

GENDER EQUALITY IN INHERITANCE DISTRIBUTION REVIEWED FROM THE PERSPECTIVE OF ISLAMIC INHERITANCE LAW

¹ Zulfikar ² Sri Windani
Universitas Putra Abadi Langkat, Medan, Indonesia
ikutizul@gmail.com, sriwindani@gmail.com

Abstrak

Ketidaksetaraan gender dalam distribusi warisan masih ada di masyarakat Indonesia yang mayoritas Muslim karena norma-norma patriarki. Meskipun ada kemajuan dalam kesadaran gender, hambatan budaya dan agama menghambat hak waris yang setara. Reformasi hukum dan reinterpretasi hukum waris Islam oleh ulama sangat penting untuk kesetaraan gender. Kritik meningkat atas ketentuan Al-Qur'an yang berpihak pada laki-laki, ketinggalan zaman dalam masyarakat kontemporer. Tekanan internasional, seperti CEDAW, mendesak negara-negara Muslim untuk menyeimbangkan tradisi dengan kesetaraan. Ketidaksetaraan melanggengkan kesenjangan gender yang lebih luas, yang mengharuskan perubahan legislatif dan masyarakat. Penelitian ini menggunakan metode penelitian hukum dan kepustakaan normatif untuk menganalisis evolusi hukum waris Islam mengenai keadilan dan kesetaraan gender. Data bersumber dari bahan hukum primer, sekunder, dan tersier melalui studi dokumentasi. Penelitian ini bertujuan untuk memajukan kesetaraan perempuan dalam hukum Islam melalui analisis yang komprehensif. Islam memberikan pedoman komprehensif untuk kehidupan yang benar, membahas topik-topik seperti warisan untuk menumbuhkan keadilan. Awalnya, hukum waris menguntungkan laki-laki, memicu perdebatan kontemporer tentang kesetaraan gender. Lanskap hukum Indonesia menunjukkan upaya menuju kesetaraan, mencontohkan perjuangan untuk menyeimbangkan tradisi dengan nilai-nilai modern. Mempromosikan kesetaraan gender dalam warisan membutuhkan navigasi kepekaan budaya dan agama sambil mengadvokasi keadilan dan keadilan bagi semua.

Kata Kunci : Ketimpangan Gender; Hukum Waris Islam; Reformasi Hukum

Abstract

Gender inequality in the distribution of inheritance still occurs in Indonesian society, where the majority of the population is Muslim due to patriarchal norms. Despite progress in gender awareness, cultural and religious barriers hinder equal inheritance rights. Legal reform and reinterpretation of Islamic inheritance laws by ulama are essential to achieving gender equality. Criticism is increasing against the provisions of the Koran that favor men, which are outdated in contemporary society. International pressures, such as CEDAW, urge Muslim countries to balance tradition with equality. Inequality perpetuates wider gender gaps, necessitating legislative and social change. This research uses legal research methods and normative literature to analyze the evolution of Islamic inheritance law regarding justice and gender equality. Data comes from primary, secondary and tertiary legal materials through documentation studies. This research aims to advance women's equality in Islamic law through comprehensive analysis. Islam provides comprehensive guidelines for righteous living, discussing topics such as inheritance to foster justice. Initially, inheritance laws favored men, sparking contemporary debates about gender equality. The legal landscape in Indonesia shows efforts towards equality, which is an example of the struggle to balance tradition with modern values. Promoting gender equality in cultural heritage requires cultural and religious sensitivity and advocating fairness and justice for all.

Keywords : Gender Inequality, Islamic Inheritance Law, Legal Reform.

Introduction

The issue of gender inequality in inheritance distribution is crucial to address in the context of Indonesian society, which is predominately Muslim. Despite Indonesia's rich social and cultural diversity, patriarchal societal norms frequently affect how inheritances are distributed, particularly in areas with strong cultural traditions. Men and women frequently have different inheritance rights as a result of these customs and practices.

