

Relational Justice in Qur'anic Inheritance: A Maqāṣidī–Reciprocal Reinterpretation of QS. An-Nisā' (4):11–12 through the Basuluh Tradition of the Banjar Community

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Keywords

Qur'an; inheritance; Basuluh; reciprocity; Maqāṣid al-Shari'ah; Contextual Tafsir

Abstract

This article examines the reinterpretation of Qur'anic inheritance norms through the lens of relational justice by engaging with the basuluh tradition practiced by the Banjar community in Indragiri Hilir, Indonesia. While classical interpretations of QS. An-Nisā' (4):11–12 have predominantly emphasized fixed inheritance ratios, such readings often overlook the ethical objectives (maqāṣid al-Shari'ah) and relational dimensions embedded within the Qur'anic discourse on family and justice. Drawing on a qualitative case study approach that integrates maqāṣid-based hermeneutics, reciprocal (mubādalah) interpretation, and secondary ethnographic data, this study explores how local deliberative practices function as a living interpretation of the Qur'an. The findings demonstrate that basuluh operates not as a deviation from Qur'anic norms but as a contextual mechanism for realizing justice through mutual consent, responsibility, and family harmony. By foregrounding principles such as ghayra muḍārrin (non-harm), bil-ma'rūf (recognized fairness), and reciprocal moral responsibility among heirs, the Banjar practice reflects a relational understanding of justice that aligns with the Qur'an's ethical vision. This study contributes theoretically by advancing a maqāṣidī–reciprocal framework for Qur'anic interpretation, challenging rigid legal formalism while preserving normative integrity. Practically, it offers an alternative model for contextualizing Islamic inheritance law in plural socio-cultural settings without undermining Qur'anic authority

Introduction

The discussion of inheritance law in Islam has always been an important issue in religious discourse and daily social practice.¹ In Indonesia, the context is increasingly complex when fiqh

¹ Sri Khayati, "The Distribution of Inheritance Based on the Method of Islamic Inheritance Law and the Compilation of Islamic Law," *Social Journal and Humanities Flow* 3, no. 1 (2023), <https://doi.org/10.57250/ajsh.v3i1.174>; Rini Fahriyani

norms interact with local customary practices that have lived for centuries. One example is the basuluh tradition in the Banjar community in Indragiri Hilir who practice the distribution of inheritance through the mechanism of deliberation and family agreement. This phenomenon shows that people do not always practice inheritance as the textual formulation of QS. An-Nisā' verses 11–12, but negotiate it through the principles of harmony, reciprocity, and a sense of justice.² This is where the urgency of this study arises: how the text of revelation is reread in an ever-changing social context without losing its basic value.

The main problem that often arises is when the classical interpretation of inheritance verses is often understood rigidly, emphasizing the mathematical structure of divisions that are considered final and non-negotiable. In fact, the people of Banjar through *the basuluh tradition* display a different reality: inheritance is not just a number, but a relationship. Distribution is often carried out by *deliberation* (deliberation), taking into account the needs of family members, economic conditions, children's contributions to parents, and social responsibilities between siblings. This is in contrast to the classical fiqh approach that focuses on quantifying parts, while local communities prioritize the quality of relationships. The gap between texts, classical interpretations, and social practices becomes a problematic space that needs to be bridged through a more contextual methodological approach.

A study of QS. An-Nisā' verses 11–12 in contemporary discourse show the development of a hermeneutical approach that increasingly emphasizes *justice, reciprocity, and social context*. Awwad, for example, reviews the values of justice and social harmony through *Tafsir al-Mishbah* on Surah al-Ḥujurāt verses 11–13.³ Although the focus of the verse is different, this research is important because it confirms that the ethical-moral interpretation approach is able to give birth to a more social, relational, and humanist meaning. In the context of inheritance verses, such an approach opens up the possibility that the meaning of QS. An-Nisā' 11–12 can also be directed to social harmony as the principle of al-Ḥujurāt.

Meanwhile, the research on the hermeneutics of Muhammad Syahrur's inheritance provides an idea that the rereading of inheritance verses is an important agenda in the study of contemporary interpretation.⁴ Syahrur emphasized the elasticity of the maximum and minimum boundaries (*hudūd*), which opens up space for the negotiation of inheritance distribution according to the social context.⁵ Although this approach does not directly speak of reciprocity or basuluh, it shows a new wave of contextual interpretation that avoids rigid mathematical readings. The perspective of reconstruction of women's interpretation also contributes color to the discourse of inheritance

Ilham and Ermi Suhasti, "Mediation in the Settlement of Inheritance Disputes: A Study of Decision No. 181/Pdt. G/2013/PA. Yk," *Al-Ahwal: Journal of Islamic Family Law* 9, no. 1 (2017), <https://doi.org/10.14421/ahwal.2016.09105>.

