



Heirs in the Islamic, Anglo-Saxon and Continental European Legal Systems

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Abstract

This study aims to compare the concept of inheritance in three different legal systems: Islamic law, Anglo-Saxon law, and Continental European law. The main objective of this study is to analyze the differences, similarities, and social and legal implications of these different inheritance systems. The methodology of this research involves a literature review and analysis of relevant laws and regulations regarding inheritance law in the three legal systems studied. Data is collected from reliable primary and secondary sources, including Islamic legal texts, relevant laws and court decisions in Anglo-Saxon law, as well as legal regulations and precedents in Continental European law. The findings of this study reveal that Islamic law regulates inheritance based on Sharia principles, which divide inheritance proportionally according to family relations and religious provisions. Anglo-Saxon law adheres to the principle of intestate succession, whereby property is distributed to heirs based on lineage and special rules in law. On the other hand, the Continental European legal system bases the distribution of inheritance on the concept of a broader lineage, encompassing more distant relatives as heirs. The social implications of these findings highlight differences in the way societies manage inheritance and inheritance rights, which can affect justice and harmony in the family. From a legal perspective, the implication is the comprehensive variation in the protection of inheritance rights and the legal process that applies in each legal system.

Keywords: *Inheritance Law, Islamic Legal System, Anglo-Saxon Law, Continental European Law.*

Abstrak

Penelitian ini bertujuan untuk membandingkan konsep pewarisan dalam tiga sistem hukum yang berbeda: hukum Islam, hukum Anglo-Saxon, dan hukum Eropa Kontinental. Tujuan utama penelitian ini adalah menganalisis perbedaan, persamaan, serta implikasi sosial dan hukum dari sistem pewarisan yang berbeda ini. Metodologi penelitian ini melibatkan telaah pustaka dan analisis peraturan perundang-undangan yang relevan mengenai hukum waris di ketiga sistem hukum yang diteliti. Data dikumpulkan dari sumber primer dan sekunder yang dapat dipercaya, termasuk teks hukum Islam, undang-undang dan keputusan pengadilan yang relevan dalam hukum Anglo-Saxon, serta peraturan dan preseden hukum dalam hukum Eropa Kontinental. Temuan penelitian ini mengungkapkan bahwa hukum Islam mengatur warisan berdasarkan prinsip Syariah, yang membagi warisan secara proporsional sesuai dengan hubungan keluarga dan ketentuan agama. Hukum Anglo-Saxon menganut asas suksesi intestate, yang mana properti didistribusikan kepada ahli waris berdasarkan garis keturunan dan aturan khusus dalam hukum. Di sisi lain, sistem hukum Eropa Kontinental mendasarkan distribusi warisan pada konsep garis keturunan yang lebih luas, mencakup kerabat yang lebih jauh sebagai ahli waris. Implikasi sosial dari temuan ini menyoroti perbedaan dalam cara masyarakat mengatur warisan dan hak-hak ahli waris, yang dapat memengaruhi keadilan dan keharmonisan dalam keluarga. Dari perspektif hukum, implikasinya adalah variasi komprehensif dalam perlindungan hak waris dan proses hukum yang berlaku di setiap sistem hukum.

Kata Kunci: Hukum Waris, Sistem Hukum Islam, Hukum Anglo-Saxon, Hukum Eropa Kontinental

INTRODUCTION

Inheritance is a very important and complex legal issue in various legal systems around the world. The legal system in different countries often has different approaches to regulating the distribution of inheritance among heirs. Among the various legal systems, three that stand out are the Islamic legal system, the Anglo-Saxon legal system, and the Continental European legal system. In the context of Islamic law, the concept of inheritance is governed by Sharia principles established by religious teachings (Ismail, 2019).

This legal system provides clear guidelines on how inherited assets are distributed fairly among the heirs, taking into account family relationships and applicable religious provisions. On the other hand, the Anglo-Saxon legal system adopted a different approach to the principle of intestate inheritance law, where the division of inherited assets is carried out when a person dies without making a will. This includes determining heirs based on the nasab and applicable legal provisions, without considering religious aspects (Djawas et al., 2022).

Meanwhile, the Continental European legal system has different characteristics, recognizing heirs from more distant family relationships. The broader concept of descent in this system influences how inheritance assets are distributed, allowing cousins, aunts, uncles, and other distant relatives to have rights in the inheritance (Ismail, 2019).

