

Critical Comparison of Muhammad Syahrur and Fazlur Rahman's Thoughts on Inheritance Law: Modern Reconstruction of the Principles of Justice in Islam

Muhamad Zaenal Arifin

STIS Subulussalam, Indonesia; muhammadzainalarifin009@gmail.com

ARTICLE INFO

Keywords:

Islamic inheritance law;
Muhammad Syahrur;
Fazlur Rahman;
Legal reconstruction;
Gender justice

Article history:

Received 2024-04-07
Revised 2024-05-20
Accepted 2024-06-22

ABSTRACT

The discourse on Islamic inheritance law continues to evolve amid contemporary social and economic changes. This study aims to compare Muhammad Syahrur's theory of limits (nazariyyah al-hudud) and Fazlur Rahman's double movement approach in understanding Islamic inheritance law, assessing their relevance and applicability in the modern context. This research employs a qualitative method with descriptive-analytical and comparative analysis approaches. Data were gathered through literature reviews of the primary works of both scholars and supporting literature. The findings reveal that Syahrur's approach provides flexibility that allows law to adapt to social changes, while Rahman emphasizes the importance of linking the historical context of the Qur'an to modern conditions. Both approaches have strengths and potential for integration to create an adaptive, relevant, and justice-aligned legal framework in Islamic jurisprudence. The study's implications point towards policy recommendations for more inclusive and responsive Islamic inheritance laws.

This is an open access article under the [CC BY-NC](#) license.



Corresponding Author:

Muhamad Zaenal Arifin
STIS Subulussalam, Indonesia; muhammadzainalarifin009@gmail.com

1. INTRODUCTION

Discourse on Islamic inheritance law (*farā'id*) continues to experience dynamic developments along with the complexity of contemporary issues faced by Muslims. This includes new challenges that require a more adaptive and responsive approach. Efforts to find a balance between traditional interpretations and modern needs are crucial elements in this discourse. In the modern context, the interpretation and implementation of Islamic inheritance law faces various challenges, especially related to the principle of gender justice and the adaptability of the law in facing social change. (Al-Attar, 2021). Therefore, the emergence of a new perspective is very necessary to answer various current issues. Rapid social transformation, changes in family structure, and the evolution of gender roles in contemporary society require a rereading of the basic concepts of Islamic inheritance law.

In the midst of this discourse, the thoughts of Muhammad Syahrur and Fazlur Rahman are present as two perspectives that offer different approaches in understanding and reconstructing Islamic

inheritance law. Both of them try to present a fresher narrative in reading religious texts. These two figures represent the paradigm of Islamic thought renewal that tries to dialogue texts with context, but with different methodologies and frameworks.(M. Hassan, 2023). Syahrur with his theory of limits (nazariyyah al-hudud) tries to provide flexible interpretation space, while Rahman with his double movement approach tries to link historical context with modern conditions. Each offers a unique perspective in interpreting the inheritance verses.(Hafidz, 2023).

The urgency of comparative studies on the thoughts of these two figures is increasingly relevant considering the increasing global awareness of gender equality and social justice. This awareness encourages efforts for more just and inclusive legal reform. Data from(Initiative, 2022)shows that more than 45% of Muslim countries have implemented family law reforms, including inheritance aspects, in response to the demands of modernity and gender justice. However, these reforms often face resistance from groups that hold traditional-textual interpretations. This tendency poses its own challenges in the process of implementing legal changes.

Previous studies on the thoughts of Syahrur and Rahman in the context of Islamic law have been conducted separately. However, a more in-depth and comparative study between the two is needed to enrich this discourse. For example, research(Zainab, 2020)which studies the methodology of Syahrur's legal istinbath, or the study of(Ahmad, 2021)about Rahman's double movement hermeneutics. However, comparative studies that specifically compare the thoughts of the two figures in the context of inheritance law are still limited. Thus, this study can provide a new, more comprehensive perspective.

The significance of this discussion also lies in its contribution to the development of contemporary Islamic legal methodology. A more flexible and responsive methodological approach can strengthen the relevance of Islamic law in the modern era. Rahman with his historical-contextual approach and Syahrur with his theory of limits offer a methodological framework that can enrich the treasury of Islamic legal thought.(A. Mahmood, 2022). Both approaches have the potential to provide solutions to the problems of implementing inheritance law in a modern context. This is where the importance of this study lies in connecting theory and practice.

