

## RESPONSE OF IAIN KERINCI STUDENTS (FACULTY OF SHARIA) REGARDING THE DISTRIBUTION OF INHERITANCE ACCORDING TO ISLAMIC LAW

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**Abstract:** The aim of the research is to obtain an overview of inheritance distribution in Islamic law and customary law, as well as to understand the students' responses regarding the application of Islamic law and customary law in the distribution of inheritance. The research method used in this study is a descriptive quantitative approach, also known as empirical research. This research focuses on the correlation between the factors being studied and uses data obtained from surveys or the assistance of Google Forms with quota sampling or random sampling methods. The number of respondents involved in this research is 54 respondents with 13 questions. The results of the study indicate that most respondents have sufficient knowledge about the law of inheritance distribution in Islam, but there are also some respondents who are neutral or disagree. Regarding the understanding of the content of inheritance distribution law in Islam, most respondents agree that the law aligns with the principle of justice. However, there are also some respondents who are neutral or disagree with this statement. The research method used in this study is a descriptive quantitative approach or empirical research with survey data or the assistance of Google Forms with quota sampling or random sampling methods.

**Keywords:** Inheritance, Students, Islamic Law, Customary Law

### Introduction

Religious groups and traditional authorities often experience tension in the distribution of inheritance because Islamic law and customary law have different boundaries in inheritance distribution. The distribution of inheritance under Islamic law is based on the provisions of the Sharia as explained in the Qur'an and Hadith, such as in Surah An-Nisa, verse 11. In Islam, inheritance is divided according to the principle of obligatory inheritance (*faraid*), which establishes fixed shares for specific heirs, such as the husband, wife, sons, daughters, and parents. These proportions can vary depending on the family relationship and the number of heirs. On the other hand, under customary law, inheritance distribution is often influenced by local traditions and cultures, which can vary within each community. Family leaders or traditional institutions often play a role in determining the distribution of inheritance. Some customary communities may consider factors such as lineage, gender, and social status when determining inheritance distribution. These different approaches reflect the varying legal frameworks and value perspectives in Islam and custom, as well as the continuation of local traditions in shaping inheritance distribution norms (Law & Sharia, 2022; Maulana, 2020; Syarif & Jakarta, 2012).

This issue is very important to discuss because there are many who perceive that Islamic inheritance is considered insufficiently equitable in distribution. For instance, the share of inheritance for sons is larger than that for daughters, whereas customary inheritance law, according to sources obtained by the author, does not have specific boundaries in its distribution (Na & Hipertensiva, n.d.). This issue is based on individual family needs. In the initial study of this research, the author found that in a certain family, a son who was deemed already established and had a job capable of meeting his needs received more inheritance than his sister who was unmarried and did not yet have a job capable of meeting her needs. Moreover, the sister had educational and other needs that were considered costly. Furthermore, many perceive that customary law is a solution to avoid family disputes.

Studies on inheritance distribution have attracted the attention of previous researchers. These studies can be mapped into two tendencies: the first tendency by Agustan Agus, Wiro Satul Auliyak, Muhammad Khasim, and Rizfitriani Alamsyah has presented the distribution of inheritance with gender equality to avoid disputes. This research proposes the Gift System in the Perspective of Gender Equality in Inheritance Distribution (Auliyak & Azizah, 2021); the second tendency by Fitriana, Endang Heriani, Made Raysaili, and Anang Hadi has presented inheritance distribution with civil law provisions. This research discusses the urgency of the importance of wills for heirs (Raysaili et al., 2023). In the context of inheritance distribution, the response of IAIN Kerinci students regarding inheritance distribution according to Islamic law has never been researched by previous researchers. Therefore, in this case, the researcher is interested in examining the response of IAIN Kerinci students regarding inheritance distribution according to Islamic law.

This study aims to complement previous studies by quantitatively describing the response of IAIN Kerinci students regarding inheritance distribution according to Islamic law. Inheritance distribution is greatly influenced by religion, custom, and culture within a community. The response of IAIN Kerinci students needs to be analyzed. In line with this, several questions can be formulated: (1) To obtain an overview of inheritance distribution under Islamic law and customary law, (2) To understand how students respond to the application of Islamic law and customary law in inheritance distribution.