² Firdaus Firdaus, Asni Zubair, and A. Sultan Sulfian, "Reconstruction Of Islamic Inheritance Law (A Study of Muhammad Syahrūr's Thoughts on QS al-Nisā' /4:11 On the Distribution of Inheritance of Boys and Girls)," *AL-KHARAJ* 2, no. 1 (2022), <https://doi.org/10.30863/alkharaj.v2i1.2786>.

³ Ahmad Rofi'il Awwad, "The Value of Tolerance and Social Harmony in Surah Al-Hujurat Verses 11-13 Perspective of *Tafsir Al-Mishbah*," *Bandung Conference Series: Islamic Education* 5, no. 2 (August 2025), <https://doi.org/10.29313/bcsied.v5i2.21298>.

⁴ Akbaru Wusto Arham and Elfia, "Muhammad Syahrur's Thoughts on the Kalalah Inheritance and Its Relevance to the Renewal of Islamic Law," *Journal Al-Ahkam* Vol. XXI, no. 1 (2020).

⁵ Jamaluddin, "The Concept of Walad and the Division of Rights in Islamic Heritage (Study of the Theory of Scholars of the Fiqh School of Jurisprudence and the Theory of Hudud of Muhamad Syahrur)" (Ar-Raniry State Islamic University, 2016).

justice. Ismail and Aceh, through their criticism of the thinking of Engineer, Mernissi, and Wadud, emphasized that the interpretation of the inheritance verse must pay attention to social relations and the dignity of women.⁶ Basid & Miskiyah's research on *nafs wāhidah* strengthens the argument for basic human equality which is the moral basis of the reconstruction of interpretation.⁷

In another realm, Alwani places the interpretation of Surah al-Nisā' as the foundation for the formation of a just society, especially related to the principles of human dignity, accountability, and protection of vulnerable groups.⁸ This study shows that justice in interpretation should not be separated from social dynamics. The emphasis on the value of maslahah and social responsibility is relevant to the practice of *basuluh*, which is based on deliberation for the sake of family justice. The maqāṣidī approach in the interpretation of inheritance verses is also an important focus of contemporary research.⁹

Among these studies, not many have touched on the interaction between inheritance texts and local practices of the community, especially the *basuluh tradition* in the people of Banjar Indragiri Hilir. The study of basuluh appears more in the study of legal anthropology or customary studies, which emphasizes family deliberation, a sense of justice, and harmonious relations as the basis for the division of inheritance, not mathematical calculations. However, until now, there has been no research that systematically links the interpretation of QS. An-Nisā' 11–12 with the practice of basuluh within the framework of the hermeneutic of reciprocity. This is where this article's new contribution lies—integrating Qur'anic verses, local traditions, and reciprocal frameworks to reconstruct a more contextual, family-oriented interpretation of inheritance.

It is in this context that the framework of reciprocity acquires an important position. Reciprocity (*mubādalah/relational reciprocity*) is not intended to replace inheritance law, but it provides an ethical basis for reinterpreting these verses in order to maintain family welfare and relational justice.¹⁰ This framework places relations between families as the subject of interpretation: that the maqāṣid verse inheritance not only guarantees the number of divisions, but ensures mutual benefit, harmony, and responsibility.¹¹

The approach of reciprocity (*mubādalah*) in the interpretation of the Qur'an departs from the assumption that the ethical message of revelation is relational, not hierarchical or unilateral. Conceptually, *mubādalah* views human relations—whether gender, family, or community—as

⁶ Nurjannah Ismail, "Reconstruction of Women's Interpretation: Building a Gender Fair Interpretation (A Critical Study of the Thoughts of Asghar Ali Engineer, Fatima Mernissi and Amina Wadud Muhshin on Women in Islam)," *Ekp* 13, no. 1 (2015).

⁷ Abd. Basid and Ruqayyah Miskiyah, "Tafsir of Equality in the Quran: A Study of Zaitunah Subhan on the Term Nafs Wahidah," *ANGELA* 17, no. 1 (June 2022), <https://doi.org/10.18860/egalita.v17i1.15651>.

⁸ Zainab Alwani, "Establishing a Just Society through a Qur'anic Lens," *Journal of Black Religious Thought* 1, no. 1 (2022), <https://doi.org/10.1163/27727963-01010003>.

⁹ Nur Fadhilah Laylatul Qadri, Wachyu Ambarwati, and Moh.Yardho, "PARADIGM OF MAQASID AL-QUR'AN PERSPECTIVE OF TAFSIR AL-MISBAH," *MAQASHID* 7, no. 2 (2024), <https://doi.org/10.35897/maqashid.v7i2.1603>.

