

ISLAMIC ECONOMIC VIEWS ON THE CONCEPT OF JUSTICE IN THE DISTRIBUTION OF INHERITANCE FOR DAUGHTERS IN THE PAKPAK TRIBAL COMMUNITY

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Abstract

This research examines the forms of habits in the Pakpak people, precisely in Maholida Village, in the form of an injustice system in inheritance experienced by girls, as well as examines the Islamic economic view of injustice that benefits men and the weakness of the inheritance system for girls in the distribution of wealth in society pack tribe. The population in this study were all Pakpak people in Maholida Village with a total sample of (11) people consisting of representatives of religious leaders, government leaders, traditional leaders and representatives of the Pakpak people. With his research using qualitative analysis methods by conducting direct interviews with respondents to get answers to the problems studied. The results of the study indicate that there is a concept of injustice in the distribution of inheritance to daughters in the Pakpak tribe which benefits one party and harms the other party in a family.

Keywords: *Islamic Economics, Concept of Justice, Distribution of Inheritance.*

1. INTRODUCTION

Humans are creatures of God who are equipped with reason and mind. Humans are God's creations that have the highest degree among His other creations. The most important thing in distinguishing humans is equipped with reason, feelings and beliefs to enhance the quality of life in the world. The beginning of the emergence of Islam in the middle ages had a very big influence on changes in the order of people's lives. Islam upholds the value of justice. As the most perfect religion on His side, Islam has a variety of rules to straighten out the way of life in this world of Allah so as not to be judged between one human being and another, the low with the high position, so Islam came to enforce justice for its people. As for the problems in the customs in the Pakpak Tribe, precisely in Maholida Village, Kitelu Sub-District, Tali Urang Jehe, one of which is carried out in the inheritance system where the share of male inheritance is equal to the share of two daughters or the husband's share is twice as large as the wife's share, and may not get even a little from his own family inheritance even though he is from a wealthy, middle-class and well-off family and even not at all. This is not disputed because the tradition or custom has occurred in the ancestors of the Pakpak tribe and until now. Then the other and most prominent phenomenon is the inheritance to the first son or the oldest son and the youngest son gets more than other siblings. The Pakpak tribe or commonly called Batak Pakpak is one of the ethnic groups included in the Batak sub-tribe and is generally found on the island of Sumatra, Indonesia. Almost 90% of the population in the Pakpak Bharat region is of Pakpak ethnicity in contrast to the parent district which is inhabited by various tribes as Pakpak Bharat is located at the foot of the Bukit Barisan mountain

range and the Pakpak people adhere to various religions Christianity 60.44%, Protestantism 56.70%, Catholicism 3.74% and Islam 39.56%.

The Pakpak tribe illustrates the belief in God Almighty, that the people of Pakpak Bharat Regency uphold the religious values that are adhered to so that even though they have different religions and beliefs, they are still harmonious and peaceful and respect each other (Guanabara et al., 2020). The wisdom of men getting a larger inheritance than women in the Pakpak Tribe in inheritance. Traditions have been created by both the government and the local community for equality between women and men in Pakpak. The placement of sons as heirs is closely related to the view that Pakpak men have a large responsibility in the family, while the responsibility of girls to the family ends with the marriage of the child who will then enter and fulfill their responsibilities in total in the husband's family environment and have a new family. The Pakpak tribe itself does not escape inheritance because the family is very close and friendship is maintained. Brotherhood is highly upheld, for example the family inheritance system, clans, and others. The wisdom of men and women is different because the role of men is very influential both in the family community and other social relationships. And the role of women in the Pakpak Tribe is not considered and even only as a complement either at home or other social environments. One form of the role of women that is still very lacking is when women have not participated in the expansion plan, it is very clear that the Pakpak community in particular, pays less attention to issues of gender equality and justice, in the implementation of government also does not involve women to actively participate.

As for the problems in the customs in the Pakpak Tribe, to be precise, Maholida Village, Sitelu Kecamatan Tali Urang Jehe, one of which is carried out in the inheritance system where the share of male inheritance is equal to the share of two daughters or the husband's share is twice as large as the wife's share, and may not get even a little from his own family inheritance even though he is from a wealthy, middle-class and well-off family and even not at all. This is not disputed because the tradition or custom has occurred in the ancestors of the Pakpak Tribe and until now. Therefore, men need wealth more than women. But of course, equal distribution is not impossible in the distribution of inheritance. Because, the background of the heirs can be different from one another between one clan and another clan or between one region and another region is different. Based on the data, the researcher can take samples according to the wishes of the researcher who becomes a sample based on Muslims, around five to ten people become samples for the overall survey to obtain information on inheritance in the Pakpak Tribe, precisely in Maholida Village in Sitelu Tali Urang Jehe District, Pakpak Bharat Regency.

