

## ABSTRACT

Junaidah, Asma. 05210024, 2010. *Heritage Division of the Muslim Dayak Society (Case Studies in the Village Loksado, Loksado District, District Upper South River, South Kalimantan)*. Thesis. Major: Al-ahwal al-shakhsiyyah. Faculty: Sharia, Islamic State University Maulana Malik Ibrahim (Maliki) Malang.

Supervisor: Zaenul Mahmudi, M.A.

**Keywords: Heritage, tradition or custom**

---

Understanding of Islamic inheritance law in Muslim societies, especially in the Village Loksado Dayak does not directly follow the text of the Qur'an in which property ownership rights have been established for every human being, whether male or female as appropriate. While looking at what Loksado society defined by Islamic law is not in accordance with the customs that have become traditions. Regardless of status with men or women, even without looking at the different religions in one family, they can set up shared inheritance with equal distribution model, they argued that distinguish more or at least part to the beneficiary is his service during the heir to the heir his life.

Therefore, this study aims to determine the extent of understanding and practice of the Muslim community in the village of Loksado in the division of inheritance and what is the reason they are in the division of inheritance as it has been applied.

This research uses a sociological or empirical research, which focuses on the circumstances the Dayak village of Loksado especially people who are Muslim or have Muslim family, because looking at the condition of the area is not entirely Muslim. The approach used is a qualitative approach to generating descriptive data. Data obtained from this research is obtained through observation, interview and documentation. Source data used is a source of primary data, secondary and tertiary.

The results showed a lack of understanding of Muslim societies Village Loksado about how Islamic law, especially the division of inheritance laws in Islam, about the parts that have been defined in Islamic law, when property is distributed according to Islam, and who has the right and not to obtain inheritance. They believe that free distribution is such that they apply a fair division of inheritance. In the division of inheritance, they use a system of grants on the grounds, first, the order for the heirs to enjoy the estate in his daily life. Second, to avoid the domination of property by an heir in the future. Third, to avoid disputes in the distribution of the estate. They also use a system of equal division, with the opinion that the role of women have an equal role with men, because women also play a role in family welfare. Similarly, the distribution of non-Muslims are not a hindrance to receive the estate. This division in the underlying by a sense of togetherness and kinship them very closely. However Islamic law did not justify the existence of inherited mutual between heirs and inheritors of different religions.