However, with growing gender consciousness and calls for equal rights for men and women, Indonesia has also seen tremendous social transformation in recent years. Reforming the legislation on inheritance and promoting gender equality in all spheres of social life are two initiatives that demonstrate this shift. (Habibie, 2020)

Nonetheless, obstacles remain in the way of Indonesia's Islamic inheritance law's application of gender equality norms, particularly because of the country's deeply ingrained cultural and religious beliefs. In order to better reflect the ideals of gender equality, clerics and religious leaders have a significant role to play in reinterpreting Islamic inheritance law. However, active participation from society, particularly women, is also required for this reform process. (Bahriayub, 2019)

In light of the discussion surrounding gender equality in Islamic inheritance law, Indonesia provides an intriguing case study. For other nations struggling to

achieve gender equality in inheritance distribution, Indonesia's social transformation and legal reform initiatives can offer valuable insights.

For centuries, Islamic inheritance law, which is a fundamental component of sharia, has governed how Muslims divide their inheritance. The fundamental tenets of Islamic inheritance law are drawn from the Quran, hadith, and *ijtihad ulama*, all of which capture the social mores and ideals of early Islam. But as society and the times change, concerns about the applicability and justice of many provisions of Islamic inheritance law particularly with regard to gender equality occur.

The common rule that states that a man's inheritance share is double that of a woman's inheritance is one of the topics that is discussed the most. This verse (An-Nisa: 11) in the Qur'an is frequently used as proof that women are not treated equally in Islam. In the present period, when women are equally responsible for their finances and are actively involved in the workforce, education, and economy, criticism of this regulation is growing. (Izad, 2019)

The inheritance clause in early Islamic law made sense in the context of a patriarchal society in which men were primarily responsible for providing for their families. But gender roles are very different in the twenty-first century. The claim that men should get a larger inheritance because they are more financially responsible is less valid when considering the fact that many

women are either the major breadwinners or are on par with their partners.

Furthermore, the significance of gender equality as a human right is being emphasized more and more through the evolution of international laws and practices. Inheritance equality is specifically demanded by the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which has been adopted by numerous nations with a majority of Muslims. Muslim nations are faced with the challenge of striking a balance between adhering to Islamic law and their international commitments to promote gender equality.(Suganda et al., 2022)

Some modern Muslim academics have started to rewrite Islamic inheritance law in response to this challenge. They contend that justice is a contextual concept and that Islam's idea of justice must come first. They said that rather than being seen as inflexible laws that cannot be modified to reflect modern society, the inheritance laws included in the Qur'an should be interpreted as a reaction to the social climate of the day.

The concept of *ijtihad*, or autonomous thinking in Islamic law, is another idea that these reformers bring forth. They contend that Muslims can understand and apply Islamic teachings in a way that best suits the requirements and circumstances of the moment by using *ijtihad*. When it comes to inheritance, this may entail taking

individual needs, care obligations, and financial contributions into account rather than only a person's gender.(Kususiyanah, 2021)

This reformist viewpoint is not without debate, though. Reinterpreting inheritance law is frequently met with fierce opposition from traditionalists and conservatives who see it to be a deviation from God's unambiguous word. They contend that attempts to alter Islamic inheritance law would be considered *bid'ah*, or an unwarranted innovation in religion, and that it is an inflexible aspect of *sharia*.

The conventional understanding of Islamic inheritance law has been challenged by social change and calls for gender parity, especially in light of the clause stating that the portion of male inheritance is double that of female inheritance. Gender imbalance in inheritance distribution can exacerbate gender inequities in other spheres of Indonesian Muslim culture, particularly in light of the growing engagement of women in education, the economy, and public life (Ismail et al.,2020).

Due to inheritance disparities, women may find it difficult to become financially independent and to receive equal status in other spheres of life, including as politics, the workforce, and education. This leads to a vicious cycle that is difficult to reverse. As a result, it's critical to assess how legacy gender inequality is currently affecting gender equality more broadly in Indonesian Muslim culture and to decide how best to remedy

these disparities through legislative changes and larger societal transformation.

Method

This study employs a library research methodology in conjunction with a normative legal research method. (Sidik, 2023) This approach was selected because it is consistent with the research's focus on the interpretation and analysis of legal documents to comprehend how Islamic inheritance law is changing, particularly in relation to justice and gender equality. The steps of the research approach that will be used are as follows.