2. IMPLEMENTATION METHOD

The research location is the place where the research will be conducted. The case study we mean is a place where researchers see the actual situation of the subject of the problem under study to obtain the necessary data or information. The location of this research is in Maholida Village, Sitellu Tali Urang Jehe District, Pakpak Bharat Regency, North Sumatra. The research method used in this research is a type of qualitative method using field research where researchers must go directly to the field, and engage with the local community. Engaging with participants or the community means feeling what they feel and at the same time also getting a more comprehensive picture of the local situation. (Raco, 2019). In addition to field research, the data in this study were also obtained from library research by reviewing certain previous journals, reading and tracing a number of books used as references. The purpose of which is to further examine the Islamic economic view of the concept of justice in the distribution of inheritance property for daughters in the Pakpak Tribe community in Maholida Village, Sitelu Tali Urang Jehe District, Pakpak Bharat Regency. Population is a generalization area consisting of Objects / subjects that have certain qualities and characteristics set by researchers to study and then draw conclusions (Dr.Garaika Darmanah, S.E., 2020). So the population in this study were all the people of Maholida Village,

Sitelu Tali Urang Jehe District, Pakpak Bharat Regency. A sample is a certain sample taken from a population and studied in detail. The sample in this study is the community in Maholida Village, with the sampling method using the non-probability sampling method in the form of a sampling technique using certain criteria that are related to the problem under study. So the number of samples in this study were eleven respondents who were selected based on the required criteria. (Puteri, 2020)

3. RESULTS AND DISCUSSION

This section presents the results with clear descriptions. Results can be supplemented with The purpose of this research is to fulfill the final project, where this research was conducted in the Pakpak Tribe precisely in Maholida Village, with the object of research being the Maholida Village community in the implementation of inheritance for daughters in the Pakpak Tribe. To get a clearer picture of the object, in this study the researcher will explain a little related to the location of this research that researchers conducted in Maholida Village, which includes location, economic conditions, culture and education.

1. Village location Maholida : Village is one of the villages in Sitellu Tali Urang Jehe Sub-district, Pakpak Bharat Regency, North Sumatra Province, Indonesia. The following is a map of the Pakpak Bharat Regency area of sub-districts and villages in Pakpak Bharat Regency. Pakpak Bharat Regency consists of 8 sub-districts and 52 villages with an area of 1,218.30 km² and a population of around 50,445 people (2017) with a population density of 42 people/km² (Guanabara et al., 2019).

2. Economy : The majority of the livelihoods of the Pakpak people of Maholida Village are farming, gardening and cattle raising. The main commodities are patchouli, gambier, coffee, rice and durian.

3. Cultural and educational conditions : The Pakpak Tribe community, precisely in Maholida Village, is a community that is still very thick with customs, where it is not surprising that in their daily lives the Pakpak Tribe community in Maholida Village will apply habits that have become culture or tradition in the daily community environment. The educational conditions of the Maholida Village community in Sitelu Tali Urang Jehe Subdistrict are on average low and mostly at the junior high school, high school, and minimal college graduates, with educational facilities available in Sitelu Tali Urang Jehe Subdistrict, Pakpak Bharat Regency consisting of kindergarten/early childhood, MIN / SD, MTS / SMP, and MAS / SMA.Changes in wages play an important role in cushioning shocks to labor demand. The domestic labor market will experience a negative labor demand shock as a result of an increase in the number of job vacancies, which will have a direct impact on the wages offered by domestic businesses (Elsner, 2013). The efficiency wage theory states that wages have a positive effect on labor productivity. Wages important because they measure the value of a representative's labor (Maria Esther OSwald-Egg, 2021).

4. CONCLUSION

Based on the discussion that has been conveyed by the author above, who conducted research related to "Islamic Economic Views on the Concept of Justice in the Distribution of Inheritance Assets for Daughters in the Pakpak Tribe Community (Case Study of Maholida

Village, Sitelu Tali Urang Jehe District)". Therefore, the author can draw several conclusions that can answer the questions contained in the problem formulation as follows:

1. Based on research that there is injustice in inheritance in the Pakpak Tribe community, Maholida Village, Sitelu Tali Urang Jehe District, Pakpak Bharat Regency in the following forms such as: The most dominant inheritance or more than other siblings and relatives, namely the eldest son or the first son and the oldest son get fields, rice fields, animals and other assets. Then the child who is in the second position is most entitled to inheritance from the family or heirs, namely: the youngest son or the smallest son among others. Ownership of the house belongs to the youngest son of the family. So the most dominating inheritance in the Pakpak custom is the oldest son and the youngest son of a family. Inheritance like this is because the son is the most prominent, the most special, a family leader, a successor because he inherits a clan from his father or family. Girls generally only get orders from men because it has become a custom that a girl only follows or obeys what has been determined from the past until now. The part that girls get is usually one part of the field, the field here means that if a family has more than two daughters, all the sisters only get one part of the field and they only have rights there. Then the field is sold and the proceeds of the sale are divided equally among all the sisters in the family.

2. In the view of Islamic economics, the injustice experienced by girls in the Pakpak Tribe community in the inheritance distribution system is as follows: that the distribution of inheritance should be for girls if only one, he gets half the share, if two or more people, they together get two-thirds of the share, and if the daughter is together with the son, then the son's share is two against one with the daughter. Allah SWT created His servants, both men and women, are equal before Allah SWT, namely both living life as His servants and the noblest of them is the most pious based on the Al-Qur'an and Al-Hadith-Hadith of the Prophet as a guide to human life in a world that is only temporary and eternal life only in the hereafter.... Based on the results of interviews that have been obtained above from the results of research conducted by direct interviews with respondents that justice has not been found in the distribution of inheritance property, namely the heirs bequeath their property to sons and daughters differently and not in accordance with the laws and shara' that apply in Islamic teachings..

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