¹⁰ Faqihuddin Abdul Kodir, "Mafhum Mubadalah: An Effort to Understand the Qur'an and Hadith to Strengthen Islamic Reciprocal Justice in Gender Issues," *Indonesian Islamic Journal* 6, no. 2 (2017).

¹¹ Kerwanto, "Visualization of Husband-Wife Relations in the Qur'an: A Study of Reciprocal Tafsir (Qirā'ah Mubādalah)," *Proceedings of the Gender and Social Movement Conference* 01, no. 01 (2022).

*reciprocal moral responsibility.*¹² This principle does not negate differences in normative roles or provisions, but rejects the interpretation of texts that result in structural inequality and relational harm. The Qur'anic basis of this approach can be found in verses that affirm moral reciprocity, such as: *"And for them (women) the rights are balanced with their obligations in ma'rūf"* (QS. al-Baqarah [2]: 228) This verse shows that justice in Islam is not formulated unilaterally, but through a socially recognized balance of rights and obligations (*bil-ma'rūf*).¹³

The purpose of this study is to reconstruct the meaning of QS. An-Nisā' verses 11–12 in the perspective of reciprocity, by analyzing how the core values of the verse can be re-read to understand and affirm the practice of basuluh as a form of local wisdom that remains within the corridor of maqāṣid al-syārī'ah. This study also aims to make a conceptual contribution to the development of contextual interpretation in Indonesia, while offering a hermeneutical solution to the tension between classical interpretation and social practice. Ultimately, this research seeks to ensure that the interpretation of the Qur'an can function not only as a normative text, but as an ethical guideline that is able to answer the justice needs of today's Muslim society

Research Method

This study uses a qualitative case study with a descriptive-analytical and hermeneutic approach,¹⁴ which integrates the analysis of the Qur'an text, the study of classical and contemporary interpretations, and the analysis of secondary empirical data on the practice of basuluh in the Banjar community in Indragiri Hilir.¹⁵ This approach was chosen because the purpose of the research is not just to describe traditional practices or repeat normative interpretations, but to reconstruct the meaning of QS. An-Nisā' verses 11–12 through dialogue between texts, the purpose of the shari'a (maqāṣid), and local social practices.¹⁶ Through this approach, the study does not place basuluh as a "deviation" from the text, but rather as a *living arena of tafsīr*, where Qur'anic values are operationalized contextually.

At the text analysis stage, the research adapts maqāṣidī hermeneutics and *relational reciprocity approaches* as conceptual instruments. The hermeneutics of maqāṣidī is used to trace the ethical and social goals of the inheritance verse, especially the principles of family justice, the protection of vulnerable members, and the upholding of human dignity. Meanwhile, the framework of reciprocity is used to read relationships between families as the center of ethical considerations in inheritance verses, so that the reading does not stop at mathematical numbers, but moves towards a structure of responsibility that reinforces each other.

At the contextual stage, the research uses secondary field data in the form of previous research reports on the basuluh tradition, published interviews, and relevant customary documents. The data was analyzed through thematic analysis techniques, especially to identify deliberation patterns, family

¹² M Bintang Fadhlurrahman et al., "Reciprocal Studies: The Emancipation of Men and Women in the Public Sphere in the Contemporary Era in the Perspective of the Qur'an," *Journal of Religious Research* 2, no. 1 (2022), <https://doi.org/10.15575/jra.v2i1.16007>.

¹³ M. Afiqul Adib and Natacia Mujahidah, "The Concept of Mubā Faqihuddin Abdul Kodir and Its Formulation in Parenting Patterns," *FOCUS Journal of Islamic and Social Studies* 6, no. 2 (2021), <https://doi.org/10.29240/jf.v6i2.3412>.

¹⁴ Haris Herdiansyah, *Qualitative Research Methodology* (Jakarta: Salemba Humanika, 2018).

¹⁵ Lexy J. Moleong, *Qualitative Research Methodology* (Bandung: Remaja Rosdakarya, 2017).

¹⁶ Bela Feldman-Bianco, "Anthropology and ethnography: the transnational perspective on migration and beyond," *Ethnographicnot.* vol. 22 (1) (2018), <https://doi.org/10.4000/etnografica.5203>.

justice principles, and reciprocal values that live in the practice of basuluh. Thus, this study positions the interpretation of the Qur'an not as a final product detached from social reality, but as a continuous hermeneutic process that dialogues with cultural practices, the need for family justice, and the moral goals of sharia.

