

**BUKTI KORESPONDENSI**  
**ARTIKEL JURNAL BEREPUTASI SINTA 2**

**Judul Artikel** : Islam, State, and Local Wisdom: An Examination of Widowhood Inheritance Law in Indonesia

**Jurnal** : Al-Qadha: Jurnal Hukum Islam Dan Perundang-Undangan

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**Bukti Submission Artikel**

Tanggal 27 September 2024

Al-Qadha : Jurnal Hukum Islam dan Perundang-Undan... Tasks 0 English View Site hidayat

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Submissions

Local Wisdom in Indonesian Islamic Inheritance Law: A Case Study on the Inheritance of Wives (Widows)  
muhammad hidayat

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[qadha] Submission Acknowledgement

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muhammad hidayat:

Thank you for submitting the manuscript, "Local Wisdom in Indonesian Islamic Inheritance Law: A Case Study on the Inheritance of Wives (Widows)" to Al-Qadha : Jurnal Hukum Islam dan Perundang-Undangan. With the online journal management system that we are using, you will be able to track its progress through the editorial process by logging in to the journal web site:

Submission URL: <https://journal.iainlangsa.ac.id/index.php/qadha/authorDashboard/submission/9518>  
Username: hidayat

If you have any questions, please contact me. Thank you for considering this journal as a venue for your work.

SYARIAH

[Al-Qadha : Jurnal Hukum Islam dan Perundang-Undangan](#)

# Naskah Awal

Al-Qadha: Jurnal Hukum Islam dan perundang-Undangan  
Vol. 9, No. 2, December 2022, (306-322)  
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## Local Wisdom in Indonesian Islamic Inheritance Law: A Case Study on the Inheritance of Wives (Widows)

Muhammad Hidayat\*

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\*Corresponding Author

Submission:	Revision:	Accepted:
How to Cite (Chicago): Mansari, Elidar Sari, and Salman Abdul Muttalib. 2022. "Judicial Analysis of Refusal of Supportpraise Wife And Son". <i>Al-Qadha: Journal of Islamic Law and Legislation</i> 9 (2), 306-22. <a href="https://doi.org/10.32505/qadha.v9i2.3903">https://doi.org/10.32505/qadha.v9i2.3903</a> .		

### Abstract

The division of inheritance of wives (widows) in Islamic inheritance law in Indonesia reflects the disharmony between traditional fiqh and KHI. Traditional fiqh does not take into account the wife's contribution to the property acquired jointly during the marriage. On the other hand, KHI introduces the concept of joint property (gono-gini), giving additional rights to wives (widows), raising questions about the coherence of these two systems and how the concept of joint property affects the inheritance rights of wives (widows). This study aims to analyze the harmonization between fiqh inheritance and KHI in the division of inheritance for wives (widows), as well as the implications of the concept of joint property on the rights of wives. The method used is the content analysis method of fiqh sources and KHI. This study shows that although KHI corrects the shortcomings in traditional fiqh regarding the rights of wives, there are legal weaknesses in implementation, indicating the need for further alignment between these two approaches in order to realize more inclusive justice. The KHI concept for wives (widows) to receive an additional portion of the marital property acquired jointly during the marriage, outside the inheritance portion based on fiqh law. In implementation, KHI tends to combine the two approaches by first dividing assets based on fiqh, then continuing with the allocation of the joint assets to the wife (widow). This gives privileges to the wife (widow) compared to traditional fiqh inheritance rules, which only refer to the fiqh portion without considering joint ownership in marriage.

**Keywords:** Local Wisdom; Islamic Inheritance Law; Wife (widow).

### Abstrak

Pembagian warisan istri (janda) dalam hukum waris Islam di Indonesia mencerminkan adanya ketidakselarasan antara fiqh tradisional dan KHI. Fiqh tradisional tidak memperhitungkan kontribusi istri terhadap harta yang diperoleh bersama selama pernikahan. Di sisi lain, KHI memperkenalkan konsep harta