Type of Research: This study is normative legal research, sometimes referred to as literary research or doctrinal legal research. This kind of research focuses on written legal sources and analyzes the law as a standard or guideline. This entails looking at sharia texts, fiqh literature, and current Islamic legal theory in the context of Islamic inheritance law.

Research Methods: This study employs a number of methods that are typical in normative law research. The first method is the statute approach, which in this case entails looking at the Al-Quran and hadith, which are the primary sources of Islamic law, as well as how Islamic inheritance law has been codified in different nations. Second, a conceptual analysis of important terms related to inheritance, such as equality (musawah), justice ('adl), and ijtihad. Third, the

historical method for comprehending how Islamic inheritance law changed from antiquity to the present.

Data Source: Since this study is a literature review, all of the data came from library resources. Three categories comprise the data sources. The primary sources of legal information are the following: the Al-Quran (particularly the verses on inheritance in surah An-Nisa), a compilation of hadith related to inheritance (e.g., Bukhari and Muslim), ijma ulama on inheritance, and the codification of Islamic inheritance law in Muslim nations (e.g., the Compilation of Islamic Law in Indonesia).

Secondary legal materials: conference papers, commentaries on the Quran, hadith lectures, classic fiqh works from different schools, books and journal articles on Islamic inheritance law and gender concerns, and fatwas from modern experts.

Tertiary legal materials: Arabic and Islamic law dictionaries, hadith indexes, fiqh encyclopedias, and other resources that aid in the comprehension of primary and secondary literature.

Data Collection Methods use documentation studies by finding, collecting, and organizing relevant library resources. Conventional libraries look primarily for classical sources, and digital libraries look for contemporary sources. Journal articles and current studies are accessed through Islamic university digital libraries and online sources such as Google

Scholar and JSTOR.

Comprehensive research on the evolution of Islamic inheritance law in the context of justice and gender equality is made possible by this normative research approach combined with literature analysis (Rifa'i et al., 2023). This work aims to significantly advance female equality in the field of Islamic law by critically and thoroughly analyzing primary and secondary materials about inheritance distribution.

Results

Islam is the ideal religion for promoting virtue. Allah Subhanahu wa Ta'ala goes into great detail in the Qur'an about all that people need to survive in this world as well as the next. Islam has addressed every topic under the sun, including justice, faith, and piety (Kususiyannah, 2021).

According to the Quran and Sunnah, the major goals of Islamic inheritance law are to guarantee equitable property distribution and avoid family strife. The Surah An-Nisa verses (4:7–14) give specific instructions on how family members should divide inheritances. The verse of this provision states that the male part is twice the female part. This is a commonly highlighted notion that has been at the heart of discussion in the modern discourse on gender justice in Islam (Mahsus, 2020).

Examining the socio-historical

background of the revelation of inheritance verses is crucial to comprehending the evolution of Islamic inheritance law. It was frequently unlawful for women and children to inherit during the pre-Islamic (jahiliyah) era. Radical reforms brought about by Islam recognized the right to inherit for women, children, and relatives who had not previously been acknowledged. Men should be granted a greater inheritance share when considering patriarchal family arrangements, where men are typically the primary breadwinners (Ali & Ridho, 2021).

Scholars from the classical schools of fiqh (Hanafi, Maliki, Shafi'i, Hanbali) have offered a thorough analysis of the passed down verses. They created a sophisticated faraid system that set up inheritance in different family situations. While there are variances in specifics, they typically concur on the 2:1 (two to one) premise. Their main contention is that men should receive a higher portion of the inheritance because they are responsible for paying the marriage fees, the dowry, and family maintenance (Ismail et al., 2020).

The gender roles of today, however, are very different. Many Muslim women are well educated, focused on their careers, and end up becoming the primary breadwinners or making equal financial contributions to the household. The idea that males are inherently more responsible with money is being called into question by this social shift. Reformist academics contend that if the "two to one" provision's

justification is no longer generally relevant, then its application must also be reexamined.(Azizah, 2021)

From a reformist standpoint, one of the main points is the comprehension of maqasid sharia, or sharia aims. They contend that justice, not the "two to one" ratio per se, is the primary objective of Islamic inheritance law. They contend that justice is contextual and needs to be interpreted in light of the socioeconomic climate of the day. If the equitable distribution of inheritance aligns with modern-day justice, then it is compliant with the sharia maqasid.

