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THE IMPACT OF THE DELAY IN INHERITANCE DISTRIBUTION ON HARMONY WITHIN THE EXTENDED FAMILY IN DARUL MAKMUR DISTRICT, NAGAN RAYA REGENCY

The Role of Local Wisdom in Urban Spatial Planning in Regional Government

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Abstract

This study analyzes the impact of delayed inheritance distribution on family harmony in Darul Makmur District, Nagan Raya Regency, and examines this practice from the perspective of Islamic law. The research is motivated by the frequent postponement of inheritance distribution in the community, which often escalates into disputes and intra-family conflict. Using a qualitative method with a juridical-empirical approach, the study draws on in-depth interviews and document analysis of three delayed inheritance cases that occurred in the villages of Suka Ramai, Ladang Baru, and Ujong Tanjong. The findings reveal that postponing inheritance distribution has detrimental consequences for family relations, including broken communication, jealousy, mistrust, and even open conflict among heirs. From an Islamic legal

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perspective, delaying inheritance distribution without a valid *syar'i* reason constitutes an act of injustice because it withholds the rights of others and violates the principle of fairness prescribed in the Qur'an and Sunnah. The study concludes that inheritance should be distributed promptly after the deceased's obligations have been fulfilled in order to safeguard justice, preserve family harmony, and promote overall family well-being.

Keywords: Inheritance Distribution; Delay; Family Harmony; Islamic Law; Juridical-Empirical Approach; Indonesia

INTRODUCTION

Inheritance law is a rule that regulates the transfer of rights and ownership of the assets inherited from someone who has died to their heirs (Noviarni, 2021). In Islam, the science of inheritance or the science of *mawārith* has an important role in maintaining justice in the family after someone's death (Nafisyah & Guspita, 2024). Its purpose is to create benefits for each heir, provide legal certainty regarding each heir's share, and prevent disputes over assets. This knowledge also serves to ensure that the distribution of assets remains fair, orderly, and beneficial to those in need (Pasaribu et al., 2020).

Islam pays great attention to inheritance issues. The command to give or distribute inheritance should be carried out as soon as possible after rights have been fulfilled (Wijaya et al., 2021). Although the verses of the Qur'an and hadith do not specifically mention the time limit for the distribution of inheritance, the law of expediting this can be understood implicitly from the text of the Qur'an in the excerpt from Surah al-Nisa' verse 12 (Tilarsono et al., 2022), Meaning: ...after (the will) he made has been fulfilled or (and after paying) his debts without causing any hardship (to the heirs). Such is the decree of Allah. Allah is All-Knowing, All-Forbearing (QS. an-Nisa: 12).

The verse above shows that the rights of the heirs can only be obtained after all the obligations of the heir, such as paying off debts and carrying out the will, have been completed first (Assyafira, 2020). It confirms the principle of justice in Islamic inheritance law, where the rights of third parties related to inherited assets must be fulfilled before the assets are distributed to the heirs (Datumula, 2022). Suppose the debts and will of the testator have not been fulfilled. In that case, the distribution of the inheritance cannot be carried out, because it is feared that it will give rise to injustice, disputes among the heirs, and violations

of Sharia provisions which prioritise the fulfilment of obligations before the distribution of rights (Sumarwoto et al., 2024).

Regarding the law on delaying inheritance in Islamic law, a strong reason must be provided, or the postponement must be agreed upon by all heirs. If the delay is not based on a strong sense, it is prohibited according to Islamic law (Abduh, 2021a).

It is in line with the hadith of the Prophet SAW, namely:

روه (يَتْبَعُ الْمَيِّتَ ثَلاَثَةٌ ، فَيَرْجِعُ اثْنَانِ وَيَبْقَى مَعَهُ وَاحِدٌ ، يَتْبَعُهُ أَهْلُهُ وَمَالُهُ وَعَمَلُهُ ، فَيَرْجِعُ أَهْلُهُ وَمَالُهُ وَيَبْقَى عَمَلُهُ البخاري و مسلم(

Meaning: *Have heard Anas bin Malik say: The words of the Messenger of Allah: Three things follow the death, two go away and one stays with him: his family, his wealth and his deeds follow him, then his family and his wealth go home, and his deeds remain*. (HR. Bukhari and Muslim).

