

ANALYSING THE POSITION OF THE LIBYAN INHERITANCE LAW ON PREVENTING WOMEN FROM THEIR INHERITANCE IN THE LIGHT OF SHARIAH

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ABSTRACT

This study aims to investigate the position of Libyan inheritance law on preventing women's rights to inheritance in the light of Islamic Shariah. The problem addressed in this study is the misalignment between Libyan inheritance law, particularly Law No. 6 of 1959, and Islamic Shariah

principles, which negatively impact women's inheritance rights. The study highlights the importance of addressing systemic obstacles and societal misconceptions regarding women's inheritance rights. Doing so aims to pave the way for a more equitable distribution of inheritance. It employs a library-based research methodology and uses content analysis to examine and interpret relevant data. The results reveal that Islamic Shariah provides a transparent and equitable system for distributing property and assets of the deceased, ensuring women's rights are safeguarded through predefined formulas. Despite this, the findings indicate that misconceptions and cultural practices often overshadow these principles. Although Libyan Law No. 6 of 1959 offers some protection to women, gaps still require urgent legislative reforms. Based on these findings, the study strongly recommends modernising and clarifying existing laws to better align with Islamic principles and effectively protect women's inheritance rights in Libya, emphasizing the urgent need for these reforms.

Keywords: *inheritance, Libyan law, Islamic Shariah, women's rights, legal reform*

INTRODUCTION

The issue of inheritance and its equitable distribution is a critical component of Islamic law, or Shariah, which stands out for its unique and comprehensive framework for dividing the property of a deceased individual among heirs. Unlike pre-Islamic practices that frequently excluded women, the Islamic system of inheritance explicitly ensures that both male and female relatives are entitled to their rightful shares. The Quran and Hadith offer detailed and unambiguous guidelines for inheritance, emphasising justice, fairness, and the preservation of familial bonds. By granting women inheritance rights, Islamic law established itself as a progressive system that addressed gender disparities and underscored the importance of familial responsibilities and social harmony (Al-Hadad, 2016). The Shariah-based inheritance system is both pragmatic and equitable, addressing the complexities of familial relationships with precision and clarity. Doing so not only guarantees fairness but also prevents disputes

and conflicts among heirs over the division of assets. One of the most notable aspects of this system is its recognition of women's rights to inherit and own property independently, unprecedented during its inception. These principles reflect Islam's commitment to gender justice and its emphasis on women's significant roles in family and society.

However, while Islamic inheritance law provides a robust and just foundation, cultural and societal misconceptions often hinder its implementation. In many cases, local customs overshadow Shariah principles, leading to the exclusion of women from their rightful inheritance. This discrepancy between the theoretical principles of Islamic law and their practical application is particularly evident in Libya, where inheritance laws are governed by a combination of Shariah and codified statutes, such as Article No. 6 of 1959. Although these legal provisions aim to protect women's inheritance rights, challenges remain in ensuring consistent and equitable enforcement. In Libya, the codification of inheritance law raises important questions about its necessity, given the clarity of Shariah principles regarding inheritance. Critics argue that legislative efforts should focus on addressing the societal and cultural barriers that undermine women's inheritance rights rather than merely reiterating Islamic tenets. Despite Shariah's explicit provisions, many women in Libya face systematic denial of their inheritance rights due to entrenched patriarchal norms and misconceptions about gender roles. This situation highlights a gap between the ideals of Islamic law and their practical realisation in Libyan society.

This study seeks to analyse the position of Libyan inheritance law regarding women's inheritance rights, focusing on examining the extent to which legal frameworks align with Islamic Shariah. By exploring the interplay between Shariah principles and codified legislation, such as Article No. 6 of 1959, this research aims to identify gaps in the law's implementation and propose recommendations for reform. It emphasises the need to address systemic obstacles and cultural practices that hinder women's access to inheritance, advocating for a more effective alignment between Islamic principles and societal realities. While Libyan inheritance law recognises women's rights through codifications, practical challenges persist in translating these rights into reality. This research contributes to the discourse on gender equity by proposing measures to bridge the gap between the theoretical guarantees of Shariah and their enforcement in Libyan society. By doing so, it aims to promote justice and protect women's inheritance rights following Islamic teachings, empowering the audience to play a crucial role in this process.