The inheritance verses have been reinterpreted by reformist scholars like Muhammad Shahrur, Fazlur Rahman, and Amina Wadud. Their hermeneutic approach takes into account the social and historical context of revelation. They contend that the broad concepts of justice and equality found in the Qur'an can be applied to specific details, like the inheritance formula, as long as the underlying values are maintained.(E. Amalia & Ashif Az Zafi, 2020)

The reformist argument relies heavily on the idea of ijihad, or autonomous reasoning. They contend that every generation has the right and duty to exercise ijihad in accordance with their reality and reject taqlid, or blind imitation, of the interpretation of ancient academics. This could entail taking into account aspects other than gender when it comes to

inheritance, such as financial contributions, family care, and individual needs.(Aniroh, 2020)

But traditionalist and conservative academics are vehemently against this attempt at reinterpretation. They contend that rather than being zhanni which are theoretical and subject to ijihad the inherited verses are qath'i, or definitive and cannot be reinterpreted. They contend that altering the inheritance would be the same as disobeying God's unequivocal directive. They are also concerned that other parts of sharia may be altered as a result of this reinterpretation.(Asniah et al., 2023)

This discussion was also impacted by the evolution of international law and standards. A requirement of the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is inheritance equality. There are conflicts between traditional family law and international commitments because many Muslim nations have ratified CEDAW. A reformulation of Islamic law that takes gender equality into account is something that some academics, including An-Na'im, contend can reconcile human rights and sharia.(Ruslan, 2023)

According to the nurture theory, the distinctions between men and women are primarily the product of sociocultural constructions that lead to distinct responsibilities and tasks. Because of these disparities, women are constantly marginalized and their contributions to the

family, society, country, and state are ignored. The feminist movement, which tended to promote "equality" or fifty-fifty, which was later referred to as perfect equality, was the driving force behind the fight for equality between men and women.(Nashirun et al., 2022)

Recognizing gender equality, as affirmed by Qur'anic verses, is a fundamental aspect of Islamic law. The Qur'an does, however, also assert that women have fewer rights when it comes to inheritance. Legal reform and broader social change are necessary for gender equality in Islamic inheritance law.

Among the human rights is the equality of genders. the freedom to live a life of honor, fearlessness, and autonomy over one's course in life. Women essentially have the same rights as men, too. Gender equality does not always mean that all people have the same rights and responsibilities. Furthermore, gender equality does not require that everything be precisely the same as it is for men.(Ikhwanudin, 2023)

With the biggest Muslim population in the world, Indonesia provides an intriguing case study on how Islamic inheritance law has changed in light of gender equality. The religious practices, customs, and ethnic variety of Indonesian society are well-known. The country's distinct inheritance distribution environment has been influenced by the interplay of Islamic inheritance law,

customs, and socioeconomic shifts.

There are three legal systems that have historically influenced inheritance law in Indonesia, namely Dutch civil law (BW), Islamic law, and customary law. Indigenous peoples had different inheritance laws prior to Islam. For instance, women inherited a significant inheritance in the matrilineal Minangkabau society. among contrast, males are the primary heirs among the patrilineal Batak. This variability demonstrates how cultural context has a significant impact on conceptions of justice and the place of gender in inheritance.

The introduction of Islam resulted in profound modifications to the custom of inheritance. Sheikh Nawawi al-Bantani and Sheikh Mahfudz at-Tarmasi, two prominent Indonesian academics, taught Shafi'i fiqh, which placed emphasis on the "two to one" inheritance share. Many Muslim communities in Indonesia still adhere to practices, nonetheless. This phenomenon, which links Islamic law and customary law together, is known as the "theory of receptio in complexu" proposed by L.W.C. van den Berg.(Zahro & Pramesti K.M, 2023)

This dynamic was altered during the Dutch colonial era by Christian Snouck Hurgronje's "receptie" policy. According to this theory, Islamic law is only applicable when it is recognized by customary law. As a result, Islamic law is less strong overall and when it comes to inheritance. However, because Islam has a significant influence on regional customs, Islamic inheritance law

still predominates in some regions, such as Aceh and South Sulawesi.