The law prohibits delaying the distribution of an inheritance. One of the heirs may not settle an inheritance case without the other heirs regarding the inheritance that has been determined for each of them by obstructing or delaying the distribution (Husna, 2025a). Likewise, some of the heirs may not use the inheritance without the permission of the other heirs. Therefore, preventing an heir from fulfilling his rights and delaying the distribution of the inheritance without a strong reason or the consent of all the heirs is prohibited according to Islamic law (Nurhidayat & Abduh, 2023).

The distribution of inheritance should be expedited once the obligations of the heirs to the deceased have been fulfilled. It is considered in terms of the welfare of the deceased and the numerous negative impacts of delaying the distribution of inheritance, even indefinitely (Abdullah, 2023).

Based on preliminary research in the Darul Makmur District, Nagan Raya Regency, inheritance distribution is often not carried out immediately, even postponed for years without a clear time limit. There are three cases of delayed inheritance distribution that have an impact on disrupting the harmony of the extended family, namely in Gampong Suka Ramai, Gampong Ladang Baru, and Gampong Ujong Tanjong. The delay that occurred in Gampong Ujong Tanjong, as stated by the local Keuchik, was caused by several factors, including the survival of one of the parents, the need for support for the heirs, the form of inheritance that is difficult to divide such as a house, land, or business assets, and the

existence of unpaid debts of the heirs, so that these factors cause divisions and impact harmony within the extended family (Personal interviews with Keuchik Gampong Ujong Tanjong, 23/05/2024).

This research focuses on two main issues: the impact of the postponement on harmony within the extended family, and how Islamic law examines the effect of the delay of inheritance distribution on harmony within the extended family. Therefore, the author is interested in conducting a more in-depth study entitled "The Impact of the Delay in Inheritance Distribution on Harmony within the Extended Family in Darul Makmur District, Nagan Raya Regency."

METHODS

This research employed a qualitative research method combined with an empirical juridical approach to explore the practice of inheritance law in the community of Darul Makmur District, Nagan Raya Regency (Muhaimin, 2020). This methodological choice was deliberate to address both the normative legal frameworks derived from Islamic and positive laws and their practical application within the social context. By doing so, the research intended to capture a holistic view of how inheritance issues are managed in reality, beyond theoretical legal stipulations.

The focus of the research was on understanding the causes leading to delays in inheritance distribution, the relational dynamics among heirs, and the potential conflicts such delays may provoke within extended families. This emphasis was particularly important, as delays in inheritance processes often disrupt family harmony and social cohesion. To gather relevant data, the researchers conducted in-depth interviews with key participants including heirs, community leaders, and village officials who possessed experiential knowledge and insights. Additionally, a documentary study was performed on archival records and legal documents related to inheritance disputes and cases, ensuring triangulation of data sources for validity.

Data analysis followed a conventional qualitative framework involving three major stages: data reduction, data presentation, and conclusion drawing (Rijali, 2019). During data reduction, irrelevant information was filtered out while essential data were organized systematically. The presentation stage involved categorizing and displaying the data to identify patterns and relationships, which enabled a nuanced understanding of the impact

of delayed inheritance distribution. Finally, the conclusions were drawn to provide an integrated interpretation of how these delays influence family stability and social interactions in the study area. This rigorous methodological process ensured a comprehensive and contextually grounded assessment aligned with scientific standards.

