



Justice as Lived Experience Among Muslim Women in Inheritance Disputes

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Article Info

Article history:

Received 26-09-2025

Revised 21-10-2025

Accepted 17-11-2025

Keyword:

Justice; Lived Experience;
Muslim Women; Islamic Law;
Inheritance Disputes; Gender
and Faith

ABSTRACT

Justice within Islamic law is not merely a legal construct but a lived moral and experiential reality shaped by faith, culture, and institutional practice. In Indonesia's Religious Courts, Muslim women involved in inheritance disputes encounter complex intersections between religious doctrine, social norms, and gender expectations. While previous research has emphasized legal texts and procedural analysis, this study explores how women personally and spiritually experience justice during inheritance litigation. Using Interpretative Phenomenological Analysis (IPA), narratives from twelve women were analyzed through in-depth semi-structured interviews. The findings reveal three dominant themes: (1) justice as a spiritual journey grounded in submission to divine will, (2) justice as social negotiation within patriarchal and institutional constraints, and (3) justice as moral self-affirmation achieved through resilience and reflection. These results show that participants view justice as an evolving process that transcends court decisions, integrating emotional, moral, and faith-based dimensions. Practically, the study highlights the need for gender-sensitive judicial training and the incorporation of spiritual-ethical perspectives in Islamic legal reform. By integrating emotional and spiritual insights into legal discourse, this research contributes to a more holistic understanding of justice in Islamic law and offers pathways for developing equitable inheritance practices for women.



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INTRODUCTION

Justice and equality have long been central tenets within the framework of Islamic law (Sharia), serving as guiding principles for social harmony and moral accountability (Jäckh & Ali, 2025). However, the lived experience of justice often transcends legal definitions and formal rulings, revealing deeper layers of emotional, spiritual, and social meaning (Harahap et al., 2025). In many Muslim societies, the application of Islamic legal principles intersects with cultural traditions, family expectations, and gendered power structures, creating complex realities for those who seek justice through religious courts (Ilerhunmwuwa, 2025). Within this context, inheritance disputes represent one of the most sensitive domains where personal faith, legal interpretation, and family relationships converge.

The experience of Muslim women in inheritance-related cases is particularly significant, as it embodies both the legal recognition of women's rights in Islam and the enduring social challenges in realizing those rights (Susilo et al., 2025). While Islamic law formally grants women a share of inheritance, the practical enforcement of such rights is frequently mediated by patriarchal customs, informal negotiations, and institutional limitations. These tensions reveal a gap between the idealized justice of Islamic doctrine and the experienced justice within everyday life. Exploring how women internalize, negotiate, and interpret these dynamics is essential to understanding how faith-based legal systems function at the human level.

From a phenomenological perspective, justice cannot be fully comprehended through abstract legal frameworks alone; it must be understood through the lens of lived experience (Zuhrah et al., 2025). The search for justice in religious courts is not merely a procedural or juridical endeavor—it is an existential journey shaped by emotion, belief, and identity. Women involved in inheritance disputes often engage in a process of meaning-making that reflects their personal struggle to reconcile divine justice with human institutions. This process of interpretation forms the core of phenomenological inquiry, emphasizing how individuals construct meaning from their encounters with law, faith, and society.

Given these conditions, the phenomenon of women's pursuit of justice in Islamic inheritance law requires deeper exploration through qualitative methods that illuminate the subjective realities behind legal outcomes. A phenomenological approach allows the researcher to move beyond normative legal analysis, delving into how individuals experience, feel, and interpret justice in their own terms (Najib et al., 2025). By focusing on these lived experiences, the study aims to reveal the human dimension of Islamic law—how it is perceived, embodied, and reinterpreted within the moral consciousness of those most affected by it.

Research focusing on the lived experiences of individuals within specific social or legal phenomena has become an increasingly important field in contemporary qualitative scholarship. In the context of Islamic law, understanding justice as a lived experience rather than a purely doctrinal or juridical construct provides a richer and more human-centered perspective on how religious and institutional norms shape personal realities (Taman et al., 2025). Numerous studies have explored legal pluralism and gender justice in Muslim societies, yet few have examined how these dynamics are felt, interpreted, and internalized by those directly engaging with Islamic courts.

Despite a growing body of literature on women's legal rights in Islam, methodological challenges persist in capturing the depth of human experience underlying these issues (Iqbal et al., 2025). Much of the existing research relies on doctrinal analysis, legal texts, or statistical data that describe patterns of access and outcomes, rather than exploring the subjective meanings attached to those experiences (Saleh & Bin Abubakar, 2025). Quantitative and survey-based approaches often fall short in revealing the emotional, spiritual, and existential dimensions of justice-seeking behavior. Such methods, while valuable for identifying trends, are limited in uncovering the inner dialogues, reflections, and transformations that occur as women navigate religious legal systems.