Following independence, Indonesia's discussion of Islamic inheritance law took on a new direction. Islam and customary law specialist Hazairin popularized the idea of "madhhab Indonesia" in inheritance. He maintained that Indonesia's bilateral kinship system necessitates a different understanding of inheritance than that of the Middle Eastern school. He suggested, for instance, the idea of "surrogate heirs," which would enable grandchildren to receive the portion of their parents who passed away first.(Sidiq & Erihadiana, 2022)

Indonesia's Islamic inheritance law was shaped by the ideas of Hazairin. The 1991 Compilation of Islamic Law (KHI), which became the primary source of authority for religious courts, introduced the idea of a substitute successor. In addition, KHI popularized the idea of gono-gini, or common property, which grants widows and widowers half of their combined property prior to inheritance distribution. This improves the financial security of surviving couples.

Even though the KHI upholds the "two to one" principle, equality is made possible by article 183. Heirs may decide to divide the bequest according to "familial" ties, according to this article. In reality, a lot of Muslim households in Indonesia use this article to split inheritance equally between boys and girls, particularly those who live

in cities and have higher education.

Indonesia's Islamic inheritance law is still undergoing significant change. Patriarchal traditions continue to have a significant influence on inheritance procedures in many places, particularly among rural and indigenous peoples. Law changes must be supported by more extensive initiatives to alter public attitudes and conceptions about gender roles.(Zahro & Pramesti K.M, 2023)

Gender equality and justice are not just "women's issues," but rather a shared obligation among all Muslims. Gender discrimination persists in Indonesian Islamic inheritance law pertaining to gender equality. Inequality most heavily affects women and girls. To ensure that women receive the rights they are due, gender equality necessitates more extensive social and legal transformation.

Based on the Compilation of Islamic Law (KHI), Indonesian Islamic inheritance law governs the transfer of ownership rights of heirs' inheritance (tirkah), defining who is eligible to inherit and how many portions there are, in that order. It is imperative that the heirs get their inheritance in compliance with the guidelines outlined in the Qur'an.

According to Surah An-Nisa (4):11–12 of the Qur'an, the guidelines for allocating inheritances must align with the directives established by Allah. The verse states that if there is only one daughter, she will receive a quarter of the inheritance, and that girls will receive half of the inheritance

given to boys. It should be highlighted, nonetheless, that different scholars have varied readings of these Quranic verses.

The Prophet Muhammad's hadiths, in addition to the Quran, offer instructions on how to divide inheritance. A few hadiths discuss how boys and girls receive different shares of inheritance, with boys receiving a bigger share than girls.(D. Amalia, 2023)

Indonesia's inheritance law regulations are mostly derived from the compilation of Islamic law. More comprehensive rules on the distribution of inheritance, including how it should be done between sons and women, can be found in the compilation of Islamic law. Even while the fundamental idea of inheritance sharing is in line with Islamic teachings, national legal requirements and cultural contexts frequently influence how it is implemented.

The issue of gender equality has been debated in relation to the inheritance system for men and women in Islam, which is founded on the teachings of the Quran and hadith. There have been attempts to connect inheritance laws to more contemporary ideas of gender equality, despite the fact that certain traditional interpretations maintain that boys should receive a larger portion than girls in the distribution of inheritance.(Aziz, 2023)

Gender equality is essentially the idea that every person, male or female, has the same rights in all spheres of life, including inheritance and property ownership. The

idea of gender equality in relation to inheritance emphasizes how crucial it is to treat boys and girls equally and fairly when dividing inheritance.

One step toward achieving gender equality in the context of inheritance is the 2015 ruling by the Indonesian Constitutional Court, which declared that girls have the same rights as boys when it comes to inheritance. This choice is an attempt to strike a compromise between the ideas of gender equality that are largely accepted in contemporary culture and the precepts of Islamic law.(Rich & Djaja, 2023)

It should be highlighted, nonetheless, that implementing gender equality in inheritance is not always simple and can present difficulties, particularly in settings with strong cultural and traditional norms. There are still some families who follow customs that give boys more privileges when it comes to inheritance distribution. As a result, it's critical to keep up the lobbying, instruction, and discussion that support gender equality in inheritance while also taking into consideration the sensibilities of current cultural and religious groups. Thus, initiatives to promote gender equality in inheritance uphold the respect of each person's right, regardless of gender, and also reflect the principles of justice and equality.