RESULTS

Islamic Law's View on Postponement of Inheritance Distribution

The rules of inheritance (*faraid*) are part of the sharia law established by Allah SWT as a form of mercy for humanity to bring about benefits and prevent them from harm (Basri, 2020). The distribution of inheritance has an important position in Islam because it concerns individual rights that have been clearly established by Allah in the Qur'an (Jannah & Hidayatullah, 2024). Allah SWT says in QS An-Nisa' verse 7: "For men, there is a portion of the inheritance of their parents and relatives, and for women, there is also a portion of the inheritance of their parents and relatives, whether it is a little or a lot according to the portion that has been determined." (QS. An-Nisa': 7).

This verse emphasises that every heir, both male and female, has the right to receive their share of the inheritance of deceased parents or relatives. Islam views that inheritance rights should not be ignored, delayed, or obstructed, as this could lead to injustice and disputes among the heirs (Abduh, 2021b). In this context, Islamic law emphasises the importance of inheritance distribution being carried out immediately after the testator's obligations, such as paying off debts and carrying out wills, have been completed (Husna, 2025a).

Delaying the distribution of inheritance without a valid reason in the Islamic perspective is an act that is not permitted (Harahap, 2024). In a hadith narrated by Imam Ahmad, it is said that during the time of the Prophet Muhammad Saw, two men from the Ansar tribe came to him and were disputing over an inheritance that had been neglected for a long time. The Prophet Muhammad Saw rebuked them and said that whoever takes his brother's right unlawfully has taken a piece of hellfire, and in the afterlife it will be hung around his neck as punishment. After hearing this, the two men wept and agreed to divide the property fairly and make it lawful for each other (Najar, 2025). This hadith is evidence that Islam views delaying the distribution of inheritance as a gateway to disunity and injustice within the family, and threatens the harmony of brotherly relations.

Scholars emphasise that delaying the distribution of an inheritance without the consent of all heirs is an act of injustice. Delay is only permitted if it is based on the agreement of all heirs or if there is a strong Islamic reason, such as the testator's debts, assets that cannot yet be divided (for example, disputed land), or for the common good. However, if one heir needs his share for living expenses or family support, while the others withhold it, then this action constitutes an oppression of the rights of fellow Muslims (Isnina, 2025). The Prophet Saw said:

مَنْ قُتِلَ دُونَ مَالِه فَهُوَ شَهِيدٌ وَمَنْ سَرَقَ مِنَ الأَرْضِ شِبْرًا طُوِّقَه يَوْمَ الْقِيَامَةِ مِنْ سَبْعِ أَرَضِينَ

Meaning: *Whoever takes another person's land even an inch without the right, then that land will be hung around his neck from the seven layers of the earth*. (HR At-Tirmidzi).

This hadith strictly prohibits taking another person's property, including inheritance. Therefore, delaying or controlling inheritance without clarity is a form of injustice for which one will be held accountable in the afterlife (Neller et al., 2022).

According to commentators such as Ash-Shabuni, the inheritance verses are muhkamat verses whose meaning is clear (Ruslan, 2022). Allah SWT has explained in detail who is entitled to receive an inheritance, how much of it there is, and under what circumstances a person is prevented from receiving it. The primary principle underlying Islamic inheritance law is the principle of justice. Through proportional distribution, Allah eliminates the potential for injustice, establishes balance between men and women, and fosters a spirit of brotherhood (Taqiyuddin, 2020). Thus, delaying the distribution of inheritance without a Sharia basis is contrary to the principle of justice, because it can cause harm and break ties between families (Abduh, 2021b).

Therefore, according to Islamic law, inheritance distribution should be carried out immediately after the testator dies and all obligations are fulfilled. Delaying the distribution without good reason or mutual agreement is a violation of the rights of the heirs, potentially leading to sin and family conflict (Husna, 2025b). Islam places justice as the main foundation in inheritance, so that any delay that leads to injustice must be avoided in order to maintain harmony, family integrity, and the welfare of the community (Isnina, 2025).

The Impact of Delayed Inheritance Distribution on Harmony in Extended Families in the Darul Makmur District Community, Nagan Raya Regency

Based on field research in Darul Makmur District, Nagan Raya Regency, it was found that delays in inheritance distribution are a fairly common occurrence. In some cases, inheritance distribution is not carried out immediately after the testator's death, with some even being delayed for more than five years. This phenomenon not only creates administrative and economic problems but also directly impacts the harmony of the extended family.