These methodological limitations have contributed to a fragmented understanding of justice in Islamic contexts where faith, law, and culture converge in deeply personal ways (Mubarrak & Hamdani, 2025). Phenomenology, by contrast, offers a framework to address these gaps by situating human experience at the center of inquiry. Through interpretative engagement, it allows for a nuanced exploration of how meaning is constructed within lived realities. Thus, a phenomenological investigation into Muslim women's experiences of inheritance disputes not only fills an empirical void but also advances theoretical understanding of justice as a dynamic, interpretative process within Islamic jurisprudence.

Existing approaches to studying justice in Islamic inheritance contexts have largely relied on practical or doctrinal frameworks examining the application of Islamic legal norms, judicial decisions, or procedural effectiveness within Religious Courts (Daipon et al., 2025). While these approaches provide valuable insights into the structural and legal dimensions of justice, they offer only a partial understanding of the phenomenon. The human, emotional, and interpretative aspects of how Muslim women experience and make sense of justice remain underexplored. As a result, prior research often presents justice as an institutional outcome rather than as a lived reality shaped by personal faith, cultural context, and emotional negotiation.

This limitation arises from the predominance of legal-normative and empirical quantitative methods that prioritize observable outcomes over subjective meaning (Bauw, 2025). Such approaches tend to overlook the inner processes through which individuals interpret fairness, faith, and self-agency during legal disputes. Consequently, much of the existing scholarship has not fully captured the complexity of how justice is felt and understood by women navigating inheritance disputes in Islamic legal settings.

To bridge this gap, a phenomenological perspective is required—one that situates justice within the lived world of the participants and allows meaning to emerge through their narratives. Unlike procedural or statistical analyses, phenomenology explores how individuals construct and interpret their experiences through reflection and dialogue (Rahman et al., 2025). By adopting this approach, the present study seeks to uncover the essence of women's encounters with Islamic justice, offering a holistic understanding that integrates spiritual, emotional, and social dimensions. This methodological shift promises to enrich contemporary discourses on Islamic law by foregrounding human experience as a legitimate and necessary source of legal and moral knowledge.

Recent research on women's experiences in Islamic legal contexts has increasingly recognized the importance of examining justice as a lived and interpretative phenomenon. Studies by (Amin et al., 2025) have highlighted how gender, law, and faith intersect in shaping Muslim women's pursuit of justice. However, most of these works remain focused on normative interpretation or institutional performance, offering limited insight into the personal and emotional dimensions of such experiences. Theoretical contributions from hermeneutic phenomenology emphasize that meaning emerges through lived experience and reflection rather than abstract reasoning. This study builds on that foundation, aiming to capture how women interpret justice within the embodied reality of their faith and social environment.

To address the limitations identified in previous research, this study adopts an Interpretative Phenomenological Analysis (IPA) as its methodological core. This approach is chosen for its capacity to reveal how individuals construct meaning from complex and emotionally charged experiences. By focusing on subjective narratives, the method answers the central question raised in the previous section—how Muslim women understand and internalize justice within inheritance disputes in Islamic courts. The phenomenological lens allows the exploration of justice not as an external concept but as a lived moral encounter shaped by emotion, belief, and social context. Through this interpretative process, the study seeks to present a holistic picture of justice grounded in human experience.

This article is structured into several sections to ensure conceptual and methodological clarity (Mas'ud & Muwazir, 2025). The introduction outlines the background, research problem, and rationale for adopting a phenomenological approach (Daulay et al., 2025). The subsequent sections describe the contextual framework of Islamic inheritance law and explain the interpretative phenomenological method employed. Data collection and analysis are then presented, followed by a discussion of the main themes and their theoretical implications. The paper concludes with reflections on the essence of the phenomenon and its significance for the broader discourse on Islamic law and gender justice.

RESEARCH METHODS

Study Design

This study adopted an interpretative phenomenological approach to explore the lived experiences of Muslim women seeking justice in inheritance disputes before the Religious Courts. Phenomenology was selected as the research design because it enables an in-depth examination of subjective meanings and interpretations embedded within individual experiences. The interpretative (hermeneutic) orientation, influenced by Heidegger's philosophy, guided the study toward understanding how participants construct and reinterpret the meaning of justice through their encounters with Islamic law and institutional processes.