Results and Discussion

QS Normative Structure. An-Nisā' 11–12 and the Relevance of Maqāṣidinya

The results of the textual study show that QS. An-Nisā' 11–12 contains a prescriptive inheritance structure based on the principles of *hifz al-māl*, *hifz al-nasl*, and family justice.¹⁷ The verse's emphasis on "predetermined portions" (*fariḍah*) does not stand alone mathematically, but is tied to ethical phrases such as *bil-ma'rūf*, *ghayra muḍār* (no harm), and family responsibility to orphans. Classical commentaries such as al-Ṭabarī and al-Qurṭubī affirm the importance of adhering to the portion of inheritance, but still recognize the existence of *ṣulh*, grants, and wills as social mechanisms for creating justice.¹⁸

In the perspective of maqāṣidī, QS. An-Nisā' verses 11–12 cannot be understood as a rigid numerical system, but rather as a framework of substantive justice that prioritizes the protection of weak family members, the sustainability of livelihood, and social stability. This is in line with the classical jurisprudence tradition which, as recorded in texts such as the works of al-Shāfi'ī,¹⁹ al-Qarāḍāwī,²⁰ and al-Shiddieqy,²¹ has actually acknowledged space for flexibility through mechanisms such as wills, grants, and *ṣulh* as long as it aims to avoid *darar* (harm) and realize the benefits of the family. Some scholars, such as al-Syāṭibī, give legitimacy to the adjustment of the implementation of the law through *ijtihad maqāṣidī*, especially when socio-cultural conditions demand more adaptive solutions.²²

The inheritance system itself, in many modern Muslim communities, cannot be separated from social dynamics, especially the changing role of women in the family and society.²³ These changes often affect people's perceptions of justice, so inheritance distribution is often negotiated according to the actual needs of the family, rather than just following mathematical numbers. This tension between textual norms and social realities is also evident in the case of the Banjar people in Indragiri Hilir, who in practice often distribute inheritances by deliberation or even equally, because they consider the contribution of children in caring for their parents, their respective economic conditions, and the importance of maintaining family harmony. In the research data,

¹⁷ Wely Dozan, "Hermeneutics Versus Maqashid (Tafsir Maqashidi) as a Movement to Ground the Tafsir of the Qur'an," *Ela-Afkar: Journal of Islamic Thought and Hadith Interpretation* 10, no. 1 (2021), <https://doi.org/10.29300/jpkth.v10i1.3672>; Nispan Rahmi, "Maqasid Al Syari'ah: Tracing Early Ideas," *Sharia Journal of Law and Thought* 17, no. 2 (2018), <https://doi.org/10.18592/sy.v17i2.1970>.

¹⁸ Abi Ja'far Muhammad bin Jarir al-Tabari, *Tafsir al-Tabari* (Beirut: Dar al-Kutub al-'Alamiyah, 1999); Abi Ibn Muhammad Ibn Abi Bakr Al-Qurtubi 'Abdullah, *Al-Jami' Al-Ahkam Al-Qur'an* (Beirut: Al-Resalah, 2006).

¹⁹ Imam Shāfi'ī, *Summary of the Book of al-um* (Yogyakarta: Pustaka Azzam, 2009).

²⁰ Muhammad Mufid Ahmad, "ECO-LITERACY FIQH AL-BĪ'AH IN NATIONAL LAW," *Al-Jinayah: Journal of Islamic Criminal Law* 2, no. 1 (2016), <https://doi.org/10.15642/aj.2016.2.1.237-256>.

²¹ Hasbi Ash-Shiddieqy, *Tafsir Al-Qur'an al-Majid An-Nur* (Jakarta: Pustaka Rizki Putra, 2016).

²² Abu Ishaq Al-Syatibi, *Al-Muwaafaqat fi Usūl Al-Syāṭibī*, vol. 2 (Beirut: Dar Kutub al-'Ilmiyah, 2003).

²³ Dadi and Imas Siti Masuroh, "Reconstruction and Reactualization of Islamic Law from the Perspective of Munawir Sjadjali," *SIYASATUNA: Journal of Constitutional Law* 2, no. 1 (2023); Yunahar Ilyas, "Reactualization of Islamic Teachings: A Study of Munawir Sjadjali's Legal Thought," *Al-Jami'ah: Journal of Islamic Studies* 44, no. 1 (2006), <https://doi.org/10.14421/ajis.2006.441.223-240>.

this kind of practice is not considered an aberration, but as an effort to uphold family justice through the most socially acceptable means.

The Practice of *Basuluh* as a Reciprocal Mechanism in the Distribution of Inheritance

Ethnographic data in the field show that the practice of *basuluh* among the people of Banjar Indragiri Hilir is not carried out normatively-legalistically by referring rigidly to the textual inheritance distribution formula, but through a deliberative family deliberation mechanism and strongly considering the concrete conditions of the heirs. *Basuluh* is understood as a space for family dialogue to consider the relationships, contributions, and responsibilities that each family member has undergone during the life of the heir, not solely as a technical procedure for the distribution of property.