PROBLEM STATEMENT

Inheritance is a fundamental principle of Islamic law, designed to ensure the fair and equitable distribution of a deceased person's assets among heirs, irrespective of gender. Grounded in Quranic and Hadith-based guidance, the Islamic inheritance system is a model of justice, precision, and practicality, explicitly granting women the right to inherit and own property. However, in Libya, the application of inheritance law has faced significant challenges due to its incomplete alignment with Islamic principles, particularly concerning women's rights. While Shariah provides detailed and precise rules for inheritance, cultural norms and societal misconceptions often impede its full implementation. These cultural biases and practices not only marginalise female heirs but also perpetuate inequities in inheritance distribution, contradicting the justice and gender equity emphasised in Islamic law.

The legal framework in Libya, particularly Article No. 6 of 1959, attempts to codify Islamic inheritance principles. However, this codification has not addressed the evolving societal and legal challenges. The existing regulations fail to account for modern interpretations of Shariah that reflect contemporary societal values, including the growing emphasis on gender equity. Additionally, the law lacks comprehensive provisions that explicitly safeguard women's inheritance rights, define the consequences for their violation, or provide enforcement mechanisms. This legal gap has allowed patriarchal practices to persist, undermining women's entitlement to inheritance and creating systemic disparities in property distribution. Consequently, women's inheritance rights in Libya remain vulnerable to neglect and violation despite being enshrined in Shariah.

The misalignment between Libyan law and Islamic principles has broader implications beyond the rights of female heirs. It exacerbates social tensions and familial disputes over inheritance, undermining the cohesive and equitable framework envisioned by Shariah. Moreover, the inadequacies of the Libyan legal system fail to reflect the Quranic commitment to protecting the financial and social welfare of all heirs, particularly women. This inconsistency underscores the urgent need for legislative reform that aligns Libyan law with the principles of Islamic jurisprudence and addresses societal and cultural barriers to its effective implementation. Such reform is necessary to enhance women's inheritance rights and promote justice and social harmony in Libyan society.

To resolve these issues, urgent legal and societal reform is required. The legal framework should integrate Islamic principles with modern interpretations of

Shariah, providing explicit provisions to protect women's inheritance rights and enforce accountability for violations. Such reforms must also address cultural misconceptions that perpetuate gender-based discrimination in inheritance practices. Without such changes, the Libyan inheritance system risks further deviation from its Islamic foundations and a failure to meet the expectations of its society. A reformed legal structure would ensure the equitable distribution of assets, safeguard women's rights, and align Libya's inheritance laws with the Quranic vision of justice and the evolving needs of the Libyan population.

This research aims to analyse the position of Libyan inheritance law concerning women's rights in light of Islamic Shariah. It seeks to examine the gaps between codified laws and Islamic principles, evaluate the socio-cultural barriers hindering their implementation, and propose practical solutions to harmonise the legal framework with Islamic values. By addressing these issues, the study intends to contribute to the broader discourse on gender equity and legal reforms in Muslim societies.

OVERVIEW OF THE LIBYAN INHERITANCE LAW

Since the inception of Islamic law, passing on property to subsequent generations has been a core component of societal and familial obligations. In Libya, the legal framework for inheritance is grounded in Islamic principles derived from the Quran and Hadith and coexists with modern legal systems. This coexistence is facilitated by a theoretical framework integrating Shariah-based inheritance principles into Libya's contemporary legal structure (Bowen, 2018). The Libyan inheritance law draws extensively from Quranic verses and Prophetic traditions, which explicitly guide the division of assets and possessions among surviving family members (Almutawa, 2021).

A key principle of the Libyan inheritance system is the concept of mirth, which outlines the proportional distribution of inheritance based on the relationship between the deceased and their heirs. This principle is a cornerstone of the Libyan inheritance law's theoretical framework (Berkah, 2019). Another significant aspect of this system is the emphasis on maintaining familial bonds and societal cohesion, achieved by encouraging families to retain wealth within their lineage. Additionally, the Libyan inheritance framework is designed to uphold women's rights, ensuring that female heirs receive their rightful, fixed shares of inheritance as explicitly outlined in the Quran (Basri, 2018).

The overarching goal of the Libyan inheritance system is to achieve a fair and equitable distribution of property in alignment with Islamic principles. This framework not only fulfils the requirements of Shariah but also serves as

a critical component of the nation's legal structure, contributing to preserving family bonds, social solidarity, and gender equality (Bahrami-Rad, 2021). However, debates and discussions have emerged over the years about the challenges of reconciling Shariah-based inheritance principles with the demands of modern legal systems. These debates highlight the complexities of navigating the intersection of traditional Islamic values and contemporary legal frameworks.