Unlike descriptive phenomenology, which focuses on the essence of experience, the interpretative approach acknowledges the dynamic interplay between experience and meaning. This design was particularly relevant to uncovering how spiritual, emotional, and socio-legal dimensions shape participants' perceptions of fairness and faith within an Islamic legal framework.

Participants

Participants consisted of Muslim women who had directly engaged in inheritance dispute proceedings at Religious Courts in Indonesia within the past five years. Selection followed purposive

sampling criteria to ensure relevance to the phenomenon under investigation. Eligible participants were adult women aged between 25 and 60 years, with firsthand experience as claimants or respondents in inheritance cases.

Exclusion criteria included individuals involved in cases unrelated to inheritance disputes or those unwilling to disclose personal reflections due to emotional distress. A total of 12 participants met the inclusion requirements. They represented diverse educational and socioeconomic backgrounds, enabling a rich variation of perspectives on gender, faith, and justice in the context of Islamic law.

Data Collection

Data were collected through in-depth semi-structured interviews conducted face-to-face in a private setting to ensure comfort and confidentiality. Each interview lasted approximately 60 to 90 minutes and followed a flexible guide designed to elicit reflections on the participants' experiences, emotions, and understandings of justice.

Open-ended questions encouraged participants to narrate their journeys through the legal process, the challenges encountered, and their interpretations of fairness and faith. Interviews were audio-recorded with consent and later transcribed verbatim. All sessions took place in locations agreed upon by participants, typically neutral environments such as community centers or private offices near Religious Courts.

To maintain a supportive environment, participants were briefed about the study's objectives beforehand, and efforts were made to minimize any perceived power dynamics during interactions.

Data Analysis

The data were analyzed using Interpretative Phenomenological Analysis (IPA), a systematic approach aimed at identifying and interpreting recurring themes that capture the essence of participants' lived experiences. Analysis proceeded through multiple iterative stages:

1. Immersion: Transcripts were read repeatedly to achieve comprehensive familiarity with the content.
2. Initial Coding: Meaning units were identified, highlighting emotionally or conceptually significant expressions.
3. Theme Development: Related codes were clustered into emerging themes that represented shared experiential patterns.
4. Interpretation: Themes were interpreted hermeneutically, connecting individual experiences with broader conceptual meanings of justice, faith, and legal subjectivity.
5. Synthesis: Thematic structures were refined into essential descriptions reflecting the participants' collective sense-making.

NVivo software facilitated the organization of qualitative data; however, analytical interpretations remained grounded in the researcher's engagement with textual meaning. The analytic process aimed to transform participants' accounts into coherent, contextually embedded understandings of Islamic legal experience.

RESULTS

The Inner Struggle Between Faith and Disappointment

Many participants described a profound sense of tension between their religious faith and the emotional fatigue experienced during the litigation process. They viewed the court as both a manifestation of divine justice and a bureaucratic obstacle. This dual perception underscores a central interpretative tension: participants simultaneously sacralized and secularized justice, interpreting court delays and procedural rigidity through the lens of spiritual trial.

One participant expressed:

“I came to the court believing that Allah would grant me justice, but when my case was delayed many times, I felt my faith being tested. I kept telling myself that patience is part of faith, yet deep down I felt ignored.” (P3)

Rather than viewing these emotions as isolated experiences, this study interprets them as reflective of a broader spiritual negotiation — a dynamic effort to reconcile theological ideals with the imperfect realities of human institutions. The experience of waiting, negotiating, and reliving family tensions generated a dialogical process between faith and frustration, revealing that justice, in practice, was experienced as a moral journey of endurance rather than a mere legal resolution.

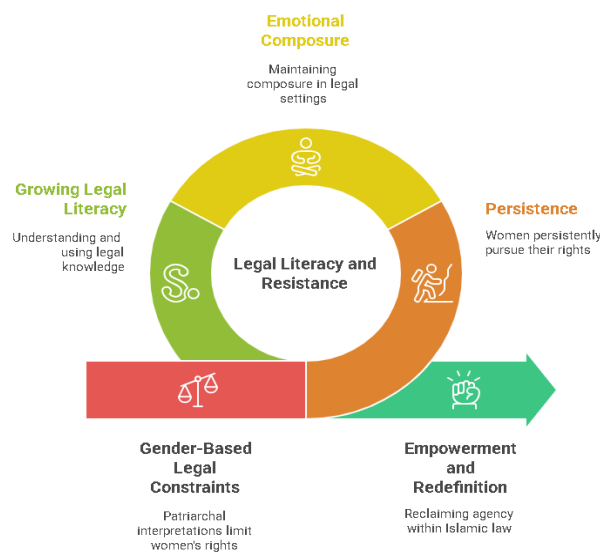
Navigating Gendered Barriers in the Pursuit of Justice

Another recurring theme concerns the participants’ awareness of gender-based constraints within the legal and social framework. Many women perceived that patriarchal interpretations of Islamic law and social expectations limited their voice and agency in claiming inheritance rights.

