

## Interpretation of the Inheritance Verses in Surah an-Nisa in the Toba Batak Tradition

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### Abstract

Inheritance remains one of the most contested legal domains in Indonesia's pluralistic society, where Islamic law and customary (*adat*) law frequently intersect and, at times, conflict. This tension is particularly pronounced within the Toba Batak community, which upholds a patrilineal inheritance system that prioritizes male heirs and often excludes women. This study aims to examine the concept of justice in Islamic inheritance law through a thematic exegesis (*tafsir mawdu'i*) of Surah An-Nisā' verses 7, 11, and 12, and to assess its relevance to the Batak Toba customary inheritance system. Employing a qualitative descriptive-analytical method and drawing primarily on Tafsir al-Qurṭubī, the study finds that the Qur'an establishes a framework of proportional justice in which both men and women are granted inheritance rights based on social and financial responsibilities. The main finding of this study is that the exclusion of women in the Batak Toba inheritance system is not only inconsistent with Qur'anic principles but can be critically reconstructed through a justice-oriented interpretive approach. The findings reveal a significant gap between Qur'anic principles and the exclusionary nature of customary practices. This study argues that Islamic inheritance law offers not only a normative legal framework but also a transformative ethical foundation for reconstructing customary inheritance systems toward greater inclusivity and gender equity in contemporary society. Future research is recommended to incorporate empirical field studies to examine community responses and the practical challenges of implementing more equitable inheritance models.

Islamic Inheritance Law; Thematic Exegesis; Gender Justice; Batak Toba.

### Abstrak

Sistem pewarisan merupakan salah satu ranah hukum yang paling kompleks dalam masyarakat plural Indonesia, di mana hukum Islam dan hukum adat seringkali beririsan bahkan bertentangan. Ketegangan ini tampak jelas dalam masyarakat Batak Toba yang menganut sistem pewarisan patrilineal yang mengutamakan laki-laki dan cenderung mengabaikan hak perempuan. Penelitian ini bertujuan untuk mengkaji konsep keadilan dalam hukum waris Islam melalui pendekatan tafsir tematik (*tafsir mawdu'i*) terhadap Surah An-Nisā' ayat 7, 11, dan 12, serta menilai relevansinya terhadap sistem pewarisan adat Batak Toba. Dengan menggunakan metode kualitatif deskriptif-analitis dan merujuk pada Tafsir al-Qurṭubī sebagai sumber utama, penelitian ini menemukan bahwa Al-Qur'an menegaskan prinsip keadilan proporsional yang memberikan hak waris kepada laki-laki dan perempuan berdasarkan tanggung jawab sosial dan ekonomi. Temuan utama penelitian ini adalah bahwa pengabaian hak waris perempuan dalam sistem Batak Toba tidak sejalan dengan prinsip keadilan Qur'ani dan dapat direkonstruksi melalui pendekatan tafsir yang berorientasi pada keadilan. Hasil penelitian menunjukkan adanya kesenjangan antara prinsip keadilan Qur'ani dan praktik adat yang eksklusif terhadap perempuan. Oleh karena itu, hukum waris Islam tidak hanya bersifat normatif, tetapi juga memiliki nilai transformasional sebagai dasar rekonstruksi sistem pewarisan adat yang lebih adil dan setara gender. Penelitian selanjutnya disarankan untuk menggunakan pendekatan empiris guna mengkaji respons masyarakat serta tantangan implementasi sistem pewarisan yang lebih adil.

**Kata Kunci:** Hukum Waris Islam; Tafsir Tematik; Keadilan Gender; Adat Batak Toba.

## INTRODUCTION

The disparity between Islamic inheritance law and customary inheritance systems continues to constitute a significant socio-legal issue in Indonesia, particularly within the Batak Toba community. The Batak Toba tradition adheres to a patrilineal system in which inheritance rights are predominantly reserved for male descendants as successors of the clan lineage, while daughters are generally excluded from inheriting parental property (Sipahutar & Yunanto, 2023). This practice is deeply embedded as a cultural norm and is often defended as an essential element of collective identity (Fitriyani et al., 2023). In contrast, Islamic teachings, as articulated in Surah An-Nisā' verses 7, 11, and 12, explicitly recognize the inheritance rights of both men and women (Berber & Blanc, 2024). These Qur'anic provisions emphasize justice, proportionality, and social balance, thereby creating a normative tension between religious doctrine and customary practice.