## Method

This research method uses a descriptive quantitative approach, or in legal studies, it is called empirical research. This method focuses on the correlation between factors and uses data obtained from surveys or the assistance of Google Forms with quota sampling or random sampling methods. The questionnaire distributed is a closed-ended questionnaire with a Likert scale presented with 5 alternative answers: strongly disagree (1), disagree (2), neutral (3), agree (4), and strongly agree (5). It uses the theory of IAIN students' responses regarding the distribution of inheritance according to Islamic law, with a total of 54 respondents and 13 questions (AHA, 2023).

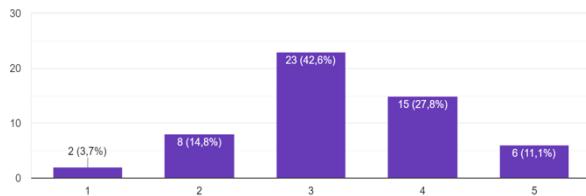
The questionnaire instrument in this research is based on the compliance theory. Compliance Theory is a theory that describes how individuals or communities comply with existing regulations, provisions, and laws. This theory was proposed by Stanley Milgram. Several factors that influence compliance with the law include legal awareness, supervision, orderliness, the nobility of the leaders, and human willingness (Hukumonline, 2022). The legal awareness of the community directly affects legal compliance because they need laws and laws are aimed at truth and justice. Legal compliance is not only explained by the presence of laws but also by human willingness to comply with them. The indicators are: Legal knowledge (law awareness), Understanding the content of the law (law acquaintance), Legal attitude, and Patterns of legal behaviour.

## Results and Discussion

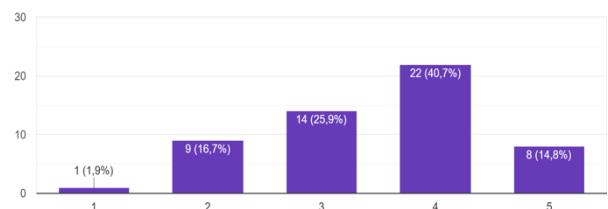
### Knowledge About Inheritance Distribution

Data obtained from the distribution of questionnaires to 54 IAIN Kerinci students is presented in the form of graphs for each statement in the questionnaire. The following is the percentage graph of the research results for the first indicator, which is the indicator of law awareness in inheritance distribution. There are 4 statements related to the law awareness indicator.

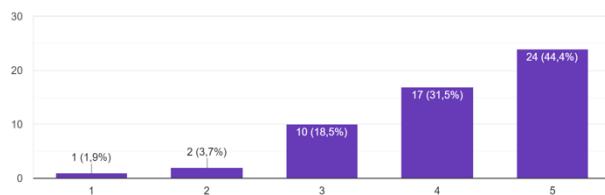
1. apakah anda memiliki pengetahuan yang cukup tentang hukum pembagian harta warisan dalam islam  
54 jawaban



2. apakah anda mengetahui informasi tentang hukum pembagian harta warisan dalam islam  
54 jawaban



3. apakah anda menganggap penting untuk memahami hukum pembagian harta warisan dalam islam, baik sebagai individu maupun anggota masyarakat  
54 jawaban



4. apakah menurut anda lembaga pendidikan dan keagamaan seharusnya memberikan lebih banyak informasi tentang hukum pembagian harta warisan  
54 jawaban

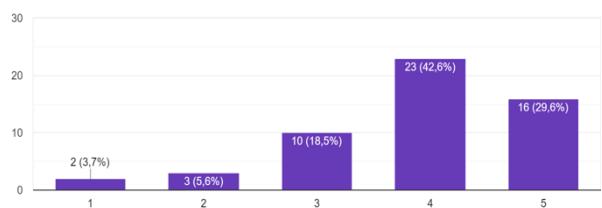


Figure 1 shows the highest percentage, which is 42.6% of respondents being neutral, indicating that they have sufficient knowledge about inheritance distribution law in Islam; 27.8% agree, 14.8% disagree, 11.1% strongly agree, and 3.7% strongly disagree. Figure 2 shows the highest percentage, which is 40.7% of respondents agreeing that they are aware of the information about inheritance distribution law in Islam; 25.9% are neutral, 16.7% disagree, 14.8% strongly agree, and 1.9% strongly disagree. Figure 3 shows the highest percentage, which is 44.4% of respondents strongly agreeing that it is important to understand the inheritance distribution law in Islam, both as individuals and as community members; 31.5% agree, 18.5% are neutral, 3.7% disagree, and 1.9% strongly disagree. Figure 4 shows the highest percentage, which is 42.6% of respondents agreeing that educational and religious institutions should provide more information about the inheritance distribution law in Islam; 29.6% strongly agree, 18.5% are neutral, 5.6% disagree, and 3.7% strongly disagree.

