

## **VIEW OF ISLAMIC SCHOLARS OF MEDAN ABOUT OBSTACLE TO GET HERRITAGE IN KHI SECTION 173**

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### **ABSTRACT**

Basically someone who committed a crime to another he committed the crime to Allah. So the first step which must be done is repentance including three terms leave the immoral deeds regret what you have done and promised not to do it again.

In the compilation of Islamic law blocked because someone heirs to inherit; Have been blamed for killing or attempting to kill or injure the weight of the testator; Blamed for defaming it has filed a complaint that the heir commit an offense punishable by 5 years imprisonment or more severe punishment. In contrast to the Fikih formulate heirs are deprived of inheritance of slavery, murder, a different religion (apostasy) and different countries. Here is clearly between Fikih and KHI are different from terms of formulating an unobstructed heirs to obtain inherited property of the testator. In this case, especially the scholars residing in Medan different opinions in this regard. They say that KHI is different from Fikih because of consideration of various aspects, namely sociological, juridical and philosophical. And also look at the current condition should be made a formula that can provide a sense of justice and prosperity for the people of Indonesian Islam. Therefore, it needs to be made compilation of Islamic law in accordance with the condition of Indonesia and this will be a very helpful tool in the Indonesian Islamic community.