Previous studies have extensively examined this tension from legal and socio-cultural perspectives. Lasmaria and Adiasih (2013), through their analysis of the Balige District Court Decision No. 47/Pdt.G/2013/PN.Blg, found that daughters and widows are excluded from inheriting both ancestral and acquired property under customary law. Yolanda (2024) further argues that such exclusion not only contradicts constitutional guarantees but also violates international commitments, particularly the CEDAW Convention ratified by Indonesia. Meanwhile, Siregar et al. (2025) demonstrate that despite the recognition of gender-equal inheritance rights in Supreme Court Decision No. 179K/SIP/1961, implementation remains limited due to persistent cultural resistance, especially in rural contexts, thereby sustaining legal dualism in practice.

Further scholarly works have approached inheritance from both Islamic and customary perspectives, yet often in fragmented ways. Ishaq and Munthe (2024) emphasize that Qur'anic inheritance regulations aim to maintain equilibrium among family members, although misinterpretations frequently lead to perceived inequities. Classical exegetical works, such as *Tafsīr al-Qurṭubī*, provide a nuanced explanation that differences in inheritance portions are linked to differentiated social responsibilities rather than gender bias. Conversely, empirical findings by Lasmaria and Adiasih (2013) reaffirm that customary norms continue to privilege male heirs. Additionally, Simanjuntak et al. (2024) highlight judicial efforts to reinterpret customary norms, as seen in Decision No. 564/Pdt.G/2015/PN.MDN, where judges granted inheritance rights to women based on principles of justice and legal equality.

Despite these contributions, existing studies reveal a critical limitation in their analytical integration. Research on Batak Toba inheritance practices has largely been descriptive, focusing on patterns of gender inequality without engaging deeply with Qur'anic interpretive frameworks. Conversely, studies on Qur'anic inheritance verses tend to adopt doctrinal or juridical approaches, often detached from specific socio-cultural realities. This disjunction indicates a lack of integrative analysis that bridges textual interpretation and lived tradition. Consequently, there remains a substantial research gap in examining how thematic exegesis of Surah An-Nisā' verses 7, 11, and 12 can be contextually applied to critique and reconstruct the Batak Toba inheritance system in a manner that is both religiously grounded and socially responsive.

This study addresses that gap by employing a thematic exegesis (*tafsīr mandū'i*) approach to analyze the principles of justice and equality embedded in the relevant Qur'anic verses. Unlike prior studies that treat religious texts and customary practices separately, this research systematically connects Qur'anic interpretation with the socio-cultural realities of the Batak Toba community. The novelty of this study lies in its integrative framework, which positions the Qur'an not merely as a legal reference but as a dynamic interpretive source capable of engaging with local traditions. By foregrounding thematic coherence across verses, this approach allows for a more holistic understanding of inheritance as both a legal and ethical construct.

Accordingly, this research seeks to answer how the interpretation of inheritance verses in Surah An-Nisā' can contribute to addressing persistent gender inequalities within the Batak Toba customary system. It also examines the extent to which Qur'anic principles of justice and balance can inform the reinterpretation of patriarchal norms. Theoretically, this study contributes to the advancement of Qur'anic exegesis, particularly in strengthening the application of thematic methods in socio-legal contexts. Practically, it aims to offer constructive insights for the Batak Toba community by demonstrating that Islamic inheritance teachings encompass not only distributive calculations but also broader ethical values, thereby providing a moral foundation for developing a more equitable inheritance system.

## **METHOD**

This study adopts a qualitative research approach grounded in thematic exegesis (*tafsīr mandū'i*) to systematically explore the meanings of Qur'anic inheritance verses and their relevance to socio-cultural realities. This approach is particularly appropriate because it enables a comprehensive and integrative understanding of Qur'anic concepts by examining verses within a unified thematic framework rather than in isolation. The research design is descriptive-analytical, combining detailed textual description with critical interpretation. The primary source of this study is Tafsīr al-Qurṭubī, selected due to its authoritative and extensive treatment of legal verses, especially those concerning inheritance. Secondary sources consist of academic books, peer-reviewed journal articles, and prior empirical and normative studies related to Islamic inheritance law and Batak Toba customary practices, which serve to contextualize and support the analysis.

