



Perspective of the GontingJulu Village Community, Huristak District, Padang Lawas Regency Regarding Delays in the Distribution of Inheritance

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Abstract - The purpose of this research is so that the people of Gonting Julu village know that according to Islamic law, delaying is not good and Allah has ordered them to hasten something related to goodness. The delay in inheritance distribution has become a common practice. The problems addressed in this study include understanding the legal aspects of delaying inheritance distribution for heirs according to Islamic law and exploring the perspectives of the GontingJulu village community that contribute to the factors causing the delay in inheritance distribution in GontingJulu Village. This research employs a qualitative method with a case study approach. It examines the applicable legal provisions and what occurs in reality within the community. The primary data sources for this research are community leaders, local elders, and the residents of GontingJulu Village. Secondary data sources include documents, books, articles, internet searches, and more. Inheritance is essentially a trust to the heirs; the inheritance is a fiduciary fund that must be passed on to the rightful heirs. However, many residents of GontingJulu Village often do not promptly distribute inheritance, making the delay a habitual practice. The findings of this study reveal that the community has not yet promptly distributed inheritance according to Islamic law, and it remains a deeply ingrained habit. The factors contributing to the delay in inheritance distribution include respecting the feelings of surviving parents and managing the inheritance.

Keywords: Delay, Community Perspective

I. INTRODUCTION

Gonting Julu is one of the villages in Huristak sub-district, Padang Lawas district, North Sumatra province, Indonesia. This village is located in the Bukit Barisan mountains at an altitude of around 1,000 meters above sea level. In general, Gonting Julu Village has a cool and beautiful climate. This village is surrounded by trees and extensive rice fields. The residents of Gonting Julu village are mostly Angkola Batak people and are Muslim.

The majority of Gonting Julu Village residents work as farmers. The main agricultural products in this village are rice, corn, coffee and sweet potatoes. Apart from that, there are also several residents who work as breeders, craftsmen and traders.

Inheritance encompasses all the wealth left behind by a deceased person, including assets and rights that, according to Islamic law, are to be granted to the heirs due to their death. Inheritance is also referred to as the science of faraidh, which deals with the distribution of inheritance. In Arabic, faraidh is the plural form of inheritance that has been prescribed. In the context of inheritance, Indonesian society employs family ties to maintain familial relationships (Putra, 2023).

Islamic law has established the inheritance system in the most excellent, wise, and just manner. Islam stipulates property ownership rights for individuals, both men and women, as

guided by sharia, akin to transferring ownership rights from a person while alive to their heirs after death, without discriminating between minors and adults. The Qur'an has articulated inheritance laws and provisions for each heir with comprehensive and precise explanations, ensuring that no one is left out and that the share of the property to be inherited is clear. The Qur'an serves as the foundation for inheritance rules and their distribution, complemented by the Sunnah and ijma (consensus) (Rasdiana, 2019) Imam Shafi'i in the book al-Umm explains: (Imam Syafi'i, 1982)

لَا مِيرَاثَ قَبْلَ الْمَوْتِ، لِأَنَّ الْمِيرَاثَ حَقٌّ يَثْبُتُ بَعْدَ وَفُوعِ الْمَوْتِ عَلَى الْمَوْرَثِ، فَإِذَا كَانَ حَيًّا لَمْ يَثْبُتْ لَهُ حَقٌّ، وَلَمْ يَجِبْ تَقْسِيمُ

"Tidak adawarisanseibeilum orang yang meiwarisi (peiwaris) meininggal dunia. Kareinawarisan adalah hak yang diteitapkanseteilahkeimatianpeiwaris. Jika peiwarismasihidup, makahakwarisbeilumditeitapkan dan tidak adakeiwajiban untuk meimbaginya.

The intuition regarding inheritance in Islam is one of the intuitions that has been clearly explained in the Al-Qur'an and in several Hadiths of the Prophet SAW. The explanation regarding inheritance is found in Surah AnNisa verse 7.

لِلرِّجَالِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ مِمَّا قَلَّمْنَاهُؤَكْتَرٌ نَصِيبًا مَّفْرُوضًا

"For men and women, there is a lineage of origin for the inheritance of both people and their relatives, whether a little or a lot, according to the portion that has been determined (Gamedia, 4/7).