In the Indonesian context, discussions on the reform of Islamic inheritance law have gained new momentum with the emergence of various academic studies advocating for the reinterpretation of inheritance law based on the principle of gender justice. Social change and shifts in societal values have also driven this discourse. Research(M. Saifuddin, 2023)shows that 67% of Indonesian Muslim respondents support a more gender-responsive update in the interpretation of inheritance law. This indicates an openness to innovation in reading the law.

The complexity of inheritance issues in modern society is also marked by the emergence of new forms of wealth that were unknown in classical times. This phenomenon demands more dynamic and adaptive legal solutions. Cryptocurrencies, digital assets, and various forms of contemporary investment add new dimensions to the discussion of Islamic inheritance law.(Al-Qaradawi Foundation Research, 2024b). This emphasizes the importance of an approach that is able to accommodate the development of the times without ignoring the fundamental principles of sharia. This context requires an analysis that is able to integrate sharia norms with modern reality.

This study attempts to fill the gap in academic literature by presenting a comprehensive comparative analysis of Syahrur and Rahman's thoughts on inheritance law. This study is expected to provide a theoretical basis for the development of more adaptive law. This comparison not only covers methodological aspects, but also its practical implications for the reform of contemporary Islamic inheritance law.(Ibrahim, 2023). Thus, this research can be a reference in developing more progressive policies.

The philosophical dimension of the thoughts of both figures is also an important aspect in this analysis. Understanding this philosophical aspect helps explore the arguments of justice that are put forward. The concept of justice that is the basis of Syahrur and Rahman's arguments in reconstructing inheritance law reflects the dialectic between the universality of Islamic values and the particularity of

the socio-historical context.(A. Khoiri, 2023)And(Hidayat, 2024). Understanding this philosophical basis is important to evaluate the relevance and applicability of their thinking in the contemporary context. Thus, this analysis can strengthen the foundations of contextual legal reform.

The methodological aspects offered by these two figures have significant implications for the development of contemporary Islamic law. Their approach can open up a wider space for dialogue in academic discourse. The study conducted by(Center for Islamic Legal Studies, 2023b)shows that progressive approaches to the interpretation of inheritance law are increasingly gaining ground in global academic discourse, with 72% of journal articles in the last five years supporting contextual reinterpretation. This indicates a recognition of the importance of new, more adaptive and contextual approaches.

On the other hand, the challenges in implementing the thoughts of these two figures also need serious attention. The complexity of implementing new methodologies in the field often requires a more applicable framework. Resistance from traditionalist groups, the complexity of implementing new methodologies, and the need for a more applicable framework are issues that need to be explored further.(F Rahman, 2024). An in-depth analysis of these challenges is essential to formulate more effective solutions.

This comparative study is also relevant in the context of efforts to harmonize Islamic law with universal human rights principles. This effort can be the foundation for a more inclusive legal interpretation.(Global Islamic Law Research Network, 2023)noted that there has been a significant increase in efforts to integrate universal justice values into the interpretation of Islamic family law, including inheritance law. This proves that a broader approach can accommodate the needs of the times without sacrificing the essence of sharia.

Based on the complexity of the above issues, this study aims to critically analyze the comparative thoughts of Muhammad Syahrur and Fazlur Rahman on Islamic inheritance law, with a focus on modern reconstruction efforts towards the principles of justice. This analysis is expected to provide significant contributions to the development of contemporary Islamic legal methodology and offer practical solutions to the problems of implementing inheritance law in a modern context. This study also seeks to open up a space for constructive dialogue between traditional and modern thinking in Islamic law.

Referring to the latest research from(Fadhilah, 2021)And(Islamic Legal Studies Institute, 2024), the urgency of this comparative study is increasingly relevant considering the increasing need for a methodological framework that can accommodate the complexity of contemporary inheritance issues while maintaining the fundamental principles of sharia. A more progressive approach can provide a more flexible legal basis. Through an in-depth analysis of the thoughts of these two figures, it is hoped that a constructive synthesis can be found for the development of Islamic inheritance law that is more responsive to the demands of the times.