“When I spoke in front of the judge, I could feel that my words carried less weight than my brother’s. Even though the Qur’an gives daughters rights, in practice, it felt like those rights were negotiable.” (P7)

Beyond the individual narrative, these testimonies collectively demonstrate a pattern of institutional gender asymmetry, where participants internalized yet resisted systemic bias. The sense of marginalization was often accompanied by subtle resistance — manifested through persistence, emotional composure, and growing legal literacy. For several participants, the act of confronting the system became an implicit critique of patriarchal religious interpretation and an assertion of spiritual equality. Thus, the pursuit of justice evolved into a performative act of empowerment that redefined what it means to be a devout Muslim woman within an Islamic legal domain.

Empowering Muslim Women Through Legal Literacy



Reconstructing the Meaning of Justice through Personal Experience

Throughout the process, participants gradually reconstructed their understanding of justice — shifting from a purely divine ideal to a lived reality shaped by procedural experiences and human interactions. This interpretative shift signifies a movement from transcendental abstraction toward existential meaning-making, where participants reinterpret divine justice through relational and emotional engagement.

“Before going to court, I thought justice was something given by God through law. But after experiencing the process, I realized justice is also about being heard and respected.” (P5)

This synthesis reveals that participants' conception of justice is neither static nor binary but dialogical — a continuous process of redefining fairness within faith, law, and lived experience. Their reinterpretation of *keadilan* thus represents a hermeneutic engagement with Islamic law, where justice is experienced as both divine principle and human practice. Ultimately, thematic analysis across narratives indicates that justice, for these women, becomes a multidimensional construct — spiritual, emotional, and procedural — reflecting their moral agency within an evolving socio-religious landscape.

DISCUSSION

The findings of this study reveal that Muslim women's pursuit of justice in inheritance disputes is characterized by an intricate interplay between faith, institutional experience, and personal meaning-making. The essence of this phenomenon lies in the participants' interpretative reconciliation between divine justice and human imperfection, highlighting justice as both a spiritual conviction and an experiential reality (Arifardhani et al., 2025). These insights directly address the central research question of how women understand and internalize justice within the context of Islamic law.

Contribution of the Findings to the Research Question

The results offer a nuanced understanding of how Muslim women construct meaning around justice beyond its formal or legal definition. The experiences described by participants demonstrate that justice, in their perception, is not limited to the verdicts delivered by the courts but extends to the process of being acknowledged, respected, and spiritually validated (Alajlouni et al., 2025). The Interpretative Phenomenological Analysis reveals that participants engage in a continuous negotiation between submission to divine decree (*tawakkul*) and critique of institutional practices. This duality reflects an evolving consciousness in which legal justice and moral justice coexist yet occasionally conflict (Taman, 2025). Hence, the study contributes to a deeper comprehension of Islamic law as a lived ethical framework rather than a static legal system, emphasizing that faith-based justice is realized through human interaction, emotion, and reflection.

Relationship with Previous Literature and Theoretical Perspectives

The findings align with prior studies emphasizing the gendered dimensions of legal experience in Muslim societies (Bowen, 2018; Nurlaelawati, 2021; Ali, 2022). However, this research extends existing literature by illuminating the inner phenomenology of justice—how emotional endurance, spiritual faith, and moral expectation converge in the lived world of women who engage with Islamic legal institutions. Unlike earlier studies that examined structural inequalities or doctrinal inconsistencies, the present findings foreground justice as an existential process shaped by reflection and personal faith.

The study also complements hermeneutic theories of understanding, particularly Heidegger's notion that meaning emerges through being-in-the-world. Women's experiences in this study reflect a hermeneutic circle, where the act of interpreting justice transforms both their perception of faith and their sense of self (Piri & Shah, 2025). Furthermore, the findings challenge reductionist assumptions in some legal-anthropological works that portray women merely as passive recipients of law. Instead, they reveal agency manifested through resilience, reinterpretation, and the capacity to find moral coherence within imperfection (Alias et al., 2025). This interpretative turn not only deepens the discourse on gender and Islamic law but also situates phenomenology as a valuable lens for understanding the ethical and emotional substance of justice.