The three main cases observed by the researchers occurred in Gampong Suka Ramai, Gampong Ladang Baru, and Gampong Ujong Tanjong. All three illustrate various forms of delayed inheritance distribution that have led to strained family ties.

1. Case in Suka Ramai Village

The first case occurred in the family of a deceased person who passed away in 2018. He left behind two plots of land, a main house, and a two-hectare oil palm plantation. After his death, the heirs, consisting of his wife and four children, agreed to postpone the distribution of the assets because they were still being used jointly as a family residence.

However, as time went on, some of the children wanted the assets divided immediately due to their pressing financial needs. The eldest child argued that continued delays could cause problems later, while his younger siblings still believed the inheritance was premature because their mother was still alive. These differing views created tension, ultimately leading to a breakdown in communication between the siblings (Personal interviews with a person from Gampong Ujong Tanjong, 25/10/2025). According to the *Keuchik* of Gampong Suka Ramai, the relationship between family members is no longer as harmonious as before, and even in some traditional activities, some family members are reluctant to attend together (Personal interviews with Keuchik Gampong Ujong Tanjong, 25/10/2025).

2. The case in Gampong Ladang Baru

The second case was discovered in Gampong Ladang Baru, in the family of a deceased man who died in 2015. He left behind an oil palm plantation and a permanent house. His heirs consisted of three sons and a daughter. After the heir's death, the eldest son took over management of the oil palm plantation, claiming to help their elderly mother. However, for nearly seven years, the plantation's yields were never divided equally among

his siblings. Several requests for clarification were made, but the eldest son dismissed these requests as greed. It led to tension and recurring arguments (Personal interviews with a Person from Gampong Ladang Baru, 26/10/2025).

According to the *Keuchik* of Gampong Ladang Baru, mediation efforts have been conducted twice with traditional leaders, but have been unsuccessful because each party remains adamant. Now, the brothers rarely visit each other and are no longer involved in village community activities. This family conflict has drawn the attention of the local community, as it is considered to be violating the family values long upheld in Gampong Ladang Baru (Personal interviews with Keuchik Gampong Ujong Tanjong, 27/10/2025).

3. The case in Gampong Ujong Tanjong

The third case occurred in Gampong Ujong Tanjong, involving the family of a deceased man who passed away in 2020. He left behind a wife and five children. The inheritance included a main house, a plot of rice paddy, and a family-run grocery store (Personal interviews with Person from Gampong Ujong Tanjong, 27/10/2025).

According to the Keuchik of Gampong Ujong Tanjong, the delay in the distribution of the inheritance occurred due to several factors: first, the testator's wife was still alive and used the main house as a residence; second, the family shop was still a source of income for two unmarried children; third, the testator left behind several debts that had not been fully paid off.

However, over time, the children, who were already married, began demanding that the assets be divided. Two children wanted the shop sold and the proceeds divided equally, while one child refused, arguing that the shop still provided a livelihood for his mother and younger sibling. This dispute led to open fighting and split the family into two camps. As of this research, the inheritance division remains unresolved, and relations between the siblings remain strained (Personal interviews with Keuchik Gampong Ujong Tanjong, 27/10/2025).

From the three cases above, researchers found that the delay in inheritance distribution had quite serious social and emotional impacts on extended families in the Darul Makmur District community. The most prominent impacts include:

1. Breaking of Family Ties

Many families experience rifts after delays in inheritance distribution. Requests by some heirs to discuss assets are often considered impolite, even leading to the stigma of being

"lovers of worldly possessions." It leads to a breakdown in communication and the loss of proper ties.

2. Control of Assets by One Party

Excessive delays often lead to one heir unilaterally taking control of family assets, either for economic reasons or due to management habits. In the long run, this control transforms the inherited assets into personal property, ultimately giving rise to jealousy and injustice among the other heirs.