2. METHODS

This study uses a qualitative method with a comparative analysis approach that is descriptive-analytical in nature. This method was chosen to study in depth and compare the thoughts of Muhammad Syahrur and Fazlur Rahman in the context of Islamic inheritance law. A comprehensive literature study was conducted to collect secondary data from various sources, including books, scientific journals, articles, and relevant research reports. The primary data include Syahrur's works such as *Al-Kitab wa Al-Qur'an: Qira'ah Mu'ashirah* and Fazlur Rahman's works such as *Islam and Modernity: Transformation of an Intellectual Tradition*, as well as other related studies. A hermeneutic approach is applied to interpret the deeper meaning of the works of both figures, allowing for an in-depth analysis of their methodology and philosophy in connecting religious texts with contemporary socio-historical contexts.

Comparative analysis is conducted by comparing the *nazariyyah al-hudud* approach of Syahrur and the double movement of Rahman to understand the differences in the legal *istinbath* methodology

they use. This approach includes an analysis of the philosophical context of the concept of justice promoted by each figure and assessing its relevance and applicability in modern Islamic law. Secondary data from journals, reports of Islamic legal research institutions, and other relevant publications are used to enrich the results of the analysis. Data validation is carried out through triangulation to ensure the reliability of the findings, including cross-verification from various sources to avoid bias. The final stage of the research involves synthesizing the findings to produce coherent conclusions about the contribution of the thoughts of both figures to the development of contemporary Islamic legal methodology. Qualitative content analysis is conducted to categorize the data based on key themes, such as interpretation methodology, the concept of justice, and resistance and acceptance of progressive thinking. These findings are then presented in a final report that includes policy recommendations and potential for further development in the fields of inheritance law and Islamic law. With this approach, it is hoped that the research can make a significant contribution in responding to modern challenges in Islamic inheritance law and provide a basis for inclusive and adaptive reform.

3. FINDINGS AND DISCUSSION

Results

The results of this study reveal that the thoughts of Muhammad Syahrur and Fazlur Rahman offer an innovative approach in understanding Islamic inheritance law while adhering to the principles of justice. Syahrur's methodological analysis shows that his theory of limits (*nazariyyah al-hudud*) provides flexible interpretation of the verses of the Qur'an, including in the aspect of inheritance. Syahrur emphasizes the importance of understanding the minimum and maximum limits in the distribution of inheritance to ensure balance and justice in modern families.(Sedayu, 2022).This emphasis provides a basis for adapting the law to better suit contemporary social changes and family structures.(M. Hassan, 2023).

On the other hand, Fazlur Rahman with his double movement approach offers a more systematic way of interpreting inheritance law. Rahman analyzes the texts of the Qur'an by looking at their historical context and then connecting them to modern conditions to obtain relevant meaning. This approach allows for a more inclusive and relevant reading of the inheritance verses, especially in emphasizing the principle of continuous justice.(A. Mahmood, 2022)And(Scientific, 2023). This study found that Rahman places more emphasis on the relationship between the universal principles of Islam and the ever-evolving local context.

This study, which uses primary data from Muhammad Syahrur's works such as *Al-Kitab wa Al-Qur'an: Qira'ah Mu'ashirah* and Fazlur Rahman's *Islam and Modernity: Transformation of an Intellectual Tradition*, shows that Syahrur's thinking offers an approach based on flexibility through the concept of *nazariyyah al-hudud*. Syahrur underlines the importance of understanding inheritance law by considering the minimum and maximum limits in inheritance distribution to maintain balance in its application. These findings indicate that Syahrur's approach allows for the adjustment of the law to changing social conditions, making it a relevant solution in facing modern challenges such as more complex family structures.(Syahrur, 1990).

Fazlur Rahman, in *Islam and Modernity*, emphasizes the importance of the double movement approach, which invites interpreters to look at the historical context of the revelation of the verses of the Qur'an before applying them to modern conditions. This study finds that this method brings a deep perspective, connecting the universal principles of the Qur'an with contemporary needs. Rahman focuses on efforts to maintain the essence of the values of justice in Islamic law without sacrificing its relevance to current social realities.(Fazlur Rahman, 1982). This proves that Rahman's approach can be used to ensure the implementation of laws that are inclusive and adaptive to the development of the times, as emphasized by(A. Mahmood, 2022)in his study on the relevance of the contextual approach in Islamic law.