The population of this study includes all Qur'anic verses related to inheritance (*farā'id*), while the analytical focus is limited to Surah An-Nisā' verses 7, 11, and 12, as these verses constitute the principal legal foundation for inheritance distribution in Islam. Data collection was conducted through an extensive library research method, involving systematic identification, selection, and review of relevant literature. Primary data were derived from classical and contemporary exegetical works, with particular emphasis on interpretations that discuss legal reasoning and principles of justice. Secondary data were obtained from interdisciplinary sources, including legal studies, gender studies, and socio-cultural analyses of Batak Toba customs. This combination of sources allows for a multidimensional understanding of both the normative Islamic framework and the empirical realities of customary inheritance systems.

Data analysis in this study employs qualitative content analysis, focusing on identifying, categorizing, and interpreting key themes related to justice, gender, and inheritance rights within the selected verses. The analytical procedure involves several stages: (1) thematic identification of

relevant Qur’anic concepts, (2) comparative analysis of exegetical interpretations across classical and modern scholars, and (3) contextualization of these interpretations within the Batak Toba socio-cultural framework. The researcher functions as the primary instrument, ensuring that interpretations are conducted critically, systematically, and with methodological rigor. To enhance validity and reliability, this study applies source triangulation by comparing multiple exegetical perspectives alongside findings from previous scholarly works. As a literature-based study, it does not involve fieldwork; however, it situates its analysis within the documented socio-cultural context of the Batak Toba community to ensure the relevance and applicability of its conclusions.

## RESULT AND DISCUSSION

### The Concept of Inheritance in Islamic Law

The Arabic word “waris” derives from the root waratsa-yuwaritsu-wirāts, which means the transfer of something from one person or group to another person or group. What is transferred is not always property; it can also be knowledge, honor, or other things. However, in general understanding, inheritance is more often interpreted as the transfer of rights to property from a deceased person to a living person. So, simply put, inheritance is about how the rights and obligations regarding the wealth of a deceased person are transferred to their heirs, of course subject to applicable terms and conditions. In Islamic jurisprudence, there are two terms frequently used to describe this concept. The first is farāiḍ, which means “prescribed shares.” Sayyid Sabiq, as quoted by Syamsul Bahri Salihima, explains that farāiḍ is the branch of knowledge that addresses who is entitled to an inheritance, the specific shares each person receives, when the assets may be distributed, and the method of distribution. The second is mawārits, which focuses more on the estate itself the assets left behind that will eventually pass into the hands of the heirs (Ilham, 2024).

In Islam, inheritance is not merely a matter of asset distribution but also part of a legal system that governs family relationships and upholds social justice. The distribution of inheritance reflects the values of responsibility, balance of rights, and respect for individual property rights. Islamic inheritance law is clearly established in the Qur’an to prevent injustice and conflict among heirs. Among the surahs that discuss inheritance law in detail is Surah An-Nisā’, often referred to as the “Surah of Social Justice,” as it contains many rules regarding the rights of women, orphans, and families. Through this surah, the Qur’an emphasizes that assets must not be inherited by specific parties alone but must be distributed according to Allah’s decree. This principle demonstrates that Islam places justice as the primary foundation of the inheritance system (Nafisyah & Guspita, 2024).

One of the verses serving as a fundamental basis for inheritance law is Surah An-Nisā’ verse 7. This verse reads:

لِّلرِّجَالِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ مِمَّا قَلَّ مِنْهُ أَوْ كَثُرَ نَصِيبًا مَّفْرُوضًا

*“Men have a share of the inheritance of their parents and relatives, and women have a share of the inheritance of their parents and relatives, whether the estate is small or large, in accordance with the shares prescribed.”* (QS. An-Nisā’ [4]:7).