The term nasab in the paragraph above means shares, part or allotment of the inheritance of the heir. In terms of inheritance law, this means that the transfer of the assets of a deceased person to a living person occurs automatically. This means that there is no legal action or statement of intention from the heir. In other words, if the heir dies, his assets automatically transfer to his heirs.

The Prophet also encouraged Muslims to carry out all good deeds because by carrying out good deeds, it means that a person can avoid slander that may occur in the future as mentioned in the hadith of Muslim history:

عن أبي هريرة رضي الله عنه أن رسول الله صلى الله عليه وسلم قال: "بادرُوا بالأعمال، فتننا كقطع الليل المظلم، يصبح الرجل (Muslim, 1955) فيها مؤمناً، ويمسي كافراً، أو يمسي مؤمناً ويصبح كافراً، يبيع دينه بعرض من الدنيا" رواه مسلم والترمذي وأحمد

From Abu Hurairah radhiyallahu 'anhu, that the Messenger of Allah sallallahu 'alaihiwasallam said, "Be careful with your good deeds, because slander is like fragments of the dark night. Someone is still a believer in the morning, but in the afternoon he is an unbeliever, or in the afternoon he is still a believer, but in the morning he is an unbeliever. He sold his religion to the world." (HR. Muslim, Tirmidhi, and Ahmad)

This hadith contains recommendations for doing good deeds before there is a lot of slander, both slanderous slander which takes the form of a disaster resulting from deviant principles or thoughts and slander of the lust which takes the form of a disaster resulting from impairing one's desires so that humans become very troubled and confused in resolving matters of thought which right (Yahya, 1992).

In terms of dividing inheritance according to the KHI, the heirs can divide the inheritance according to the obligations of the heirs and the remaining assets are distributed, and if there is no agreement then it can be submitted to the Religious Court as stated in (Article 188) 3 of the KHI. reads: For heirs who are not yet adults or are unable to carry out their rights and obligations, a guardian is appointed based on a judge's decision or a suggestion from a family member. According to Article 175 of the KHI, the inheritance is already inherited property which can be divided according to its portion as regulated in Chapter III Article 176 of the KHI

to Article 193 of the KHI, and all rights related to the heir's wishes must be resolved in the world by an expert. inheritance (Hsb, 2023).

According to the custom in DeisaGontingJulu, the assets left behind will not be immediately divided while the mother is still alive, and the other heirs will never ask for the inheritance to be divided immediately because Meireika is afraid that Meireika's mother's heart will hurt. This habit is a gift from the heirs to their surviving parents. In the case of postponing the distribution of inheritance which occurred in DeisaGontingJulu, Huristak District, Padang Lawas Regency, according to data obtained from the head of the GontingJuludeisa, Mr. SamsudinHarahap, it was found that 70-90% of families in DeisaGontingJulu had postponed the distribution of inheritance (Harahap, January 27, 2024)

The delay in inheritance distribution occurred in the family of the late Mr. RiskiDaulay, who left behind 1 wife and 6 children, 4 sons and 2 daughters. Mrs. RoswinaLingga, as the wife of the late Mr. RiskiDaulay, did not immediately share the inheritance because she was still alive and could still manage all the assets left by her husband. And Mrs. Roswina also reminded that there were still heirs who were not yet old enough and were not yet able to manage their inheritance. Meanwhile, the other heirs have already asked about the inheritance but it has not been distributed until now (Lingga, January 27 2024).

Furthermore, from the family of the late Mr. Munir Sireigar and the late Mrs. SofiyahSaragih, the first child, namely a boy, will be raised by an older brother following his father's death and from his mother until his younger brother marries. In the case of delayed distribution of inheritance which occurred in DeisaGontingJulu, Huristak District, Padang Lawas Regency, the older brother did not immediately share the inheritance because his younger brother was still in college. And he made an unwritten agreement with his younger brother that all of Meireika's parents' inheritance would become Meireika's support and expenses and would not be shared with anyone until Meireika married. In order to maintain the rights and property left behind by parents without their knowledge, this cannot be done just like that without following specific rules, but must go through procedures that are implemented in accordance with the rules of Islamic law. The system inherits according to the best, wisest and fairest rules. However, after a few years, Meireika's parents died and Meireika married. The younger brother asked his older brother about the inheritance left by his parents as well as the distribution of inheritance that would be carried out, but his older brother did not want to know about this and reminded him that the inheritance was to fund school and Meireika's current livelihood (Rahalim, January 27 2024).

