response to the misalignment between classical rulings and current social conditions. The literature also highlights the importance of grounding new legal formulations in *maqāṣid al-sharī'ah* to ensure they are inclusive, just, and beneficial to society.

Explanatory literature on legal reconstruction highlights that the process involves reinterpreting legal texts with attention to their historical and sociological contexts. Many sources affirm that Islamic law allows significant space for *ijtihād* (independent reasoning), especially in areas not considered *qat'ī*. Scholars like Mohammad Hashim Kamali and Jasser Auda advocate for dynamic and responsive interpretations that engage contemporary realities. Legal reconstruction is not viewed as a deviation from Islamic principles but rather as a restatement of derivative rules to align with overarching goals of justice, welfare, and equity. This view provides intellectual and methodological legitimacy for reevaluating discriminatory inheritance rules. The reconstruction process often employs interdisciplinary approaches, combining hermeneutics, gender theory, and *maqāṣid al-sharī'ah* to formulate more just and inclusive legal outcomes that respond to today's social structures.

The relationship between legal reconstruction literature and the socio-legal realities underpinning this research highlights the pressing need to revise approaches to Islamic inheritance law in Indonesia. Social dynamics, especially those concerning women's roles and

status, necessitate a legal system that embodies true justice. The growing body of legal literature provides a framework for reconstructing inheritance laws to address structural gender inequalities. These efforts are not intended to undermine Islamic law but to revitalize its ethical core in a way that is contextually relevant and socially just. Reconstruction serves as a bridge between classical fiqh and modern realities, aiming to establish an inheritance system that is both theologically sound and socially equitable. As such, the literature strongly supports the viability and urgency of legal reconstruction as a central theme in contemporary Islamic legal discourse.

Table 1. Research Findings

No.	Research Objectives	Research Findings
1	To analyze the provisions of classical Islamic inheritance law and their implementation within the context of Indonesian society	The provisions of classical Islamic inheritance law, particularly those based on the Shafi'i school, remain predominantly applied in Indonesia. However, their implementation often clashes with modern social conditions, such as women's economic roles and changing family dynamics.
2	To examine the relevance and challenges of Islamic inheritance provisions in relation to gender justice principles within contemporary Indonesian society	The implementation of the 2:1 distribution system is seen as inadequately reflecting gender justice in today's society. This has drawn criticism from scholars and gender activists, as it fails to accommodate women's increasingly equal or even dominant economic roles.
3.	To formulate a concept of Islamic inheritance law reconstruction that is responsive to gender justice principles without disregarding the core values of the Shari'ah	A contextual approach based on <i>maqāsid al-sharī'ah</i> and progressive hermeneutics is required to allow reinterpretation of inheritance provisions. The principles of justice (' <i>adl</i>) and public interest (<i>maṣlahah</i>) are fundamental to such legal reconstruction.
4	To contribute to the development of progressive Islamic legal thought toward a more just and contextual inheritance law in Indonesia	This study offers a paradigm of progressive Islamic law that bridges classical texts with modern social realities, enabling the development of inheritance law that is fair, relevant, and contextually grounded within the Indonesian setting.

The findings of this study indicate that classical Islamic inheritance law was constructed within a historical social framework that positioned men as the primary providers of the family. This structure systematically established differential rights between men and women, which, although doctrinally fixed (qath'i), now faces significant challenges in light of contemporary realities. On the other hand, the study also shows that gender justice approaches necessitate a reinterpretation of inheritance law, particularly in the Indonesian context where women have assumed significant roles in both public and private spheres. Literature on legal reconstruction offers both conceptual and methodological foundations to adapt inheritance provisions to principles of more contextual substantive justice. Hence, an epistemological tension emerges between the static nature of classical norms and the dynamic demands of social reality, creating discursive space for a progressive reconstruction of inheritance law that remains within the boundaries of the shari'ah.

Compared to previous studies, this research offers a unique contribution by systematically integrating gender justice, *maqāṣid al-sharī'ah*, and legal reconstruction principles in its analysis of Islamic inheritance law. Earlier studies have generally fallen into two camps: apologetic—preserving traditional norms without critique, or gender-critical—rejecting classical inheritance laws without offering a valid methodological bridge. This study takes a middle path, engaging the authority of religious texts and social realities through the SLR methodology, resulting in an epistemically richer and practically relevant synthesis. As such, this research not only contributes to the enrichment of Islamic legal literature but also broadens the scope of reconstructive approaches within Islamic discourse, particularly in address Reflecting on the research results, it is evident that a reconstructive approach to Islamic inheritance law has significant potential as an alternative solution to the structural inequalities faced by women in Indonesian Muslim society. The study affirms that justice in Islam should not be confined to mathematical equality but must also consider dimensions of contribution, responsibility, and social context. Therefore, the objective of formulating an inheritance law concept responsive to gender justice is not merely a reaction to social change but also an expression of the ethical values inherent in Islam. The successful formulation of a context-oriented legal understanding demonstrates that legal reconstruction is not a deviation from the *sharī'ah*, but rather a renewal of its essential and applicable values. ing gender justice issues in contemporary Indonesia.