From the law awareness indicator, it is evident that students' responses regarding inheritance distribution show that they have sufficient legal knowledge about inheritance distribution. The distribution of inheritance in Islam is based on Sharia principles, mainly derived from the Qur'an and Hadith. Ashabah includes children, parents, spouses, and grandchildren. However, not all ashabah members receive the same share; their shares are determined by the degree of blood relationship and gender. The amount of distribution in Islamic inheritance law depends on the type of family relationship, gender, and individual status involved in the inheritance distribution (Woro Anjar Veriandy, 2023).

Students strongly agree that understanding the inheritance distribution law in Islam is important because it is an integral part of Islamic law that governs justice and balance in the distribution of wealth. Principles that include inheritance provisions for specific heirs, property distribution, the rights of each heir according to Islamic law, and the principle of justice in Islamic inheritance law emphasize the balance between the rights obtained and the inheritance with

obligations. This includes principles such as the existence of a blood relationship between the heir and the deceased, fairness to the property owner, and adherence to the will. The importance of understanding Islamic principles in inheritance distribution is also emphasized to prevent violations, family disputes, and injustice towards legitimate heirs (Muttaqin, 2018).

Students agree that educational and religious institutions should provide more information about the inheritance distribution law in Islam. This is because of the lack of understanding among Muslims about Islamic inheritance law, which affects a comprehensive understanding of the law. A lack of understanding can lead to the community choosing not to apply Islamic inheritance law, so it is important to increase public understanding and legal awareness regarding Islamic inheritance law (Puteh & Tanjung, 2023; Suprima et al., 2023).

In conclusion, students have sufficient knowledge about inheritance distribution in Islam based on Sharia principles, but they also agree that understanding this law is important because it is an integral part of Islamic law that governs justice and balance in the distribution of wealth. Students also believe that educational and religious institutions should provide more information about the inheritance distribution law in Islam to enhance public understanding and awareness regarding Islamic inheritance law (Djafar Abdul Muchith, 2017).

## Understanding of Inheritance Distribution

The next indicator is the understanding of the content of the law (law acquaintance) in the context of inheritance distribution according to Islamic law. There are 2 statements included in the indicator of understanding of the content of the law (law acquaintance), starting from statement 5 to statement 6. The results from the respondents can be seen in the following graph.



Figure 5 shows the highest percentage, which is 37% of respondents being neutral that Islamic inheritance distribution law conforms to the principles of justice; 31.5% strongly agree, 18.5% agree, 9.3% disagree, and 3.7% strongly disagree. Figure 6 shows the two highest percentages, with 31.5% of respondents agreeing that a better understanding of Islamic inheritance distribution law could reduce disputes among family members related to inheritance, 29.6% neutral, 5.6% disagree, and 1.9% strongly disagree.

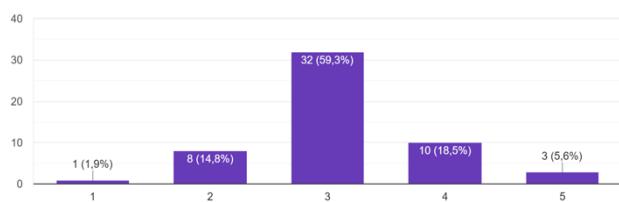
From the indicator of understanding legal issues, students agree that Islamic inheritance distribution is in accordance with principles of justice, and students also agree that a better understanding of inheritance distribution in Islamic law has the potential to reduce disputes among family members related to inheritance. This is because a deeper understanding can help clarify the rules and principles underlying inheritance distribution, so that family members can understand the legal basis used and feel that the distribution is fair and in line with religious teachings. Furthermore, better understanding can also help prevent misunderstandings and conflicts caused by ignorance of inheritance distribution rules (Auli, 23 C.E.; Bagus Riski, 2023; Unissula Official Newspaper, 2013).

In conclusion, students agree that a better understanding of inheritance distribution in Islamic law can reduce disputes among family members related to inheritance, as deeper understanding can help clarify the rules and principles underlying inheritance distribution.

