



Semantic Integration of *Uṣūl al-Fiqh* Principles in Islamic Family Law: Reconstructing Inheritance Norms through Judicial Practice

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Submitted: 29-10-2025

Revised: 23-11-2025

Accepted: 29-12-2025

Abstract: The determination of Islamic family law relies heavily on accurate semantic construction of Qur'anic and prophetic texts. Although *uṣūl al-fiqh* provides a comprehensive methodological framework—particularly through the concepts of *mutlaq*, *muqayyad*, *mujmal*, and *mubayyan*—the application of Islamic inheritance law frequently encounters interpretive inconsistencies that generate judicial disparity and familial conflict. Existing scholarship broadly addresses these semantic principles at a doctrinal level, while insufficiently examining their practical implications within contemporary legal systems. This article addresses that gap by integrating semantic analysis of *uṣūl al-fiqh* with the empirical realities of Islamic inheritance adjudication in Indonesia. Employing a normative library-based method and a descriptive-analytical approach, the study examines classical and contemporary *uṣūl al-fiqh* literature alongside statutory instruments and judicial precedents of the Religious Courts and the Supreme Court. The findings demonstrate that semantic principles function not merely as linguistic classifications but as epistemic tools that shape legal reasoning, guide judicial clarification of indeterminate norms, and align inheritance rulings with the objectives of Islamic law (*maqāṣid al-shari‘ah*), particularly the protection of wealth and family integrity. By mapping the interaction between semantic rules, legal objectives, and judicial practice, this study contributes a contextualized interpretive model that preserves textual validity while enhancing substantive justice in Islamic family law.

Keywords: *Uṣūl al-fiqh*; *Islamic Inheritance Law*; *Mutlaq-Muqayyad*; *Mujmal-Mubayyan*

Introduction

The articulation of Islamic family law is fundamentally contingent upon the accuracy of semantic interpretation applied to Qur'anic and Prophetic texts. Within the normative tradition, *uṣūl al-fiqh* furnishes a sophisticated methodological framework for engaging textual variation, particularly through the doctrines of *mutlaq*, *muqayyad*, *mujmal*, and *mubayyan*. These semantic instruments are designed to ensure that *istinbāt al-ahkām* proceeds with interpretive precision and remains aligned with the higher objectives of Islamic law (Ritonga & Alwizar, 2024; Syarifuddin, 2014). Nevertheless, in judicial practice, the application of Islamic family law—most notably in inheritance disputes—continues to be marked by interpretive fragmentation, inconsistent rulings, intra-familial conflict, and persistent tension between normative texts and evolving social realities (Elfia et al., 2023; Ikhlas & Alwizar, 2024; Janwar et al., 2024; Munir, 2022, 2023). This situation reveals a structural disjunction between a theoretically adaptive normative framework and legal practices that often privilege formalistic readings.

Recent socio-legal studies suggest that the enduring challenges of Islamic inheritance law in Muslim-majority jurisdictions, including Indonesia, cannot be adequately explained by reference to normative insufficiency alone. Instead, they stem from the modes of textual engagement through which legal norms are interpreted, translated into legal reasoning, and institutionalized within shifting socio-

cultural contexts (Febriani & Alwizar, 2025; A. H. Hakim, 1983). Empirical findings consistently demonstrate that rigid textualism marginalizes the semantic logic embedded in *uṣūl al-fiqh*, thereby transforming inheritance law into a closed and self-referential normative system. Such an approach has significant implications for substantive justice, particularly in relation to the protection of vulnerable legal subjects—most notably women—whose interests are insufficiently safeguarded within contemporary Islamic family law adjudication (Arabi, 2021; Reskiani et al., 2022).

At the same time, international scholarship on the semantic foundations of *uṣūl al-fiqh* has concentrated mainly on conceptual clarification and historical reconstruction of *mutlaq*, *muqayyad*, *mujmal*, and *mubayyan* as classical linguistic doctrines (Ikhlas & Alwizar, 2024; Janwar et al., 2024). While these studies make important theoretical contributions, they generally remain confined to a doctrinal plane and stop short of interrogating how the operationalization—or neglect—of these semantic principles directly shapes judicial reasoning and legal outcomes in Islamic family law, particularly in inheritance cases. Consequently, the existing literature leaves unaddressed the critical interface between semantic theory and the empirical dynamics of Islamic legal practice.