The asbabun nuzul of this verse recounts an incident that befell the family of Aus bin Tsabit Al-Anshari after his death. He left behind a wife named Ummu Kujjah Al-Anshariyah and three young daughters. After Aus passed away, two of his nephews, named Suwaid and Arfajah, came and took all of Aus's inheritance without giving even a small portion to his wife and children. This occurred because, during the pre-Islamic era, women and children were not considered entitled to an inheritance. The society at that time believed that inheritance was only appropriate for adult men who could fight, ride horses, and carry weapons. Feeling treated unfairly, Ummu Kujjah then complained to the Prophet Muhammad and recounted what had happened. The Prophet then summoned Aus's two nephews. Ummu Kujjah explained that her children were still young, unable to fight, and unable to carry weapons, and questioned why they were not given a share of the inheritance. The Prophet then asked all parties to be patient and wait for Allah's decision. Shortly thereafter, Allah revealed this verse as a response to the incident, simultaneously refuting the pre-Islamic custom of granting inheritance only to those capable of fighting. Allah emphasized that it is precisely the children and vulnerable women who most need protection and whose rights to the inheritance must be guaranteed (Sitorus et al., 2023).

According to Al-Qurtubi's exegesis of Allah's words: *مِمَّا قَلَّ مِنْهُ أَوْ كَثُرَ نَصِيبًا مَّفْرُوضًا* "whether little or much, according to the portion that has been decreed," Allah SWT has decreed that daughters are entitled to a share of the inheritance, though at that time the exact amount of their share had not yet been specified in detail. Therefore, the Prophet Muhammad (peace be upon him) sent someone to Suwaid and Arfajah to convey a message that they should not touch or use any of Aus's inheritance while awaiting further clarification. The Prophet explained that Allah SWT had revealed the provisions regarding the inheritance rights of daughters, but the details of the specific share had not yet been determined and were still awaiting the next revelation. Thereafter, Allah SWT revealed the verse explaining the inheritance distribution in full in Surah An-Nisa, from the verse "Allah instructs you regarding your children" to the verse "the great triumph." After this revelation, the Prophet (peace be upon him) sent someone to convey the decision regarding the inheritance distribution to Suwaid and Arfajah. It was conveyed that Ummu Kujjah, as the wife of Aus, was entitled to one-eighth (1/8) of the total estate left behind, while their three daughters were entitled to two-thirds (2/3) of the estate. As for the remaining estate after that distribution, it would then become the share for the two of them (Ahmad, 2010).

This commentary also emphasizes that the distribution of an estate must not be carried out if it would actually cause harm to the heirs themselves. This principle is based on a hadith narrated by Ad-Daraquthni through the chain of Ibn Juraij, from Shadiq bin Musa, from Muhammad bin Abu Bakr, from his father, all the way back to the Prophet, stating that an inheritance may not be divided unless the estate can indeed be divided without causing loss (Ad-Daraquthni, 2004).

Abu Ubaid further explains the meaning of this hadith. According to him, when a person dies and leaves behind an estate, there are times when the estate cannot simply be divided because such division would actually cause harm to all the heirs or some of them. In such circumstances, the Prophet emphasized that the property should not be forcibly divided. Examples include items such as gems, furniture, or valuable clothing, which, if cut or divided, would lose their value and function. Abu Ubaid also explained that the Arabic term used in this hadith means to sort or break something into small parts, as mentioned in the verse of Allah (SWT) in Surah Al-Hijr, verse 91,

regarding those who fragment the Qur'an. This is also consistent with Allah's verse in Surah An-Nisā' verse 12, which prohibits actions that cause harm to heirs during the inheritance distribution process (Ahmad, 2010).

This is in harmony with the saying of the Prophet Muhammad, which emphasizes that no action should endanger oneself or others (Al-Nawawi, 2018). It is important to understand that this provision does not at all contradict the existing principles of inheritance distribution. The verses regarding inheritance, in fact, emphasize the obligation to grant rights to all heirs without exception whether they receive a large or small share while rejecting the pre-Islamic customs that have long disregarded the rights of certain heirs. Allah SWT affirms that men have their share and women have theirs, although the specific details of each share are further explained in other verses.

As for disputes among heirs for example, if one party demands that their share be specifically designated, while another objects because such a division would actually harm all parties, such as by reducing the value of the estate or damaging the form of the property this matter must be resolved through the process of *tarjih*, which involves selecting the strongest opinion. The most appropriate conclusion in this matter is that the inheritance may not be divided if such a division does not bring benefit or public interest, but rather has the potential to reduce the value of the estate, as has been explained along with the supporting evidence.