The Continental European legal system often imposes restrictions on the freedom of individuals to determine the fate of inherited assets through wills. Some countries may limit the type and amount of assets that can be inherited through a will, giving greater importance to established inheritance distribution rules (Joulfaian & Wilhelm, 1994).

By detailing the fundamental differences in the three legal systems' approaches to inheritance, this study aims to contribute to a deeper understanding of the diversity of values, norms, and principles of inheritance law at the global level (Y. YUSDANI et al., 2021). The practical and philosophical implications of this comparison can provide the basis for the development of a more equitable inheritance law that is aligned with the needs of society in a variety of legal contexts. Based on the above background, the focus of this research is to conduct a comparative analysis of inheritance in the Islamic legal system, the Anglo-Saxon legal system, and the Continental European legal system.

RESEARCH METHODS

This research is a comparative literature review, which compares the principles of inheritance in three different legal systems, namely the Islamic Legal System, the Anglo-Saxon Legal System, and the Continental European Legal System. The study collected data from primary legal sources, such as the Quran and Hadith for the Islamic Legal System, historical and contemporary legal documents for the Anglo-Saxon Legal System, and legal regulations and decrees for the Continental European Legal System. Then a conceptual analysis of the principles of inheritance in the three legal systems was carried out. This includes an in-depth understanding of the values, norms, and principles that underlie inheritance law in each system. It involves case studies or concrete examples of each legal system to provide a real illustration of the application of inheritance principles in legal and societal contexts (Hoecke, 2015).

RESULTS AND DISCUSSION

The Concept of Inheritance in Islamic Law

Inheritance law in Indonesia shows a variety of patterns, where each population group is subject to its own laws. This results in differences regarding the meaning and

importance of inheritance law. However, when talking about inheritance law, the central point cannot be separated from three main elements: the existence of the deceased person's heritage (treasure) which is referred to as inheritance; the presence of heirs who control or own the inheritance and transfer or pass on it; and the existence of heirs, namely people who receive the transfer or distribution of inheritance (Barlinti, 2013).

The following are some definitions of inheritance law: Islamic inheritance law (fariathh law), the meaning of inheritance law according to terminology is destiny, destiny/fate, and in sharia is the part that is allocated/determined for the heirs. Thus, faraidh is special with regard to the share of heirs that has been determined by the sharia (Fauzi, 2017).

According to Soepomo, from the perspective of customary law, the meaning of inheritance law is the regulations that regulate the process, transfer and transmission of immaterial property from one generation of human beings to their descendants (Soepomo, 1963). It can be understood that inheritance law is a part of the law that governs the transfer of assets and property from one generation to the next after a person dies. This concept includes the rights and obligations associated with the deceased (the person who dies) and the heirs (those who receive the inheritance). Inheritance law establishes rules and procedures for equitable distribution of inheritance assets in accordance with applicable provisions (Q, 2023).

Inheritance law in Islam is based on sharia principles which are the main guidelines in determining the distribution of inheritance. Some of the key principles relevant in this context are as follows: first, the principle of justice. Islamic inheritance law emphasizes the importance of justice in the distribution of inheritance. Each heir has the right to receive a fair and balanced share according to religious provisions. Second, the principle of family bonds. Islamic inheritance law recognizes the existence of a close relationship between the heirs and the deceased based on family ties (Djawas et al., 2022). Heirs who are more closely related to the person who died, usually have greater rights when it comes to inheritance. Third, the principle of respect for religious provisions. Islamic inheritance law emphasizes the importance of the following religious provisions in determining heirs and the distribution of inheritance assets. This means that Islamic inheritance law is based on the teachings of the Quran and the Hadith of the Prophet Muhammad (Admin, 2023).

Estate Arrangements for the Nuclear Family

In Islamic inheritance law, the nuclear family such as children, spouses, and parents are given priority in the distribution of inheritance (Rajab et al., 2022). Some important aspects of inheritance arrangements for the nuclear family are as follows: first, children. Children have a strong right of inheritance under Islamic law. They are entitled to receive a certain share of their parents' inherited assets. Second, husband and wife. In Islamic inheritance law, the surviving husband or wife also has the right to a portion of the inheritance of his deceased spouse. Third, parents. Parents have the right to receive inheritance from their children if the parent dies before their children. The arrangement of inheritance in Islamic law also includes other legal aspects such as the law of wills, the law of zakat, and the law of faraidh (the detailed division of inheritance in the Qur'an). The principles of inheritance law in Islam offer a clear and fair framework for the distribution of inheritance assets in Muslim societies (Aziz, 2023).