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Bukti Konfirmasi Review

# Tanggal 10 Oktober 2024

## [qadha] Editor Decision



M. Anzaikhan <journal@iainlangsa.ac.id>  
to me

Thu, Oct 10, 2024, 11:59 AM

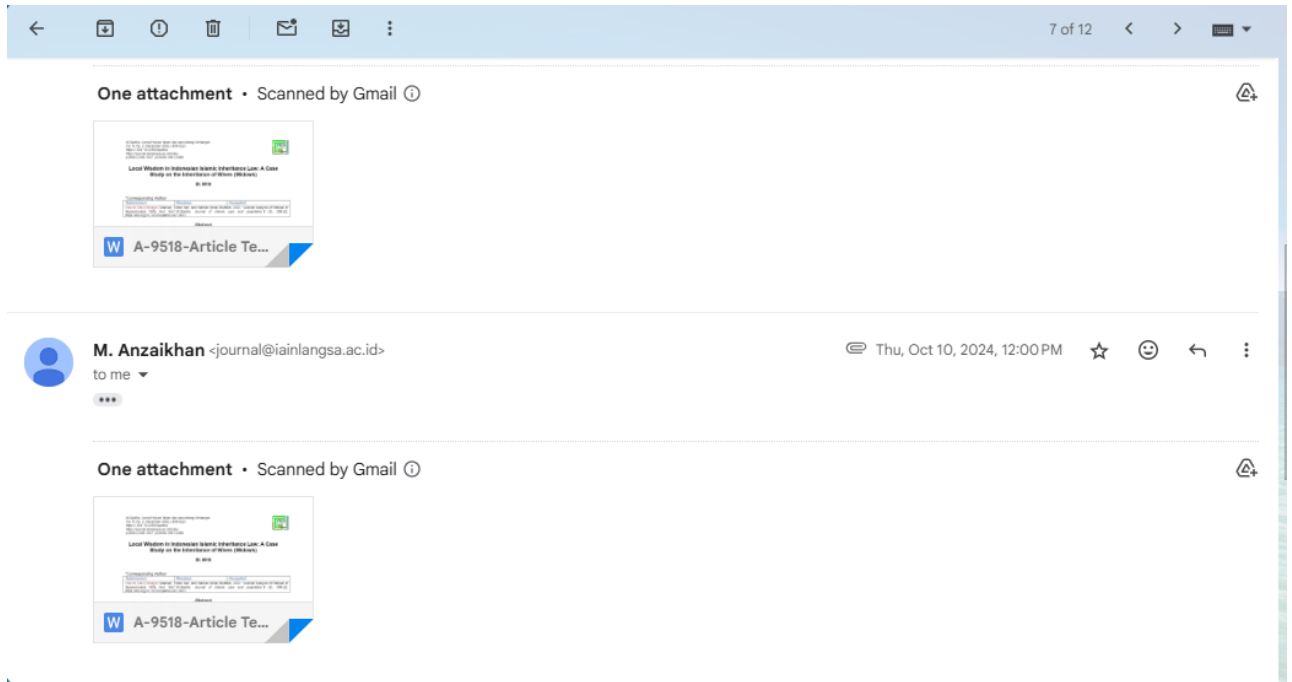
muhammad hidayat:

We have reached a decision regarding your submission to **Al-Qadha : Jurnal Hukum Islam dan Perundang-Undangan**, "Local Wisdom in Indonesian Islamic Inheritance Law: A Case Study on the Inheritance of Wives (Widows)".

Our decision is: Revisions Required

M. Anzaikhan  
[m.anzaikhan@iainlangsa.ac.id](mailto:m.anzaikhan@iainlangsa.ac.id)

[Al-Qadha : Jurnal Hukum Islam dan Perundang-Undangan](#)



# Naskah Review

Al-Qadha: Jurnal Hukum Islam dan perundang-Undangan  
Vol. 9, No. 2, December 2022, (306-322)  
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p-ISSN 2356-1637 | e-ISSN 2581-0103



## Local Wisdom in Indonesian Islamic Inheritance Law: A Case Study on the Inheritance of Wives (Widows)

ID: 9518

\*Corresponding Author

Submissions:	Revision:	Accepted:
How to Cite (Chicago): Mansari, Bidar Sari, and Salman Abdul Muttalib. 2022. "Judicial Analysis of Refusal of Support/praise Wife And Son". <i>Al-Qadha: Journal of Islamic Law and Legislation</i> 9 (2), 306-22. <a href="https://doi.org/10.32505/qadha.v9i2.5903">https://doi.org/10.32505/qadha.v9i2.5903</a> .		

### Abstract

The division of inheritance of wives (widows) in Islamic inheritance law in Indonesia reflects the disharmony between traditional fiqh and KHI. Traditional fiqh does not take into account the wife's contribution to the property acquired jointly during the marriage. On the other hand, KHI introduces the concept of joint property (gono-gini), giving additional rights to wives (widows), raising questions about the coherence of these two systems and how the concept of joint property affects the inheritance rights of wives (widows). This study aims to analyze the harmonization between fiqh inheritance and KHI in the division of inheritance for wives (widows), as well as the implications of the concept of joint property on the rights of wives. The method used is the content analysis method of fiqh sources and KHI. This study shows that although KHI corrects the shortcomings in traditional fiqh regarding the rights of wives, there are legal weaknesses in implementation, indicating the need for further alignment between these two approaches in order to realize more inclusive justice. The KHI concept for wives (widows) to receive an additional portion of the marital property acquired jointly during the marriage, outside the inheritance portion based on fiqh law. In implementation, KHI tends to combine the two approaches by first dividing assets based on fiqh, then continuing with the allocation of the joint assets to the wife (widow). This gives privileges to the wife (widow) compared to traditional fiqh inheritance rules, which only refer to the fiqh portion without considering joint ownership in marriage.