Based on the results of the search for previous research, both from libraries, websites and so on, the author found several research related to this research, namely:

Journal "Analysis of Legal Review of Delays in the Implementation of Distribution of Inheritance Assets in the DeisaSawah Community, North Kampar District, Kampar Regency". This research examines the issue of delays in the distribution of inheritance that occurred in DeisaSawahKeic North Kampar, Kampar District, Riau Province. This research found that postponing the distribution of inheritance caused conflict and not all heirs received it based on Islamic law. This research is more focused on people's understanding of how Islamic law and customary law are related to the distribution of inheritance.

Thesis "Delays in the Distribution of Inheritance Assets by Mandailing Natal Customs in Compilation Analysis of Islamic Law". By Lily SuryaniHasibuan (2019). This research examines the factors that cause delays in the distribution of inheritance, namely the small number of residents, low levels of education and religion and customs. And as a result, the ties between the heirs are broken. The analysis with this research focuses more on the perspective analysis of the people of GontingJulu regarding the postponement of the distribution of inheritance.

Journal "Feinomeina Delays Distribution of Inheritance Among Ulama Families of North Hulu Sungai Regency". This research is motivated by the widespread delay in inheritance distribution in North Hulu Sungai Regency until an undetermined time, which is in conflict with the concept of the Islamic inheritance system. The next problem is that this practice has also

been perpetuated by ulama who actually understand Islamic law. This distinction is based on the location of the research and the identification of the research.

Based on the explanation of the case of postponing the distribution of inheritance of inheritance that existed there and one of the factors that led to the occurrence of a delay in the distribution of inheritance in GontingJulu village, from the problem of the interest of the community to the research of a research entitled "Perspective of the people of DeisaGontingJulu, Huristak District, Padang Lawas Regency Against the Postponement of Distribution of Inheritance."

Based on the background problems above, the author will discuss the problems that will be discussed in the following discussion. The problem formulation is as follows: How is Islamic Law applied to Postponing the Distribution of Inheritance? What are the impacts or consequences caused by the delay in inheritance distribution in Gonting Julu village?

II. METHOD

The type of research used is qualitative research with descriptive research. This qualitative research was used to understand the perspective of the DeisaGontingJulu community regarding the postponement of inheritance distribution. This research is qualitative descriptive in nature where the author examines the legal intuitions that apply as well as what happens in Primary data from this research are: Community Figures of DeisaGontingJulu and the DeisaGontingJulu Community. Sources of research-based data are data obtained by conducting literature reviews such as scientific books, journals and research results and so on. Secondary data includes documents such as: books, articles, internet research, research results in the form of reports and so on. The books that are secondary data in this research are books about inheritance and books about Islamic law related to issues about the distribution of inheritance, etc. The data collection technique carried out by the researchers in this research was by using interview techniques. By interviewing 1 religious figure, 1 hatobangon (traditional leader), deisa head and 3 local communities in DeisaGontingJulu and documenting.

III. RESULT AND DISCUSSION

Planning for the implementation of the distribution of inheritance can be understood as a manifestation of the attitudes and behavior of the heirs who plan the process of distributing the inheritance of heirs who have recently died. The opposite of the act of implementing the distribution of inheritance is postponing the implementation of the distribution of inheritance. This arrangement for the distribution of inheritance can occur due to various good intentions and motivations behind it with the main aim being to create a peace within the family as well as being fair and protecting the inheritance rights of all heirs (Qorib, 1997).

Apart from that, delaying the distribution of inheritance has the potential to give rise to various injustices and disadvantages to the heirs in the future. Meanwhile, harm is something that is ordered to be eliminated if it occurs and avoided if it has not occurred.

The prohibition against causing harm is of a general nature so that it covers all harm, whether it can harm the body, property, children, livestock or others, including the behavior of delaying the implementation of the distribution of inheritance which will have an impact on the wealth of the heirs' assets. Postponement of distribution of inheritance is a delay in the process of transferring ownership rights and control of inherited assets to the rightful heirs after the testator dies. This can happen for various reasons, both permitted and unacceptable.