This article responds to that gap by advancing an integrative framework that situates semantic analysis within the lived realities of Islamic inheritance adjudication. It reconceptualizes *mutlaq*, *muqayyad*, *mujmal*, and *mubayyan* not merely as linguistic classifications, but as epistemic mechanisms that actively structure legal reasoning, guide judicial clarification of indeterminate norms, and influence the distribution of rights within family law disputes. By foregrounding the functional role of semantic principles in judicial practice, this study proposes a contextualized interpretive model that remains faithful to the normative architecture of *Shari‘ah* while responding to contemporary demands for substantive justice. Accordingly, the central objective of this article is to examine how the contextual deployment of semantic principles in *uṣūl al-fiqh* can bridge the enduring gap between normative inheritance doctrines and their practical application, thereby ensuring that Islamic family law sustains both its textual authority and its socio-legal relevance.

Method

This study adopts a library-based research design that focuses on a normative examination of Islamic legal texts through the lens of *uṣūl al-fiqh*. This approach is selected because the object of analysis is directly related to linguistic and methodological principles employed by Muslim jurists in understanding and interpreting Qur’anic and Prophetic texts within the process of legal derivation (*istinbāt al-ahkām*). Library research is considered particularly appropriate for tracing the conceptual architecture of *mutlaq*, *muqayyad*, *mujmal*, and *mubayyan* as formulated in both classical and contemporary *uṣūl al-fiqh* literature (Abu Zahrah, 1958; Dupret, 2021; Fadhil, 2024). Data collection was conducted through documentary analysis, involving the systematic identification and inventory of scholarly materials directly relevant to the research theme. Sources were collected thematically by examining discussions of *mutlaq*, *muqayyad*, *mujmal*, and *mubayyan* across authoritative texts. In this context, the inquiry extended beyond normative legal texts to include juristic methodological explanations concerning the functions and applications of these four principles in Islamic legal interpretation (Fadhil, 2024; Hallak, 2022).

The data sources are categorized into primary and secondary materials. Primary sources consist of the Qur’ān, particularly legal verses containing formulations of *mutlaq*, *muqayyad*, *mujmal*, and *mubayyan*, as the Qur’ān constitutes the foundational source of Islamic law. Secondary sources include classical and modern works of *uṣūl al-fiqh*, scholarly monographs, and peer-reviewed academic journal articles addressing the semantic dimensions of Islamic law and the methodology of legal derivation (*istinbāt*) (Al-Qattan, 2003; Djazuli & Aen, 2000; Mu’adzah, 2022). Data analysis employed a descriptive-analytical method. The analytical process began with a systematic description of the concepts and defining characteristics of each semantic category, followed by an examination of their respective roles and functions in legal interpretation. Through this approach, the study moves beyond the mere presentation of normative definitions to explore the interrelationship among these principles and their implications for the construction of legal meaning within Islamic law. The analytical

dimension is further applied to assess how these principles operate complementarily to prevent interpretive error and to ensure accuracy and coherence in the formulation of legal rulings.

Results and Discussion

The Relationship between *Mutlaq–Muqayyad* and *Mujmal–Mubayyan* in the Formation and Limitation of Islamic Legal Norms

Within the context of legal administration, corrective measures generally pertain to technical adjustments—such as errors in wording, numerical figures, or legal formulation—aimed at maintaining data accuracy and legal certainty without altering the established normative substance. This understanding becomes analytically significant when examined through the lens of linguistic principles in Islamic law, particularly in interpreting the relationship between *mutlaq* and *muqayyad* expressions (Ikhlas & Alwizar, 2024; Janwar et al., 2024).

Methodologically, a foundational principle in *uṣūl al-fiqh* maintains that a *mutlaq* expression is, in principle, to be understood according to its unrestricted scope. In contrast, a *muqayyad* expression is to be applied in accordance with the limitation explicitly attached to it. When a valid and relevant legal proof restricts an originally *mutlaq* expression, such restriction functions not only to qualify its scope but also to clarify its normative intent, this principle is articulated by al-Zarkashī, who asserts that any apparent generality or unrestricted formulation in a legal text must be interpreted in light of its valid restricting evidence; conversely, in the absence of such evidence, both *mutlaq* and *muqayyad* retain their respective operative characteristics (Al-Suyuti, n.d.; Shihab, 2025).