Conclusions

Islam is a religion that offers detailed precepts for living a decent life both here on

Earth and in the future. Allah Subhanahu wa Ta'ala addresses a variety of topics in-depth in the Quran, including inheritance, with the intention of fostering peace and fairness in society. Islamic beliefs acknowledge that men and women are equal before Allah and should be treated with justice and equality.

In the beginning, Islamic inheritance law was based on hadith and the Quran, which frequently granted boys a larger inheritance than girls. Nonetheless, a major area of attention in the current discourse on inheritance has been attempts to connect inheritance laws to more contemporary notions of gender equality.

An major step toward gender equality in the context of inheritance was taken in 2015 when the Indonesian Constitutional Court declared that girls are entitled to the same share as boys in inheritance. Nonetheless, there are still issues with implementing gender equality in inheritance, particularly when it comes to powerful traditional and cultural influences.

Maintaining lobbying, education, and discourse activities that support gender parity in inheritance is crucial, but it also requires consideration of current cultural and religious sensitivities. Thus, initiatives to promote gender equality in inheritance uphold the respect of each person's rights regardless of gender in addition to reflecting the principles of justice and equality. An intriguing case study in the push for greater gender equality in inheritance law is the evolution of Islamic inheritance law in Indonesia.

References

- Ali, U., & Ridho, R. (2021). Nalar Ekofeminisme Dalam Pemikiran Hukum Waris M. Quraish Shihab. *Fitua: Jurnal Studi Islam*, 2(1), 1–19. <https://doi.org/10.47625/fitua.v2i1.281>
- Amalia, D. (2023). Gender Dalam Hukum Waris Islam Di Indonesia. *Islamic Law Journal (Ilj)*, 01(01), 15–31. <https://journal.nabest.id/index.php/Ilj/index>
- Amalia, E., & Ashif Az Zafi. (2020). Penyetaraan Gender Dalam Hal Pembagian Warisan. *Ahkam*, 8(2), 213–232. <http://repositorio.unan.edu.ni/2986/1/5624.pdf> <http://fiskal.kemendeu.go.id/ejournal> <http://dx.doi.org/10.1016/j.cirp.2016.06.001> <http://dx.doi.org/10.1016/j.powtec.20>

- 16.12.055%0ahttps://Doi.Org/10.1016/J.Ijfatigue.2019.02.006%0ahttps://Doi.Org/10.1
- Aniroh, R. N. (2020). Mempertegas Ide Kesetaraan Gender Dalam Sistem Kewarisan Bilateral Sistem Waris Bilateral Pasca Hazairin. *Al-Ahwal*, 13(2), 119–138. <https://doi.org/10.14421/Ahwal.2020.13203>
- Asniah, Huriani, Y., & Zulaiha, E. (2023). Kesetaraan Gender Dalam Perspektif Hukum Islam. *The Indonesian Journal Of Islamic Law And Civil Law*, Vol. 13(No. 1), 23–34.
- Aziz, H. (2023). The Distribution Of Children’s Inheritance In The Islamic Law And Custom Law’s Perspective. *International Journal Of Law Reconstruction*, 7(1), 12. <https://doi.org/10.26532/Ijlr.V7i1.30895>
- Azizah, M. (2021). Peran Negara Dalam Perlindungan Konsumen Muslim Di Indonesia. *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi*, 4(2), 153–165. <https://doi.org/10.24090/Volksgeist.V4i2.5738>
- Bahriayub, B. (2019). Hukum Waris Islam Dari Sudut Pandang Hukum Berkeadilan Gender. *Al-Risalah: Jurnal Hukum Keluarga Islam ...*, 1(2), 10–26.
- Habibie, A. M. (2020). Pemikiran Hukum Islam ‘Ali Jum‘Ah Studi Atas Wacana Kesetaraan Gender. In *Pustakapedia*. Cv Pustakapedia Indonesia. <http://link.springer.com/10.1007/978-3-319-59379-1%0ahttp://dx.doi.org/10.1016/B978-0-12-420070-8.00002-7%0ahttp://dx.doi.org/10.1016/J.Ab.2015.03.024%0ahttps://doi.org/10.1080/07352689.2018.1441103%0ahttp://www.chile.bmw-motorrad.cl/sync/showroom/lam/es/>
- Ikhwanudin, M. (2023). Penerapan Kesetaraan Gender Dalam Sistem Pembagian Waris Berdasarkan Hukum Islam Di Indonesia. *Journal Syntax Idea*, 5(10), 1734–1745.
- Ismail, H., Hermanto, A., & Muslimin, A. (2020). Analisis Hak Waris Istri Akibat Murtad Perspektif Hukum Waris Islam Dan Gender. *At-Tahdzib : Jurnal Studi Islam Dan Mu’amalah*, 8(1), 121–143.
- Izad, R. (2019). Pemikiran Hermeneutika Muhammad Syahrur Tentang Konsep Kesetaraan Gender Dalam Islam. *Dialogia*, 16(2), 156. <https://doi.org/10.21154/dialogia.V16i2.1501>
- Kususiyanah, A. (2021). Keadilan Gender Dalam Kewarisan Islam: Kajian Sosiologis Historis. *Al-Mazaahib:*