The rights of the heirs are determined based on the religious provisions explained in the Quran and the Hadith of the Prophet Muhammad. Islam recognizes and respects the family relationship between the deceased and his or her heirs. This relationship is the main basis in determining who is entitled to be an heir (Supriyadi, 2017). Furthermore,

Islamic inheritance law adheres to the principle of equal rights between male and female heirs in the distribution of inheritance. This means that both male and female heirs have the same right to receive part of the inheritance (Mu'in et al., 2023). The Quran and Hadith also provide clear guidelines on the distribution of inheritance among the heirs. Each heir gets a certain share according to religious provisions, and this share must be respected and protected (Yusuf, 2017).

The application of Islamic inheritance law in society faces several challenges and important roles. The application of Islamic inheritance law can be seen from the following four things: First, public awareness and understanding. It is important to increase public awareness and understanding of Islamic inheritance law (Djawas et al., 2022). Education and socialization about the rights of heirs and the principles regulated by religion are important so that the public understands and appreciates the provisions of inheritance law. Second, the role of legal and religious institutions. Legal and religious institutions play an important role in the application of Islamic inheritance law. They must provide guidance and assistance to the community in resolving inheritance disputes and ensuring the distribution of inheritance in accordance with religious provisions (Kusumadewi, 2021). Third, the influence of local culture and customs. The application of Islamic inheritance law can be influenced by local culture and customs that apply in the community.

The Concept of Heirs in the Anglo-Saxon System

Inheritance law without a will in the Anglo-Saxon system refers to the legal provisions that govern the distribution of inherited assets when a person dies without leaving a valid will. In the case of inheritance law without a will, the court will determine how the inheritance assets will be distributed among the heirs in accordance with the applicable law (Wiratha, 2016). In the Anglo-Saxon legal system, the determination of heirs was based on the deceased's lineage. Direct heirs such as children and grandchildren will be the primary heirs, and they will be entitled to receive a certain share of the inherited assets. If the deceased has no direct heirs, then the lineage will be traced backwards to determine the heirs who are entitled to receive part of the inheritance assets. This Anglo-Saxon legal system can vary between different jurisdictions. In addition, the determination of heirs in inheritance law without a will can also be influenced by local customs and traditions. This can lead to variations in how inherited assets are distributed among heirs in different communities (Arfaizar et al., 2022). Understanding the concept of inheritance in the Anglo-Saxon legal system is essential in dealing with legal cases involving intestate inheritance and ensuring justice and legal certainty in the process of distributing inheritance assets (Hulalata, 2021).

The Anglo-Saxon legal system plays an important role in regulating the distribution of inherited assets when a person dies without a valid will (Media, 2019). The influence of this law includes the rules and principles of inheritance law without a will that apply in certain regions. Each jurisdiction may have slightly different regulations, which can affect how inherited assets are managed, distributed among the heirs (Muchith, 2013).

Cultural factors also have a significant influence on the arrangement of inherited assets in the Anglo-Saxon system (Cahyono, 2018). Cultural values in society, such as the importance of family, loyalty to traditions, and views on property ownership, can influence how individuals view the process of inheritance distribution and how assets should be distributed. For example, in some cultures, the deceased may feel a moral responsibility to give most of the inheritance assets to more needy family members, even though it is not required by law (Arfaizar et al., 2023).

A review of the case studies of inheritance-related law in the Anglo-Saxon system helps to understand how these laws are applied in practice. These cases involve various disputes and conflicts involving the division of inherited assets among the heirs. The court will resolve this dispute based on the principle of inheritance law without a valid will. This case study can also reveal the challenges and differences in legal interpretation that occur in dispute resolution. Some cases may involve conflicts of interest among heirs, while others may address complex legal questions related to lineage or the definition of a legitimate heir (Ansarullah, 2024). The results of this case study provide valuable insights into the effectiveness of the Anglo-Saxon legal system in dealing with inheritance disputes and how these laws can be improved or improved to ensure justice for all parties involved (Cahyono, 2018).