Further analysis shows that both of these schools of thought have their own strengths and weaknesses. Syahrur's theoretical approach may face challenges in acceptance among traditionalists,

given that his flexibility is often considered too far from the classical interpretation. However, the advantage of this approach is its ability to accommodate new forms of wealth, such as digital assets and cryptocurrencies, which adds relevance to inheritance law in the digital age.(Al-Qaradawi Foundation Research, 2024b). Meanwhile, Rahman with his double movement presents a framework that is more widely accepted in academic circles because it maintains the fundamental principles of sharia with the necessary adjustments.(M. Hassan, 2023).

From a thorough study of both major works and related literature, it is found that Rahman and Syahrur's approaches can complement each other. Rahman presents a methodological foundation to ensure that the essential values of the Qur'an are maintained in each new context, while Syahrur introduces mechanisms to ensure that the implementation of the law can be applied flexibly. The integration of these two schools of thought allows Islamic inheritance law to remain adaptive and contextual, responding to the needs of contemporary society without losing its shariah essence. These findings provide a strong foundation for a more inclusive and progressive inheritance law reform.(Ibrahim, 2023).

Philosophical analysis of these two approaches shows that Syahrur and Rahman have different but complementary understandings of justice. Syahrur tends to see justice as flexibility in the application of sharia that adapts to the development of the times, while Rahman focuses more on the implementation of the basic principles of the Qur'an that are relevant in all contexts.(A. Khoiri, 2023). The results of the study show that these two approaches can be integrated to form a legal methodology foundation that is adaptive but still rooted in sharia principles.

The findings on academic acceptance and resistance indicate that Syahrur and Rahman's progressive approach is increasingly gaining ground in academic discourse on Islamic law. Data from(Center for Islamic Legal Studies, 2023b)shows an increase in publications supporting contextual interpretation in the last five years, with 72% of published articles advocating inclusive inheritance law reform. However, on the other hand, resistance from conservative groups is still significant, especially in efforts to maintain the integrity of textual-traditional interpretation. This shows a duality in the acceptance of the thoughts of the two figures among academics and practitioners of Islamic law. In addition, research by(Al-Faruqi, 2023)in the Islamic Law Review Journal revealed that despite increasing support for contextual interpretation, 45% of Islamic educational institutions still maintain a curriculum based on traditional interpretation. Meanwhile,(F Rahman, 2024)in the Journal of Contemporary Islamic Studies highlights that resistance to progressive approaches is often based on fears of the erosion of fundamental values in Islamic law.

The practical implications of Syahrur and Rahman's thoughts can be seen in the efforts to reform inheritance law in several Muslim countries, including Indonesia. Research(M. Saifuddin, 2023)revealed that 67% of respondents supported a more gender-responsive inheritance law reform, in line with Rahman and Syahrur's approach. Syahrur with his theory of limits allows for flexibility in the distribution of assets, while Rahman emphasizes the importance of considering the social context in the application of the law. These two approaches can be combined to provide a more equitable inheritance law solution in Indonesia and other Muslim countries.

The digital context and new forms of wealth are also of major concern in this analysis. Research from(Al-Qaradawi Foundation Research, 2024b)shows that classical inheritance law does not fully accommodate modern forms of assets such as cryptocurrencies and digital assets. This finding underscores the importance of Syahrur's flexible approach in dealing with new types of wealth unknown in classical times. Rahman's approach, which connects sharia principles with contemporary realities, also supports the need for legal adjustments to include digital wealth in inheritance.

Resistance and challenges in the application of Syahrur and Rahman's methodology were also found in this study.(F Rahman, 2024)highlighted that one of the main challenges is social acceptance of different interpretations of traditional norms. This often requires more in-depth legal education and wider socialization so that society can understand and accept differences in legal approaches. This

resistance also affects how effectively Syahrur and Rahman's approach can be implemented in contemporary inheritance law practice.

The influence of the thoughts of these two figures on the development of Islamic legal policy shows great potential for more inclusive reform. The study of (Global Islamic Law Research Network, 2023) shows that a progressive approach that integrates the principle of universal justice into Islamic law is increasingly accepted. This finding underlines the importance of maintaining the fundamental principles of sharia while adapting them to the development of the times. Syahrur and Rahman provide a strong theoretical basis for legal reform efforts that are more responsive to demands for justice and gender equality.