### The Principle of Proportional Justice in Islamic Inheritance Law

The concept of justice in the distribution of Islamic inheritance does not stop at the recognition that men and women have equal rights, but also emphasizes how the inheritance is divided proportionally. Surah An-Nisā', verse 11, explains in detail the distribution of inheritance between sons and daughters. Allah says:

يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنثِيَيْنِ فَإِنْ كُنَّ نِسَاءً فَوْقَ اثْنَتَيْنِ فَلَهُنَّ ثُلُثَا مَا تَرَكَ وَإِنْ كَانَتْ وَاحِدَةً فَلَهَا النِّصْفُ وَلَا يُؤْتِيهِ لِكُلِّ وَاحِدٍ مِّنْهُمَا الشُّدُسُ مِمَّا تَرَكَ إِنْ كَانَ لَهُ وَلَدٌ فَإِنْ لَمْ يَكُنْ لَهُ وَلَدٌ وَوَرِثَتْهُ أَبَوُهُ فَلِأُمِّهِ الثُّلُثُ فَإِنْ كَانَ لَهُ إِخْوَةٌ فَلِأُمِّهِ الشُّدُسُ مِنْ بَعْدِ وَصِيَّةٍ يُوصِي بِهَا أَوْ دَيْنٍ آبَاؤُكُمْ وَأَبْنَاؤُكُمْ لَا تَدْرُونَ أَيُّهُمَ أَقْرَبُ لَكُمْ نَفَعًا فَرِيضَةً مِنَ اللَّهِ إِنَّ اللَّهَ كَانَ عَلِيمًا حَكِيمًا

*“Allah has prescribed (made obligatory) for you regarding (the distribution of inheritance among) your children: the share of a son is equal to that of two daughters. If the children are all daughters and there are more than two of them, their share is two-thirds of the estate. If there is only one daughter, she receives half of the estate. As for the parents, each receives one-sixth of the estate if the deceased has children. If the deceased has no children and is inherited by only his parents, his mother receives one-third. If the deceased has siblings, the mother receives one-sixth. (The inheritance is distributed) after fulfilling any will he made or settling his debts. (Regarding) your parents and your children, you do not know which of them is more beneficial to you. This is the decree of Allah. Indeed, Allah is All-Knowing and All-Wise.”* (QS. An-Nisā' [4]:11).

This verse affirms the principle of justice in the form of proportional distribution, not equal shares. Islam does not distinguish human rights based on gender, but rather on each individual's responsibilities and social roles. Thus, the difference in shares between men and women is not a form of inequality, but rather the Qur'an's way of maintaining a balance between rights and obligations within the family structure (Anggraini et al., 2022).

According to Tafsīr al-Qurṭubī, this verse was revealed to clarify the specifics of inheritance after verse 7 established the fundamental rights of men and women. Al-Qurṭubī interprets the two-to-one ratio between men and women as a form of justice that takes into account men's social roles and financial responsibilities toward the family. Men have the obligation to provide for their wives and children, whereas women do not bear a similar economic burden. Therefore, the larger share for men is not a form of privilege, but rather a greater burden of responsibility. In his explanation, Al-Qurṭubī also cites the opinions of the Companions who stated that this verse is a *taqdīr ilāhī* (divine decree) that must not be altered by humans because it reflects Allah's perfect justice. He also emphasizes that any alteration to this provision would lead to social injustice and family conflict (Ahmad, 2010).

Furthermore, Al-Qurṭubī discusses in detail the inheritance shares of female heirs when they are the sole heir or among other heirs. If the deceased leaves only one daughter and no sons, she is entitled to half of the entire estate. However, if there are two or more daughters, they collectively receive two-thirds of the estate, which is then divided equally among them. Al-Qurṭubī explains that this provision does not mean that multiple daughters receive less per person than a single daughter, but rather that Islamic law has set a maximum limit for the group of daughters at two-thirds as a form of balance with the rights of other heirs.

Regarding the shares of the parents, Al-Qurṭubī explains that the father and mother each receive one-sixth of the estate if the deceased has descendants. This provision applies because the presence of children means that the line of descent is given higher priority in the Islamic inheritance system. However, if the deceased has no descendants at all and the only heir is the mother, then the mother's share increases to one-third of the total estate. Al-Qurṭubī emphasizes that the increase in the mother's share under these circumstances is a form of Islamic respect for the mother's role as well as a form of financial protection for parents who no longer have dependents in the form of children.