The implications of this research span several levels. First, theoretically, the findings reinforce the argument that Islamic law is dynamic and can be contextualized without compromising its normative substance. Second, practically, they open opportunities for stakeholders—scholars, legislators, and academics—to redesign Islamic inheritance law in Indonesia to be more just and socially responsive. Third, pedagogically, the results can inform curriculum development in contemporary Islamic legal studies, enabling students and researchers to move beyond the dichotomy of textualism and liberalism toward a more balanced understanding. Thus, this research serves as an intellectual contribution that paves the way for a more inclusive and transformative renewal of Islamic law.

These findings emerged due to the limitations of purely textual approaches in addressing the dynamics of modern society, particularly in relation to gender relations and family economic structures. The tension between normative texts and social realities underscores the need for more reflective and adaptive approaches. Classical literature established norms based on patriarchal social structures, yet social developments in Indonesia reveal that such structures have shifted significantly. Moreover, the neglect of *maqāṣid al-sharī'ah* as a legal reasoning framework has allowed literalist approaches to dominate inheritance law discourse, hindering legal reform. Consequently, the study shows that only by integrating normative, contextual, and *maqāṣidī* approaches can inheritance law be reformulated to reflect substantive justice for all parties.

Based on these findings, three strategic actions are recommended. First, reinterpretation of inheritance verses using a *maqāṣid al-sharī'ah* approach is necessary to realize the substantive justice of Islam in a contextual manner. Second, Islamic legal education must be reformed to include discourses on gender, social justice, and legal reconstruction theory in the curriculum, fostering a new generation of progressive and critical Islamic legal scholars. Third, public policy advocacy is essential to encourage Islamic legislative bodies—such as the Supreme Court and the Compilation of Islamic Law—to open space for reforming inheritance distribution systems toward greater equity. By taking these steps, Islamic inheritance law can remain relevant to the lives of Indonesian Muslims and serve as a tool for social justice that reflects the spirit of *rahmatan lil 'ālamīn*.

CONCLUSION

One of the most surprising findings of this study is that the classical Islamic inheritance norms, which have long been perceived as absolute and immutable, in fact offer considerable interpretive flexibility when examined through the lens of *maqāsid al-sharī'ah* and legal reconstruction. The discovery that the two-to-one inheritance ratio between men and women does not always reflect justice within the current Indonesian social context is both thought-provoking and revealing. This disparity manifests not only conceptually but also structurally in practice, especially for women heirs who actively contribute to the family's economic framework. This finding highlights that the seemingly final doctrine of inheritance remains open to revitalization in pursuit of the foundational values of the *sharī'ah*—namely, justice, public interest (*maṣlahah*), and contextual equality.

This research offers significant contributions to both theoretical discourse and practical application. Theoretically, it expands the epistemological horizon of Islamic legal studies by systematically integrating literature on inheritance law, gender justice, and legal reconstruction. This integration produces a new paradigm in understanding inheritance law as a system open to social change through a *maqāsidī* approach. Practically, the study presents an analytical model for inheritance law that is responsive to Indonesian social realities, providing a conceptual foundation for legislators and academics to develop more inclusive legal formulations. As such, the results serve not only as an academic reflection but also as a practical guide for Islamic legal reform in Indonesia—aiming for a more just and responsive legal system.

The limitation of this study lies in its normative-conceptual focus based on literature analysis using the Systematic Literature Review (SLR) method, which does not encompass empirical data that could illustrate the actual inheritance practices across various Indonesian Muslim communities. However, this limitation opens up promising avenues for future research—both qualitative and quantitative—that can directly examine the extent to which gender-justice-oriented legal reconstruction concepts can be implemented in society. Future studies could include field research across diverse regions in Indonesia, each with unique cultural traits and inheritance practices, to enrich the formulation of an Islamic inheritance law that is truly contextual, progressive, and aligned with the spirit of universal justice.

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