Despite these challenges, the Libyan inheritance system remains a significant pillar of the country's legal and cultural identity. It reflects the enduring influence of Islamic principles on contemporary law while demonstrating Libya's efforts to balance religious values with modern societal needs. Preserving women's inheritance rights, familial relationships, and societal cohesion is central to Libya's theoretical and practical application of inheritance laws. By doing so, the Libyan inheritance system serves as a model of how Islamic principles can coexist with evolving legal and cultural landscapes.

HISTORICAL EXPERIENCE OF INHERITANCE

Examining inheritance practices across various countries and religions that Islam does not influence highlights the wisdom and fairness of the Islamic inheritance system. In many Asian countries that do not practice monotheistic faiths, such as China, Korea, and Vietnam, inheritance systems are often discriminatory toward women. For example, women may inherit property from their husbands or parents, but the inheritance is frequently restricted to the eldest daughter, leaving her sisters without any share (Hamzah, 2019). In contrast, in Japan, inheritance practices vary by region; two-thirds of a family's property is typically transferred to the eldest son or, in some cases, the youngest son. The remainder of the estate is shared among the brothers, but daughters are generally excluded from inheritance. Additionally, Japanese inheritance laws impose strict restrictions on the sale or transfer of real estate, requiring unanimous agreement from all heirs, a practice that often leads to disputes and, at times, severe conflicts among family members (Haque, 2020).

Similarly, in the Jewish religion, inheritance is traditionally limited to male heirs, with the eldest son receiving a double share compared to his siblings. In Christianity, inheritance laws vary widely between denominations and regions. For instance, in some southern Christian traditions, only male children inherit, with the eldest son receiving two-thirds of the family estate, including property and land. In coastal regions of Spain, the youngest daughter may inherit the entire estate, whereas in inland and mountainous areas, the eldest

child, regardless of gender, often receives the majority share (Harari, 2019). These disparities demonstrate the absence of a unified or equitable inheritance system across religious and cultural traditions.

In Europe, inheritance practices have historically favoured male heirs. In countries such as Germany, France, Sweden, and the Netherlands, the eldest son typically inherits two-thirds of the family estate, while the remaining heirs may receive small monetary compensations. This tradition remains prevalent, particularly among aristocratic families in Britain, where primogeniture, the inheritance of property by the eldest son, is still widely practised (Harari, 2019). In Africa, inheritance customs vary significantly. In some regions, such as Nigeria and South Africa, inheritance is restricted to the eldest son, while in others, the eldest child, regardless of gender, inherits the estate. However, in particular African cultures, only women inherit, reflecting the fluid and culturally specific nature of inheritance practices (Johansson-Nogués, 2013).

Historically, the distribution of inheritance has often been governed by customs rather than principles of fairness, prioritising specific heirs such as the eldest son or, less commonly, women. These practices have frequently caused conflicts and inequities among heirs. In contrast, Islam introduced a unified inheritance system, ensuring equity for all heirs, regardless of gender, and applying consistent principles across all times and places. By adhering to God's commands as outlined in the Quran, the Islamic inheritance system eliminates potential disputes and guarantees fairness in the division of property (Langhi, 2016). This system's adaptability to changing times and cultures underscores its justice and practicality, setting it apart from historical practices in many other societies (Judiasih, 2018).

THE SIGNIFICANCE OF INHERITANCE

Before delving into the significance of inheritance within this study, it is essential to distinguish between heredity and inheritance, as these terms are related but not interchangeable. Heredity encompasses rituals, conventions, cultural traditions, and architecture. At the same time, inheritance refers to the pecuniary and in-kind rights left behind by a deceased person for their heirs (Tarchi, 2022). For instance, it would be inconceivable for someone to claim ownership of Egypt's pyramids based on lineage to the ruling Pharaonic dynasty. Such claims are invalid even if the lineage is proven, as these cultural artefacts represent a shared cultural heritage belonging to the people rather than individuals. In contrast, inheritance is uniquely characterised by the deceased's personal financial and material rights, distributed according to specific legal and religious frameworks.

The significance of inheritance is underscored by the fact that God Almighty personally delineated the laws of inheritance in the Quran, leaving no room for human discretion in dividing these rights. This divine intervention highlights the central importance of inheritance in Islamic law. As the Quran states, “God makes it clear to you that you will go astray, and God is All-Knowing” (An-Nisa 4:176). This verse emphasises the precision and divine wisdom behind the division of inheritance, showcasing the necessity for believers to understand and adhere to these principles. The fard (obligation), defined as a predetermined share assigned by Shariah to heirs, further illustrates the obligatory nature of inheritance laws in Islam. For example, God Almighty states: “And for you is half of what your wives leave” (An-Nisa 4:12) and “For his parents, for each one of them is one-sixth of what he leaves” (An-Nisa 4:11). These verses establish the obligatory division of inheritance and reinforce the divine framework governing its distribution.