Al-Qurṭubī also pays special attention to the situation where the deceased has siblings, in which the mother's share decreases from one-third to one-sixth. Although the siblings do not receive a share in this scenario because they are preempted by the father, their presence still affects the mother's portion. Scholars differ regarding the wisdom behind this provision, and Al-Qurṭubī cites various cross-school perspectives before affirming the view that this is intended to give the father financial leeway to support the lives of the heir's siblings. Thus, every detail of the provision in this verse reflects an interconnected system that cannot be understood in isolation, as the entire verse constitutes a cohesive legal unit where each element balances the others (Ahmad, 2010).

One form of the Qur'an's justice in inheritance law is the regulation of rights between husband and wife. Islam positions them not only as life partners but also as partners with complementary rights and obligations, including regarding inheritance (Rohmana et al., 2023). This principle is significant because during the pre-Islamic era, wives had no claim to their husbands' inherited property; in fact, they were sometimes even treated as part of the estate to be inherited (Anggraini et al., 2022). The Qur'an then brought about a major shift in this perspective through Surah An-Nisā' verse 12, which states:

وَلَكُمْ بِمَا تَرَكَ أَزْوَاجُكُمْ إِنْ لَمْ يَكُنْ لَهُنَّ وَلَدٌ فَإِنْ كَانَ لَهُنَّ وَلَدٌ فَلَكُمْ الرُّبْعُ مِمَّا تَرَكَنَّ مِنْ بَعْدِ وَصِيَّةٍ يُوصِينَ بِهَا أَوْ دَيْنٍ وَلَهُنَّ الرُّبْعُ مِمَّا تَرَكَتُمْ إِنْ لَمْ يَكُنْ لَكُمْ وَلَدٌ فَإِنْ كَانَ لَكُمْ وَلَدٌ فَلَهُنَّ الثُّمُنُ مِمَّا تَرَكَتُمْ مِنْ بَعْدِ وَصِيَّةٍ تُوصُونَ بِهَا أَوْ دَيْنٍ وَإِنْ كَانَ رَجُلٌ يُورَثُ كَلَلَةً أَوْ امْرَأَةٌ وَوَلَةٌ أَخٌ أَوْ أُخْتٌ فَلِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ فَإِنْ كَانُوا أَكْثَرَ مِنْ ذَلِكَ فَهُمْ شُرَكَاءُ فِي الثُّلُثِ مِنْ بَعْدِ وَصِيَّةٍ يُوصَى بِهَا أَوْ دَيْنٍ غَيْرَ مُضَارٍّ وَصِيَّةً مِنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَلِيمٌ

*“For you (husbands) is one-half of what your wives leave if they have no child. But if they have a child, then for you is one-fourth of what they leave, after any bequest they may have made or any debt has been paid. For the wives is one-fourth of what you leave if you have no child. But if you have a child, then for them is one-eighth of what you leave, after any bequest you may have made or any debt has been paid. If a man or woman dies leaving neither ascendants nor descendants but has a brother or a sister from the same mother, then for each of them is one-sixth. But if they are more than two, they share in one-third, after any bequest that may have been made or any debt has been paid, without causing harm. This is an ordinance from Allah, and Allah is All-Knowing, Most Forbearing.”* (QS. An-Nisā’ [4]:12).

In Tafsīr al-Qurṭubī, this verse is explained as a divine decree governing the reciprocal relationship between husband and wife after death. Imam al-Qurṭubī emphasizes that the share allocated to each party is based on a balance between responsibility and affection within the household. The husband is given a larger share when the wife has no children because he bears a greater economic responsibility, while the wife receives a smaller share when the husband leaves behind children because her role is more focused on the care and affection of the family. According to al-Qurṭubī, this verse demonstrates the beauty of Islamic law, which considers not only material aspects but also moral values and social responsibility. He also explains that the mention of bequests and the settlement of debts before the distribution of the estate underscores the importance of justice and prudence in managing assets to prevent harm to the heirs (Ahmad, 2010).