Implications of the Findings

The findings of this study carry significant theoretical and practical implications for understanding justice as a lived and relational phenomenon within the framework of Islamic law (Sadat et al., 2025). From a social and cultural perspective, the participants' narratives illustrate that justice is not only a legal entitlement but also a moral experience deeply embedded in faith and emotion. This implies that institutional mechanisms in Religious Courts must consider not only procedural fairness but also the affective and spiritual dimensions of justice as experienced by

litigants (M. M. Shebaita, 2025). Professionally, the results suggest the need for enhanced gender sensitivity among judges, legal clerks, and mediators, enabling them to recognize the emotional and psychological factors that influence women's engagement with the legal process (Nisa et al., 2025). Theoretically, the study reaffirms phenomenology's relevance in Islamic legal studies by demonstrating how meaning-making, rather than verdicts alone, forms the essence of justice. Therefore, these insights contribute to a more holistic and human-centered understanding of law one that respects both divine principles and human realities.

Limitations of the Study

As with most phenomenological research, the present study is limited by its contextual and interpretative nature. The sample size, while sufficient for achieving depth of understanding, restricts the generalizability of the findings to other regions or legal settings (M. Shebaita, 2025). Furthermore, participants' reflections were shaped by their personal faith, cultural background, and emotional state at the time of the interviews, which may not represent all Muslim women's experiences in inheritance disputes. The interpretative process, though rigorously validated through member checking and triangulation, remains inherently subjective a hallmark of phenomenological inquiry (Nazwari & Suhendar, 2025). These limitations do not undermine the value of the study but rather emphasize that its strength lies in depth over breadth, offering insight into the essence of justice rather than statistical universality.

Prospective Directions for Future Research

Future research could expand upon these findings by exploring comparative experiences across different Islamic jurisdictions, focusing on how cultural, institutional, and interpretative variations influence women's perceptions of justice (Safrizal et al., 2025). Longitudinal studies could examine how these experiences evolve over time, particularly as digitalization and legal reform transform the procedural landscape of Religious Courts. Additionally, interdisciplinary approaches—combining phenomenology with legal anthropology or moral psychology could further illuminate the interplay between emotion, spirituality, and law in Muslim societies (Abbas et al., 2025). Finally, future studies might include male perspectives or multi-generational narratives to broaden understanding of how justice, faith, and family dynamics intersect in Islamic legal contexts (Mashdurohatun et al., 2025). Collectively, these directions would deepen the theoretical discourse on Islamic justice while advancing phenomenological inquiry into law as a human and existential experience.

CONCLUSION

This study explored the lived experiences of Muslim women seeking justice in inheritance disputes within the framework of Islamic law, emphasizing how faith, emotion, and institutional encounters shape their understanding of justice. The findings revealed that justice is perceived not solely as a legal outcome but as a moral and spiritual journey marked by perseverance, reflection, and faith-based interpretation. In terms of scholarly contribution, this research extends the discourse on Islamic legal studies by integrating phenomenological insights into the analysis of *adl* (justice). It moves beyond descriptive accounts of legal outcomes to articulate how women actively reinterpret divine justice within procedural and emotional realities. By doing so, it bridges the gap between normative jurisprudence and experiential spirituality, offering a more human-centered framework for understanding justice in Muslim societies.

The practical implications of these findings are significant. They suggest that gender-sensitive legal reforms in Islamic courts should incorporate moral and emotional dimensions of justice rather than focusing exclusively on procedural fairness. Judicial training and court mediation mechanisms can benefit from acknowledging women's faith-driven resilience and interpretative agency, thereby enhancing both legitimacy and empathy in Islamic legal practice. Despite these contributions, this study has certain limitations. Its phenomenological focus and small participant group limit the generalizability of the findings, as experiences are deeply contextual and interpretative. Future research should broaden the scope by including comparative analyses across different regions, sects,

or legal traditions, which would strengthen theoretical generalization and reveal the diversity of women's encounters with Islamic justice systems. In conclusion, this study redefines justice not as an abstract doctrine but as a lived ethical process — one that intertwines faith, gender, and law. By foregrounding women's moral and emotional agency, it contributes both empirically and philosophically to contemporary debates on justice, equity, and reform in Islamic jurisprudence.

CONFLICT OF INTEREST

The authors declare that there is no conflict of interest associated with this publication. All stages of the research—including data collection, analysis, and interpretation—were conducted independently and ethically, without any influence from the funding institution or external parties. The content and conclusions presented in this article are solely the responsibility of the authors and do not necessarily represent the views of the sponsoring organization.

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