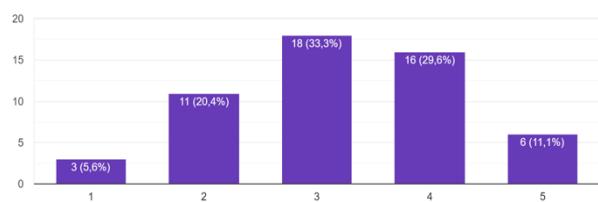
## Behaviour Towards Inheritance Distribution

The next indicator is legal attitude (legal attitude) in inheritance distribution. There are 5 questions included in the legal attitude indicator, starting from statement 7 to statement 11. The results from the respondents can be seen in the following graph:

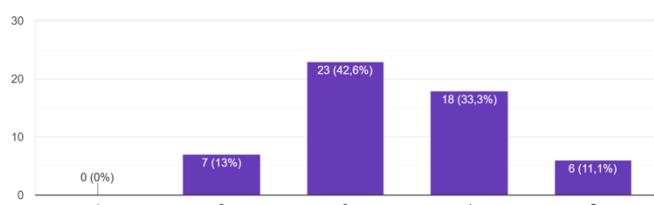
7. apakah anda setuju bahwa pembagian harus mencerminkan usaha dan pengorbanan yang telah dilakukan oleh penerima warisan  
54 jawaban



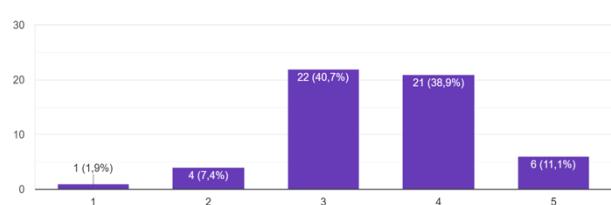
8. jika anda memiliki saudara kandung laki-laki dan perempuan apakah anda setuju jika saudara laki-laki mendapatkan 2kali lipat bagian dari...mbagian harta warisan sesuai menurut hukum islam  
54 jawaban



9. jika anda memiliki saudara kandung laki-laki dan perempuan apakah anda setuju jika pembagian harta warisan sama rata sesuai menurut hukum adat  
54 jawaban



10. apakah menurut anda bahwa sikap terbuka terhadap hukum islam tentang pembagian harta warisan dapat memperkuat hubungan keluarga  
54 jawaban



11. apakah menurut anda penerapan hukum islam dalam pembagian harta warisan dapat membantu menciptakan kedamaian di antara anggota keluarga  
54 jawaban

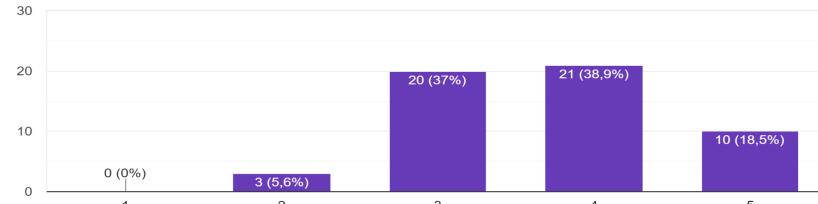


Figure 7 shows the highest percentage, namely 59.3% of respondents are neutral that inheritance distribution should reflect the efforts and sacrifices made by the heirs. 18.5% agree, 14.8% disagree, 5.6% strongly agree, and 1.9% strongly disagree. Figure 8 shows the highest percentage, namely 33.3% of respondents are neutral that inheritance distribution is done according to Islamic law, 29.6% agree, 20.4% disagree, 11.1% strongly agree, and 5.6% strongly disagree. Figure 9 shows the highest percentage, namely 42.6% of respondents are neutral that inheritance distribution is done according to customary law, 33.3% agree, 13% disagree, and 11.1% strongly agree. Figure 10 shows the highest percentage, namely 40.7% of respondents are neutral that an open attitude towards Islamic law regarding inheritance distribution can strengthen family relationships, 38.9% agree,

11.1% strongly agree, 7.4% disagree, and 1.9% strongly disagree. Figure 11 shows the highest percentage, namely 38.9% of respondents agree that the application of Islamic law in inheritance distribution can help create peace among family members, 37% are neutral, 18.5% strongly agree, and 5.6% disagree.

From the legal attitude indicator, respondents are neutral towards inheritance reflecting the efforts and sacrifices made by the heirs, because inheritance distribution does not always reflect the efforts and sacrifices made by the heirs (Nawawi, 2023). Inheritance distribution is based on Islamic Sharia law and regulated in the inheritance book. However, there are different views on inheritance distribution in Islamic law. Some views emphasize justice and proportionality in inheritance distribution, while others emphasize women's rights in inheritance distribution (Taqrib, 2014).