Al-Qurṭubī also discusses the inheritance provisions for childless couples in greater depth, where the husband receives half of the wife’s estate and the wife receives a quarter of the husband’s estate. He explains that this difference in shares is not a form of injustice, but rather a reflection of the differing burdens of obligation borne by each party; for the husband, as the party obligated to provide the dowry and maintenance, receives a larger share as compensation for the financial responsibilities he fulfilled during his lifetime, while the wife, who does not bear the obligation of maintenance, still receives a guaranteed and protected share. Al-Qurṭubī also provided a specific explanation regarding kalālah inheritance a situation where a person dies without leaving descendants or parents in which each full sibling (brother or sister) receives one-sixth, and if there are more than one, they collectively receive one-third, divided equally without distinction of gender, as evidence that Islam does not always apply a two-to-one division but adapts to the existing family context. In the final part of this verse, Al-Qurṭubī also emphasizes the importance of the phrase *ghaira muḍārr*, meaning “without the intent to cause harm,” explaining that a will must not be used as a means to wrong the heirs. Thus, Islamic inheritance law is not merely a technical legal matter but also contains an ethical dimension that binds the conscience of every Muslim in how they handle their wealth and family (Ahmad, 2010).

## **The Relevance of the Exegesis of Surah an-Nisā' [4]:7, 11, and 12 to the Batak Toba Inheritance System**

The concept of inheritance in Islam, as explained in Surah an-Nisā' verses 7, 11, and 12, affirms the principle of proportional justice between men and women. Every individual has a definite right to their family's inheritance, whether large or small, in accordance with Allah's decree. This principle of justice is grounded in social responsibility and the balance of roles within the family, not in differences in human status. In the context of Toba Batak society, this principle is particularly noteworthy because the traditional inheritance system tends to be patrilineal, meaning only men specifically the eldest son (the firstborn) are entitled to inherit family assets (Silalahi et al., 2023). Meanwhile, women are considered to have no right to inheritance because, after marriage, they are deemed part of their husband's family (Sirait, 2018). This situation highlights a fundamental difference between the principles of Batak Toba customary law and the Islamic inheritance system derived from the Qur'an.

When viewed from an exegetical perspective, the Islamic inheritance system as outlined in Surah An-Nisā' is not merely normative but also possesses a strong social dimension. Tafsīr al-Qurṭubī emphasizes that the inheritance provisions in Islam aim to uphold justice and eliminate discrimination against women. In the Batak Toba context, this exegesis offers a critique of the customary system that disregards women's rights (Sirait et al., 2023). Islam does not reject customary practices as long as they do not conflict with the principles of sharia, but in matters of inheritance, customs that deny women's rights clearly contradict the definitive (*qath'ī*) texts (Sirait, 2018). Therefore, exegetical analysis indicates that the application of Islamic inheritance law within Batak Toba society constitutes a form of actualizing Qur'anic values of justice in social life.

Furthermore, the relevance of inheritance verses to the reality of the Batak Toba people highlights the importance of reinterpreting traditional values to align them with the principles of Islamic justice. Quraish Shihab explains that the justice emphasized by the Qur'an is not absolute equality, but rather a balance consistent with human social functions. This means that the application of Islamic law in indigenous communities need not eliminate the entire social structure, but rather adapt it so as not to cause injustice (Shihab, 2002). In this context, Batak Toba women have a moral and religious right to receive a share of their family's inheritance, as affirmed in Surah An-Nisā' verse 7. Efforts to harmonize customary law and Islamic law can be undertaken through social and educational approaches, so that the community understands that Islamic teachings do not conflict with cultural values as long as they remain grounded in the principle of justice (Wahidah, 1993). Thus, the results of the interpretation of these inheritance verses serve not only as legal guidance but also as a means of social transformation toward a more just and balanced society. The interpretation of Surah An-Nisa' verses 7, 11, and 12 demonstrates that the Qur'an establishes an inheritance system grounded in the principles of justice, balance, and social responsibility (Junaidi et al., 2023). These three verses illustrate that both men and women have definite rights to their family's inheritance. Tafsīr al-Qurṭubī emphasizes that the Islamic inheritance system serves as a correction to pre-Islamic practices that denied the rights of women and children.

Reflections on the results of the exegesis indicate that Islamic inheritance law does not view equality as absolute sameness, but rather as a balance between rights and obligations. Men do

indeed receive a larger share, but this aligns with the financial responsibilities they bear. Conversely, women receive a smaller share, yet their ownership rights are full and unrestricted, without the obligation to provide for others. In the context of modern society, such an understanding is crucial so that the public does not view Islamic inheritance law as a form of discrimination, but rather as a system that considers contextual justice and the social functions of each individual (Razy, 2023). This perspective also highlights the relevance of classical and modern interpretations in bridging the meaning of the revealed text with contemporary social realities.