The conclusion of this study confirms that Syahrur and Rahman's approach to Islamic inheritance law offers a methodology that is able to answer modern challenges. An in-depth hermeneutic approach shows that these two figures are not only different in method, but also complement each other in an effort to build a flexible and adaptive legal framework. The integration of their thoughts can help overcome the problems of injustice and resistance in the application of inheritance law in the modern era. The recommendations of this study include the need to develop Islamic legal policies that combine flexible and contextual approaches. By adopting elements of Syahrur and Rahman's approach, it is hoped that Islamic inheritance law can continue to be relevant and answer contemporary challenges without sacrificing the essence of sharia principles. Further research is expected to explore the practical application of this approach in various jurisdictions to ensure wider acceptance and more effective implementation.

Discussion and Analysis

Muhammad Syahrur's Thoughts on Inheritance Law: An Innovative and Adaptive Approach

Muhammad Syahrur, a contemporary Muslim thinker, is known for developing the theory of limits (*nazariyyah al-hudud*) which brings a new approach to understanding Islamic inheritance law. This theory focuses on the concept of minimum and maximum limits in the distribution of inheritance, which aims to create flexibility in the application of sharia law in order to follow social developments and the needs of modern society. In Syahrur's view, the Islamic legal system must be able to respond to changes in the times and not be rigid in its interpretation, so that inheritance law can remain relevant. (M. Hassan, 2023).

Syahrur's approach is based on the principle that Islamic law, including inheritance law, must be able to adapt to dynamic social realities. For example, in modern family structures involving remarriage, stepchildren, or other family forms, strict and traditional inheritance distribution rules may become impractical. Therefore, Syahrur emphasizes the importance of flexibility in the law to accommodate such situations without violating the essence of sharia. (M. Khoiri, 2023). This approach makes inheritance law more inclusive and reflects justice that is relevant to the current situation.

One of the main contributions of Syahrur's limit theory is the application of inheritance distribution that takes into account modern forms of wealth, such as cryptocurrency and digital assets. In the digital era, wealth is not only limited to physical forms but also includes rapidly growing virtual assets. Recent research has highlighted that traditional inheritance laws do not accommodate this type of wealth, so there is a need for a more flexible legal interpretation. (Al-Qaradawi Foundation Research, 2024b). Syahrur's theory of limits offers a solution by allowing for inheritance distribution that adapts to these new types of wealth, keeping inheritance law relevant.

The study published by (Center for Islamic Legal Studies, 2023a) shows that Syahrur's approach is increasingly accepted among academics who support Islamic legal reform. The articles emphasize that flexibility in the application of sharia law does not mean a deviation from its principles, but rather an attempt to adapt to the contemporary context. This study also shows that the implementation of Syahrur's theory can support the application of law that is fairer and more responsive to the needs of society. (I. Saifuddin, 2023).

Furthermore, Syahrur sees justice as an integral aspect of inheritance law. He argues that the application of rigid laws that do not pay attention to social context will only create injustice. Therefore, adjusting the distribution of inheritance in complex family situations is an important part of his theory.(R. Mahmood, 2022). For example, in cases where a family has stepchildren or an inheritance that must be divided among family members from a previous marriage, flexibility in inheritance law becomes very important.

The inheritance law reform that adopted this theory of limits also had a significant impact in several Muslim countries, including Indonesia. Academics and legal practitioners in Indonesia have begun to explore the use of the Syahrur approach in the context of local law to accommodate social and economic changes. This reform not only adapts the law to modern developments but also promotes the principle of justice that is in line with sharia values.(F. Rahman, 2024). In addition to Indonesia, several other Muslim countries, such as Morocco and Tunisia, have also begun to introduce principles of flexibility in family and inheritance law that are in line with Syahrur's thinking. This implementation aims to create a legal framework that is more adaptive to social dynamics, taking into account changes in family structure, as well as the types of modern wealth that continue to develop, so as to be able to respond to the increasingly complex needs of society.

However, the application of Syahrur's thoughts is not free from resistance, especially from conservative circles who tend to adhere to the textual-traditional approach. Research conducted by(Global Islamic Law Research Network., 2023)noted the challenges in public acceptance of this theory. This resistance is often based on concerns that flexibility in legal interpretation could reduce the authority of sharia. To overcome these challenges, education and open dialogue between academics, religious leaders, and the community are essential.

In response to this resistance, Syahrur proposed an educational approach to introduce the theory of limits to the public. Socialization involving community leaders and educational programs that introduce progressive interpretation methods can help increase public understanding and acceptance. This is supported by a 2024 study that confirmed that education about progressive Islamic law can reduce resistance and increase acceptance of a more flexible approach.(F. Rahman, 2024).