Inheritance in Islam is a matter of personal wealth distribution and a fundamental component of jurisprudence, ensuring justice and the transfer of rights to those entitled to them. It preserves the boundaries of God while maintaining societal order and familial harmony. The Quranic instructions reflect a commitment to fairness, eliminating potential disputes and safeguarding the rights of all heirs. Furthermore, the study of inheritance laws is central to Islamic jurisprudence as it represents one of Shariah’s most precise and detailed areas. While certain hadiths are not widely cited due to weaker chains of narration, the general principles and obligations of inheritance remain a cornerstone of Islamic legal tradition (Tono, 2019).

In conclusion, inheritance is significant because of its divine origin, precise regulations, and role in upholding justice. It ensures the equitable transfer of wealth while preserving familial and societal harmony. The knowledge and application of inheritance laws are integral to maintaining the boundaries set by God and ensuring that the rights of heirs are protected according to divine commandments.

LEGAL RIGHTS CONCERNING THE DECEASED PERSON’S ESTATE

According to Al-Hadad (2016), four primary legal rights concerning the estate of a deceased individual must be addressed before the division and distribution of inheritance. These rights, which Islamic jurists universally recognise, include the dignified preparation of the deceased for burial, the clearance of the deceased’s debts, the fulfilment of any bequests up to one-third of the

estate for non-heirs if specified in a will, and the distribution of the remaining estate among heirs based on familial ties and Shariah-prescribed shares.

The priority involves preparing the deceased for burial, which requires using the estate's funds to cover all necessary expenses for the burial process without excess. This includes washing, shrouding, and interring the deceased. Once these preparations are completed, the estate's second obligation is the payment of the deceased's outstanding debts. These debts may pertain to obligations owed to God, such as unpaid zakat, vows, expiations, or debts owed to other individuals. Jurists differ on whether worship-related debts should be paid if not explicitly requested by the deceased. For example, Hanafi scholars argue that obligations like zakat are not fulfilled after death unless the deceased stipulated this before passing, as worship requires intention, which ceases at death. On the other hand, Hanbali jurists and many Arab legal frameworks prioritise settling all debts from the inheritance, reinforcing the deceased's financial and spiritual responsibilities (Tarchi, 2022).

The advent of Islam brought transformative changes to inheritance practices across the Arab world, particularly in safeguarding women's rights. These reforms granted women previously denied inheritance the right to inherit as daughters, mothers, and widows. Key verses in the Quran, such as Surah An-Nisa (4:7, 4:11, 4:12, and 4:176), explicitly establish women's inheritance rights. For instance, verse 4:7 states:

“Unto the men (of a family) belongeth a share of that which parents and near kindred leave, and unto the women a share of that which parents and near kindred leave, whether it be little or much—a legal share”. (Surah al-Nisa', 4: 7)

This verse unequivocally demonstrates that women are entitled to a fixed and legitimate share of inheritance under Islamic law. Additionally, Islamic jurisprudence ensures that a woman's inheritance rights extend beyond her family. For example, a married Muslim woman receives a matrimonial gift (mahr) at the time of marriage, which remains her sole property regardless of divorce or other circumstances. Moreover, her financial rights include complete maintenance during marriage and a share of her husband's estate upon his death.

Islamic inheritance laws are highly detailed, prescribing specific fractions of the estate to heirs. For example, the wife's share is one-eighth if the deceased leaves children and one-fourth if no children exist. These shares are derived from key Quranic verses, such as:

“God (thus) directs you as regards your children's (inheritance): to the male, a portion equal to that of two females: if only

daughters, two or more, then their share is two-thirds of the inheritance; if only one, her share is a half. For parents, a sixth share of the inheritance to each if the deceased leaves children; if no children and the parents are the (only) heirs, the mother has a third; if the deceased leaves brothers (or sisters), the mother has a sixth. The distribution in all cases is after the payment of legacies and debts. You do not know whether your parents or children are nearest to you regarding benefits. These are settled portions ordained by God". (Al-Quran, P.11)

Although the rule that a female inherits half the share of a male has been debated, it reflects the principle that men in Islamic societies bear greater financial responsibilities than women. A male heir must provide for his family, including dependent parents, unmarried female relatives, and his household's well-being and stability. This financial obligation justifies the male's larger share, ensuring that societal and familial obligations are upheld.

