
Inheritance Law Interpretation in Sunni and Shia: A Cross-Madzhab SDGs Perspective

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Abstract

Objectives: This study aims to compare Sunni and Shia interpretations of Qur'anic verses on inheritance, focusing on the concepts of 'ashabah (Sunni) and qarābah (Shia). It explores how these interpretations influence inheritance rights and the order of heirs, and examines their alignment with modern concepts of justice and equality, particularly in the context of the Sustainable Development Goals (SDGs). **Theoretical framework:** The study analyzes Sunni and Shia jurisprudence on inheritance, connecting these interpretations with contemporary ideals of justice, equality, and the SDGs. **Literature review:** The review examines classical and modern perspectives on Qur'anic inheritance verses, highlighting gender and justice issues in Sunni and Shia law. **Method:** Using a qualitative approach, the study compares Sunni and Shia legal texts to explore their interpretations of inheritance laws and contemporary ethical concerns. **Result:** The study finds that Sunni inheritance law follows a patrilineal structure, prioritizing male heirs, while Shia law is more inclusive, valuing blood relations regardless of gender. This highlights different legal approaches to inheritance in both traditions. **Implications:** The findings suggest a need to reinterpret Islamic inheritance laws to better align with gender equality and modern justice principles, especially the SDGs. **Novelty:** This study offers a new comparative analysis of Sunni and Shia inheritance laws, linking them to contemporary issues like gender equality and justice.

Keywords: islamic inheritance law, sunni–shia interpretation, qarābah and 'ashabah, gender and equity, sdgs.

INTRODUCTION

In the Islamic perspective, all ownership of property is essentially owned by Allah SWT, while humans are only given the mandate to manage and utilize it responsibly. When someone dies, conceptually, the property left behind does not fully belong to other humans, but is returned to its true owner, namely Allah. However, because Allah does not need property, the wealth is transferred to the rightful party, namely the family or heirs, as determined through divine revelation [1].

As a social institution, Islamic law has two main functions. *First*, as a social control, this law acts as a divine device that regulates the order of society and becomes an instrument of social engineering in forming a just social structure. *Second*, as a normative value, Islamic law plays a role in responding to the dynamics of social, cultural, and political change. In this context, Islamic law is required to be adaptive

and accommodating to the problems of the people, without losing the integrity of its sharia principles [2].

The dynamics of Islamic law itself are formed from the interaction between revelation and rationality. The synergy of the two is the main foundation for the emergence and development of the *ijtihād* tradition. Historically, there are two major schools of thought in the development of Islamic law. *The first* is the *al-ra'yu* school of thought, which emphasizes a rational approach in understanding and interpreting the text of the Qur'an. *The second* is the *al-hadīth* school of thought, which emphasizes the literalness of the hadith text and maintains the purity of the teachings of revelation without using much rationalization in the interpretation process [3].

Every legal system, whether it originates from God or is man-made, basically has the same goal, which is to regulate and control human behavior so that it does not fall into actions that are detrimental to oneself or others. Therefore, law is present as a protection mechanism for human life, both in individual and collective contexts. However, every legal system, including Islamic law, has its own characteristics and scope that are adjusted to the value structure and needs of the society in which it is applied [4].

One area of Islamic law that has received serious attention from Muslim thinkers is inheritance law. This is due to the existence of explicit provisions in the Qur'an regarding the procedures for distributing inheritance, as stated in Surah An-Nisā' verses 11, 12, and 176. The Qur'an's detailed emphasis on inheritance shows the urgency and sacredness of this law in the structure of Islamic law. In fact, inheritance is categorized as part of *ḥudūd Allāh* (legal boundaries from Allah), the implementation of which is considered a form of obedience to Allah and His Messenger. This obedience is promised a reward in the form of heaven, as stated in QS. Al-Nisā' verse 13. On the other hand, violation of the inheritance law is seen as a form of disobedience to Allah and His Messenger, the threat of which is hell, as emphasized in QS. Al-Nisā' verse 14 [5].

The high interest in the study of Islamic inheritance law has encouraged the birth of various interpretations of the inheritance verses in the Qur'an. These diverse interpretations in turn produce some different inheritance distribution methods, in accordance with the *fiqh* approach and epistemological framework of each school of thought. This is a natural consequence of the nature of the Qur'anic text, which, although fixed and unchanging, provides room for interpretation and re-analysis through various approaches and methodologies to explore the meanings contained therein. However, in the theoretical realm, the dynamics of Islamic inheritance thinking often experience stagnation, especially due to the strong dominance of the views of *ushul fiqh* scholars who consider inheritance verses to be *qath'i al-dalālah*, namely verses that have a clear and specific meaning, not opening up space for alternative interpretations [6].

In light of this, it becomes important to revisit the interpretation of inheritance laws not only through the lens of traditional jurisprudence but also from a contemporary ethical and developmental perspective. In particular, the spirit of the Sustainable Development Goals (SDGs), which emphasize gender equality, social justice, and the reduction of structural inequalities, provides a valuable framework for reflecting on how classical Islamic legal principles can respond to the demands of modern society. The inheritance system, as a crucial element of economic justice, plays a strategic role in achieving inclusive and equitable development, as envisioned by the SDGs. Based on this reality, this article aims to explore and compare the interpretation of the inheritance verses in the Qur'an based on two main perspectives in Islam, namely the Sunni and Shia schools. This study focuses on the cross-school interpretation

approach, especially in understanding the basic principles of *'ashabah* and *qarābah* that form the inheritance system of each school [6].

LITERATURE REVIEW

Islamic inheritance law has long occupied a central position within classical and contemporary Islamic legal studies due to its explicit regulation in the Qur'an and its direct implications for social justice, family structure, and economic distribution. Scholarly discussions emphasize that inheritance is not merely a technical legal matter, but a reflection of broader theological, ethical, and socio-cultural values embedded in Islamic jurisprudence. As part of the divine legal framework, inheritance law functions both as a normative system and as a mechanism of social order intended to preserve justice and balance within Muslim societies [7].

Within Islamic legal thought, the interpretation of inheritance verses has developed through diverse methodological approaches. Sunni jurisprudence traditionally relies on a textual-literal reading of Qur'anic provisions, particularly emphasizing the concept of *'aṣabah*, which prioritizes patrilineal kinship and grants residual inheritance primarily to male relatives. This framework has shaped a hierarchical system of heirs that reflects historical social structures and gendered economic responsibilities. In contrast, Shia jurisprudence adopts a different paradigm by prioritizing *qarābah*, or blood proximity, as the primary criterion for inheritance. This approach applies a class-based hierarchy that treats male and female heirs more equitably when they share the same degree of kinship with the deceased. Recent academic discourse highlights growing concerns regarding the relevance of classical inheritance models in addressing contemporary issues of gender justice and social equality. Scholars increasingly argue that rigid adherence to traditional interpretations may conflict with modern ethical frameworks, particularly in societies experiencing significant socio-economic transformation. This has encouraged renewed interest in comparative Sunni–Shia studies, which reveal that Islamic legal traditions contain internal diversity and flexibility that can support more inclusive interpretations [7].