From the perspective of Qur'anic justice, the inheritance provisions in Surah An-Nisā' embody the application of the principles of *'adl* (justice) and *musāwāh* (moral equality). These values form the foundation for maintaining economic balance and social harmony within the family. Quraish Shihab explains that justice in the Qur'an is proportional, not identical to numerical equality. Therefore, the Islamic inheritance system remains relevant throughout the ages because it can adapt to social changes without losing the essence of its divine values. This principle of justice applies not only in the legal sphere but also serves as an ethical guideline for maintaining harmony among family members, especially when the distribution of assets has the potential to cause conflict (Shihab, 2002).

When compared to the traditional Batak Toba inheritance system, there are fundamental differences in the basic principles of distribution. The patrilineal Batak Toba tradition grants inheritance rights primarily to sons, while daughters are not considered entitled to family assets (Lasmaria & Adiasih, 2013). This stands in contrast to the teachings of the Qur'an, which grants inheritance rights to all heirs regardless of gender. Based on the results of this interpretation, the Islamic system places greater emphasis on substantive justice compared to traditions that are exclusive in nature (Widihastuti et al., 2024). Nevertheless, Islam still allows room for local values as long as they do not conflict with the principles of divine justice. Therefore, the reinterpretation of customary values is essential so that the Batak Toba community can adapt their traditions to the spirit of Islamic law, which upholds equality of rights and social welfare (Apriliani & Chempaka, 2025).

The findings of this study confirm that the application of Islamic inheritance law within indigenous communities serves not only to enforce religious norms but also as a means of social transformation. Harmonization between customary law and Islamic law can be achieved through educational approaches, *da'wah*, and deliberation among customary leaders and scholars. Theoretically, this study contributes to enriching the body of social interpretation by demonstrating the relevance of Qur'anic verses to local cultural structures. Practically, this study is expected to serve as a foundation for efforts to reconstruct a more equitable inheritance system within the Batak Toba community, so that Qur'anic values regarding justice and respect for women's rights can be implemented in.

## CONCLUSION

This study demonstrates that a thematic interpretation of Surah An-Nisā' verses 7, 11, and 12 establishes Islamic inheritance law as a system grounded in proportional justice, in which the allocation of shares reflects differentiated social and financial responsibilities rather than gender-

based discrimination. The findings confirm a clear tension between these Qur'anic principles and the patrilineal inheritance system of the Batak Toba community, where women are systematically excluded from inheritance rights. At the same time, the study shows that Qur'anic values of justice and balance provide a strong normative foundation for re-evaluating and reconstructing customary practices toward greater inclusivity. Theoretically, this research contributes to the development of thematic and socio-contextual exegesis by integrating textual interpretation with local cultural realities, while practically offering a normative framework for fostering more equitable inheritance practices within the community.

However, this study is limited by its reliance on library research and its focus on a specific exegetical approach and cultural context, without direct empirical validation through fieldwork. As a result, the analysis may not fully capture the complexity of social dynamics, resistance factors, and lived experiences within the Batak Toba community. Future research is therefore recommended to incorporate empirical methods, such as interviews or ethnographic studies, to better understand community perceptions and the practical challenges of implementing more inclusive inheritance systems. Additionally, comparative studies across different Indonesian customary systems would be valuable to assess broader patterns of legal and cultural interaction. Future research should incorporate empirical field studies, such as interviews and ethnographic approaches, to examine community perceptions and the practical challenges in implementing more equitable inheritance systems within the Batak Toba context. Additionally, comparative studies across different customary law systems in Indonesia are needed to develop applicable models for harmonizing Islamic inheritance principles with local cultural traditions without undermining their social identity.

## **DECLARATION OF USING AI**

To improve the linguistic quality and structural clarity of this manuscript, the authors utilized several digital tools and AI-based aids, including Claude, Gemini, DeepL, and Turnitin. These technologies were specifically used for language refinement, translation accuracy, and similarity verification. However, all AI-generated output was critically reviewed and edited by the authors, who are fully responsible for the integrity and originality of the final content.

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