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Pembagian warisan istri (janda) dalam hukum waris Islam di Indonesia mencerminkan adanya ketidakselarasan antara fiqh tradisional dan KHI. Fiqh tradisional tidak memperhitungkan kontribusi istri terhadap harta yang diperoleh bersama selama pernikahan. Di sisi lain, KHI memperkenalkan konsep harta bersama (gono-gini), memberikan hak tambahan kepada istri (janda), memunculkan pertanyaan tentang koherensi kedua sistem ini serta bagaimana konsep harta bersama mempengaruhi hak waris istri (janda). Penelitian ini



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**Commented [A1]:** The author is not clear about which local wisdom is being studied because each region has different local wisdom. At this point, it must be clear which local wisdom is meant.

**Commented [A2]:** It must be clear whether she is a wife or a widow, because the two are different in terms of terminology.

**Commented [A3]:** It is necessary to include the urgency of the study in the abstract. In addition, the abstract does not include the purpose of the article, the research results do not reflect the title of the study

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# Bukti Konfirmasi Submit Review Tanggal 7 November 2024

The screenshot displays a web interface for a journal submission system. The page title is "Kearifan Lokal dalam Hukum Waris Islam di Indonesia: Studi Kasus Waris Istri (Janda)" by muhammad hidayat. The interface includes a navigation menu with "Perpustakaan Pengajuan" and "Lihat Metadata". The main content area shows the article's progress through stages: "Penyerahan", "Tinjauan" (highlighted), "Penyuntingan naskah", and "Produksi". A "Babak 1" section indicates the "Status Putaran 1" where the "Revisi telah diserahkan". Below this, a "Pemberitahuan" section lists three editor decisions from October 10, 2024. The "Lampiran Peninjau" section shows a document upload from October 10, 2024. The "Revisi" section shows a revision document uploaded on November 7, 2024. Finally, the "Ulasan Diskusi" section is currently empty, displaying "Tidak Ada Barang".

Perpustakaan Pengajuan Lihat Metadata

Kearifan Lokal dalam Hukum Waris Islam di Indonesia: Studi Kasus Waris Istri (Janda)  
muhammad hidayat

Penyerahan Tinjauan Penyuntingan naskah Produksi

Babak 1

Status Putaran 1  
Revisi telah diserahkan.

Pemberitahuan

[qadha] Keputusan Editor	Tanggal 10-10-2024 11:59 WIB
[qadha] Keputusan Editor	Tanggal 10-10-2024 12:00
[qadha] Keputusan Editor	Tanggal 10-10-2024 12:02

Lampiran Peninjau Mencari

32579-1 .9518-Teks Artikel-32575-1-4-20241010.docx	10 Oktober 2024
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Revisi Mencari Unggah Berkas

33195-1 Teks Artikel, A.9518-Teks Artikel-32575-1-4-20241010 RV.docx	7 Nopember 2024	Teks Artikel
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Ulasan Diskusi Tambahkan diskusi

Nama	Das	Balasan Terakhir	Balasan	Tertutup
Tidak Ada Barang				

Naskah Telah Direvisi



## Local Wisdom in Indonesian Islamic Inheritance Law: A Case Study on the Inheritance of Widowhood

ID: 9518

\*Corresponding Author

Submission:	Revisions:	Accepted:
How to Cite (Chicago): Mansari, Elidar Sari, and Salman Abdul Muttalib. 2022. "Judicial Analysis of Refusal of Support/raise Wife And Son". <i>Al-Qadha: Journal of Islamic Law and Legislation</i> 9 (2), 306-22. <a href="https://doi.org/10.32505/qadha.v9i2.3903">https://doi.org/10.32505/qadha.v9i2.3903</a> .		

### Abstract

This article highlights the urgency of applying the common property distribution approach prior to the distribution of inheritance in the Indonesian context, which is influenced by local wisdom practices. This research aims to emphasize the rights of wives as widows over joint property through the application of the Compilation of Islamic Law (KHI), so that widows can obtain a fairer share before the distribution of their inheritance rights in accordance with the principles of fiqh. The method used in this research is a normative-judicial approach, with document analysis of legal regulations and their application in the context of local wisdom in Indonesia. The findings show that the distribution of joint property, before the distribution of inheritance, is very important to protect the rights of women who are often marginalized in a society that prioritizes the tradition of male lineage. The affirmation of giving half of the joint property to the widow at the beginning of the distribution before the widow receives her inheritance rights can be equated with *shirkah* that in the context of marriage the wife also contributes to the collection of property. The discussion in this study emphasizes that the integration of fiqh principles and KHI provisions in the distribution of inheritance, by first recognizing the widow's right to joint property, then the widow receives her inheritance rights after the joint property is distributed, this form of model not only ensures that the widow receives a fair share, but also strengthens the position of women in inheritance issues for the welfare of her family.