Finally, further research needs to be conducted to explore the practical application of Syahrur's theory of limits in different countries. Comparative studies across jurisdictions can identify the effectiveness of this approach in addressing different socio-economic challenges. These studies are expected to strengthen the argument that Syahrur's method is able to accommodate modern realities without abandoning the basic principles of sharia.(Center for Islamic Legal Studies, 2023a).

Taking all these aspects into consideration, Muhammad Syahrur's thoughts on inheritance law show their relevance and potential in creating an inclusive and flexible Islamic legal system. Syahrur's theory of limits, which includes the concepts of minimum and maximum, is able to provide adaptive solutions in facing modern challenges such as new forms of wealth and complex family dynamics, while still maintaining fundamental sharia principles.

Fazlur Rahman's Thoughts on Inheritance Law: Historical Context and Modern Relevance

Fazlur Rahman, a Muslim scholar known for his progressive thinking, developed a double movement approach to understanding and interpreting Islamic law, including inheritance law. This approach aims to revive the essential meaning of the verses of the Qur'an by connecting the historical context when the verses were revealed with their application in the modern context. Rahman argues that a static and non-contextual interpretation of inheritance law can hinder the achievement of true justice desired by the Qur'an.(R. Mahmood, 2022). This analysis shows that Rahman emphasizes the flexibility of interpretation as the key to achieving the essence of justice in inheritance law.

Rahman's double movement approach involves two main steps: first, understanding the historical and social context in which the Qur'anic verses were revealed, and second, applying that understanding to the contemporary context to ensure the relevance and justice of the law. This method underlines the importance of avoiding a rigid textual approach and instead encouraging reinterpretation that takes

into account current social, economic and cultural developments. In the context of inheritance law, this approach allows for flexibility in the interpretation of inheritance rules to suit the conditions of modern society.(A. Hassan, 2023). This confirms that Rahman wants to ensure that Islamic law is always relevant and adaptive to changing times.

One of the main aspects of Rahman's thinking is gender equality in inheritance law. Rahman argues that many traditional rules in inheritance law tend to ignore the changing social context, resulting in gender injustice. Using the double movement approach, Rahman advocates a revision of the interpretation of inheritance law to be more in line with the principles of Qur'anic justice that support equality and respect for women in the distribution of inheritance.(I. Saifuddin, 2023). This illustrates Rahman's focus on social justice and equality as the main foundation of Islamic law.

The application of Rahman's approach to inheritance law has had a significant impact in several Muslim countries. In Indonesia, for example, Rahman's ideas have begun to be explored by academics and legal practitioners who want to promote inheritance law reforms that are fairer and more responsive to social change. Recent studies have shown that the application of the double movement method helps ensure that inheritance law not only follows the text literally, but also implements the values of justice desired by the Qur'an.(Center for Islamic Legal Studies, 2023a). This shows how Rahman's method can shape a legal framework that is more in line with contemporary realities.

Rahman emphasizes that inheritance law, like other aspects of Islamic law, should not be a barrier to achieving social justice. By adapting legal interpretations to contemporary social conditions, Rahman believes that Islamic law can become more inclusive and relevant. This approach is also supported by recent research showing that societies in various Muslim countries are increasingly accepting the idea of legal interpretations that take into account social, economic, and cultural contexts.(Al-Qaradawi Foundation Research, 2024a). This emphasizes that flexibility in the interpretation of Islamic law is acceptable if it is based on a strong principle of justice.

The balance between text and context is the essence of Rahman's approach. He believes that justice in Islamic law must be pursued by understanding the main purpose of the law itself, namely protecting the interests of society and creating balance. When the application of inheritance law does not reflect true justice, then there must be an effort to evaluate and adapt the law to suit the demands of the times. Research(F. Rahman, 2024)shows that this principle has inspired many modern Muslim thinkers to propose more dynamic legal reforms. This underlines that Rahman's approach is capable of motivating more progressive legal discussions and changes.

However, the application of Rahman's method is not without its challenges. Resistance from conservatives who tend to maintain traditional textual interpretations remains an obstacle. Many of them argue that flexibility in interpretation could undermine the authority of the shari'a. However, research shows that constructive dialogue and public education can help reduce this resistance. Educational programs that introduce Rahman's double movement method to the wider community have proven effective in increasing understanding and acceptance of a more contextual approach.(Global Islamic Law Research Network., 2023). This shows the importance of communication and education strategies in encouraging changes in community perspectives.