The Concept of Inheritance in the Continental European Legal System

In the Continental European legal system, the concept of inheritance reflects a broader approach to determining heirs (Maulana, 2021). Some important aspects of this approach are as follows: first, broader family relationships. The Continental European legal system recognizes a broader family relationship in determining heirs. In addition to direct heirs such as children and grandchildren, the system also takes into account more distant family members, such as siblings, cousins, uncles, and aunts (Sukirman & Mukhlas, 2023). Second, the law of forced inheritance. In some jurisdictions in Continental Europe, there may be forced inheritance laws governing the portion of inheritance assets allocated to certain heirs. This can result in a portion of the inheritance assets being allocated to the heirs as determined by law, regardless of the deceased's wishes in the will. Third, proportional distribution. The Continental European legal system tends to apply a proportional distribution of inherited assets, where each heir's share is determined based on a reasonable percentage of the total inheritance assets. This approach aims to achieve justice in the distribution of inheritance to rightful heirs (Arlis, 2021).

In the Continental European legal system, lineage plays an important role in determining heirs and the distribution of inherited assets. There are several aspects of lineage in the Continental European legal system, namely: first, the lineage. The Continental European legal system usually follows a vertical lineage to determine heirs. Children and grandchildren have strong inheritance rights and are the primary heirs. Second, exemptions for heirs. In some cases, the Continental European legal system also takes into account exceptions for certain heirs. For example, if an heir dies before the deceased, their descendants will represent their inheritance rights. Third, the absence of heirs. In situations where there are no surviving heirs, inheritance assets can be allocated to charities or government bodies in accordance with local laws. The Continental European legal system varies in different countries, and each country may have different laws and regulations governing the concept of inheritance. Nevertheless, understanding the broader approach to heirs and lineage aspects in the Continental European legal system is important to ensure justice and legal certainty in the distribution of inherited assets (Albian, 2019).

In the Continental European legal system, the division of inherited assets is based on the principle of equality among the heirs and a broader understanding of the family. However, differences in inheritance law between Continental Europe and other systems, such as Islamic inheritance law or Anglo-Saxon inheritance law, may be of concern in comparing the distribution of inheritance assets. Some relevant comparisons between the distribution of inherited assets in the Continental European system and other systems are

that in Continental European inheritance law, both male and female heirs have equal rights in the distribution of inherited assets. This is in contrast to some other inheritance laws that may give priority to male heirs or limit the rights of female heirs (Djawas et al., 2022).

Furthermore, Continental European inheritance law tends to recognize broader family relationships in determining heirs, including more distant family members such as cousins and uncles. On the other hand, other systems may focus more on close families, such as children and grandchildren. Inheritance law in Continental Europe is not always based on the provisions of a particular religion, while some other systems may be influenced by the teachings of certain religions and strong influences. Tradition in the arrangement of inheritance. In comparing the distribution of inherited assets, it is important to understand the social, cultural, and value contexts that make up any inheritance law system. Although there are differences between these two systems, the ultimate goal is to achieve justice and legal certainty in the distribution of inherited assets (Cahyono, 2018).

The arrangement of inheritance in the Continental European system can have significant social implications in society. The implications include: first, gender equality. Equal inheritance rights between men and women in the Continental European system support gender equality in the distribution of inherited assets. This can contribute to a more active role of women in managing and utilizing inherited assets (Arfaizar et al., 2023). Second, wider family solidarity. The broader recognition of family relationships in this system can strengthen overall family solidarity. Distant heirs may feel more connected to the nuclear family, and this can affect social relationships and togetherness within the family. Third, the impact on family decision-making. The wider distribution of inheritance assets can affect family dynamics and decision-making. This arrangement can help maintain harmonious relationships within the family or, conversely, can lead to conflict among heirs (Ramli et al., 2023).

Fourth, the impact on family economic empowerment. A fairer distribution of inheritance assets among family members can contribute to the overall economic empowerment of the family. Heirs who receive a portion of the inheritance assets may be able to use it for investments or improve their standard of living. The arrangement of inheritance in the Continental European system reflects a more inclusive view of the equality of family and inheritance rights (HAK et al., 2023). The social implications include impacts on gender, family solidarity, family decision-making, and family economic empowerment. However, keep in mind that each inheritance law system has different social consequences, and the role of legal and social institutions in ensuring justice and harmony in the distribution of inheritance is very important (Agustian et al., 2023).