The integration of the Sustainable Development Goals into Islamic legal analysis has further expanded this debate. Inheritance law is increasingly examined through the lenses of gender equality, reduction of inequalities, and access to economic resources. From this perspective, Shia interpretations are often viewed as more compatible with contemporary justice-oriented frameworks, as they allow women and maternal relatives broader inheritance rights. Meanwhile, Sunni interpretations are critically reassessed to explore possibilities for reinterpretation without undermining core doctrinal principles. Overall, the literature suggests that Islamic inheritance law is not static but dynamic, shaped by interpretive methodologies and socio-historical contexts. Comparative and SDG-oriented approaches offer valuable pathways for rethinking inheritance jurisprudence in ways that remain faithful to Islamic principles while addressing contemporary demands for justice, equity, and sustainable development [8].

METHODOLOGY

This study adopts a qualitative descriptive-comparative approach using the library research method, by exploring and analyzing both classical and contemporary sources related to the interpretation of inheritance verses in the Qur'an. The main focus is to understand how the two major schools of thought in Islam, Sunni and Shia, interpret key inheritance verses such as Surah al-Nisā' (verses 11, 12, and 176) and Surah al-Anfāl (verse 75). The aim of this approach goes beyond merely comparing technical aspects of "who inherits what." Rather, it seeks to explore the deeper methodological frameworks and interpretive paradigms that each school uses in understanding the Qur'anic message on justice in inheritance distribution [9].

The primary sources of this study include the Qur'an, hadith, and classical as well as contemporary tafsir and fiqh works from Sunni and Shia scholars. The secondary sources include scholarly journals, thematic tafsir articles, and academic studies on Islamic inheritance law, hermeneutics, and legal methodology [9].

The analysis is carried out by comparing two major approaches: the literal-textual method followed by the Sunni school through the *'ashabah* system, and the contextual-rational method followed by the Shia school that prioritizes the principle of *qarābah* or blood proximity. This comparison reveals not only technical legal differences but also divergent paradigms of justice, particularly in terms of lineage and gender roles [10].

More importantly, this study seeks to bring the discussion of Islamic inheritance into broader global conversations, such as the Sustainable Development Goals (SDGs). By engaging with values such as social justice, gender equality, and the reduction of inequalities, the research invites critical reflection on whether the current understanding of Islamic inheritance remains relevant to today's societal challenges or whether there is room for renewed *ijtihad* that is more humane, contextual, and ethically aligned with the needs of contemporary Muslim communities [8].

RESULTS AND DISCUSSION

Meaning of Inheritance Law

Etymologically, the term inheritance law in Arabic is known as *al-mīrāts*, which is a *masdar* form of the verb *وَرِثَ يَرِثُ مِيرَاثًا* (*waritsa-yaritsu-mīrātsan*), which means "to inherit" or "to receive an inheritance". Meanwhile, the word *wārith* refers to an individual who receives an inheritance, or in the context of Indonesian culture, is often referred to as "*ahli waris*". In legal literature in Indonesia, the term commonly used is "inheritance" or "*pusaka*". However, in everyday community practice, the term "*pusaka*" is more often used, although the origin of the term still refers to Arabic terminology. Interestingly, linguistically, the term inheritance is not only limited to material objects or property, but also includes non-material aspects, as in the hadith of the Prophet Muhammad SAW, which states that "ulama are the heirs of the prophets", indicating that knowledge and values can also be inherited symbolically and spiritually [11].

In terms of terminology, *al-mīrāts* is defined as the process of transferring ownership rights from a deceased person to his or her living heirs. This transfer includes all forms of ownership that are legitimate according to Islamic law, whether in the form of money, land, movable property, or other forms of property rights that can be inherited according to Islamic law. In Arabic legal literature, the term *mawārīth* is used as the plural form of *mīrāth*. However, in classical and contemporary *fiqh* works, the more dominant term used is *farā'id*. This term refers to parts of inheritance that have been explicitly determined in the Qur'an and hadith. In fact, the Prophet Muhammad SAW preferred to use the term *farā'id* rather than *mawārīth* in his various sayings [12]. One hadith that shows this is the history of Ibn Abbas, who said:

عن ابن عباس رضي الله عنه قال: قال رسول الله ﷺ تعلّموا القرآن وعلمّوه الناس، وتعلّموا الفرائض وعلمّوها الناس

"From Ibn Abbas Ra., he said: Rasulullah Saw. said: Study the Qur'an and teach it to people. Also study the science of *farā'idh* and teach it to them." (HR. Ahmad).

This hadith shows the importance of studying the science of *farā'idh* (the science of dividing inheritance) as well as the importance of studying the Qur'an, because both are part of the intellectual heritage of Islam that must be passed down from generation to generation.

Classification of Heirs according to Sunni

In Sunni inheritance law, the rights to receive inheritance are divided into three main categories:

a. *Ashhābul Furūd*

Ashhabul Furudh is the heir whose share has been determined in the Qur'an and the Hadith of the Prophet SAW. They receive the inheritance first place before the inheritance is distributed to other groups.

According to the Hanafi school, the heirs who are classified as *dzaw al-furud* consist of eleven people. They are: (1) Husband, (2) Wife, (3) Father, (4) Grandfather, (5). Mother, (6). Grandmother, (7). Daughter, (8). Daughter of a son to the lowest degree, (9). Blood sister, (10). Blood sister, (11). Blood brother/sister.

b. *'Ashābah*

Ashabah is a group of male heirs who have a direct relationship with the testator without a female intermediary. Generally, *'ashābah* are men, but in certain conditions, women can also become *'ashābah* if there is equality of rank and accompanied by male heirs. For example, if the testator leaves a son and a daughter, then the daughter also becomes *'ashābah* because of the presence of the son.

