

Customary Law System Againsts The Distribution Of Inheritance In South Aceh Regency

Asy'ari¹, Muhammad Faisal²

^{1,2}STAIN Teungku Dirundeng Meulaboh, Indonesia

asyari@staindirundeng.ac.id, muhammadfaisal@staindirundeng.ac.id

Abstract

South Aceh is an area with a variety of tribes and cultures that have a uniqueness compared to other regions in Aceh. In terms of the division of heritage of the people of South Aceh has its own traditions that have been done for generations since long ago. This research aims to find out how the practice and philosophy of heritage distribution in the people of South Aceh Regency. The research method used is field research with qualitative patterns. In the discussion use descriptive methods of analysis. The results of the research obtained, namely the distribution of heritage in South Aceh Regency can be seen from several aspects, namely First; the people of South Aceh majority divide inheritance based on customary law, but there is also a small percentage who divide inheritance using Islamic law. Inheritance is only divided for children who died. Second; The time of division of inheritance in South Aceh society varies, some are divided when the parents are still alive, when one of the parents dies, when both parents die and there is also a split after a very long time. Third; The number of parts of inheritance divided varies, some divide the male share larger than the female, the female part is greater than the male and there is also a large divide between men and women. Fourth; There are others outside the heirs who get a share of the inheritance such as adopted children, nieces and caregivers of parents.

Keywords

philosophy; division of heritage;
South Aceh



I. Introduction

The emphasis on the distribution of inheritance in accordance with the provisions set by Allah SWT is described in the letters An-Nisa verses 13 and 14. In this verse it is explained that it is obligatory to obey the laws that have been established by Allah SWT and His Messenger. Based on the text of the above verse is not visible explicitly but in the text of the division of inheritance is a law that has been established by Allah SWT. This is also illustrated in the hadith of the Prophet narrated by Bukhari and Muslim, where the Prophet (peace be upon him) said whoever does not follow the provisions of the inheritance law that has been arranged by Allah SWT, then he cannot inherit paradise (Nurhadi, 2019).

South Aceh is an area known for its strong religious understanding, so it is known as the Islamic sharia area. Although the people of South Aceh are known for their fanatical adherents of Islam, on the other hand the majority of the people of South Aceh divide inheritance based on customary law, such as its tendency that is not absolutely distributed different inheritances between men and women. Whereas in Islam it has been explained the division of inheritance of one part of the boy equals the two parts of the daughter (2:1) as

described in the Qur'an surah an-Nisa: 11. Even found in some cases the division of inheritance seemed to not distinguish between boys and girls. In addition, there is also an inheritance that has not been divided for a very long period of time, whereas in Islam it is recommended to be immediately divided so as not to have a dispute in the future. Based on these phenomena, it seems that it needs to be studied in more depth to prove it validly.

II. Review of Literature

2.1 Concept of Inheritance Law

There are many definitions put forward by experts regarding the definition of inheritance law. But the difference is more redacter but in substance has something in common. According to Prof. Gregor Van Der Burght, inheritance law is a set of rules governing the legal consequences of property on death, the transfer of property left behind by the deceased and the legal consequences of this transition for its recipients both in relationships and balances between one family and another, as well as relationships with third parties.

Other figures such as Wahyu Darmabrata, according to him, inheritance law is a rule that regulates the consequences of the law of death or death of a person on the property left by him. That is, inheritance law is understood as all legal rules governing the transfer of the property of the deceased person to his heirs. In addition to regulating the fate of the property left by the heir, inheritance law also regulates who among the heirs' family members is entitled to bequeath.

According to R Wirjono Prodjodikoro explained that inheritance law as a matter of what and how various rights and obligations regarding the property of a person when he died will turn to the living. With other languages inheritance law can be formulated as one of the legal rules governing the transition of inheritance from heirs by death to heirs.

While Ali Afandi explained that inheritance law is the law that regulates the wealth left behind by someone who died and its consequences for his heirs. R. Santoso Pudjosubroto also explained his relationship with inheritance law. He explained that disputes about inheritance will arise if someone dies, then there are property left behind, then there are people who are entitled to receive the abandoned property and also there is no agreement in the distribution of the inheritance.