This relational dynamic is clearly illustrated in the legal regulation of bequests (*waṣīyah*), as stated in Sūrat al-Nisā' (4:12), which refers to bequests in a *mutlaq* formulation without specifying a quantitative limit. At the textual level, this wording initially allows for a broad interpretive range concerning the permissible amount of a bequest. However, this unrestricted meaning is subsequently qualified by a Prophetic *ḥadīth* in response to Sa‘d ibn Abī Waqqāṣ, who expressed his intention to bequeath the majority of his wealth. The Prophet Muḥammad ruled that the maximum permissible bequest is one-third of the estate, and even characterized one-third as substantial. This *ḥadīth* thus operates simultaneously as *taqyīd* (restriction) and *bayān* (clarification) of the Qur’anic verse, transforming the legal understanding of bequests from an unrestricted norm into a regulated provision designed to protect the welfare of lawful heirs (Al-Khinn, n.d.; Anwar, 2017; Karim, 1995).

Beyond direct forms of *taqyīd*, jurists have also examined situations in which a legal rule appears as *mutlaq* in one text and *muqayyad* in another. Manna‘ al-Qattān categorizes this relationship into several methodological configurations. *First*, when both the legal cause (*sabab*) and the ruling (*hukm*) are identical, the majority of jurists agree that the *mutlaq* must be interpreted in light of the *muqayyad*. A commonly cited example is the prohibition of consuming blood. The term *al-dam* in Sūrat al-Mā’idah (5:3) is expressed in a *mutlaq* form, while *daman masfūḥan* (flowing blood) in Sūrat al-An‘ām (6:145) constitutes a *muqayyad* formulation. Since both texts share the exact cause and legal ruling—namely, the prohibition of consuming blood—the prohibited substance is explicitly understood as flowing blood. Consequently, organs such as the liver and spleen are excluded from the scope of prohibition (Al-Bukhari, 2001; Anwar, 2017; Ibn Hajjaj al-Naysaburi, 2006).

Second, when the legal cause remains the same but the legal ruling differs, as in the prescriptions for *wuḍū’* and *tayammum* in Sūrat al-Mā’idah (5:6), juristic disagreement emerges. The majority of *Hanafi* and *Malīkī* jurists, along with some *Shāfi‘ī* scholars, maintain that the *mutlaq* should not be subsumed under the *muqayyad*, and that each ruling should be interpreted independently according to its specific context. Accordingly, the obligation to wash the hands up to the elbows applies exclusively to *wuḍū’*, while *tayammum* does not require such a limitation. Many *Shāfi‘ī* jurists, including *al-Ghazālī*, explicitly reject the unification of meaning in this case, arguing that the difference in legal rulings signifies a substantive distinction like the act of worship and its underlying normative objectives (Al-Khinn, n.d.).

Third, when the legal ruling (*hukm*) is the same but the legal cause (*sabab*) differs—such as in the obligation to emancipate a slave as expiation (*kaffārah*) for *zībār* and for unintentional homicide—jurists again diverge in their views. The majority of *Shāfi‘i* scholars tend to subsume the *mutlaq* expression under the *muqayyad*. In contrast, the *Ḥanafī* and *Mālikī* schools maintain that each formulation should remain operative within its respective context. *Fourth*, when both the legal cause and the legal ruling differ, jurists are in agreement that the *mutlaq* should not be constrained by the *muqayyad*. This position is exemplified by the divergent use of the term ‘hand’ (*yad*) in the context of the *hudūd* punishment for theft and in the ritual requirements of *wuḍū‘*, each of which is grounded in distinct legal purposes and normative rationales (Al-Suyuti, n.d.).

As for *mujmal* expressions, they exhibit a higher degree of indeterminacy than other linguistic categories, insofar as their textual structure does not yield a determinable meaning. Sufficient external indicators do not accompany it. This ambiguity arises intrinsically from the expression itself, particularly when a term is transferred from its ordinary linguistic meaning to a technical *shar‘i* usage. Consequently, the proper understanding of *mujmal* expressions is fundamentally dependent on Prophetic clarification, given the Prophet’s authority as the bearer of revelation and law. The majority of scholars concur that no *mujmal* expression in the Qur’an remains without explanation through the Sunnah, as evidenced by the Prophet’s elucidation of core obligations such as prayer, almsgiving, and pilgrimage (Anwar, 2017; Ash-Shalih, 2024).