In the science of *farā'idh*, *'ashabah* is divided into three types: (1) *'Ashabah bi nafsih*: male relatives who inherit without a female intermediary, (2). *'Ashabah bil ghair*: female heirs who become *'ashabah* because they inherit together with men, (3). *'Ashabah ma'al ghair*: female heirs who become *'ashabah* because there are other women who are equal in terms of inheritance. The following are the details of the division of *'ashabah* as follows in the table:

Table 1. the Division of *'Ashabah*

Division of <i>'Ashabah</i>	Heirs' Information
<i>Ashabah bi nafsih</i>	(1). Son; (2). Grandson of son; (3). Father; (4). Father's father (grandfather); (5). Sibling; (6). Half-brother; (7). Sibling's son; (8). Half-brother's son; (9). Uncle who is of the same blood as father; (10). Uncle who is of the same father; (11). Son of uncle who is of the same blood as father; (12). Son of an uncle who is of the same father
<i>'Ashabah bil ghair</i>	(1) Daughter with son; (2) Granddaughter of son with grandson of son; (3) Blood sister with blood brother; (4) Blood sister with blood brother
<i>'Ashabah ma'al ghair</i>	(1). Sisters of the same blood or father inherit together with daughters.

Such understanding of ulama departs from their understanding of the hadith of the Prophet SAW:

حَدَّثَنَا عَبْدُ الْأَعْلَى ابْنُ حَادٍ، حَدَّثَنَا وَهَيْبٌ، عَنْ ابْنِ طَاوُسٍ، عَنْ أَبِيهِ عَنْ ابْنِ عَبَّاسٍ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: أَلْفُوا الْفَرَائِضَ بِأَهْلِهَا، فَمَا بَقِيَ فَهُوَ لِأَوَّلَى رَجُلٍ ذَكَرَ

“Abdul A'la bin Hammad has told us, from Wuhaib, from Ibn Tawus, from his father, from Ibn Abbas, said: Rasulullah SAW has said: give the portions that have been determined to their owners, then give the rest to the closest male relatives.

c. *Dzawil Arhām*

If there are no heirs from the *dzaw al-furud* or *'ashabah* groups, then the inheritance is transferred to *dzaw al-arham*. Linguistically, *dzaw al-arham* means relatives who have blood relations. Generally, they are women or men whose kinship with the testator is through the female line [13].

Ten types of relatives are included in *dzaw al-arham*, namely: (1) Children of a daughter; (2) Children of a sister; (3). Children of a brother on the same mother's side; (4). Children of a brother's daughter; (5). Children of an uncle on the father's side; (6). Uncles who are half-siblings with the father; (7). Aunts on the father's side (sisters of the father); (8). Grandfathers on the mother's side; (9). Uncles on the mother's side; (10). Aunts on the mother's side [14]. The legal basis for granting inheritance to *dzaw al-arham* is contained in Surah al-Anfal verse 75:

وَالَّذِينَ ءَامَنُوا مِنۢ بَعْدِ وَهَاجَرُوا وَجَاهَدُوا مَعَكُمْ فَأُولَٰئِكَ مِنكُمْ وَأُولُوا۟ الْأَرْحَامِ بَعْضُهُمْ أَوْلَىٰ بِبَعْضٍ فِي كِتَابِ اللَّهِ إِنَّ اللَّهَ بِكُلِّ شَيْءٍ عَلِيمٌ

“And as for those who henceforth come to believe, and who forsake the domain of evil and strive hard [in God's cause] together with you - these [too] shall belong to you; and they who are [thus] closely related have the highest claim on one another in [accordance with] God's decree. Verily, God has full knowledge of everything. (QS. Al-Anfal/8:75)”.

Although literally *dzaw al-arhām* means blood relatives, some scholars argue that they are not legitimate heirs. This opinion refers to the hadith from Zaid, who calls *dzaw al-arham* as outsiders (*ajnāb*). This means that if, after the division of the inheritance, there is remaining property, or there are no heirs from *dzaw al-furud* or '*ashabah*' groups, then the property is handed over to *Baitul Mal*. This opinion is supported by Imam Syafi'i and Imam Malik [15].

Thus, the legal view of inheritance in the Sunni tradition places more emphasis on the role of gender. Apart from the heirs who receive a certain portion (*dzaw al-furud*), priority is given to male heirs ('*ashabah*'), compared to females or men who are connected through female lines (*dzaw al-arham*). In fact, there is a view that rejects *dzaw al-arham* as heirs altogether. In this view, even though *Dzaw al-Arham* still exists, the inheritance is still transferred to *Baitul Mal*. This is a picture of the Sunni inheritance system that shows the dominance of men over women.

Example of inheritance distribution according to the Sunni view: A testator leaves an estate of IDR 200,000,000,- with the following heirs: father (*ashhabul furudh*); wife (*ashhabul furudh*); two daughters (*ashhabul furudh*); biological brother ('*ashabah*', because there is no son who is the main '*ashabah*'). The details of the inheritance distribution are as follows:

Table 2. Example of inheritance distribution according to the Sunni view

Heirs	Sections	Quantity
Father	1/6	IDR 33.333.333,-
Wife	1/8	IDR 25.000.000,-
Two Daughters	2/3 (divided into two)	IDR 66,666,667 (per child)
biological brother	remaining inheritance	IDR 8.333.333
Total	100 %	IDR 200.000.000,-

Classification of Heirs according to Shia

In the Shia tradition, there are variations in the application of Islamic inheritance law. For example, the Zaydiyah Shia minority group incorporates elements of inheritance law from the Sunni and Shia schools in practice. Despite technical differences among the Shia sects, in general, the basic principles of inheritance in the Shia tradition still show similarities and linkages to Islamic inheritance law in general [16].

The classification of heirs according to Shia and Sunni principles follows different frameworks. Shia inheritance law applies a tiered system commonly referred to as *murtabitah* (levels, ranks, or classes) to determine heirship. This concept, however, is not known in Sunni inheritance law. According to Hazairin, heirs under Sunni law are categorized into eight types:

1. A daughter who does not have a brother, nor is accompanied by a *mawla* (substitute heir) representing a deceased son.
2. The father.
3. The mother.
4. Brothers or sisters, including deceased sisters who have descendants.
5. The widower (surviving husband).
6. The widow (surviving wife) [17].

The following is the hierarchy/classification (*murtabitah*) of heirs in Shia inheritance law, which is divided into three levels:

Table 3. The Hierarchy (Murtabitah) Of Heirs In Shia Inheritance Law

Class / Murtabitah I	a. Parents
	b. Children and their descendants (grandchildren and beyond, down to the lowest degree)
Class / Murtabitah II	a. Grandparents and their ancestors (ascending to the highest degree)
	b. Collateral relatives, including siblings (full siblings, paternal half-siblings, and maternal half-siblings), followed by their descendants
Class / Murtabitah III	a. Uncles and aunts from both the paternal and maternal sides, followed by their descendants
	b. Siblings of the grandparents, followed by their descendants

One of the fundamental differences between the Shia and Sunni inheritance systems is that, in the Shia framework, no heir is excluded (*mahjūb*) solely based on gender or due to being related to the deceased through a maternal line. Moreover, this system places greater emphasis on heirs from the nuclear family and direct descendants of the deceased. Although the 2:1 ratio between male and female heirs is still observed, direct descendants such as children and grandchildren are given priority over more distant relatives [18].