In some of the cases documented during the study, it was found that girls who had spent years caring for their parents until death—both physically, emotionally, and economically—were encouraged by their siblings to receive a larger share of the inheritance. An informant, the eldest son in the family, explained:

"If it was only calculated using numbers on paper, our younger sister would have gotten less. But who stays with mom until the end? Who left his job to take care of him? We feel it is unfair that his sacrifices are not counted." (Interview, *Andi*, July 25, 2025)

This statement shows that justice in the *perspective of basuluh* is not understood as mathematical equality, but rather as recognition of real relational contributions. This was reinforced by the testimony of a female informant, who stated:

"I have never actually demanded more. But the brothers themselves asked for my share to be increased. They say it's not about the wealth, it's about the responsibilities that I've been living." (Interview, *Citra*, July 27, 2025)

These findings confirm that *basuluh* deliberation serves as an ethical mechanism to prevent *darar* (harm) and potential post-inheritance tensions. A traditional leader and family mediator said:

"If it is divided rigidly, there is often heartache. *Basuluh* is so that all parties feel recognized. Wealth can run out, but family relationships should not be damaged." (Interview, *Ust*, Busra, July 22, 2025)

Thus, *basuluh* operates as a social practice that integrates moral, affective, and social responsibility considerations into the process of inheritance. Rather than being positioned as a deviation from Qur'anic norms, this practice reflects the actualization of the principles of *ghayra muḍārrin* and *bil-ma'rūf*, where justice is realized through mutual agreement that departs from the relational consciousness between the heirs. In this context, justice is understood as a negotiated social process, not as a result of a law that is unilaterally enforced.

In another example, a family with a member with a very weak economic condition decides to "make up for the shortfall" of the member by passing up some of the inheritance of another brother who is more economically stable. There are even cases when the heirs agree to divide the inheritance equally because of the difference in portions as the text of the verse is felt to have the potential to trigger family conflicts.

This phenomenon is in line with the findings of the field in the article—that the division of *farā'id* is often understood by the public as a "basic formula", but its implementation is still negotiated so as not to cause *darar* and to maintain family harmony.

In addition, data in the field shows that *basuluh* usually involves figures such as uncles, traditional leaders, mosque imams, or village elders who act as mediators. Their presence is not merely symbolic,

but a guarantee that the decisions taken are "inherited peacefully", not just a division of numbers. In some cases, the heirs who initially insisted on a 2:1 division are finally willing to "soften" after the *torch of the heart* (the process of contemplating and receiving), because they understand that the current economic context of the family is not the same as the period when classical jurisprudence was formulated.

This is reinforced by data that Banjar women today have a significant economic role—working, trading, or being the backbone of the family—so that people view justice as not always synonymous with the mathematical portion of verses. Thus, *basuluh* serves as a social mechanism to adjust the distribution of inheritance to the needs, contributions, and emotional conditions of each heir.

These findings show that *basuluh* is not just a customary tradition, but a living model of relational justice, which is substantively in line with the principles of *maqāṣidī* in QS. An-Nisā' 11–12. When Banjar families prioritize agreements, avoid conflicts, and consider the eligibility of each heir, they are actually implementing the great goals of the Shari'a: the protection of life, the preservation of property, the harmony of family relations, and the prevention of harm. Therefore, the ethnographic data in the article support the argument that inheritance verses are not intended to constrain the space for deliberation, but provide an ethical framework for the division of property to remain in favor of substantive justice—as practiced in *basuluh*.

For example, some field research and documentation notes: 1). Children who have been caring for their parents for a long time often receive a larger share as a form of recognition and relational justice; 2). Relatives who are more economically established often give up some of their rights to relatives in need as a form of *mutual respect*; 3). The division is not carried out rigidly, but through a family forum involving parties who are considered neutral (traditional or religious leaders); and 4). The mechanism of "opening the heart" (*mamakai hati*) is the ethical basis for reaching an agreement without triggering conflict.

This kind of practice shows that *basuluh* does not contradict the principles of the Qur'an, but rather serves as a local instrument to translate justice according to the social context.²⁴ *Basuluh* is also in line with the theory of reciprocity (*reciprocity*) which places relationships as the center of ethics. It is not just a "custom", but a way for the community to maintain the dignity of the family, ensure that no member is neglected, and maintain the sustainability of kinship solidarity.

The model of reciprocity that lives in *basuluh* strengthens the argument of *maqāṣidī* that the division of inheritance in Islam must basically pay attention to the *factual conditions of the family*, not just follow standard numbers. Thus, *basuluh* can be understood as a local manifestation of *fiqh al-'āilah*—family fiqh oriented towards harmony, needs, and a sense of justice.