Nevertheless, scholars differ regarding the juridical status of a *mujmal* expression after it has received clarification (*bayān*). Some maintain that once clarified, the expression becomes *mufassar*, thereby closing the possibility of *ta’wil* or *takhsīs*. Others argue that a *mujmal* expression, upon receiving clarification, may evolve into a *zāhir*, *nass*, or even *muhkam*, depending on the degree of clarity provided by the explanatory text. This divergence illustrates that the process of *bayān* does not invariably foreclose the scope of *ijtihād*; instead, under certain conditions, it may expand interpretive discourse and juristic engagement (Karim, 1995; Mu’adzah, 2022).

The principles governing the relationship between *mujmal* and *mubayyan* underscore that semantic ambiguity is resolved when accompanied by adequate clarification, whether within the same verse or through another Qur’anic passage or Prophetic tradition. A frequently cited example is the reference to the ‘white thread and black thread’ in Sūrat al-Baqarah (2:187), which attains clarity only with the subsequent phrase *min al-fajr*. Absent this clarification, the *mujmal* expression would remain susceptible to erroneous interpretation (As-Sa’di, 2000; Ash-Shabuni, 2010). Accordingly, the *mujmal–mubayyan* relationship functions as an internal hermeneutical mechanism within the revealed texts, ensuring legal clarity and securing the accurate applicability of normative prescriptions.

The Semantic Construction of *Mutlaq–Muqayyad* Expressions in the Determination of Islamic Family Law

Before engaging in a conceptual analysis of *mutlaq* and *muqayyad* expressions, it is necessary to situate this issue within the broader context of Islamic family law in Indonesia. The Compilation of Islamic Law (*Kompilasi Hukum Islam/KHI*), particularly Articles 5 and 6, affirms that orderly marriage administration can only be achieved when every marriage is officially registered before and under the supervision of a Marriage Registration Officer (Bilalu et al., 2025; Usman, 1993). Marriage registration is thus positioned as a fundamental requirement to ensure the legality and formal recognition of a marital union by the state. Consequently, marriages conducted without the oversight of authorized officials lack administrative legal force, even though they may be considered valid from a religious perspective. This provision illustrates how the state imposes normative limitations on marital practices in pursuit of legal certainty and the protection of family rights (Presidential Instruction of the Republic of Indonesia No. 1 of 1991 on the Dissemination of the Compilation of Islamic Law).

This principle has been further reinforced through the evolving regulatory framework governing marriage registration. The Regulations of the Minister of Religious Affairs (*Peraturan Menteri*

Agama/PMA), ranging from PMA No. 11 of 2007 to PMA No. 30 of 2024, reflect a paradigmatic shift from mere administrative regulation toward a more robust effort to safeguard the validity of marriage data and the integrity of family law documentation. These regulatory developments may be understood as a form of normative *tagyid*, whereby marital practices that were initially general and flexible have become increasingly constrained by formal procedural requirements in the interest of legal certainty. From the perspective of *uṣūl al-fiqh*, this phenomenon is analytically relevant to the relationship between *mutlaq* and *muqayyad* expressions in the formation of legal norms (Ikhlas & Alwizar, 2024).

Terminologically, Muslim jurists have articulated relatively diverse formulations of *mutlaq* and *muqayyad*, although their substantive core remains consistent. Ahmad Muhammad As-Syafi'i defines *mutlaq* as an expression that denotes a unitary meaning without any restriction that would diminish its semantic scope. In contrast, *muqayyad* refers to an expression that denotes a specific unit constrained by an attribute or condition that narrows its range. A similar understanding is shared by the majority of *uṣūl al-fiqh* scholars, who conceptualize *mutlaq* as an expression indicating an entity in its unqualified form, free from limiting linguistic qualifiers, while *muqayyad* signifies an entity accompanied by particular attributes that render its meaning more restricted (Janwar et al., 2024; Roshdy, 2023).