Upon closer examination, Sunni scholars tend to interpret Qur’anic verse An-Nisā’ (4:11) in a textual-literal manner. For instance, if a daughter is the sole heir, she is entitled to a maximum of only half of the inheritance, as this is explicitly stipulated in the text (*nash*) with definitive (*qat’i*) authority [19]. In contrast, this interpretation does not apply within Shia inheritance law. Shia scholars maintain that a daughter may inherit the entirety of the estate if she is the sole heir. Therefore, from their perspective, there remains room for contextual interpretation, even in the case of a definitive (*qat’i*) text [20].

On the other hand, Shia inheritance law operates under a distinct paradigm. The distribution system commonly used in Sunni law, comprising *dhawu al-furūd* (Qur’anic heirs), *‘asabah* (residuary heirs), and *dhawu al-arḥām* (distant kindred), is not applied. Instead, the fundamental principle is based on the degree of blood relation (*blood-tie*) between the heir and the deceased. In this system, inheritance rights can be established through two main categories: *the first* is the *al-nasab* group, in which a hierarchical or class-based system is applied; *the second* is the *al-sabab* group, which includes the surviving spouse and those who have a relationship of *walā’* (clientage or allegiance) [21].

In understanding the laws of inheritance, Shia scholars base their fundamental principle on Qur’anic verse Al-Anfāl (8:75), which discusses *ulu al-arḥām* (those closely related by blood), rather than on An-Nisā’ (4:11–12), which is the standard reference within the Sunni

legal tradition. Although both groups acknowledge the authority of these verses, their interpretations differ significantly. For Shia scholars, *ulu al-arḥām* refers specifically to the close blood relatives of the deceased, rather than distant kin. This contrasts with the views of some Sunni scholars, who even categorize such individuals as *ajnabī* (non-heirs or strangers in terms of inheritance rights). Shia scholars cite this verse as a basis, notably in the context of a historical letter sent by ‘Alī ibn Abī Tālib to Mu‘āwiyah ibn Abī Sufyān, in which ‘Alī asserted his rightful claim to the position of *imām* or *caliph*, using Al-Anfāl (8:75) as his evidence [22].

Meanwhile, in the Shia exegetical work *Kanz al-‘Irfān fī Fiqh al-Qur’ān*, the expression *ulu al-arḥām* (those closely related by blood) is also used as a fundamental principle of Shia inheritance, but based on a different verse namely, Surah Al-Aḥzāb (33:6):

النَّبِيُّ أَوْلَىٰ بِالْمُؤْمِنِينَ مِنْ أَنفُسِهِمْ وَأَزْوَاجُهُ أُمَّهَاتُهُمْ وَأُولُو الْأَرْحَامِ بَعْضُهُمْ أَوْلَىٰ بِبَعْضٍ فِي كِتَابِ اللَّهِ مِنَ الْمُؤْمِنِينَ وَالْمُهَاجِرِينَ إِلَّا أَنْ تَفْعَلُوا إِلَىٰ أَوْلِيَائِكُمْ مَعْرُوفًا كَانَ ذَلِكَ فِي الْكِتَابِ مَسْطُورًا

“The Prophet is closer to the believers than their own selves, and his wives are their mothers. And those who are bound by ties of blood (*ulu al-arḥām*) are closer to one another (in matters of inheritance) in the Book of Allah than the (other) believers and the Emigrants, except that you do what is right toward your close associates. That is inscribed in the Book of Allah.” (Q.S. Al-Aḥzāb/ 33:6)

The author observes that the Shia paradigm for classifying heirs is based on the degree of blood relationship between the deceased and the heirs, rather than on gender. As a result, male and female heirs are regarded as equal when they hold the same relational position; for instance, a grandson through a son and a granddaughter through a daughter would be viewed as having equivalent status. This principle forms the foundation for the development of the class-based system in Shia inheritance law. An example of inheritance distribution according to Shia law is as follows: A deceased individual leaves an estate valued at IDR 100,000,000, with the following surviving heirs:

1. Mother
2. Son
3. Daughter
4. Grandchild (from a son)
5. Brother

Table 4. An example of inheritance distribution according to Shia law

Heirs	Part	Sum
Mother	1/6	IDR 16.666.667,-
Son	2/3 of the rest	IDR 55.555.556,-
Daughter	1/3 of the rest	IDR 27,777,777,-
Grandchild (from a son)	X	-
Brother	X	-
Total	100 %	IDR 100,000,000,-

Distribution of Inheritance

The Qur’anic verses concerning inheritance do not explicitly detail the inheritance rights of relatives whose relationship to the deceased is indirect, except in the case of siblings. For instance, the inheritance rights of grandchildren are interpreted based on the term *walad* (*awlād*, children) as mentioned in Surah Al-Nisā’ (4:11). Likewise, the inclusion of

grandparents is derived from the broader interpretive scope of the terms *ab* (father) and *umm* (mother) in the same verse [23]. Surah Al-Nisā' (4:7) establishes the foundational principle that both men and women are entitled to inherit from their parents and close relatives. Furthermore, Surah Al-Anfāl (8:75) affirms that those who have blood relationships (*ulu al-arḥām*) are more entitled to inherit than those whose ties are more distant. Consequently, heirs whose connection to the deceased is not direct, except siblings, do not have their rights fully grounded in explicit Qur'anic injunctions but are instead derived through interpretation [24].

In the implementation of inheritance distribution, a fundamental difference between Sunni and Shia traditions lies in the application of the bilateral or parental principle. In Sunni inheritance law, one of the foundational principles is the bilateral (parental) system, whereby inheritance is passed through both the male and female lines. For example, when a father passes away, both sons and daughters are entitled to inherit [25]. This clearly illustrates that Sunni scholars apply the bilateral principle in inheritance, making no distinction between male and female lines of descent at this level. However, in the subsequent stage, specifically regarding the inheritance rights of grandchildren, a distinction emerges: grandchildren through daughters are not entitled to inherit, while grandchildren through sons retain inheritance rights [26].