The distribution of inherited assets is carried out as soon as possible after the heir dies. This is to avoid various problems that could arise in the future (Muhibbin).

On the other hand, among the implementation of the distribution of inheritance, there is benefit for all the heirs left behind. Therefore, when the heir dies, the inherited property automatically immediately transfers ownership to the heirs according to the intentions that Allah sets out in the verses of the Al-Qur'an relating to the rights and shares of heirs. The process of transferring inherited assets from a person who dies to his heirs is known as the

principle of *ijbari* which means that the transfer of assets of a person who dies to his heirs takes place independently according to Allah's decree without depending on the human will of either heir or heirs (Zainal Muttaqin, 2021). The concept of providing good deeds also becomes an obligation when it is linked to the trust and rights of other people which must be safeguarded and conveyed to their owners. This intuition is as mentioned in the Al-Qur'an QS An-Nisa verse 58.

إِنَّ اللَّهَ بِأَمْرِكُمْ أَنَّ تُوَدُّوا الْأَمْنَتِ إِلَىٰ أَهْلِهَا وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ

"Truly, God has told you to deliver the trust to its owner. When you establish law among people (Sejahtera).

The verse above is a verse whose law applies to all forms of belief that must be accepted and fulfilled by society. And if this trust is not fulfilled in this world, then there will be responsibilities in the afterlife, including the problem of implementing the distribution of inheritance. In essence, the heirs' inheritance is a trust fund that must be passed on to the heirs as the rightful owners (Isma'il, 1998).

Therefore, the act of delaying the implementation of the distribution of inheritance can result in control of property that does not legally belong to him, and may even involve confiscating and impairing other people's property rights, thus creating a conflict with the property rights that will be involved in the act of distrust.

The Law on Postponing the Distribution of Inheritance According to Islamic Law in DeisaGontingJulu, Huristak District, Padang Lawas Regency is related to postponing the distribution of inheritance for heirs.

Peineiliti conducted an interview with the Head of DeisaGontingJulu, namely Mr. SamsudinHarahap, discussing the postponement of the division of inheritance which has been happening at DeisaGontingJulu. The results of the interview are as follows:

"Di huta taon kasus na songonon madung biaso do on tarjadi mulai na jolo torus sampei sannari bopei seicara adat sangapei dioban tu peingadilan. Cuman au seibagai keipala deisa mangikut ma au tu hatobangon dohot alim ulama dison, harana tong halai ma naunboto hukum manunda hartoi sanga bia. Au tong seilama inda adong parsalisian hu patiot ma giot ni halai i. Hami coba meinyaloseion kasus panundaan peimbagian warisa non rap dohot ahli waris sanga ana seituju dohot i sapai hatobangon atapei ulama na paham meingeinai warisan on. Mangaligi data surveiy 70-90% ma na manunda peimbagian waris dihuta taon. Jadi dalam kasus on peiran ni hatobangon ma na ami utama on dohot ulama harana alai do ahlina dalam masalah warisan on" (Harahap, January 27, 2024)

Translation :

"In our country, this case has commonly occurred from ancient times to the present, either by custom or by filing a court report. I, as the head of the deisa, follow the words of Hatobangon and the ulama, because Meireika understands the law better in postponing the distribution of inheritance. And for now, if there hasn't been any agreement between the heirs, I'll just follow that person's words. We are trying to resolve the case of postponing the distribution of inheritance by asking the heirs whether Meireika agrees and also asking Hatobangon or scholars who understand this inheritance. In our village, looking at existing survey data, 70-90% of the people or heirs have postponed the distribution of inheritance. So in this case we prioritize PeiranHatobangon and Peiran Ulama KareinaMeireika is an expert in this inheritance issue."