Quraish Shihab, in his discussion of interpretive principles, explains *mutlaq* as an expression that points to one or more units in terms of their essential substance without any binding qualification. In contrast, *muqayyad* is an expression whose meaning is restricted by another, separate expression, thereby narrowing its previously expansive semantic scope. This formulation underscores that semantic limitation does not always reside intrinsically within a given expression, but may emerge through intertextual relationships (Shihab, 2025). Linguistically, *mutlaq* conveys the sense of being free, absolute, and unbound, while *muqayyad* denotes being bound or constrained. In the technical vocabulary of *uṣūl al-fiqh*, *mutlaq* refers to an expression that signifies the essence of a meaning without exception. In contrast, *muqayyad* denotes a meaning subject to specific limitations, whether in the form of attributes, conditions, or contextual factors (Dupret, 2021; Ikhlas & Alwizar, 2024).

Based on these definitions, it can be concluded that *mutlaq* functions to provide a broad and open legal scope, while *muqayyad* serves to narrow and specify that scope. The relationship between the two is therefore crucial in the determination of Islamic family law, as misidentifying whether a legal provision is *mutlaq* or has been subject to *tagyid* may directly affect the legal validity of a given practice. This dynamic is particularly evident in issues surrounding marriage registration and the state's legal recognition of family status.

In this context, the concepts of *mujmal* and *mubayyan* also bear close methodological relevance. Abu Zahrah defines *mujmal* as an expression that encompasses multiple possible states or legal implications whose intended meaning cannot be ascertained without further clarification. In contrast, *mubayyan* refers to an expression whose legal meaning has been rendered transparent. Quraish Shihab emphasizes that *mujmal* denotes an expression whose meaning oscillates between two or more equally plausible interpretations, without any one meaning predominating (Shihab, 2025). Accordingly, *mujmal* may be understood as a text that is not yet operational due to its semantic plurality, thereby necessitating *bayān* to enable proper legal application.

These scholarly emphases are not contradictory, but rather complementary. Abu Zahrah highlights the non-operational character of law embedded in *mujmal* expressions, while Quraish Shihab draws attention to the equal probability of meanings inherent in such expressions. In the practice of Islamic family law determination—particularly in matters involving administration and legal validity—the presence of *bayān* becomes decisive in ensuring that legal norms do not remain at an abstract level, but are instead capable of clear and definite implementation. Accordingly, the semantic construction of *mutlaq*, *muqayyad*, *mujmal*, and *mubayyan* is not merely theoretical; it plays a direct role in shaping an Islamic family law framework that is both accurate in its textual grounding and responsive to its legal context.

The Role of *Mujmal–Mubayyan* Expressions in Clarifying Islamic Inheritance Norms

Normatively, Islamic inheritance law derives from the Qur'an and the Sunnah, which, on the one hand, establish foundational principles governing the distribution of estates, yet on the other hand, do not always articulate these principles in fully operational terms. A number of inheritance norms are formulated in general expressions that are methodologically classified as *mujmal*. Such expressions cannot be directly applied, as they contain multiple equally plausible meanings or fail to specify precise mechanisms of implementation (Asmawi, 2011; Niemi, 2021). Accordingly, the presence of *mubayyan* functions as an indispensable interpretive instrument to ensure that inheritance norms are applied accurately and consistently, both within the framework of classical fiqh and within Indonesia's system of positive Islamic law.

The inheritance verses in Sūrat al-Nisā', although widely recognized for their explicit numerical allocations, nonetheless retain aspects of *ijmāl*. The term *kalālah*, for instance, is not exhaustively defined in any single Qur'anic verse, rendering its interpretation dependent upon Prophetic traditions and the *ijtihād* of the Companions. Similarly, matters concerning the hierarchy of heirs, impediments to inheritance (*mawāni‘ al-irf*), and the legal status of joint marital property and personal assets are not elaborated in detail in the Qur'anic text. In this respect, the Sunnah of the Prophet Muhammad and the juristic constructions developed by classical scholars operate as *bayān*, transforming these norms into applicable legal rules and mitigating interpretive ambiguity.

Within the Indonesian context, the *mubayyan* function vis-à-vis *mujmal* expressions has been expanded through the codification of Islamic law in the Compilation of Islamic Law (*Kompilasi Hukum Islam*/KHI). The KHI does not merely adopt classical inheritance principles, but also formulates normative clarifications on issues that were historically contested or articulated only in general terms. Provisions concerning substitute heirs, *waṣīyyah wājibah*, and inheritance distribution within families characterized by complex kinship structures illustrate how *mujmal* norms are translated into more determinate positive law. In this sense, the KHI serves as a form of institutional *bayān*, bridging normative Shari‘ah texts with the demands of national legal certainty (Amirullah et al., 2021; Syarifuddin, 2004).