3. The emergence of internal quarrels and conflicts

Disputes that start as mere differences of opinion can escalate into open fights between family members. In some cases, these conflicts involve third parties, such as traditional leaders or even legal institutions.

4. Declining Harmony and Solidarity in the Extended Family

As a result of the breakdown in communication and the emergence of conflict, harmony within the extended family has drastically diminished. Family values such as mutual respect, mutual assistance, and deliberation have begun to disappear. Families that once lived in harmony and supported each other have now become distant and prejudiced groups.

Overall, the delay in inheritance distribution in Darul Makmur District not only impacts the economic and legal aspects but also threatens social stability and harmony within the extended family. Therefore, it is crucial for the community to promptly resolve inheritance distribution in accordance with Islamic law and local customary law to maintain the values of brotherhood and avoid internal conflict.

DISCUSSION

A Review of Islamic Law on the Impact of Postponement of Inheritance Distribution on Harmony in Extended Families in the Darul Makmur District Community, Nagan Raya Regency

Islamic law provides very clear and firm rules regarding the obligation to distribute inheritance. When a person dies, all of their inheritance legally becomes the joint property of the heirs, according to the proportions determined by sharia. Therefore, delaying the distribution of an inheritance without a strong sharia-compliant reason is an act that can lead to injustice against the other heirs and potentially lead to social conflict within the family

(Indra, 2018).

The phenomenon of delaying inheritance distribution that occurred in Darul Makmur District, especially in Gampong Suka Ramai, Ladang Baru, and Ujong Tanjong, needs to be reviewed from an Islamic legal perspective so that it can be understood to what extent this practice is in line with or contrary to Sharia principles.

1. Case in Gampong Suka Ramai

In the case of the family in Gampong Suka Ramai, the postponement of inheritance distribution was due to the mother still being alive and the house and land still being shared. Under Islamic law, this is a temporary justification, as long as no heirs feel disadvantaged and all parties agree to the postponement through deliberation (Muhti et al., 2024). However, if the delay lasts too long and causes tension and quarrels between the heirs, then it is not permitted, because it is contrary to the principles of justice and the welfare of the family (Maimanah et al., 2024).

Allah SWT says in Surah An-Nisa verse 7: "For men, there is a right to a share of the inheritance of their parents and relatives, and for women, there is also a right to a share of the inheritance of their parents and relatives, whether it is a little or a lot according to the portion that has been determined." (QS. An-Nisa: 7).

This verse indicates that inheritance rights are certain and must be granted immediately upon the testator's death. There is no justification for delaying them without a sharia-compliant reason. When delays lead to estrangement and the loss of family ties, they are considered prohibited, as stated by the Prophet Muhammad Saw:

لَا يَدْخُلُ الْجَنَّةَ قَاطِعٌ

Meaning: *No one who cuts off ties of kinship will enter Paradise.* (HR. Bukhari and Muslim).

Thus, the practice in Gampong Suka Ramai can be categorised as deviating from Islamic teachings when the delay results in the loss of family harmony and the breaking of ties between relatives.

2. The case in Gampong Ladang Baru

The case in Gampong Ladang Baru demonstrates the control of assets by one heir, who managed the oil palm plantation's yield without distributing it to the other heirs. Under

Islamic law, this act constitutes ghasab (unlawful possession of assets), which is forbidden and a major sin (Murizal et al., 2021).

Rasulullah Saw said:

مَنْ ظَلَمَ مِنَ الْأَرْضِ شَيْئًا طُوِّقَهُ مِنْ سَبْعِ أَرَضِينَ

Meaning: Whoever takes someone else's land, even an inch, in an unjust way, he will be covered with it from the seven layers of the earth on the Day of Resurrection." (HR. Bukhari and Muslim).

In this context, an heir who takes control of the inheritance without legal distribution has violated the rights of his brother, and this is not permitted in Islam (Salim, 2024).