Islamic law guarantees that no inheritor, male or female, is denied their rightful share of inheritance. While inheritance shares vary between genders, Islamic jurisprudence safeguards the rights of all heirs, ensuring fairness and compliance with divine commandments. In addition to these safeguards, both men and women benefit from the structured and equitable division of the deceased's estate, ensuring familial harmony and stability (Harari, 2019).

THE INHERITANCE RIGHTS OF A PERSON IN LIBYAN LAW

The inheritance law in Libya officially grants women greater rights than the legislation of many other Arab nations. However, the practical implementation of this law often fails to uphold women's inheritance rights consistently. Despite civil law providing for equal rights in inheritance, interpretations of Shariah that favour males frequently result in women receiving less than their rightful share, as highlighted in a report by the United States Department of State on Libya. Furthermore, while laws exist to penalise those who withhold inheritance, these laws are rarely enforced, leading to inconsistent protection of women's legal entitlements (Judiasih, 2018). Even in contexts where women are legally entitled to inherit property, the execution of these rights is often undermined by cultural norms and inadequate enforcement mechanisms.

The Constitutional Declaration of Libya, ratified in August 2011, reaffirms the state's commitment to human rights and fundamental freedoms, explicitly forbidding discrimination against women. It pledges Libya to adhere to international conventions that safeguard these rights. Until a permanent

constitution is ratified, the Constitutional Declaration remains in effect, ensuring that constitutional provisions related to equality take precedence over conflicting legislation (Harari, 2019). However, failure to implement a constitution that upholds these principles could result in Libya breaching its international obligations regarding human rights.

Libyan law has sought to protect women's inheritance rights through Law No. 6 of 1959, which explicitly aligns inheritance practices with the provisions of Islamic Shariah. Article 1 of this law guarantees that women's inheritance and their shares are determined following Shariah. Article 2 strengthens this protection by declaring it unacceptable to withhold a woman's share of inheritance or prevent her from benefiting. Such withholding includes failing to hand over the share, denying her access to its yield, or obstructing her ability to exercise ownership rights over her property. Women's entitlement to inheritance must either be recognised by the estate owner or upheld by a final judicial ruling from a competent authority (Al-Hadad, 2016).

Subsequent articles in Law No. 6 provide additional safeguards for women's inheritance rights. Article 3 mandates that if the owner of an estate disputes a woman's right to inheritance, they must present the case to a competent court within three months of the woman's claim, as notified by a bailiff. Failure to act within this period results in the settlement of the woman's inheritance. Conversely, if the right to inheritance is uncontested, the provisions of Article 4 apply. Article 4 further stipulates that any inheritance due to a woman from December 25, 1951, until the enforcement of this law must be paid to her within three months of the law's enactment. Lastly, Article 5 establishes penalties for violating women's inheritance rights, including imprisonment and court-ordered restitution of the withheld inheritance (Almutawa, 2018); while Libya's inheritance law provides a robust legal framework to protect women's inheritance rights, challenges remain in its enforcement. Cultural barriers and the failure to consistently apply penalties for violations hinder the realisation of women's legal entitlements. Strengthening enforcement mechanisms and addressing societal norms that undermine these rights are crucial for ensuring that women in Libya fully benefit from the inheritance protections guaranteed by Islamic Shariah and Libyan law.

RESULT AND DISCUSSION

The study results reveal that both Libyan law and Islamic Shariah emphasise the concept of inheritance. Inheritance, as defined in both systems, refers to transferring a deceased individual's possessions and assets to their legal

heirs. The inheritance law in Libya merges the principles of Islamic Shariah with elements of Roman legal tradition, forming a comprehensive legal system. Shariah establishes a clear framework for determining heirs and their respective estate shares. The distribution of inheritance is carried out according to a predetermined formula based on familial relationships, which varies depending on the connection between the deceased and their heirs. Libyan law incorporates modern adjustments, acknowledging situations such as biological children, stepchildren, and adopted children, allowing them to inherit under certain conditions. Moreover, Libyan law permits the distribution of an inheritance according to the wishes of the deceased, provided that the rights of qualified heirs are not compromised. Libyan Law and Islamic Shariah uphold justice in inheritance distribution, emphasising the importance of fairness and preserving healthy family connections.