In contrast, Shia scholars demonstrate consistency in applying the bilateral principle comprehensively. Inheritance rights are granted through both paternal and maternal lines, meaning that descent through both male and female relatives is equally recognized. The application of the bilateral or parental principle in Shia inheritance law extends beyond the immediate children of the deceased to include grandchildren, grandparents, uncles, aunts, and even the children of the deceased's siblings. This reflects the fundamental principle of Shia inheritance law, which accommodates both lines of descent fairly and equitably [27].

Regarding the inheritance of siblings, the Qur'an explicitly addresses this matter in two verses: the concluding part of Surah Al-Nisā' (4:12) and Surah Al-Nisā' (4:176). The final part of verse 12 is understood to govern the inheritance rights of maternal siblings, while verse 176 is seen as regulating the inheritance of full siblings and paternal siblings. When these two verses are interpreted in line with the views of Sunni scholars, it can be concluded that the Qur'an does not distinguish between kinship through the paternal (male) line and the maternal (female) line; rather, it accommodates both equally. This suggests that the kinship structure recognized by the Qur'an is parental or bilateral in nature, rather than exclusively patrilineal [28]. The following are some examples of differences between Sunni and Shia scholars in the distribution of inheritance rights:

Inheritance rights of full siblings (both male and female)

Firstly, if the deceased is survived by a full sister, she is entitled to one-half ($\frac{1}{2}$) of the estate as a fixed share (*farḍ*). If there are two or more full sisters, they collectively receive two-thirds ($\frac{2}{3}$) as *farḍ*. In the case where one or more full sisters exist, and there is no daughter, no uterine siblings (i.e., siblings from the mother's side), and neither a paternal grandfather nor a legally recognized grandmother (*jaddah ṣaḥīḥah*), then the remaining portion of the estate is returned (*radd*) to the said full sister(s). This view is upheld by Imami Shia scholars [29].

In contrast, Sunni jurists hold that the residue should be assigned to the *‘aṣabah* (residuary heirs), beginning with the full paternal uncle. If no full paternal uncle exists, then it is passed to the consanguine (half-blood) paternal uncle. If he is also absent, the share is transferred to the son of the full paternal uncle. Should he also be unavailable, the inheritance goes to the son of the consanguine paternal uncle. If none of these heirs are present, then the remaining estate may be given to one or more full sisters [30].

Secondly, if the deceased is survived by full sisters and consanguine (paternal half) sisters, the full sisters are entitled to two-thirds ($\frac{2}{3}$) of the estate, while the consanguine

sisters receive nothing unless the full sisters are accompanied by a full brother. In such a case, they inherit the entire estate jointly, following the principle of 2:1 between males and females. This is the opinion held by Sunni scholars. On the other hand, the Imami Shia scholars maintain that closer full siblings, both brothers and sisters, entirely exclude consanguine siblings from inheritance, regardless of gender. Thus, if the deceased leaves behind one full sister and ten consanguine brothers, only the full sister is entitled to inherit, while the others are entirely excluded.

Thirdly, if one or more full sisters inherit alongside one or more daughters of the deceased, each party receives their respective share as stipulated in the Book of Allah: namely, the daughter (if only one) is entitled to one-half ($\frac{1}{2}$), and the full sisters (if two or more) receive two-thirds ($\frac{2}{3}$). The remaining portion of the estate is then given to the full sister(s). This is the opinion of Sunni scholars. In contrast, the Imami Shia school holds that the entire estate belongs to the daughter(s) alone. In this view, one or more full sisters are not entitled to any share of the inheritance.

Inheritance of the Children of Brothers and Sisters

According to Sunni scholars, a consanguine (half-blood) brother is excluded from inheritance if a full brother exists. Likewise, the son of a full brother excludes the sons of a consanguine brother from inheritance. As for the children of sisters—regardless of the lineage—as well as the children of uterine brothers and the daughters of full or consanguine brothers, all of them belong to the category of *dhawī al-arḥām* (extended kin) and are not entitled to any inheritance if there is a surviving full or consanguine paternal uncle, or their descendants. If none of these uncles or their descendants exist, the estate is transferred to the *Bayt al-Māl* (public treasury) [31].

In contrast, the Imami Shia view holds that the children of brothers and sisters, regardless of whether they are from the father's or the mother's side, are not entitled to inherit if there exists any surviving brother or sister of the deceased, from any lineage. However, if no siblings remain, their children take their place and receive their respective shares, based on the position of their parent (i.e., the deceased's sibling). For example, a son of a maternal sibling (brother or sister) is entitled to one-sixth ($\frac{1}{6}$) of the estate, and if there are multiple such children, they collectively receive one-third ($\frac{1}{3}$). The remainder is given to the children of full or consanguine brothers. A nephew (son of a consanguine brother) is not entitled to inherit if there is a nephew from a full brother, due to the principle that those related to the deceased through both parents have priority over those related through one parent only. Furthermore, sons and daughters of maternal siblings share the inheritance equally, as their fathers would. In contrast, children of consanguine siblings (i.e., those related through the father only) inherit based on the rule that a male receives the portion equal to that of two females, just as their fathers would [32].

Higher-ranking nephews exclude lower-ranking relatives. Therefore, the son of a brother's son (i.e., a grand-nephew) is excluded from inheritance if there is a niece (i.e., daughter of a sister), in accordance with the principle: *those closest to the deceased are given precedence over those more distantly related*. Finally, nephews may inherit alongside a paternal grandfather, mirroring the situation of their fathers. Hence, the son of a brother or sister may inherit together with the consanguine grandfather, just as the grandfather himself would have inherited together with the deceased's brother, had he been alive.

Inheritance of the Grandfather

Regarding the inheritance of the maternal grandfather (i.e., the mother's father), Sunni scholars maintain that he is classified among *dhawī al-arḥām* (extended kin) and is not entitled to inherit in the presence of *aṣḥāb al-furūd* (Qur'anic heirs) or *aṣabah* (residuary heirs). Consequently, he is excluded if there exists a paternal grandfather, a full or consanguine brother or sister, the sons of full or consanguine brothers, paternal aunts, or

their descendants. However, in the absence of all of these, and provided no *aṣḥāb al-furūd* exist, the maternal grandfather becomes entitled to inherit [33].

In contrast, Imami Shia scholars argue that the maternal grandfather inherits alongside the paternal grandfather and alongside full or consanguine siblings. Moreover, the maternal grandfather excludes paternal and maternal uncles and aunts from all lines of descent, since he belongs to the second degree of kinship, while they fall into the third. Thus, if both the maternal grandfather and a paternal uncle survive the deceased, the entire inheritance goes to the maternal grandfather, and the uncle receives nothing.