Based on some of the above understandings can at least be taken the picture that the inheritance law is a set of laws that govern the transfer or transfer of property left from a person who owns the property to an heir due to death both who has direct blood relations and from the other party.

The transfer of material rights in the form of property owned by someone who has died to others (heirs) is regulated in *mawarist* science, which becomes part of Islamic jurisprudence (a branch of Islamic sharia). This knowledge by the Prophet (peace be upon him) is one of the sciences that quickly disappeared from the earth's surface. The Prophet (peace be upon him). Ber said: "From Abi Hurayrah, he said: "The Prophet said, "Learn *fara'idh* and teach because *fara'idh* is half knowledge, it will be forgotten and the first to be withdrawn from my people". Ibn Majah and Ad-Daruquthni).

In another hadith the Prophet said:

From al-Ahwash, from Ibn Mas'ud, he said: The Prophet (peace be upon him) said: Learn the Qur'an and teach it to mankind. Learn the science of *fara'idh* and teach it to others, because I am the one who will be snatched (die), while the science of *fara'idh* will disappear. Almost two people who argued about the division of inheritance did

not find anyone who could give a fatwa to the two." (HR. Ahmad, An-Nasa'i and Ad-Daruquthni).

The main basis of the inheritance system in Islam is nash or the text contained in the Qur'an and sunnah of the Prophet (peace be upon him). The verses of the Qur'an that secara directly govern the inheritance is QS. An-Nisa verses 7-12,23-24,33 and 176.

In the perspective of Islamic law there are at least some causes of inheritance, *first*: Kinship relationship (*al-qarabah*), this relationship is determined by the presence of blood relationships determined at the time of birth. Second, the marriage relationship (*al-Musharah*), the condition that the husband and wife can inherit each other in addition to both have done a legal marriage agreement according to sharia and between the married husbands and wives there has been no divorce when one of the two died. Third, free slaves or servants of sahaya (*al-wala'*). *Al-wala'* is an inherited relationship due to a person freeing slaves or servants sahaya or through the process of agreement please help.

In addition to certain reasons in receiving inheritance, in the context of inheritance law there are also some principles that must be considered. This principle is closely related to the legality of inheritance that belongs to the heirs. These principles include:

a. Basic *Ijbary*

The principle of *ijbary* means that the transfer of inheritance from the deceased to the heirs takes place by itself according to God's provision without being dependent on the will of the heir or heir. The principle of *ijbary* is seen in three things, namely the first; the transfer of property that must occur when someone dies as stated in QS. An-Nisa: 7. In the verse it is explained that for men and women there is a certain part of the relics of the master. Therefore, without being promised by the heir and without being asked all heirs will automatically transfer to the heirs after death. Second; The amount of wealth for heirs in Islam already has a definite provision. Third; Heirs who are entitled to inherited property are clearly the provisions in nash.

b. The Principle of Death (*Waratha*)

This principle of death has its own rules stipulated in article 830 of the Civil Code; "Inheritance only goes on because of death." By referring to the provisions of the article means there will be no process of inheritance from heir to heir if the heir in this case has not died. This principle is known and applies also in the Islamic inheritance system. Muhammad Daud Ali stated that in the law of inheritance based on Islamic law. As also revealed by Suhrawardi and Komis Simanjuntak, they revealed that Islamic inheritance law saw that the transition to property was solely due to death. Based on this, it can be concluded that the property owned by a person cannot be transferred as an inheritance if the owner of the property is still alive.

c. The Principle of Blood Relations and Marriage

Article 832 paragraph (1) and article 852 a Kuh Civil in it contain this principle. The principle of blood relations is one of the very important factors in any legal system of inheritance because the factors of blood relations and marital relationships determine a person's closeness to the bequeathing of the property and determine whether or not for someone to become a heir expert on the property. In this case, the principle of blood relations and marriage applies in the three systems of inheritance law that exist today, although on the issue of marriage in the course of its journey was never considered an heir (inheritance), both in customary law and in the law of inheritance in the civil code.