Comparison of the Concept of Inheritance in Three Systems

Differences and Similarities between Islamic Law, Anglo-Saxon Law, and Continental European Law The differences and similarities between Islamic law, Anglo-Saxon law, and Continental European law encompass various aspects, including basic principles, approaches to inheritance arrangements, and the cultural values and factors that influence them. The following are some of the differences and similarities that can be identified.

First, Legal Sources Identifying legal sources plays an important role in the context of clarity, applicability, and understanding of applicable legal norms. By knowing the sources used by a system, the public can understand and comply with the results of legal

decisions. Overall, identifying legal sources is important because it creates a strong foundation for justice, order, and certainty in a legal system (JA YUSDANI, 2023).

According to Suryati, there are 3 basic sources of inheritance law in Islam, namely the Quran, Hadith, and *ijtihad* (Suryati, 2017). One of the verses that is the basis of inheritance law in Islam is Surah An-Nisa verse 1:

لِّلرِّجَالِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ مِمَّا قَلَّ مِنْهُ أَوْ كَثُرٌ
نَّصِيبًا مِّمَّا قَرُّوا

Translation: For men there is a right to share the inheritance of both parents and relatives and for women there is a right (also) of the inheritance of both parents and relatives, both small and many, according to the share that has been determined.

This verse explains the warning to be careful in managing the inheritance owned by orphans, so as not to acquire it unfairly. Eating the property of an orphan unjustly is the same as swallowing the fire of hell. The person who obtains the treasure in an improper way will face the consequences in the hereafter by being placed in Hell.

The source of Anglo-Saxon law comes from the English common law tradition, which was heavily influenced by the courts or what is known as precedent. The principle of precedent means that previous court decisions are used as a basis or guideline in resolving similar cases in the future. In other words, past court decisions set a binding precedent for similar cases in the future (Iqbal, 2022).

In addition to court decisions, Anglo-Saxon Law was also influenced by written law. This includes rules and laws that are explicitly set out in written legal documents. Thus, Anglo-Saxon Law emphasizes the important role of court decisions (precedents) as authoritative sources, along with the influence of written law (Iqbal, 2022). Its flexibility and adaptability set it apart from more codified legal systems, such as those found in the Continental European legal system.

Continental European law is mainly influenced by the codification of law. Legal codification refers to the process of drafting and writing laws systematically in the form of written laws or legal codes. This includes organizing and classifying laws into a structured set of norms. In Continental European Law, written law and formal legal documents play a major role. This means that primary legal sources can be found in written texts that have been codified (Gozali, 2018).

Governments in the Continental European legal system play an important role in the law-making process. The making and amendment of laws is generally a government initiative, often through a formal legislative process. Continental European law tends to have more detailed provisions and stays connected to inheritance distribution, contracts, and other legal aspects. These details provide clarity and legal certainty but are sometimes considered less flexible in responding to changing circumstances or evolving societal values (Gozali, 2018).

Overall, Continental European Law characterizes a more codified approach, in which written law and formal legal documents become the main pillars in the formation and application of law. This distinguishes it from legal systems that emphasize court decisions, such as Anglo-Saxon Law. The sources of the three inheritance law systems have quite significant differences, namely Islamic law is sourced from the Quran, Hadith, and *Ijtihad*, Anglo-Saxon law is sourced from the English legal tradition, court decisions,

and written legislation, while the Continental European legal system is sourced from the codification of law.

Second, In Islamic law, the basic principle of inheritance highlights two aspects: justice and social responsibility. The emphasis on the principle of justice suggests that the distribution of wealth is done fairly and equitably, ensuring that each entitled party receives equal treatment.

Furthermore, social responsibility comes into focus by ensuring that the distribution of wealth not only fulfills the rights of individuals but also considers the well-being of society as a whole. This is in line with the social and ethical values mandated by religious provisions that govern the process of wealth distribution. , it can be concluded that the division of inheritance in Islamic law is a system based on the principles of justice and social responsibility in regulating the distribution of wealth, with religious provisions as a guideline in carrying out these values.