The analysis also demonstrates that Islam has significantly advanced women's rights in inheritance, particularly compared to pre-Islamic times when women were denied ownership and were themselves treated as inheritable property. The arrival of Islam abolished such injustices, introducing equitable inheritance rules that consider women as rightful heirs. Contrary to common misconceptions, a woman's share of inheritance can surpass that of a male heir in many scenarios, depending on her relationship with the deceased and the inheritance context. The Quran, the Sunnah, and the consensus of scholars collectively safeguard women's inheritance rights, affirming that these rights are divinely ordained and not subject to human discretion. For instance, Surah An-Nisa (4:7) explicitly states:

“Unto the men (of a family) belongeth a share of that which parents and near kindred leave, and unto the women a share of that which parents and near kindred leave, whether it be little or much—a legal share”. (Surah a'-Nisa', 4: 7)

This divine framework establishes clear inheritance boundaries, preventing deviations or favouritism. Islamic jurisprudence enforces penalties for individuals who attempt to deny women their rightful inheritance, further solidifying these protections. The Prophet Muhammad (peace be upon him) elevated the status of women in inheritance, granting them equal recognition as heirs and ensuring justice in their treatment.

The study also highlights the role of Libyan Law No. 6 of 1959 in protecting women's inheritance rights. While this law is often viewed as progressive, it remains a cornerstone in ensuring women's inheritance rights are upheld in Libya. The law aligns with Islamic Shariah by protecting women's entitlements and providing penalties for withholding inheritance. For instance,

the law explicitly mandates the fair distribution of inheritance and ensures that disputes over a woman's share are resolved through competent courts within specific timeframes. Article 1 of the law stipulates that women's inheritance must be distributed under Shariah, while Article 2 prohibits withholding their rightful shares. Articles 3 and 4 further enforce penalties and mandate the timely resolution of inheritance claims, ensuring that no woman is denied her rightful property (Al-Hadad, 2016).

Despite being over six decades old, Law No. 6 of 1959 is critical in advancing gender equality in Libya. Its enactment has empowered women to access property and challenge patriarchal norms entrenched in Libyan society. This law serves as a reminder that legal frameworks are essential for safeguarding women's rights and promoting gender equality. While challenges in enforcement persist, the law demonstrates how Islamic principles can be effectively integrated into modern legal systems to uphold justice. The existence of this law emphasises that progress toward gender equality and justice can be achieved through legislative measures that prioritise and protect women's rights. Libyan Law No. 6 of 1959 exemplifies the central role of legal tools in securing women's inheritance rights. Combining Islamic principles with legal protections has established a foundation for promoting justice and gender equality in inheritance matters within Libya. The study underscores the importance of consistently enforcing these protections to realise their full potential in fostering a more equitable society.

CONCLUSION

This research set out to analyse the rules of Islamic law concerning inheritance and the stance of Libyan law, which has historically restricted women from inheriting equally from their male relatives. The study highlights the presence of legally obligatory provisions derived from Islamic law to protect women's inheritance rights, emphasising that such provisions should be elevated to enforceable obligations. The findings reveal that specific articles of Libyan law require modernisation, as the legal framework is outdated and does not adequately reflect the evolving status of women in contemporary society. While civil law in Libya grants equal inheritance rights, a report by the United States Department of State found that women "typically received less" due to interpretations of Shariah favouring males. This discrepancy underscores the urgent need for legislative reforms that align inheritance laws with the principles of Islamic justice while ensuring they meet the needs of modern society.

To address these issues, the renewal and enhancement of inheritance laws must become a legislative priority. Lawmakers must establish robust mechanisms to update women's inheritance rights while maintaining clarity and consistency within the framework of Islamic law. It is the responsibility of legislators to enact and continually refine legal provisions to reflect societal changes and challenges, ensuring justice and equity in applying these laws. Despite the relative nature of law, the judiciary must also play a proactive role by leveraging judicial discretion to resolve disputes and address issues that undermine women's property rights. Furthermore, researchers and agencies such as the Ministry of Justice and the Ministry of Social Affairs must collaborate to investigate and describe these challenges comprehensively, contributing to developing a jurisprudence that better supports women's inheritance rights.

From a preventive standpoint, legislators must address criminal activities that disrupt familial economic relationships and threaten societal stability and peace. Strengthening legal frameworks against such practices will protect women's inheritance rights and reinforce economic and familial cohesion, which are integral to societal harmony. Ultimately, this research advocates for a holistic approach, combining legislative reform, judicial responsibility, and societal awareness, to ensure women's inheritance rights are protected and upheld per Islamic principles and contemporary legal standards.

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