d. Bilateral Principles

On this basic issue a person not only inherits the property left from the father's line but from the mother's side can also inherit and also against brothers and sisters. This bilateral aspect gives equal rights and positions between boys and girls in the process of inheritance of property. Not only that, this bilateral principle also stipulates that husband and wife inherit each other. In this context also, the position of the bilateral principle is the same as the individual principle, in addition it applies also in the law of inheritance according to the Civil Code, also applies to the law of inheritance according to Islamic law and customary law where in communities that apply the parental kinship system.

e. Individual Basics

In this basic context of the individual, the appearance of heirs to inherit individually (individually) is not to the group of heirs and not the group of tribes or families. In this principle also means that the inheritance can be distributed to each heir to be owned individually, so that in its application all inheritance is expressed in value and each heir is entitled to receive according to the level of his share without having to be bound with other heirs.

The implication of this principle is that the inheritance that has been distributed to the heirs of the person is also his property. Therefore, based on article 584 of the Civil Code this principle becomes one way to obtain property rights through the heir. This principle became a very popular principle in the legal system of inheritance in Islam as well as the inheritance system of customary law. In Islam this principle means "Each individual heir is entitled to the share he gets without being bound to any other heir". Conversely, in the system of customary law inheritance, in addition to being known as the system of individual inheritance, there is also a collective system. Of the three types of property inheritance systems, the individual principle system is more common in society, especially in the lives of indigenous peoples who spread throughout the region in Indonesia.

III. Results and Discussion

3.1 The Practice of Sharing Inheritance in the People of South Aceh

The people of South Aceh are people who still strongly hold religious and customary rules. In the daily life of the people of South Aceh customs and religions always go hand in hand without being separated. This is because the teachings of religion have been fused and mingled in the customs of the people of South Aceh. In terms of the practice of the distribution of inheritance in the people of South Aceh can be seen from several aspects:

a. Inheritance Division System

The division of inheritance in the people of South Aceh is done in two ways, namely some who use Islamic inheritance law and some who use customary law. In practice, most of the people of South Aceh divide their heritage using customary law. Only a handful of people divide inheritance under Islamic inheritance law. This tradition has been going on for generations from the past to the present day.

This customary law that continues to be maintained is because the community wants the division of inheritance with fellow siblings so that they are equally good and no one feels sad and discouraged so that the sense of brotherhood is maintained.

In the tradition of the community in South Aceh, the inheritance left by parents is shared in agreement with fellow siblings without involving *meunasah* or other parties. This is so that matters of a secret nature and differences of opinion in deliberation are not

until known by others outside the family. Therefore, by deliberation, they can be more free and comfortable to agree from heart to heart by looking at various considerations. The property left by parents becomes the right of their children while the guardian does not get a share of the inheritance according to the custom in South Aceh.

In the tradition of the people of South Aceh, the property left by the parents who died if in the form of a house then becomes the right of girls, while if the land then becomes the right of boys. It is depicted in a phrase "*manjulang man, padusi manjinjiang*" (male shoulder, female toting). The purpose of the expression is that near property in the form of a house becomes a woman's right while a distant relic in the form of rice fields or mountains becomes the right of fellow boys. If the family has several daughters, then the girls are deliberated who has the right to live in the old house. Usually the house is inhabited by the youngest daughter or other daughter who cares for and looks after their master during life because usually parents are more comfortable living with their daughters than with boys. Girls who get the right to inhabit the property of parents, will change in the form of money to other sisters in accordance with their rights.

The heritage house of parents who in the people of South Aceh is known as "*umah tuo*" was never sold because the house became a gathering place for the brothers when returning from the region. It was in the old house that they gathered to let go of the longing. Usually the sister who inhabits "*umah tuo*" does not object to the presence of her siblings, instead is served with a feeling of pleasure. This is the need to understand each other when dividing inheritance in order to maintain brotherhood in the future. While the boy will divide the inheritance in the form of the land of his fellow brothers who are either distributed in the form of several plots of land or someone gets land rations and gives money to his other brother according to his rights if the land left behind is only a little. If the inheritance land is a lot, then the daughter also gets her rights from the land but not as much as the male part because the woman has got part of the house left by her parents.