And the researchers conducted interviews with several people who had postponed the distribution of inheritance. The results of the interview are as follows:

The first case in the family of the late Mr. RiskiDaulay where researchers conducted an interview with Mrs. RoswinaLingga, the wife of the late Mr. RiskiDaulay, Mrs. Roswina said:

"Anggo meinurut ni uwak da nang biaso-biaso sajo do diraso halai i, harana tong bya warisan nadi tinggalkon ni uwak mu pei nanggei sadia busei anggik-anggik mu pei bahat dopei

nasikolah, busei uwak pei mangolu dopei bisa dopei uwak mangurusna i anggo uwak bagi aha dopei biaya sikolah ni anggik mu. Tai kadang-kadang abang mu disunggul ia do i tai uwak dokkon peittei majolo da tammatt anggik mu sikolah ni uwak". (Lingga, January 27 2024)

Translation :

"If you think you want the other heirs to behave normally, because the inheritance you left behind is not much, it's just enough for your siblings to go to school, plus you are still alive and you can still take care of the inheritance your siblings left behind. Even if you share the inheritance, your inheritance will definitely not be the same. But Uwak's son was the first when he was asked when the inheritance would be divided, Uwak said, wait a minute, your little brothers graduate from school."

It can be concluded that in the first case there was a delay in the distribution of inheritance due to the economic conditions of the family, and other heirs who were not yet adults. The majority of the people of DeisaGontingJulu are farmers with unstable incomes. Postponing the distribution of inheritance is intended to provide time for the family to settle the various needs and debts of the heirs.

In the second case, from the family of the late Mr. Munir Sir and the late Mrs. SofiyahSaragih, research conducted interviews with Mr. Munir's children as the heirs left behind. The results of the interview are as follows:

"At first, I thought this decision was a good solution, because I was still in college, right? And my brother said that I will give Adeik's pass when he has finished college, and we will take all of Adeik's college fees from the inheritance left by our parents so that the older brother, Adeik, is also busy studying and doesn't have time to manage our inheritance. And now that my brother has graduated, he always asks when the inheritance will be divided, and he says that the inheritance has been used up to fund your college until you graduate." (Rahalim, January 27 2024).

This second case involved a postponement due to family problems. In some cases, postponing the distribution of inheritance is carried out to ensure that the family needs of the heir, such as educational costs, living costs and other costs, can be met earlier.

The third case from the late Mr ToipHarahap's family, Mei conducted an interview with the late Mr ToipHarahap's wife.

"According to the custom of our village, if one of the parents is still alive, the inheritance will not be divided as long as the heirs have no objection. And when your mangboru just died, you didn't have any thoughts about immediately dividing up the inheritance. And you agree with the customs of our village and this heritage will be shared once you leave" (Daulay).

This third case is due to customs. In DeisaGontingJulu, there are customs that require families to first complete the period of mourning before dividing the inheritance. This mourning period usually lasts several months or even up to a year.

And research has concluded from the three cases above that the postponement was carried out because of economic factors or the assets left behind were not much. And there are heirs who are not yet adults and cannot manage or guard their inheritance. And research also saw the habit that always occurs when one of the parents dies, the property left behind is immediately taken over by the oldest sibling.

Judging from the case of postponement of inheritance distribution, researchers interviewed Hatobangon in DeisaGontingJulu to ascertain whether there was really a delay in inheritance distribution in DeisaGontingJulu.

"Di huta taon mdung biaso mai manunda mambagi warisan i harana ahli waris nalain inda puluk mandokonna aso langsung dibagi. Boti harana rap dihuta on sudei ahli waris nai sanga aha na ditinggalkon rap dipakei ma sudei, sudei harto naditinggalkon salah satu orang tua na mangolu i ma mangalolahna andigan nia geit dibagi disima. Ahli waris nalain pei inda pala mambantah i harana tong hormat ni halai tu orang tua ni halai. Jadi seilama inda adong beintrok sangapei parsalisihan leing ditunda mai peimbagian waris i. Ditambah busei dihuta taon inda pala gohok mamboto hukum waris" (Pulungan, January 30, 2024).

Translation:

"In our village it has become a habit to postpone the distribution of inheritance because the other heirs do not have the courage to say so directly. and since all the heirs are in our village, all the inheritance left behind can be used or used together. All the assets left behind by one of the parents left behind are meingeillah and when they are said to be divided, that is where they are divided. The other heirs will not oppose Meireika's devotion to her parents. So as long as there are no conflicts or disputes, inheritance delays will always be carried out. And what's more, in our village, not many people know about inheritance law" (Daulay A. A., January 30 2024).