The significance of the *mujmal–mubayyan* relationship becomes even more pronounced when examined through the jurisprudence of the Religious Courts. In numerous inheritance disputes, judges of the Religious Courts are frequently confronted with normative provisions that are not entirely explicit, particularly in cases involving disagreements over property classification, the legal standing of certain heirs, or contested perceptions of equitable distribution. In such circumstances, judges cannot rely solely on the literal wording of the Qur'an or the KHI; instead, they must engage in systematic interpretation grounded in the principle of *bayān* within *uṣūl al-fiqh*. Judicial decisions demonstrate that judges often invoke the KHI and established fiqh opinions as *mubayyan* instruments to resolve normative indeterminacy and to secure substantive justice for the parties involved.

One illustrative example arises in inheritance cases involving adopted children. The Qur'an does not explicitly regulate the inheritance rights of adopted children, rendering this issue *mujmal*, or even normatively silent. Religious Courts consequently refer to Article 209 of the KHI, which provides for *waṣīyyah wājibah* as a form of normative *bayān*. Through this mechanism, adopted children are not positioned as legal heirs, yet they are entitled to receive a portion of the estate through a mandatory bequest. This jurisprudential practice demonstrates how *mujmal* norms are not left unaddressed, but are clarified through legally recognized instruments to preserve *maṣlahah* and prevent intra-family conflict (Munir, 2022).

A similar pattern is observable in inheritance disputes concerning joint marital property (*harta bersama*) and personal assets (*harta bawaan*). The Qur'an does not explicitly regulate the separation of marital property, rendering the norm *mujmal* in character. In judicial practice, Religious Court judges do not immediately treat the entire estate as *tirkah*, but instead first separate joint marital property. This approach was authoritatively affirmed in a decision of the 'Mahkamah Agung' (Decision No. 424 K/AG/2000), which held that joint property must be divided in advance, with one-half allocated to the

surviving spouse prior to the distribution of inheritance. Lower Religious Courts have consistently followed this interpretive approach (Bilalu et al., 2022). In this context, the KHI and Supreme Court jurisprudence function as *mubayyan*, providing operational clarity to inheritance norms articulated only in general terms within the *Shari'ah* texts (Fikri, 2024; Khosy'iah & Rusyana, 2022).

The most prominent illustration of institutional *bayān* concerns the legal status of adopted children in inheritance. The Qur'an does not explicitly address their inheritance rights, rendering the issue *mujmal* and effectively *maskūt 'anhu*. This normative silence carries the potential to generate familial conflict and legal uncertainty. The 'Mahkamah Agung' has therefore played a decisive role in supplying clarification through jurisprudence (Yetta et al., 2024). Decision No. 368 K/AG/1995 established that adopted children do not qualify as heirs under Islamic inheritance law, but may receive a share of the estate through *waṣiyyah wājibah*. This reasoning was reaffirmed in subsequent decisions, including Decision No. 179 K/AG/1997 and Decision No. 51 K/AG/1999, which consistently relied on Article 209 of the KHI as the normative basis for granting such mandatory bequests. Collectively, these rulings demonstrate how *mujmal* norms are clarified through binding institutional *bayān* that shapes Religious Court practice.

Table 1. Mapping of Mujmal Norms, Forms of Bayān, and Religious Court / Supreme Court Practice

Mujmal Norm in the Text	Form of Bayān	Religious Court / Supreme Court Practice (Jurisprudence)
Legal status of adopted children in inheritance (not explicitly regulated in the Qur'an)	Article 209 of the Compilation of Islamic Law (KHI) (<i>waṣiyyah wājibah</i>)	Decisions of the Mahkamah Agung No. 368 K/AG/1995; No. 51 K/AG/1999; No. 179 K/AG/1997 – adopted children are not legal heirs but are entitled to receive a mandatory bequest (<i>waṣiyyah wājibah</i>)
Separation of joint marital property (<i>harta bersama</i>) and estate (<i>tirkah</i>)	Articles 85–97 of the KHI + judicial <i>ijtibād</i>	Supreme Court Decision No. 424 K/AG/2000 – joint marital property must be separated prior to inheritance distribution
Substitute heirs (grandchildren whose parent predeceased the decedent)	Article 185 of the KHI	Consistent Religious Court rulings recognizing substitute heirs to uphold family justice
Bequests in favor of legal heirs	Prophetic <i>hadīth</i> limiting bequests + KHI provisions	Religious Courts restrict bequests to a maximum of one-third of the estate, in accordance with the principle of <i>taqīd</i>
Inheritance disputes arising from legal pluralism	KHI as the applicable Islamic legal framework	Religious Courts reject the application of the Civil Code (<i>KUHPerdata</i>) to Muslim parties when Islamic inheritance law is invoked.