Concerning the inheritance of the paternal grandfather (i.e., the father's father), Sunni scholars unanimously agree that, in the absence of the father, the paternal grandfather takes his place in inheritance. He shares the estate with the son(s) of the deceased just as the father would, but differs in the case of the deceased's paternal grandmother, who does not inherit alongside the grandfather. Additionally, the paternal grandfather excludes uterine siblings and the children of full or consanguine siblings from inheritance [34].

According to Imami Shia scholars, grandfathers, grandmothers, and siblings (male or female) all share the same rank of inheritance (*tabaqah*) and therefore may jointly inherit. If they are all from the same line of descent and related to the deceased through the father, they are considered agnatic relatives (*ʿaṣabah*). In this case, the grandfather receives a share equal to that of a sister, and the inheritance is divided according to the rule that the male receives twice the portion of the female. If the grandfather, grandmother, and siblings are all related through the mother (maternal kin), they divide the inheritance equally between male and female heirs. However, if both maternal and paternal relatives are present, such as the maternal grandfather and grandmother, along with full or consanguine siblings, then the grandfather or grandmother, or both jointly, receive one-third ($\frac{1}{3}$) of the estate, while the siblings receive two-thirds ($\frac{2}{3}$).

If the grandfathers are agnatic (i.e., from the father's line), or if the siblings are uterine (i.e., from the mother's line), then a single uterine brother or sister is entitled to one-sixth ($\frac{1}{6}$) of the estate. If there are multiple uterine siblings, they collectively receive one-third ($\frac{1}{3}$), divided equally between males and females. The remainder goes to the grandfather or grandmother, or both jointly, with the portion divided such that a male receives the share of two females. Children of brothers or sisters, regardless of lineage or generational distance, take the place of their parents in inheritance when their parents are no longer present. Each inherits the share that their deceased parent would have received from the grandfather or grandmother, whether from the paternal or maternal line.

Inheritance of Uncles and Aunts

Sunni scholars hold that aunts, regardless of lineage, whether paternal or maternal, are not entitled to inherit. Likewise, an uncle who is a maternal sibling of the deceased's father, and all uncles and aunts related through the maternal line from any direction, are excluded from inheritance when a paternal uncle (either full or consanguine) or one of their sons is present. This is because such relatives are classified as *dhawī al-arḥām* (extended kin), while the paternal uncle is part of the *ʿaṣabah* (residuary heirs). In Islamic inheritance law, *ʿaṣabah* takes precedence over *dhawī al-arḥām*. Indeed, according to the Shāfiʿī and Mālikī schools, those categorized as *dhawī al-arḥām* are not entitled to inherit at all, regardless of whether *aṣḥāb al-furūd* (fixed-share heirs) or *ʿaṣabah* are present or absent [35].

A full paternal uncle (i.e., a full brother of the father) is entitled to inherit if there are no surviving full or consanguine siblings of the deceased, no surviving children of such siblings, and no surviving full or consanguine sisters. In such cases, the paternal uncle assumes the right to inherit. In inheritance distribution, a full paternal uncle may inherit alongside the deceased's daughter and mother. The daughter and the mother are *aṣḥāb al-furūd*, and receive their fixed shares, while the paternal uncle, as a *ʿaṣabah*, receives the remainder of the estate. If no fixed shares apply, the *ʿaṣabah* inherit the entire estate.

If a full or consanguine paternal uncle or their sons coexist with the grandchildren of the deceased through a daughter (i.e., the children of a daughter), or with multiple granddaughters through a son, the paternal uncle or his son inherits the entire estate. The grandchildren through daughters, even if male, are excluded from inheritance. This is the position of Sunni scholars. In contrast, the Imami Shia school holds the opposite view: in such a case, the entire estate goes to the grandchildren through the daughter, and the paternal uncle receives nothing.

Musyārahah (Joint Inheritance among Siblings)

In the matter of inheritance among siblings, the majority of jurists, both from Sunni and Shia traditions, agree on the differentiation of inheritance rights between full or consanguine siblings and uterine siblings. When the deceased leaves neither parents nor direct descendants, uterine siblings (male or female) receive one-sixth (1/6) of the estate if only one, and one-third (1/3) collectively if there are two or more. On the other hand, a lone full or consanguine sister receives one-half (1/2), and if there are two or more such sisters, they collectively receive two-thirds (2/3). If full or consanguine sisters inherit alongside a brother, they share the estate jointly according to the 2:1 ratio, two parts for the male, one for the female [36].

The Shia view on siblings' inheritance emerges in part from the complex nature of *kalālah* (a person who dies without ascendants or descendants), as discussed in Qur'anic verses Surah Al-Nisā' (4):12 and 176, both of which regulate sibling inheritance but assign different shares. The Shia scholars interpret this discrepancy as addressing two different cases: verse 12 refers to uterine siblings, while verse 176 concerns full or consanguine siblings, thus resolving the apparent contradiction. Although Shia scholars distinguish between different types of siblings, this differentiation is not framed through a patrilineal lens. Instead, the variation in inheritance shares is explained by differing social and economic responsibilities between men and women. This is consistent with the 2:1 inheritance ratio found in other cases, such as between sons and daughters, or husbands and wives, where the male bears a greater financial responsibility.

This reasoning aligns with the Shia perspective that secondary heirs can take the place of primary ones: grandchildren may substitute for children, grandparents for parents, and siblings may stand in for parents as well. Such flexibility indicates that the Shia inheritance system allows for replacements within the family structure to fill vacant roles. In contrast, Sunni scholars interpret the differences in inheritance shares between full/ consanguine siblings and uterine siblings not through the lens of responsibility, but based on the nature of kinship, especially through lineage to the deceased. Their principal reference is the *fatwā* of Caliph Abū Bakr, who emphasized *nasab* (lineal descent) through the male line (patrilineal). Accordingly, uterine siblings are recognized as *aṣḥāb al-furūd* (fixed-share heirs), while maternal relatives are largely excluded from the *'aṣabah* framework, reflecting an inconsistency in the Sunni inheritance structure [37].

Ultimately, the Sunni system tends to prioritize patrilineal kinship as the fundamental basis for determining inheritance rights among extended relatives. Those related through female lines are typically placed under the category of *dhawī al-arḥām* (extended kin) and only become eligible for inheritance if no qualifying *aṣḥāb al-furūd* or *'aṣabah* are present.