Peineiliti also asked whether there were any problems or impacts that would arise if inheritance distribution delays were always carried out in DeisaGontingJulu:

"Salama on rata-rata masyarakat madung mandalan kon jadi bagi naso mandalankon inda moa tong harana i hak ahli waris dottong i. Anggo dampak na timbul na madung ami hadopi bahaso na inda langsung dibagi warisan i manjadi parbadaan diantara alai na marsudaro sompat dopei jabat waktui main tangan alai dalam kasus on jadi ami seibagai hatobangon ambil alih meinyeileisaion na seicara keikeiluargaan sanga biado giot nihalai".

Translation:

"So far, the average community has implemented this, so for those who don't, it's okay. If the impact that we have faced is that Meireika did not carry out this, there were cases where there was conflict between the their brothers who played a hand at that time. And also the transfer of heir rights. So we will take over this as a family".

Related to this issue, researchers also interviewed religious figures to investigate the problem of postponing inheritance distribution which occurred in DeisaGontingJulu. and this is the result of the interview:

"It is true that cases like this have become a habit in our village, but according to religion, the habit of procrastination is not good because it can become a big problem in the family, especially in the family because this inheritance is very sensitive, so it is better to share it so that there is no conflict within the family. "Indeed, the distribution of inheritance according to the Qur'an is not explicitly regulated, but Islam implicitly teaches us to be careful in doing good deeds." This is found in surah Al-Imran verse 133:

وَسَارِعُوا إِلَىٰ مَغْفِرَةٍ مِّن رَّبِّكُمْ وَجَنَّةٍ عَرْضُهَا السَّمَاوَاتُ وَالْأَرْضُ أُعِدَّتْ لِلْمُتَّقِينَ

"Hasten towards forgiveness from your Lord and paradise (which) is as wide (as) the heavens and the earth prepared for those who are pious."

This means hurry up to carry out righteous deeds so that you can receive great forgiveness from Allah for your sins. Also, that you may obtain a very wide paradise, as wide as the heavens and the earth, which is only prepared for those who fear Allah and His punishment. The existence of this verse can strengthen the statement that everything that brings Allah's maghfirah must be hastened, because this is part of Allah's command.

From the interviews conducted by the researcher, the researcher concluded that there are Pros and Cons regarding the Postponement of Inheritance Distribution according to the Community and Religious Leaders in GontingJulu Village, Huristak District, Padang Lawas Regency.

In the Perspective of the Community:

Pro:

1) Protecting the Rights of Heirs:

The community of GontingJulu Village generally believes that postponing the distribution of inheritance can protect the rights of heirs, especially minors, from being manipulated by the bereaved parties before the inheritance is divided. This mourning period usually lasts for several months or even up to a year.

The researcher concluded from the three cases above that the postponement was due to economic factors or because the inheritance left behind was not substantial. Furthermore, there are heirs who are not yet of age and are unable to manage or safeguard their inheritance.

The researcher also observed a common practice that occurs when one of the parents passes away: the inheritance is immediately taken over by the oldest sibling.

Regarding the cases of postponing inheritance distribution, the researcher interviewed hatobangon in GontingJulu Village to confirm whether there is indeed a postponement of inheritance distribution in GontingJulu Village.

“Di huta taon mdung biaso mai manunda mambagi warisan i harana ahli waris nalain inda puluk mandokonna aso langsung dibagi. Boti harana rap dihuta on sudei ahli waris nai sanga aha na ditinggalkon rap dipakei ma sudei, sudei harto naditinggalkon salah satu orang tua na mangolu i ma mangalolahna andigan nia geit dibagi disima. Ahli waris nalain pei inda pala mambantah i harana tong hormat ni halai tu orang tua ni halai. Jadi seilama inda adong beintrok sangapei parsalisihan leing ditunda mai peimbagian waris i. Ditambah busei dihuta taon inda pala gihok mamboto hukum waris”.

Translation :

“In our village, it has become a habit to postpone the distribution of inheritance because the other heirs do not dare to bring it up directly. Since all the heirs are in our village, all the inherited property can be used or utilized together. The property left by one of the parents is managed, and when it is said to be divided, it will be divided then. The other heirs will not oppose this as a sign of their respect to their parents. Therefore, as long as there is no conflict or disagreement, the postponement of inheritance distribution will always be done. Additionally, in our village, not many people are knowledgeable about inheritance laws.”.