Source: Data Analysis, 2025.

Accordingly, the *mujmal–mubayyan* relationship in Islamic inheritance law operates not merely as a theoretical construct within *uṣūl al-fiqh*, but as a functional mechanism with direct implications for judicial practice in Indonesia. Through *bayān*, inheritance norms that are general in formulation and susceptible to multiple interpretations are concretized into legally binding decisions endowed with social legitimacy. This confirms that clarity in Islamic inheritance law is not solely the product of literal textual reading, but rather the outcome of a layered and ongoing interpretive process involving revelation, *fiqh*, and jurisprudence.

Integrating Semantic Principles of *Uṣūl al-Fiqh* to Safeguard the Accuracy and Objectives of Islamic Family Law

The integration of semantic principles in *uṣūl al-fiqh*—particularly *mutlaq*, *muqayyad*, *mujmal*, and *mubayyan*—plays a central role in safeguarding the accuracy of Islamic family law determination, especially in the field of inheritance, which directly intersects with economic interests, family structures, and the potential for social conflict. Although Qur'anic inheritance provisions are widely recognized for their relatively detailed numerical allocations, they nonetheless contain norms articulated in general and global terms, rendering them not fully applicable without a methodologically grounded interpretive process (Dahlan, 2018; Mu'adzah, 2022). In this context, the semantic principles of *uṣūl al-fiqh* function as an interpretive framework that ensures legal reasoning remains faithful to the normative intent of the *Shari'ah* while remaining responsive to the complexity of social realities.

Findings from studies on inheritance regulations and their practical challenges within Indonesian Muslim society indicate that many inheritance disputes do not arise from the absence of legal norms, but rather from ambiguity in their application due to a fragmented or partial use of semantic principles (Alia & Subli, 2024). When *mutlaq* expressions are interpreted without due consideration of potential *taqyid*, or when *mujmal* norms are applied in the absence of adequate *bayān*, inheritance law tends to be enforced in a rigidly textual and formalistic manner. As a consequence, the primary objectives of Islamic family law—such as the protection of property (*hifz al-māl*) and the preservation of family relationships (*hifz al-nasl*)—are not fully realized and may instead give rise to disputes among heirs.

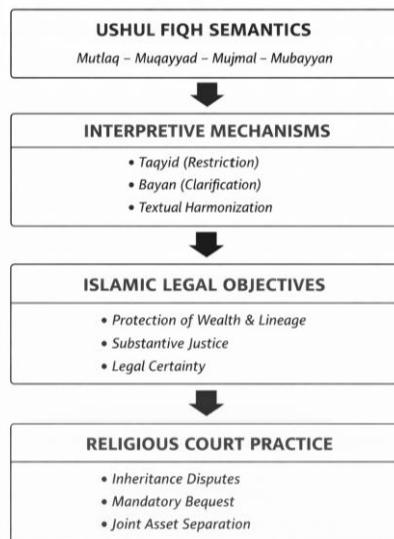


Figure 1. Integration of Semantic Principles of *Uṣūl al-Fiqh* in Islamic Family Law

Source: Data Analysis, 2025.

The diagram illustrates an integrative flow linking the semantic principles of *uṣūl al-fiqh*, the objectives of Islamic law, and religious court practice in the application of Islamic family law. Semantic principles—namely *mutlaq*, *muqayyad*, *mujmal*, and *mubayyan*—are positioned as the methodological foundation that determines the scope, limitations, and degree of clarity of legal norms derived from the Qur'an and the Sunnah. Through interpretive mechanisms such as *taqyid* and *bayān*, these principles prevent purely textualist applications of law and ensure that general or global norms are interpreted with precision and coherence.