- Jurnal Perbandingan Hukum*, 9(1), 63. <https://doi.org/10.14421/Al-Mazaahib.V9i1.2293>
- Mahsus, M. (2020). Contextual Interpretation And The Existence Of Women And Their Implications For Equalization Of The Inheritance Of Men And Women. *Journal Of Islamic Law*, 1(1), 25–44. <https://doi.org/10.24260/Jil.V1i1.19>
- Nashirun, Kurniati, & Marilang. (2022). Konsep Keadilan Dan Kesetaraan Gender Tentang Pembagian Harta Waris Dalam Perspektif Hukum Islam. *Madani Legal Review*, 6(1), 65–78.
- Rich, J. I., & Djaja, B. (2023). Bagaimana Keberlakuan Hak Waris Di Indonesia. *Unes Law Riview*, 6(2), 6688–6693.
- Rifa'i, Iman Jalaludin, Purwoto, A., Ramadhani, M., Muksalmina, Rusydi, Muhammad Taufik, Harahap, Nasruddin Khalil, & Mardiyanto, I. (2023). *Metodologi Penelitian Hukum* (Issue May). Pt Sada Kurnia Pustaka.
- Ruslan, M. (2023). Tinjauan Al-Qur'an Terhadap Kesetaraan Gender Dalam Pembagian Warisan (Studi Analisis Pada Surah Al-Nisa Ayat 11). *Ar Rosyad Jurnal Keislaman Dan Sosial Humaniora*, 1(2), 168 – 199.
- Sidik, P. (2023). Pendekatan Normatif Sebagai Metodologi Penelitian Hukum Islam. *As-Syar'i: Jurnal Bimbingan & Konseling Keluarga*, 5(3), 1010–1022. <https://doi.org/10.47476/Assyari.V6i1.3843>
- Sidiq, Y. H., & Erihadiana, M. (2022). Gender Dalam Pandangan Islam. *Jiip - Jurnal Ilmiah Ilmu Pendidikan*, 5(3), 875–882. <https://doi.org/10.54371/Jiip.V5i3.502>
- Suganda, A., Muksin, & Permana, A. K. (2022). Analisis Counter Legal Draft-Kompilasi Hukum Islam Dalam Hukum Waris. *At-Ta'dil: Jurnal Hukum Keluarga Islam*, 01(1), 1–19. <http://link.springer.com/10.1007/S00232-014-9701-9>
<http://link.springer.com/10.1007/S00232-014-9700-X>
<http://dx.doi.org/10.1016/J.Jmr.2008.11.017>
<http://linkinghub.elsevier.com/retrieve/pii/S1090780708003674>
<http://www.ncbi.nlm.nih.gov/pubmed/11910031>
- Zahro, F., & Pramesti K.M, S. (2023). Kesetaraan Gender Dalam Hukum Kewarisan Islam Perspektif M. Syahrur. *Mahakim: Journal Of Islamic Family Law*, 7(1), 25–46. <https://doi.org/10.30762/Mahakim.V7i1.201>