Reconstruction of Tafsir QS. An-Nisā' 11–12 through the Framework of Reciprocity

The results of the dialogue between the Qur'anic text and the practice of *basuluh* show that the reconstruction of tafsir with a framework of reciprocity allows for a more contextual reinterpretation of

²⁴ Taufan Anggoro, "Contemporary Qur'an Interpretation: A Study of Ziauddin Sardar's Thematic-Contextual Interpretation," *AL QUDS : Journal of Qur'an and Hadith Studies* 3, no. 2 (2019), <https://doi.org/10.29240/alquds.v3i2.1049>; Kodir, "Mafhum Mubadalah: An Effort to Understand the Qur'an and Hadith to Strengthen Islamic Reciprocal Justice in Gender Issues."

inherited verses. This approach combines the core values in the verse—justice, protection, and relationality—with the way the community lives those principles in real life.²⁵

Hermeneutic, QS. An-Nisā' 11–12 demands a reading that does not stop at the literal structure of the division of inheritance, but traces the moral orientation and social purpose on which the verse is based. In the first stage, the textual hermeneutic approach asserts that this verse does provide a certain portion for each heir, but the determination of the number is framed by the principle of protection for weak family members—young children, women who have no economic support, and structurally vulnerable family members.²⁶ This can be seen from the relationship between the inheritance verse and the verses before and after which affirm the prohibition of harming orphans, the obligation to provide decent maintenance, and the need to maintain family relationships.

In the second stage, the reading continues through the framework of the maqāṣidī hermeneutics, which is to move the focus from formal law to its moral purpose. In this perspective, the numbers mentioned in the verse are not goals, but instruments to safeguard the welfare of the family. The great purposes of the Shari'ah—*hifz al-māl* (protection of property), *hifz al-nasl* (family harmony), *hifz al-nafs* (well-being of life), and *raf'u al-haraj* (removal of difficulties)—are the main parameters of the reading of the verse.²⁷ That is, when the mathematical division of inheritance threatens the family's well-being (e.g., triggering conflicts, abandoning those in need, or ignoring one's actual contributions), then maqāṣid permits implementive reconstruction.

The third stage is the application of *relational reciprocity* hermeneutics. This approach reads the inheritance verse not as a text directed at the individual as a separate entity, but at the family as a moral unit.²⁸ In the reciprocal approach, each family member is understood to have a reciprocal relationship that forms a structure of moral responsibility. Therefore, justice is not measured by mathematical equality, but by the extent to which the division maintains the balance of relationships, corrects the weak, and avoids structural injustice. This approach allows for the rereading of inheritance verses in local contexts such as basuluh.

The last stage is social hermeneutics (*living Qur'an*), which looks at how the people of Banjar Indragiri Hilir historically interpreted this verse through the practice of basuluh. The basuluh tradition has empirically developed a deliberation mechanism, adjustment of rights based on needs, appreciation for

²⁵ Septi Gumiandari dan Ilman Nafi'a, "Mubadalah as an Islamic Moderating Perspective between Gender and Patriarchal Regimes in Building Family Resilience," *RESEARCH JOURNALS*, 2020, <https://doi.org/10.28918/jupe.v17i2.2970>; Yulmitra Handayani and Muhammad Nur Hadi, "Progressive Interpretation of Women's Theme Hadiths: A Study of the Application of Qira'ah Mubā Theory," *HUMANISMA : Journal of Gender Studies* 4, no. 2 (2020),

<https://doi.org/10.30983/humanisme.v4i2.3462>; Agus Hermanto, "INTEGRATION OF MEN AND WOMEN (Paradigm of Contemporary Gender Theory)," *Quranika Studies* 1, no. 2 (2017), <https://doi.org/10.21111/studiquran.v1i2.844>; Anis Hidayatul Imtihanah, "GENDER-FRIENDLY ISLAMIC FAMILY LAW: ELABORATION OF ISLAMIC FAMILY LAW WITH THE CONCEPT OF MUBADALAH," *Codification* 14, no. 2 (2020), <https://doi.org/10.21154/kodifikasia.v14i2.2197>.

²⁶ Al Fiqri Ardiansyah, "Criticism of Hermeneutics in the Tafsir of the Qur'an: The Perspective of Traditional and Contemporary Scholars," *Al-Muhith: Journal of Qur'an and Hadith* 4, no. 1 (2025), <https://doi.org/10.35931/am.v4i1.4232>.

²⁷ Mufidatul Fitriah et al., "PRIORITY RIGHTS OF THE FAMILY IN THE QUR'AN (ANALYSIS OF TAFSIR MAQASHIDI)," *Relineation: Journal of Indonesian Religious Studies and Multiculturalism* 2, no. 2 (2023); Aji Muhammad Ibrahim and Farah Aisyah Bela, "TAFSIR MAQASHIDI PRESPEKTIF ABDUL MUSTAQIM," *JIQT: Journal of Qur'an and Tafsir* 2, no. 2 (2023), <https://doi.org/10.36769/jiqa.v2i2.438>; Umayyad, "Tafsir Maqashidi: Alternative Methods in the Interpretation of the Qur'an," *Diya al-Afkār*, 2016.