The Sunni Concept of 'Aṣabah

The concept of *'aṣabah* (residuary heirs) in Sunni inheritance law refers to heirs who receive either the entirety of the estate or what remains after the fixed shares (*furūd*) have been distributed. This system of *taṣīb* (residual inheritance) is predominantly allocated to male heirs. Over time, this provision has expanded to include other categories of male relatives who are neither explicitly mentioned in the Qur'an nor in the Prophetic traditions (*ḥadīth*). For instance, the position of a son can be substituted by a grandson, the father by

a paternal grandfather, or even by a paternal uncle or his son, and a brother by the children of brothers [38].

This expansion has given rise to a structured, hierarchical, and comprehensive kinship system based on patrilineal descent, where male relatives, especially those connected through the male line, are prioritized in inheritance as *‘aṣabah*. This group of male-line relatives is referred to in Arabic as *‘aṣabah*. Therefore, according to the Sunni school, the right to receive the entire inheritance or the residue after fixed shares (*furūd*) have been distributed is fundamentally reserved for male heirs. Unlike the fixed shares assigned to *dhawī al-furūd*, the members of *‘aṣabah* are not given predetermined portions of the estate. Instead, their entitlement is based on their relational proximity and hierarchy within the patrilineal lineage. Consequently, only the *‘aṣabah* with the closest degree of kinship to the deceased have the right to inherit, while others are excluded.

The legal foundation for the concept of *‘aṣabah* derives from a *ḥadīth* of the Prophet Muhammad (peace be upon him), narrated by Muslim. In the chain of narration, it is transmitted through Muḥammad ibn Rāfi‘ from ‘Abd al-Razzāq, from Ma‘mar, from Hammām ibn Munabbih, from Abū Hurayrah. In this narration, the Prophet said:

أنا أولى الناس بالمرء منين في كتاب الله عزوجل فأ يكم ما ترك ديناً أوضيعة فادعو نى فأناوليه وأيكم ما ترك ما لا فليؤثر بما له عصبتة من كان

"I am the one who has the most right over the believers in accordance with the Book of Allah, the Almighty and Majestic. So, whoever among you dies leaving behind debt or dependents (in hardship), then call upon me, for I am his guardian. But whoever leaves behind wealth, then let his ‘aṣabah inherit it, whoever they may be."

This hadith has traditionally been used to reaffirm the patrilineal structure of inheritance, where male-line relatives dominate the residual claims to the estate. However, when viewed from the lens of the Sustainable Development Goals (SDGs), particularly SDG 5 on gender equality and SDG 10 on reducing inequalities, this exclusivity raises critical ethical and social questions. A system that systematically privileges male heirs while excluding women from residual inheritance may no longer align with contemporary ideals of equity, inclusion, and justice. Therefore, it becomes necessary to re-examine such principles in light of global developmental goals that seek to empower women and ensure fair access to economic resources, including inheritance.

Rejection of the Sunni Concept of ‘Ashabah

In the Shiite system of inheritance law, the legitimacy of an individual's right to inherit is not based on gender but rather on the degree of kinship with the deceased. Both men and women are treated equally within a class system structured around the principle of *qarābah* (blood proximity). This system prioritizes genealogical relationships over gender categories, thereby creating a more inclusive and egalitarian framework for inheritance distribution. The rejection of the concept of *‘ashabah* in Shiite jurisprudence is a logical consequence of the *qarābah*-based paradigm they uphold. In this view, gender is not considered a determining factor in inheritance allocation; instead, familial closeness and kinship proximity serve as the primary criteria. For instance, if both male and female heirs stand at the same degree of relation to the deceased (e.g., a son and a daughter), they are treated equally. The distribution of shares is informed by considerations such as economic responsibility and familial obligation, rather than biological sex [39]. This approach is illustrated clearly in their jurisprudential sources:

وَلَوْ مَاتَ وَتَرَكَ إِبْنَتَهُ، فَالْمَالُ لَهَا . وَلَوْ تَرَكَ بَنَاتٍ، فَالْمَالُ لَهُنَّ.

"If a person dies and leaves behind a daughter, then the entire estate belongs to her. If he leaves behind multiple daughters, then the entire estate belongs to them."

وَلَوْ مَاتَ وَتَرَكَ وَلَدَهُ وَأَخَاهُ، أَوْ وَلَدَهُ أُخْتَهُ، أَوْ وَلَدَهُ وَعَمَّهُ، فَلَمَالٌ لِلْوَلَدِ وَلَيْسَ لِلْأَخِ أَوْ الْأُخْتِ أَوْ الْعَمِّ شَيْءٌ، فَإِنَّ الْمِيرَاثَ لِلْأَقْرَبِ، وَالْوَلَدُ الْأَرْحَامُ بَعْضُهُمْ أَوْلَى بِبَعْضٍ.

"If a person dies and leaves behind a child (male or female) along with his brother, or a child along with his sister, or a child along with his paternal uncle, then the entire inheritance goes to the child alone. The brother, sister, or uncle receives nothing. Indeed, inheritance is granted to the closest kin, for relatives by blood (ulū al-arḥām) take precedence over others."

These rulings reflect one of the core principles in the Shiite inheritance system: that women, whether as individual daughters or in groups, can inherit the entirety of the estate in the absence of sons. In such cases, female heirs are not merely given fixed shares (*dhawī al-furūd*), but are also treated as default residual heirs (*‘aṣabah*), similar to the role of male heirs in Sunni law [40]. This system illustrates a more gender-inclusive framework that aligns with the broader vision of the Sustainable Development Goals (SDGs), particularly SDG 5, which advocates for gender equality and the empowerment of women in legal, economic, and social domains. By allowing daughters to inherit the full estate without being overridden by male relatives such as uncles or brothers, the Shiite model reduces gender-based legal discrimination and enhances women's access to property and resources, which is a critical step toward reducing structural inequalities (SDG 10) [41].

The second excerpt further reinforces this logic: even if male relatives who would traditionally be considered *‘aṣabah* in Sunni jurisprudence (e.g., brothers, uncles) are present, they are categorically excluded in favor of the child, regardless of gender. This is because Shiite inheritance law recognizes a hierarchy based on closeness of relationship, not patriarchal lineage. The child, as the closest heir, takes precedence and effectively nullifies any claims by more distant male agnatic relatives. Such a model not only reflects fidelity to Qur'anic values of fairness and familial responsibility but also shows the potential of Islamic legal traditions to evolve in harmony with global efforts to build a more just, inclusive, and equitable society as envisioned by the SDGs.