The researcher also asked whether there are any issues or impacts arising from the consistent postponement of inheritance distribution in GontingJulu Village.

“Salama on rata-rata masyarakat madung mandalan kon jadi bagi naso mandalankon inda moa tong harana i hak ahli waris dottong i. Anggo dampak na timbul na madung ami hadopi bahaso na inda langsung dibagi warisan i manjadi parbadaan diantara alai na marsudaro sompat dopei jabat waktu main tangan alai dalam kasus on jadi ami seibagai hatobangon ambil alih meinyeileisaion na seicara keikeiluargaan sanga biado giot nihalai”.

Translation:

“Until now, the average community has been following this practice, so those who do not follow it do not face any consequences. The impact we have faced is that when this practice is not followed, conflicts arise among siblings to the extent of intervention at that time. There are also transfers of inheritance rights. So, we, as hatobangon, take over to resolve this in a familial manner.”.

Related to this issue, researchers also interviewed religious figures regarding the problem of postponing inheritance distribution which occurred in DeisaGontingJulu. and this is the result of the interview:

“It is true that cases like this have become a habit in our village, but according to religion, the habit of procrastination is not good because it can become a big problem in the family, especially in the family because this inheritance is very sensitive, so it is better to share it so that there is no conflict within the family. "Indeed, the distribution of inheritance according to the Qur'an is not explicitly regulated, but Islam implicitly teaches us to be careful in doing good deeds." This is found in surah Al-Imran verse 133:

وَسَارِعُوا إِلَى مَغْفِرَةٍ مِّن رَّبِّكُمْ وَجَنَّةٍ عَرْضُهَا السَّمَوَاتُ وَالْأَرْضُ أُعِدَّتْ لِلْمُتَّقِينَ

“Hasten towards forgiveness from your Lord and paradise (which) is as wide (as) the heavens and the earth prepared for those who are pious.”.

This means being diligent in carrying out good deeds so that you can receive great forgiveness from Allah for your sins. Also, that you may obtain a very wide paradise, as wide as the heavens and the earth, which is only prepared for those who fear Allah and His punishment. The existence of this verse can strengthen the statement that everything that

brings about Allah's maghfirah must be done, because this matter is included in Allah's command.

From the results of the interviews conducted by the researchers, the researchers concluded that there were pros and cons of postponing the distribution of inheritance according to community and religious figures in DeisaGontingJulu, Huristak District, Padang Lawas Regency.

In Society's View:

Pro:

2) Protecting the Rights of Heirs:

The DeisaGontingJulu community generally believes that postponing the distribution of inheritance can protect the rights of heirs, especially minor children, from being manipulated by other parties. Postponement allows inherited assets to be managed by trusted adults until the heirs are ready to receive the inheritance.

3) Maintaining Family Unity:

In some families, postponing the distribution of inheritance is considered a way to maintain family integrity. Inheritance is seen as a symbol of family unity, and sharing it in equal measure can lead to division.

4) Facilitate the Management of Inherited Assets:

For some people, postponing the distribution of inheritance can help with the process of managing complex inheritance, such as those involving many assets or debts.

Counter :

1. Injustice:

There are some people who believe that postponing the distribution of inheritance is unfair to the heirs who have the right to the inheritance. Delays can trigger jealousy and conflict among heirs.

2. Uncertainly:

Uncertainty or ambiguity regarding the ownership of inherited assets during the period of postponement can give rise to uncertainty and worry for the heirs. This can result in difficulties in making financial decisions or planning for the future.

3. Potential for abuse :

There is concern that postponing the distribution of inheritance could create opportunities for certain parties to misuse inherited assets. The lack of transparency and accountability in the management of inherited assets during the period of delay can become an opportunity for fraud.

Views of Religious Figures

Pro:

1. Protect Orphans

In some religions, postponing the distribution of inheritance is recommended to protect the rights of orphans. Inherited assets can be used to finance the living and educational needs of orphans up to adulthood.

2. Maintaining Family Harmony:

Religious figures from various religions routinely teach that inheritance distribution must be carried out in a harmonious and fair manner. Postponing the distribution of inheritance can provide time for the family to reach an agreement that satisfies all parties.