²⁸ Adib and Mujahidah, "The Concept of Mubadalah by Faqihuddin Abdul Kodir and Its Formulation in the Pattern of Childcare"; Nurun Najwah and Faisal Haitomi, "Mubadalah Reading of Women's Hadith as Aurat and Its Implications for Gender Relations," *Islamika Inside: Journal of Islam and Humanities* 6, no. 2 (2020).

the contribution of caring for parents, and joint decision-making to maintain family harmony. All of these practices reflect that people intuitively bring maqāṣid verses to life, though often without mentioning them terminologically.²⁹ This social hermeneutics enriches the reading of the text because it shows how Qur'anic verses are lived, negotiated, and practiced by Muslim communities in specific cultural contexts.

Thus, a hermeneutic analysis of QS. An-Nisā' 11–12 leads to the conclusion that this verse contains a wide dialogical space between text and reality, and opens up opportunities for the reconfiguration of interpretation that remains rooted in Qur'anic values but is relevant to the needs of contemporary society. Using the concept of reciprocity, the inheritance verse can be reread as *First*, as the basic structure of justice, not the final rule; *Second*, the framework of relational responsibility, not individual division; and *Third*, the Guidelines for maintaining family dignity and harmony, not a tool to trigger disputes.

This is where the reconstruction of the interpretation finds its relevance: the numbers in the Qur'an. An-Nisā' 11–12 cannot be understood as a final decree that closes the room for deliberation, but as a normative baseline that provides a minimum limit of justice in the early Arab family structure. In the context of the Banjar Indragiri Hilir community, this baseline is then negotiated through customary mechanisms such as *basuluh*, which functions as a social instrument to translate the value of Qur'anic justice according to the needs and conditions of the family. The data in the attached article show that family deliberation is not just a formal procedure, but an ethical space in which contributions, economic needs, emotional relationships, and parenting responsibilities are seriously considered. For example, in some cases of inheritance, the heirs who care for the elderly during the period of illness are given a larger portion; In other cases, the more established heirs give up some of their rights in favor of an economically weak relative. All of this suggests that *basuluh* serves as a corrective mechanism to ensure that the distribution of inheritance does not result *in darar* (loss) for one party—exactly as the Qur'an emphasizes in the phrase *ghayra mudharrin*.

This approach is entirely in line with the idea of maqāṣidī which asserts that substantive justice takes precedence over mathematical compliance.³⁰ In the perspective of maqāṣid, the shari'a is not intended to force numbers, but to enforce the protection of vulnerable family members, maintain the continuity of livelihood, and prevent social conflicts. The basuluh mechanism proves that people organically interpret inheritance verses through the lens of purpose, not just text. In fact, this practice is in line with the theory of *'urf sahīh* in ushul fiqh, because it presents social solutions that do not contradict sharia values.

In addition, an ethical-contextual approach that emphasizes equality of dignity and healthy relationships within the family suggests that literal readings of inheritance verses can potentially violate the principle of justice if they do not take into account contemporary social conditions, especially shifting economic

²⁹ ; Faqihuddin Abdul Kodir, *Women Are Not a Source of Fitnah (Reviewing Hadith with the Mubadalah)* (Bandung: Afkaruna.id, 2021); Kodir, "Mafhum Mubadalah: An Effort to Understand the Qur'an and Hadith to Strengthen Islamic Reciprocal Justice in Gender Issues."

³⁰ Hannan Sari dan Mohammed Abullais Al-Khayrabadi, "Taṭawwur 'Ilm Maqāṣid al-Shari'ah 'Abra al-Tārīkh al-Islāmī," *International Journal of Fiqh and Usul al-Fiqh Studies (IJFUS)* 2, no. 2 (2018); Mohammad Hashim Kamali, "History and Jurisprudence of the Maqāṣid," *American Journal of Islam and Society* 38, nos. 3–4 (2022), <https://doi.org/10.35632/ajis.v38i3-4.3110>; Ahmad Zubairin, "The Systematic Maqasidi Tafsir Method (A System-Based Maqasidi Tafsir Approach in Understanding the Text and Context of the Qur'an)," *AGAI* 15, no. 1 (2024).

roles of women.³¹ The findings in this article also confirm that many Banjar women today contribute to family sustenance, so relational equality is an important consideration in inheritance deliberations. By including these relational factors, *basuluh* becomes a means to actualize the moral message of QS. An-Nisā', i.e. reciprocity, protection, and justice. Thus, the reconstruction of interpretation based on reciprocity and local data is not only hermeneutically valid, but also shows how Qur'anic verses can remain alive, relevant, and adaptive to the dynamics of society. Basuluh is not a deviation from the text, but rather another path to *maqāṣid* provided by the text itself.