The Shiite Rejection of the Exclusion of *Dhawī al-Arḥām*

Shiite scholars interpret Surah al-Nisā' (4:7) as a direct rebuttal to the Sunni stance that denies inheritance rights to *dhawī al-arḥām*, distant kin, particularly those related through the maternal line or extended family ties. According to Shiite jurists, this verse unambiguously conveys the Qur'anic principle of justice and inclusion in inheritance, emphasizing that both men and women are entitled to a portion of the estate left behind by their parents or close relatives, regardless of the nature of their familial connection [42]. From the Shiite perspective, the Sunni exclusion of *dhawī al-arḥām* is considered a misreading that undermines the clear message and spirit of the verse, which states:

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

"For men is a share of what the parents and close relatives leave, and for women is a share of what the parents and close relatives leave, be it little or much—a determined share." (QS. al-Nisā' / 4: 7)

Shiite scholars differ in their legal interpretation of this verse's status within the broader framework of inheritance law. One view, attributed to Imam al-Bāqir (a.s.), asserts that this verse is *muḥkam* (decisive and unambiguous) and has not been *abrogated* (*mansūkh*) by the later, more detailed inheritance verses. Conversely, 'Alī ibn Ibrāhīm argues that the verse was overridden by verse 11 of the same chapter (al-Nisā'), thus rendering it inadmissible as an independent legal proof (*hujjah*). However, this latter view is refuted by al-Ṭabāṭabā'ī,

who maintains that the verse remains *muḥkam* and serves as a general legal principle (*ḥukm ʿāmm*) governing inheritance. Since the verse is absolute in its wording (*muṭlaq*), it continues to function as a foundational ethical and legal guide—unless clear evidence of abrogation is established [43].

This interpretive position aligns closely with the Sustainable Development Goals (SDGs), particularly SDG 5 and SDG 10, which emphasize equitable access to economic resources, including inheritance, for all individuals regardless of gender or family structure. By recognizing the rights of *dhawī al-arḥām*, including women and extended maternal relatives, the Shiite approach fosters a more inclusive and socially just legal system, one that resists patriarchal limitations and affirms the Qur'an's broader message of justice and compassion in family affairs. Moreover, the affirmation that male and female heirs of equal kinship are to inherit equally reflects a jurisprudence rooted in both revelation and human dignity, reinforcing SDG 16, which promotes just, inclusive, and accountable legal frameworks. The Shiite model thereby offers an example of how Islamic legal interpretation can evolve to meet contemporary ethical imperatives while remaining faithful to its scriptural foundations [44].

Analysis

The comparative analysis of Sunni and Shia interpretations of Qur'anic inheritance verses reveals that differences between the two traditions are rooted not merely in technical legal rulings, but in fundamentally distinct legal paradigms and hermeneutical approaches. Sunni inheritance law is structured around the concept of *ʿashabah*, which prioritizes patrilineal kinship and assigns residual inheritance primarily to male heirs. This framework reflects a textual-literal interpretation of inheritance verses, particularly those in Surah al-Nisā', where gender functions as a central determinant in the distribution of wealth. As a result, male relatives connected through the paternal line frequently receive precedence over female heirs and maternal relatives, especially in cases involving extended family members.

In contrast, the Shia inheritance system is grounded in the principle of *qarābah*, which emphasizes blood proximity rather than gender or lineage through male ancestors. The Shia model applies a hierarchical class system (*murtabitah*) that prioritizes closer kin regardless of whether the relationship is traced through the father or the mother. Within this framework, women are not structurally excluded from inheritance, and in certain circumstances, daughters may inherit the entirety of an estate without being displaced by male agnatic relatives. This approach reflects a more flexible interpretive methodology that allows contextual reasoning even when engaging with verses traditionally considered definitive. These divergent models lead to significantly different legal outcomes, particularly regarding the inheritance rights of women, maternal relatives, and extended kin. The Sunni system tends to reinforce a patriarchal hierarchy that limits women's access to residual inheritance, while the Shia system promotes a more inclusive distribution based on relational closeness. This contrast highlights how interpretive choices shape legal norms and social consequences within Islamic law.

When examined through the lens of contemporary ethical and developmental values, the Shia model demonstrates a closer alignment with principles of justice, equity, and social inclusion. By recognizing inheritance rights across both paternal and maternal lines and reducing gender-based exclusion, this system responds more effectively to modern concerns surrounding equality and economic justice. Overall, the analysis underscores the importance of re-engaging classical Islamic legal traditions through comparative and contextual approaches, enabling inheritance law to remain ethically responsive while preserving its foundational scriptural integrity.

CONCLUSION

This study shows that the difference in the interpretation of inheritance verses between Sunni and Shia schools is not merely technical, but deeply rooted in divergent legal paradigms and hermeneutical methodologies. The Sunni school emphasizes the ‘ashabah system, which is oriented toward patrilineal kinship structures and reinforces the dominance of male heirs as the primary recipients of inheritance. Their interpretation of QS. al-Nisā’/ 4: 11, 12, and 176 tends to be literal, placing gender as a central determinant in the distribution process. In contrast, the Shia school adopts the principle of qarābah, which prioritizes blood proximity over gender or social status as the fundamental basis for inheritance. This system promotes a more inclusive and proportionate distribution, especially for women and maternal relatives, utilizing a class-based hierarchy (murtabitah) that reflects a more egalitarian logic. The Shia interpretation allows ijtihād even in seemingly qath’i texts like QS. al-Nisā’/ 4: 11, opening pathways toward a model of inheritance that is more aligned with genealogical justice and the ethical objectives of sharia (maqāṣid al-syarā’ah). These contrasting approaches illustrate that Sunni and Shia traditions represent two major trajectories in Islamic legal thought, one that tends to prioritize social structure and textual literalism, and another that emphasizes familial closeness and interpretive flexibility. Both contribute to the richness of Islamic jurisprudence, but their implications vary significantly, particularly when assessed through the lens of contemporary values and global development ethics. In this regard, the findings of this study offer critical insights into how Islamic inheritance law, especially in its classical formulations, can be re-examined and revitalized in light of the Sustainable Development Goals (SDGs). Specifically, SDG 5 calls for gender equality and equal access to property and inheritance, SDG 10 promotes the reduction of structural inequalities, and SDG 16 emphasizes inclusive legal systems that uphold justice and human dignity. By acknowledging and engaging with these goals, Islamic legal scholarship can contribute not only to the internal renewal of fiqh but also to the broader pursuit of social justice, equity, and ethical governance in contemporary Muslim societies.

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Author Contribution

The author solely conceptualized the study, conducted the literature analysis, developed the comparative Sunni–Shia framework, and integrated the Sustainable Development Goals perspective. All stages of writing, analysis, and final manuscript preparation were independently completed by the author.

Conflicts of Interest

The author declares no conflicts of interest in relation to this study entitled Inheritance Law Interpretation in Sunni and Shia: A Cross-Madzhab SDGs Perspective.

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