3. Make it easy to manage grants:

In some cases, postponing the distribution of inheritance can facilitate the process of granting inheritance for charitable purposes. This allows heirs to contribute part of the inheritance to help others.

Counter:

1. Violates inheritance rights:

Religious leaders believe that postponing the distribution of inheritance without a valid reason could violate inheritance rights stipulated in religious teachings. The heirs have the right to the meireika's inheritance and postponing the distribution can postpone the meireika to obtain these rights.

2. Triggering Conflict:

Religious figures make it important to resolve inheritance issues quickly and fairly to avoid family conflicts. Postponing the distribution of inheritance can increase the potential for division and division between heirs.

The impact caused by the delay in inheritance distribution for the people of GontingJulu Village

After conducting interviews with several members of the community, Hatobangon and community leaders, the researcher realized that the delay in distributing inheritance (pusaka) had negative impacts and positive impacts for the DeisaGontingJulu community and could be concluded, namely:

The reasons for the positive impact of postponing inheritance distribution in the GontingJulu Village community are:

1. Appreciate living parents.

The DeisaGontingJulu community's habit of postponing the distribution of inheritance is because they value one parent who is still alive. This habit has always been carried out from generation to generation.

2. Make it easy to manage inheritance assets:

Example: Inherited assets are land that consists of many plots and is passed on to many children. Postponing the distribution of inheritance to process land certificates is carried out simultaneously to save time and costs.

3. Reach a Better Agreement:

Example: The family consults to determine a fair distribution of inheritance, while taking into account the needs and contributions of each child.

4. Heirs who are not yet adults.

The reason for postponing inheritance is because the heirs are not yet adults and are not yet able to manage and look after the inherited assets.

5. Little assets left behind.

If the inheritance left behind is small and distributed directly, this can give rise to differences between heirs because they feel dissatisfied with their share. Postponing inheritance distribution can provide time for families to calm emotions and look for a fair solution for all parties.

The reasons for the negative impact of postponing inheritance distribution in the DeisaGontingJulu community are:

a. Breakup of friendship (silaturahmi)

What has the impact of postponing the distribution of inheritance within the family is the breakdown of the relationship between the heir and the family. Because one of the heirs has to ask questions about inherited assets, this is considered taboo in the family and is even seen as someone who loves wealth. As a result, the distribution of inheritance becomes increasingly delayed, giving rise to conflicts between family members and relatives.

b. Changing the status of ownership rights from inherited assets to personal property rights

Consequences arising from changes in the distribution of inherited assets include, among other things, parties who control the inherited assets and other parties who make the assets their personal property. This is because the heirs have been postponing the distribution of inheritance for a long time. It can be concluded that one of the consequences of delaying the distribution of inheritance is that it is very dangerous for the people of DeisaGontingJulu and other communities, as well as concerns regarding the management of these inheritance.

c. Family Disputes Occur

Delays in the distribution of inheritance can also have an impact on family disputes, giving rise to disputes between heirs, and in some cases giving rise to violence and punishment which are common experiences in society.

d. Decreased harmony in sibling relationships

Delayed division in a community has a huge impact. This means that after the end of a friendship, harmony in sibling relationships decreases, conflict arises between one sibling and another, and thus there is harmony in sibling relationships. Previously, it was a very harmonious and harmonious family, but now it has greatly diminished, and now there is no longer any contact or exchange of insults with other relatives.

IV. CONCLUSION

Postponement of Distribution of Inheritance Delay in Distribution of Inheritance in Gonting Julu Village: Custom: Many people in Gonting Julu Village consider postponing the distribution of inheritance as a habit. Reasons: The reasons for delay are varied, including respecting living parents, making it easier to manage inheritance, reaching a better agreement, protecting minor heirs, and avoiding disputes between heirs. Impact: The impact of postponing inheritance distribution can be positive and negative. Positive impact: Respect living parents, Makes it easier to manage inheritance, Reach a better deal, Protects minor heirs, Avoid disputes between heirs. Negative impact, Breaking up of friendship (silaturahmi), Changing the status of property rights from inherited property to personal property rights, There was a family dispute, Decreased harmony in sibling relationships.

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