By reading the inheritance verse through the framework of reciprocity, this article finds that the practice of *basuluh* is not a deviation from the provisions of the Qur'an, but rather a form of praxis of Qur'anic values that is internalized in the local culture. Reciprocity places relationships between families as the center of ethics, not just mathematical numbers.³² The field data in the article shows that the people of Banjar Indragiri Hilir interpret inheritance as a collective responsibility; they negotiate divisions based on needs, parenting contributions, economic conditions, and family harmony. For example, some families agree to increase the share of the heirs who care for the elderly or reduce the share of the heirs who are more economically affluent — a decision that is fully in line with the Qur'anic *principles of ghayra muḍārrin* (no harm) and the value of *'adālah* (substantive justice).

The practice shows that the community is not "fighting" the verse numbers, but is practicing the purpose of the verse, which is to ensure that inheritance does not become a source of conflict or injustice. This is where the concept of *living Qur'an* works: the Qur'an is not only read, but used as a value horizon that dialogues with the social context, and is then brought to life through cultural mechanisms such as *basuluh*.³³ Interpretation does not stop at the classical texts or books, but develops through the interaction between revelation and social reality—as affirmed in the tradition of social hermeneutics that the meaning of the verse is fully present when it meets human experience. Thus, *basuluh* becomes the arena of interpretation itself: an arena in which Qur'anic values such as empathy, reciprocity, deliberation, avoidance of harm, and protection of weak members are embodied in daily practice.

Therefore, reciprocity-based interpretation reconstructions show that the living *Qur'an* is not merely a literal application of law, but an ongoing process in which people negotiate the meaning of the verse in order to remain relevant as a moral guideline.³⁴ When the people of Banjar organize the distribution of inheritance through *basuluh*, they are keeping the ethical message of the Qur'an alive, adaptive, and contributing to social justice. This is proof that reciprocity is not only a method of interpretation, but also a bridge between revelation and culture—ensuring that the Qur'an continues to be a source of solutions, not a source of dispute.

³¹ Muttaqin Muhammad Ngizzul Nur Iffsatin, "Fiqh of the Middle Way (Bringing Together Maqashid Sharia, Law, and Social Reality)," *Zawiyah: Journal of Islamic Thought* 5, no. 2 (2019).

³² Kamaruddin Lahaji et al., "Discourse on Islamic law in Indonesia," *Books by IAIN lecturer Sultan Amai Gorontalo* 1, no. 1 (2023); Syayidah Luklukil Muna, "A Review of Sharia Maqashid on Equal Inheritance Distribution (Study in Tunjung Village, Udanawu District, Blitar Regency)," in *Thesis of UIN Maulana Malik Ibrahim* (2022).

³³ Ahmad Al-Raysuni, *Imam Al-Shatibi's Theory of the Higher Objectives and Intents of Islamic Law - IIIT*, in *International Institute of Islamic Thought* (2005).

³⁴ Imas Kurniasih, "The Urgency of Literacy in the Qur'an Perspective of Maqashidi Tafsir," *Living Islam: Journal of Islamic Discourses* 5, no. 1 (2022), <https://doi.org/10.14421/ljid.v5i1.3113>.

Conclusion

This study shows that QS. An-Nisā' verses 11–12 cannot be understood merely as mathematical formulas completed on a literal level, but rather as a value structure that directs the Muslim family toward substantive justice. The maqāṣidī hermeneutic approach and the framework of reciprocity show that inheritance verses have a broader moral purpose: the protection of vulnerable family members, the maintenance of social harmony, and the prevention of conflicts that can damage kinship relationships. In the context of the Banjar Indragiri Hilir community, the *basuluh* tradition is concrete evidence of how these values are implemented through deliberation, partial adjustment based on contributions and needs, and collective efforts to maintain the dignity of the family.

Field data from *the practice of basuluh* show that the distribution of inheritance is not carried out mechanically, but through negotiations that take into account the economic conditions, social roles, and emotional relationships of the heirs. This is in line with the great purpose of the Shari'ah (*maqāṣid al-shari'ah*) and the principle of *ghayra muḍarrin* emphasized by the Qur'an. The basuluh tradition, therefore, is not a form of deviation from the text, but a form of *living tafsīr*—a way for society to translate the values of the Qur'an in a cultural space so that it remains relevant and applicable.

The reconstruction of the interpretation offered by this study confirms that the numbers in inheritance verses can serve as normative baselines, while social mechanisms such as basuluh serve as ethical instruments to ensure substantive justice is achieved. By integrating texts, maqāṣid, and cultural contexts, this research opens up space for a more responsive, dialogical, and dialectical model of interpretation of the Qur'an to the dynamics of Muslim life. In the end, this study emphasizes the urgency of living interpretation—an interpretation that does not freeze in the text, but moves with the needs of social justice in society.

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