The subsequent stage situates these interpretive outcomes within the framework of the objectives of Islamic law (*maqāṣid al-shari'ah*), particularly the protection of property (*hifz al-māl*), the protection of family and lineage (*hifz al-nasl*), as well as the realization of substantive justice and legal certainty. Interpretation, therefore, does not end at the clarification of textual meaning, but is directed toward achieving the normative purposes of Islamic family law within concrete social contexts (Auda, 2022b).

At the final stage, this integration of semantic principles and legal objectives materializes in religious court practice through the application of positive legal norms, such as the Compilation of Islamic Law (KHI) and judicial precedents. Judicial decisions concerning inheritance, *waṣīyyah wājibah*, and the separation of joint marital property demonstrate that *uṣūl al-fiqh* functions as a practical methodology that bridges *Shari‘ah* texts with societal demands for justice and legal certainty (Auda, 2022a).

Within Indonesia’s positive legal system, this integration of semantic principles is clearly reflected in the role of the KHI and the jurisprudence of the Religious Courts. The KHI does not merely adopt classical fiqh inheritance doctrines, but operationalizes *mujmal* norms through more concrete statutory formulations, such as provisions on substitute heirs, *waṣīyyah wājibah*, and mechanisms for separating joint marital property prior to inheritance distribution (M. L. Hakim, 2024; Setyawan et al., 2024). In this respect, the KHI functions as an institutional form of *bayān*, linking *Shari‘ah* texts with the imperatives of national legal certainty, while simultaneously reflecting the integration of *mujmal–mubayyan* and *mutlaq–muqayyad* principles within a unified normative framework.

The integration of semantic principles in *uṣūl al-fiqh* is also evident in the legal reasoning patterns employed by judges of the Religious Courts and the Supreme Court. In numerous inheritance cases, judges do not rely solely on the literal wording of normative texts, but also consider intertextual relationships and the underlying legal objectives to be achieved. For instance, in cases involving adopted children and joint marital property, judges invoke the provisions of the KHI and established judicial precedents as forms of *bayān* addressing norms that are not explicitly detailed in the Qur‘an. This approach illustrates how semantic principles in *uṣūl al-fiqh* have evolved from theoretical constructs into a practical methodology that safeguards consistency, justice, and the legitimacy of Islamic family law adjudication in Indonesia.

Accordingly, the integration of *mutlaq*, *muqayyad*, *mujmal*, and *mubayyan* cannot be understood in isolation or applied partially. These principles operate complementarily in constructing an Islamic family law framework that is both normatively accurate and purposively oriented. When such integration is maintained, Islamic inheritance law functions not merely as a set of normative rules, but as a mechanism for fair, adaptive, and socially relevant conflict resolution within a plural legal system such as Indonesia. This finding affirms that the strength of Islamic family law lies in its interpretive methodology, rather than solely in its normative texts.

Conclusion

This study demonstrates that the effectiveness and legitimacy of Islamic family law—particularly in the field of inheritance—are fundamentally determined by the integrated application of semantic principles within *uṣūl al-fiqh*. The analysis confirms that *mutlaq*, *muqayyad*, *mujmal*, and *mubayyan* should not be treated as isolated linguistic categories, but rather as an interconnected interpretive system that collectively structures legal reasoning and prevents misapplication of normative rules. When applied contextually, these principles enable the restriction, clarification, and harmonization of inheritance norms that are originally articulated in general or non-operational terms.

The Indonesian experience, as reflected in the Compilation of Islamic Law (KHI) and the jurisprudence of the Religious Courts and the Mahkamah Agung, illustrates that such semantic integration operates as an effective mechanism of *bayān* in legal practice. Judicial decisions concerning *waṣīyyah wājibah*, substitute heirs, and the separation of joint marital property demonstrate that religious courts consistently employ semantic reasoning—either explicitly or implicitly—to resolve normative ambiguity and to realize substantive justice. These findings affirm that the semantic principles of *uṣūl al-fiqh* remain both relevant and operational within modern legal systems, particularly in contexts characterized by legal pluralism.

Ultimately, this research underscores that the strength of Islamic family law does not lie solely in the textual authority of its sources, but in the precision of the interpretive methodology through which

those texts are translated into legal practice. The integration of semantic principles with legal objectives and judicial application enables Islamic inheritance law to preserve its normative integrity while remaining responsive to contemporary social realities and demands for justice.

Acknowledgement

The author expresses sincere gratitude to all individuals and institutions that provided support throughout the research and writing process, whose contributions were instrumental in the completion of this article.

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