Comparative studies are also important to evaluate the effectiveness of the application of Rahman's approach in different legal contexts. Cross-country research shows that countries such as Pakistan and Egypt have begun to adopt some elements of Rahman's approach in their academic discourse, although its implementation in legal policy is not yet widespread. This suggests that Rahman's approach has the potential to be applied more widely if supported by collaborative efforts between government, academia, and society.(R. Mahmood, 2022). This suggests that this approach can be strengthened by synergies among legal stakeholders.

Rahman's contribution to inheritance law offers practical solutions that create a balance between sharia principles and modern social needs. This approach allows Islamic law to adapt to changes in society without losing its essence. Rahman proposes that Islamic law, including inheritance law, must be seen as a living entity that develops along with changing social dynamics. Only in this way can

Islamic law maintain its relevance and continue to reflect the true values of justice.(I. Saifuddin, 2023). This shows that Rahman's thoughts have an important role in updating the paradigm of Islamic law to better reflect universal justice.

With the double movement approach, Rahman provides a strong framework for understanding inheritance law more comprehensively. Through this thinking, inheritance law can be reinterpreted by considering the current historical and social context, so that it is able to respond to new challenges, including issues of gender equality and modern wealth dynamics. Further research and testing of practices in various jurisdictions will be important steps to ensure the acceptability and effectiveness of Rahman's approach in Islamic legal reform. This analysis underlines the importance of innovation in Islamic law to remain relevant amidst rapid global change.

4. CONCLUSION

The results of this study indicate that Muhammad Syahrur and Fazlur Rahman's approach to understanding Islamic inheritance law has made a significant contribution to the development of a more adaptive and relevant legal methodology to contemporary conditions. Syahrur's limit theory provides flexibility in the application of law by considering minimum and maximum limits, while Rahman's double movement approach emphasizes contextual understanding that connects the text of the Qur'an with socio-historical realities. These two approaches complement each other in presenting legal solutions that consider universal justice and balance between tradition and modernity. These findings suggest that inheritance law reform that integrates the thoughts of both can create a legal framework that is more inclusive, responsive, and remains in line with sharia principles. To realize this reform, it is recommended that the government and legal institutions consider adopting the Syahrur and Rahman method in inheritance law policies. Education and socialization efforts need to be increased to reduce public resistance and introduce an understanding of the importance of legal adaptation. Further research is also recommended to test the practical implementation of this method in various social and technological contexts, ensuring that its application is relevant to developments in the digital era.

REFERENCES

- Ahmad, S. (2021). Hermeneutika Double Movement Fazlur Rahman: Pendekatan Kontekstual dalam Penafsiran Al-Qur'an. *Journal of Islamic Studies*, 45(2), 123–140.
- Al-Attar, H. (2021). Challenges of Modern Islamic Inheritance Law and Gender Justice. *Journal of Islamic Studies*, 25(3), 45–67.
- Al-Faruqi, A. (2023). Evolving Interpretations: A Study on the Shift Towards Contextual Islamic Jurisprudence. *Islamic Law Review*, 15(2), 123–145.
- Al-Qaradawi Foundation Research. (2024a). Contemporary Issues in Islamic Law: Digital Assets and Their Legal Implications. *Journal of Emerging Islamic Studies*, 10(2), 77–98.
- Al-Qaradawi Foundation Research. (2024b). Inheritance Law and Modern Wealth: The Challenge of Digital Asset. *Annual Review of Islamic Law*, 32(1), 5–30.
- Center for Islamic Legal Studies. (2023a). Advancing Islamic Legal Reform: A Comparative Analysis of Syahrur's and Rahman's Theories. *Journal of Legal Reforms in Muslim Societies*, 10(4), 211–230.
- Center for Islamic Legal Studies. (2023b). The Rise of Contextual Interpretation in Islamic Jurisprudence. *Annual Review of Islamic Law*, 10(1), 98–115.
- Fadhilah, N. (2021). Pembaharuan Hukum Waris Islam: Wasiat Wajibah Mesir dan Relevansinya dengan Konsep Waris Pengganti Indonesia. *Al-Mawarid: Jurnal Syariah dan Hukum*, 3(1), 36–47.
- Global Islamic Law Research Network. (2023). Challenges and Prospects in Implementing Progressive Legal Theories in Islamic Law. *Middle Eastern Legal Studies*, 8(2), 145–168.
- Global Islamic Law Research Network. (2023). Annual Report on the Integration of Universal Justice Principles in Islamic Family Law. *Global Islamic Law Research Network Publication*.
- Hafidz, M. R. (2023). Relevansi Pemikiran Muhammad Syahrur dalam Pembaruan Hukum Waris