The rules of fiqh state that:

الضَّرَرُ يُزَالُ

It means that any action that causes harm or loss to other heirs must be stopped. Delays that result in losses and hostility between brothers are a real form of harm. Therefore, Islamic law emphasises the importance of immediate distribution to avoid slander, quarrels and loss of wealth blessings (Alshaibani, 2017).

c. The case in Gampong Ujong Tanjong

In the case of the family in Gampong Ujong Tanjong, the postponement was carried out because the testator's wife was still there, there were debts of the testator that had not been paid off, and because the assets in the form of a shop and house were still being used for family support (Khasanah et al., 2022). In Islamic law, this kind of delay is permitted temporarily on the condition that:

1. The heir's debts are paid off first, as the Prophet Saw said:

نَفْسُ الْمُؤْمِنِ مُعَلَّقَةٌ بِدَيْنِهِ حَتَّى يُقْضَى عَنْهُ

Meaning: *The soul of a believer is dependent on his debt until it is paid off.* (HR.Tirmidhi).

2. Assets that are still used for family needs may be managed together, but this must be accompanied by the agreement of all heirs and must not deny each other's rights (Abduh, 2021a).

If this delay then triggers a dispute, as occurred in Ujong Tanjong, it indicates that the principles of justice and deliberation have been ignored. In Islam, all family decisions

must be based on the principle of shura (deliberation), as stated by Allah in Surah Asy-Shura, verse 38: "And their affairs (are decided) by consultation among them." (QS. Asy-Shura: 38).

From an Islamic legal perspective, the postponement of inheritance distribution in Gampong Ujong Tanjong should only be temporary and carried out based on deliberation and mutual agreement, and not become a source of division. Based on the three cases above, delaying the distribution of inheritance, which destroys family relationships, is included in the category of actions which are contrary to maqashid al-syari'ah, especially in maintaining *hifẓh al-nasl* (offspring) and *hifẓh al-mal* (property).

The relevant fiqh rule states:

اَلتَّصَرُّفُ عَلَى الرَّعِيَّةِ مَنُوطٌ بِالْمَصْلَحَةِ

Meaning: *All forms of action towards others must be based on the common good.*

دَرْءُ الْمَفَاسِدِ مُقَدَّمٌ عَلَى جَلْبِ الْمَصَالِحِ

Meaning: *Preventing harm is preferred over bringing benefit.*. (Ibrahim, 2019).

Delaying the distribution of inheritance, which leads to quarrels and the loss of ties, is unacceptable, as it causes more harm than good. In Islam, inheritance distribution should be carried out immediately after the testator's obligations, such as debt repayment and the execution of a will, have been completed. Delaying without a shari'a-compliant reason is a form of withholding another person's rights, and this constitutes injustice (Hascall, 2014).

The Prophet Saw said:

مَطْلُ الْغَنِيِّ ظُلْمٌ

Meaning: *Delaying payment (of someone else's rights) when one is able to do so is an injustice.* (HR. Bukhari and Muslim).

CONCLUSION

The study of three cases involving delayed inheritance distribution in Gampong Suka Ramai, Gampong Ladang Baru, and Gampong Ujong Tanjong in Darul Makmur District reveals that such delays significantly impact extended family harmony, leading to

social conflicts including broken kinship ties, suspicion, envy, disputes, and unilateral control over inherited assets. Delays without legitimate syar'i reasons not only provoke social tension but also weaken familial values and affection, which are foundational to Islamic society. From an Islamic legal perspective, this practice contradicts the Quranic and Sunnah mandates that require the immediate distribution of inheritance following the deceased's passing, as detailed in QS An-Nisa' verses 11–12 and the hadith narrated by Muslim, emphasising the prompt fulfilment of heirs' rights. Therefore, delaying inheritance distribution without a valid syar'i cause violates heir rights and justice principles, and may incur sin if done intentionally; thus, the community of Darul Makmur District is urged to uphold syar'i principles in inheritance management to achieve justice, peace, and family harmony.

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