**Keywords:** Local Wisdom, KHI, Inheritance, Widowhood

### Abstrak

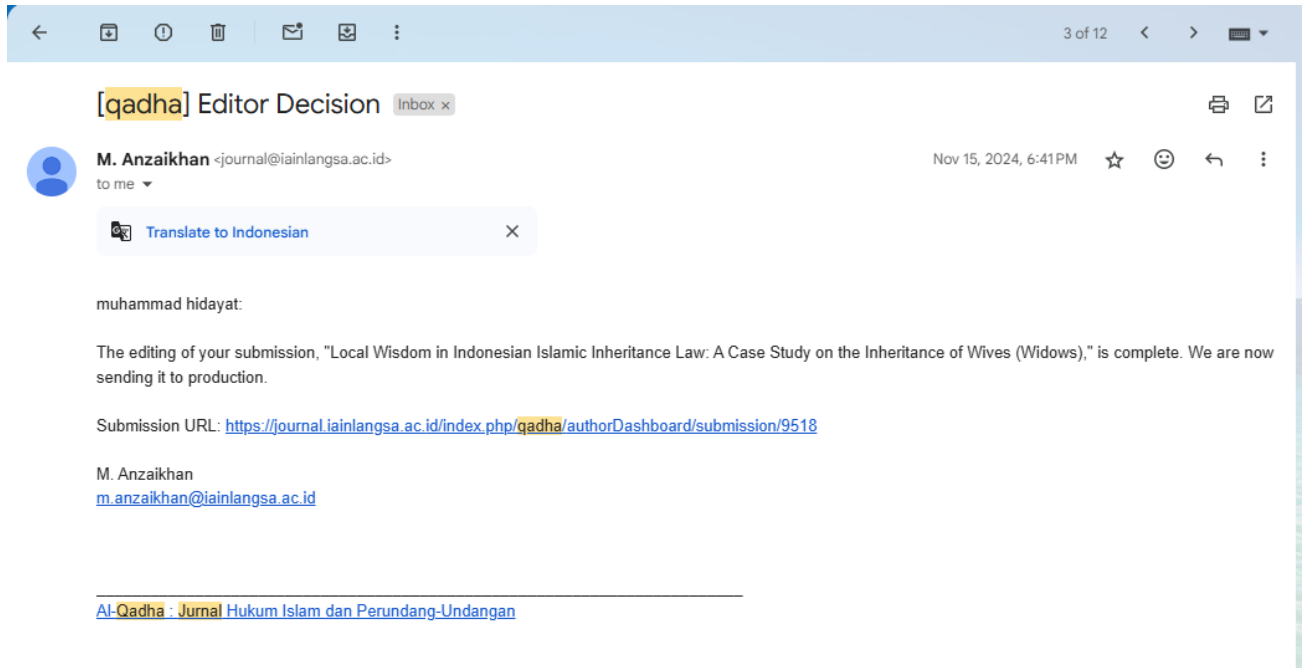
Artikel ini menyoroti urgensi penerapan pendekatan distribusi harta bersama sebelum pembagian warisan dalam konteks Indonesia, yang dipengaruhi oleh praktik kearifan lokal. Penelitian ini bertujuan untuk menegaskan hak-hak istri sebagai janda atas harta bersama melalui penerapan Kompilasi Hukum Islam (KHI), sehingga janda dapat memperoleh bagian yang lebih adil sebelum distribusi hak warisnya sesuai dengan prinsip-prinsip fikih. Metode yang digunakan dalam penelitian ini adalah pendekatan normatif-yuridis, dengan analisis dokumen

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Commented [A3]: choose words/phrases that reflect the article

**Tanggal 13 November 2024**



The screenshot shows an email client interface. At the top, there is a navigation bar with icons for back, forward, search, and other functions. The email title is "[qadha] Editor Decision" with an "Inbox" label. The sender is "M. Anzaikhan" with the email address "<journal@iainlangsa.ac.id>". The recipient is "to me". The date and time are "Nov 15, 2024, 6:41PM". There are icons for star, smile, reply, and more options. A "Translate to Indonesian" button is visible. The main body of the email contains the following text:

muhammad hidayat:

The editing of your submission, "Local Wisdom in Indonesian Islamic Inheritance Law: A Case Study on the Inheritance of Wives (Widows)," is complete. We are now sending it to production.

Submission URL: <https://journal.iainlangsa.ac.id/index.php/qadha/authorDashboard/submission/9518>

M. Anzaikhan  
[m.anzaikhan@iainlangsa.ac.id](mailto:m.anzaikhan@iainlangsa.ac.id)

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