Respondents are also neutral towards inheritance distribution according to Islamic law and customary law, because there are also inheritance distribution practices among the Bugis tribe in Pengalihan Village that follow their customary inheritance law (Viera Valencia & Garcia Giraldo, 2019). Then respondents are also neutral towards an open attitude towards Islamic law regarding inheritance distribution can strengthen family relationships. Respondents agree with the application of Islamic law can help create peace among family members. According to Islamic teachings, an open attitude within the family can strengthen family relationships and make the family harmonious. Good communication will build harmonious family relationships and find solutions to problems. In addition, strengthening the relationship with Allah SWT is also the key to building a harmonious family according to Islam (Hibana Yusuf, 2021; restu widya, 2023).

In conclusion, inheritance distribution should reflect the efforts and sacrifices made by the heirs, but there are different views on inheritance distribution in Islamic law. In addition, an open attitude towards Islamic law regarding inheritance distribution can strengthen family relationships and the application of Islamic law can help create peace among family members.

## Behavior Towards Inheritance Distribution

The next indicator is legal behavior patterns in inheritance distribution. There are 2 questions included in the legal behavior indicator, starting from statement 12 and 13. The results from the respondents can be seen in the following graph.



Figure 12 shows the highest percentage, with 40.7% of respondents neutral regarding their willingness to resolve conflicts or differences of opinion with heirs related to the selection of inheritance according to Islamic law, 29.6% agree, 24.1% strongly agree, and 5.6% disagree. Figure 13 shows the highest percentage, with 53.7% of respondents neutral regarding whether Islamic inheritance law considers the individual needs within the family, 22.2% agree, 16.7% strongly agree, and 3.7% disagree and strongly disagree.

From the legal behavior indicator, respondents are neutral about resolving conflicts or differences of opinion with heirs related to the selection of inheritance according to Islamic law, while resolving conflicts in inheritance distribution is very important. Conflicts often arise due to greed, misunderstandings, or dominance of the eldest heirs. To resolve these conflicts, various

approaches can be taken, such as consensus, consultation, and mediation procedures in religious courts (Mayastuti, 2013; Sudirman et al., 2024).

Respondents are neutral regarding whether Islamic inheritance law considers individual needs. In Islamic inheritance law, individual needs within the family are considered. The division of inheritance in Islam aims to uphold justice, protect individual rights, and ensure the welfare of surviving family members. This division is designed to prevent significant economic disparities among family members. Fundamental principles in the division of inheritance in Islam include justice, religious provisions, protection of women's rights, and predetermined proportions in the law (Putri Ayu Trisnawati, 2013; UMSU, 2023).

In conclusion, resolving conflicts in Islamic inheritance distribution is crucial and can be achieved through approaches like consensus, consultation, and mediation procedures in religious courts. Additionally, Islamic inheritance law considers individual needs within the family and aims to uphold justice, protect individual rights, and ensure the welfare of surviving family members.

## Conclusion

This study indicates that the majority of students have sufficient knowledge about the laws governing inheritance in Islam, yet there are also respondents who are neutral or disagree. This variation in understanding among students towards Islamic inheritance law may be influenced by factors such as cultural backgrounds and education. Moreover, the lack of understanding among Muslim communities regarding Islamic inheritance law is a concern, as it can lead to insufficiently formed legal understandings, prompting some to choose not to apply Islamic inheritance law.

The implementation of Islamic law in inheritance distribution is recognized as crucial in fostering peace within family members. Students agree that a better understanding of inheritance distribution under Islamic law can reduce disputes among family members related to inheritance, as deeper understanding can help clarify the rules and principles underlying inheritance distribution. Additionally, Islamic inheritance law considers the individual needs within the family and aims to uphold justice and protect individual rights.

Conflicts in inheritance distribution can be resolved through approaches like consensus, consultation, and mediation procedures in religious courts. This underscores the importance of conflict resolution in Islamic inheritance distribution and highlights that such resolution methods strengthen family relationships and seek solutions to issues that arise.

Furthermore, the research also underscores the importance of educational and religious institutions in providing more information about Islamic inheritance law, aiming to enhance understanding and awareness among the public regarding Islamic inheritance law. This indicates that efforts to improve understanding of Islamic inheritance law in society, particularly through educational and religious institutions, can be a crucial step in strengthening understanding and application of Islamic inheritance law.

Thus, this study provides a comprehensive insight into students' responses to inheritance distribution under Islamic law, highlighting the importance of understanding these laws in fostering peace and justice within families. Efforts to enhance public understanding of Islamic inheritance law are essential in raising legal awareness among Muslim communities.

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