Under Anglo-Saxon law, inheritance through a will refers to the right of individuals to freely determine how their inheritance will be divided after death. This freedom includes determining heirs, allocating the proportion of wealth, and other desirable conditions. Meanwhile, if a person dies without making a will (intestate inheritance), Anglo-Saxon law regulates the distribution of wealth by lineage. That is, special rules are established to determine the heirs and distribution of the wealth without written instructions from the deceased.

Therefore, Anglo-Saxon law gives individuals the freedom to manage their inheritance through a will, but if there is no will, the distribution of wealth will follow the rules of the lineage established by the law. More detailed and definite rules show that Continental European law has very specific and structured provisions regarding inheritance. Every aspect of the distribution of wealth, such as the determination of heirs, the proportions of distribution, and other inheritance rights, is regulated in detail in written laws or codes.

In addition, Continental European law may recognize the inheritance rights of more distant family members. This means that families with further relationships, such as cousins or distant relatives, can obtain inheritance rights according to the provisions of applicable law. Overall, Continental European law is characterized by clarity and firmness in regulating the distribution of inheritance. Thus, and in some cases, recognize the inheritance rights of further family members.

It can be concluded that the basic principles of inheritance in the three legal systems also have significant differences. In Islamic law, the principle of inheritance distribution is based on justice and social responsibility. In the Anglo-Saxon legal system, individuals were given freedom, whereas the Continental European legal system was based on kinship relationships.

Third, Islamic Law has a very strong religious dimension in regulating inheritance rules. The strong religious dimension suggests that the rules related to inheritance in Islamic law are based on Islamic principles and values. In this context, Islamic law places Islamic values as the basis of its law. This means that the principles of Sharia, which are a collection of teachings from the Quran and the Hadith of the Prophet Muhammad SAW, are the main source of rules and provisions in inheritance arrangements. This emphasis on the religious dimension shows that the purpose of inheritance rules in Islamic law is to ensure that the distribution of inheritance is carried out in accordance with the applicable rules of Islamic values and teachings.

In summary, Islamic law is known to have a strong religious foundation in regulating inheritance, with Islamic values being the main guideline in the formation of these rules. Meanwhile, the Anglo-Saxon legal system was not specifically associated with religious aspects, tending to focus more on individual liberty and the general tradition of English law. This shows that in the Anglo-Saxon legal system, religion did not play a major role in rule-making, and placed more emphasis on the freedom of the individual to govern inheritance through wills and the general tradition of English law.

Although the Continental European legal system has a history of being influenced by religion, it has undergone secularization, with a greater emphasis on civil law. The historical influence of religion can still be felt, but over time, the Continental European legal system has undergone a process of secularization, in which religious elements are reduced, and more attention is directed to civil law or written law.

In conclusion, Islamic law has a strong relationship with religion, whereas Anglo-Saxon law tends to be less related to religious aspects, and more prioritizes individual freedom. Meanwhile, the Continental European legal system, although it has religious roots, has shifted towards a more secular approach, with an emphasis on the principles of civil law.

Although there are significant differences, it turns out that there are similarities in the three inheritance systems, namely in the important aspect of family relationships. All three recognized the importance of family relationships in determining heirs. This shows that family relationships play a major role in the inheritance distribution process in all three legal systems. In addition, they also agreed to provide special protection for minor heirs, although the application may differ.

This shows concern for the interests of children who inherit wealth. All three legal systems also recognize hereditary rights, although the criteria and rules of division may differ. This shows that there is similarity in the recognition of inheritance rights based on lineage among the three legal systems. They also agreed that the application of the principle of justice in the distribution of wealth is the focus, although the approach and implementation may differ. This reflects the high value of justice in all three legal systems.

CONCLUSION

The concept of inheritance division in the Islamic legal system, the Anglo-Saxon system, and the Continental European system have different foundations, leading to differences in their consideration, understanding, and application. For example, Islamic Law emphasizes justice and social responsibility, the Anglo-Saxon system of Law prioritizes freedom and judicial decisions, while the Continental European Law system adheres to the rule of law and codification strictly. Islamic law is the only legal system influenced by religious values, while the Anglo-Saxon and Continental European systems have nothing to do with religion at all. Variations in the way societies govern inheritance reflect the diversity of values, norms, and traditions across different legal systems. These differences may reflect variations in social perspectives on justice, family responsibility, and relationships between individuals and families. However, it was found that the three systems agreed on the importance of family relationships in determining heirs and providing special protections for underage heirs, albeit with different applications.

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