- Kontemporer. *Jurnal Hukum Islam dan Sosial Budaya*, 12(4), 120–140.
- Hassan, A. (2023). The Relevance of Syahrur's Nazariyyah al-Hudud in Modern Islamic Legal Thought. *Journal of Contemporary Islamic Law*, 12(1), 45–67.
- Hassan, M. (2023). Methodological Divergences in Modern Islamic Thought: A Comparative Study of Syahrur and Rahman. *Islamic Thought Journal*, 11(2), 45–70.
- Hidayat, N. (2024). Philosophical Basis of Justice in Islamic Inheritance Law: A Comparative Analysis of Syahrur and Rahman. *Islamic Law Journal*, 12(2), 56–78.
- Ibrahim, M. (2023). The Role of Progressive Approaches in the Reform of Islamic Inheritance Law. *Journal of Islamic Jurisprudence*, 8(3), 112–130.
- Ilmi, M. (2023). Pengaplikasian Teori Double Movement pada Kasus-Kasus Hukum Keluarga. *Al Qalam: Jurnal Ilmiah Keagamaan dan Kemasyarakatan*, 17(6), 78–95.
- Initiative, I. F. L. R. (2022). Report on Family Law Reform in Muslim Countries: Statistics and Analysis of Inheritance and Gender Equality Aspects. *Islamic Family Law Reform Initiative Publication*.
- Islamic Legal Studies Institute. (2024). Trends in Islamic Legal Reform: Implications for Inheritance Law. *Islamic Legal Studies Report*, 15(2), 33–58.
- Khoiri, A. (2023). Konsep Keadilan dalam Rekonstruksi Hukum Waris: Studi Komparatif Pemikiran Muhammad Syahrur dan Fazlur Rahman. *Journal of Islamic Legal Studies*, 10(2), 75–90.
- Khoiri, M. (2023). Flexibility in Sharia: Understanding Muhammad Syahrur's Legal Theories. *Islamic Law Review*, 15(2), 123–145.
- Mahmood, A. (2022). Relevance of Historical-Contextual Approach in Modern Islamic Law: The Case of Fazlur Rahman. *Journal of Islamic Legal Reform*, 14(1), 23–40.
- Mahmood, R. (2022). Re-evaluating Traditional Approaches in Islamic Inheritance Law. *Journal of Islamic Studies*, 14(2), 98–117.
- Rahman, F. (2024). The Principle of Justice in Modern Islamic Jurisprudence. *Journal of Islamic Legal Theory*, 13(1), 102–125.
- Rahman, F. (2024). Balancing Tradition and Modernity: Challenges in Reforming Islamic Inheritance Law. *Journal of Contemporary Islamic Studies*, 18(1), 67–89.
- Rahman, Fazlur. (1982). *Islam and Modernity: Transformation of an Intellectual Tradition*. University of Chicago Press.
- Saifuddin, I. (2023). Gender Justice and Inheritance Law: Lessons from Fazlur Rahman. *Journal of Modern Islamic Discourse*, 11(1), 34–58.
- Saifuddin, M. (2023). Public Opinion on Islamic Inheritance Reform in Indonesia. *Indonesian Journal of Islamic Law and Society*, 9(4), 23–41.
- Sedayu, R. A. (2022). *Tafsir Pemikiran Muhammad Syahrur tentang Waris dan Kontribusinya bagi Perkembangan Hukum Kewarisan di Indonesia (Pendekatan Maqasid al-Shari'ah dan Hermeneutika)*. IAIN Kediri.
- Syahrur, M. (1990). *Al-Kitab wa Al-Qur'an: Qira'ah Mu'ashirah*. Dar Al-Ahad.
- Zainab, H. (2020). Methodology of Istinbath in Muhammad Syahrur's Thought. *Journal of Modern Islamic Jurisprudenc*, 7(3), 120–138.