But over time in this day and age the land is no longer absolutely the property of boys. But at present all inheritance is calculated first how much the total value is then divided according to the results of the consensus. In the practice of some families, there are also parents who give property to their children when the parents are still alive. This treasure given in the people of South Aceh is called a grant treasure. Property given by parents to certain children when their lives are either in the form of objects in the name of the child, houses built for their children and land. This gift is due to many good factors because of the needs of the child such as a house for his child's residence, business capital because after marriage his child does not have a permanent job or other reasons.

The grant can no longer be withdrawn and included in the inheritance after the death of the master. The grant is absolutely the property of the child given by his parents. While in terms of inheritance, children who have received granted property still get their rights even though it may be less than other siblings who do not get granted property or may get the same rights in accordance with the results of deliberation.

b. Time of Division of Inheritance

As for inheritance in the people of South Aceh in practice there are several kinds of time division of inheritance. In general, it can be grouped into four categories:

1. Division of property when both parents were alive

In some south Acehese communities, property is directly distributed when both parents are still alive. This is so that there are no quarrels and problems in the future after the parents die. Both parents explain to their children about their respective parts. If any of

these children disagree, it is the parents who mediate and will determine the best path to the problem. This division does not mean that the property directly becomes the property of the children, but the division is only limited to the division of the will. The property of both parents is legally the property of their children when the parents have died. But as long as the parents are still alive the property is still the property of the parents that can be used together.

The purpose of the property is not directly the property of his children so that they still feel responsible for their lives and also keep their parents. Do not let when the property has legitimately become their property, they live a life of wandering, no longer seriously trying and thinking about their own future. In addition, there should also be some parents who then feel hitchhiking from their children because the property has been shared with their children without anyone left behind.

2. Division of inheritance when one of the parents died

Some people in South Aceh also share the inheritance of his parents when one of his parents died, both his father and mother died. But most of what happens in the field, the treasure is divided when the father has died. Inheritance is deliberately divided when one of the parents has been absent usually based on the will of the surviving parent. This is so that later there will be no problems and disputes when both parents have died. There are also some parents who divide the inheritance when the husband or wife has died and plan to remarry, so that later there will be no quarrel with the half-brother of the children.

Some parents when their husband or wife dies he will distribute his wealth to his children with little to spare for his life until death arrives. This is intended so that later his life is not released or not become a burden for his children by relying on those who may have a family. The old man prefers to live independently in the house he has built with little property left as provisions to live until the end of his life. When he dies, his remaining wealth will be divided by his children. But there are also some parents who divide their wealth to their children without leaving a single spare for their lives. The parents choose to live with their children either to live in their homes with their daughters, or alternate with all their children.

3. The division of inheritance when both parents have died

The distribution of inheritance after both parents died is commonly done by the people of South Aceh. This is because there are no more parents who work on the property and also so that the abandoned property is useful for children who are left behind and not a problem in the future. Usually the inheritance is only divided after a few months the parents died. This is because it is a disgrace for the people of South Aceh if there are children who distribute inheritances after how many weeks after the death of their master.

4. Division of inheritance in a very long time

In the practice found, some people of South Aceh do not divide the inheritance left by their parents in a very long time. This is because they want to manage and use the treasure together. For some people of South Aceh the heritage property is told to manage to one of its siblings such as land or shops. The proceeds from the relics they enjoyed together and part of it was a little more to the brothers who had managed it. If the property is a house, some heirs give up to be occupied by one of his brothers who do not have a house, with the record that the house is not yet fully owned by the house.

For some heirs they do not want to rush to divide the inheritance left by both parents either because they have lived well or because they want to enjoy together. This at first

glance looks very good because it understands each other and is full of family. But the problem after a long time the treasure was not divided even after they all died the treasure was not yet divided, there was a problem in the future among the children of the heirs who wanted to fight over the property left.

c. Amount of Inheritance

In terms of the distribution of inheritance, there is no uniformity in the people of South Aceh. Each family divides the inheritance according to their agreements and living conditions. Broadly speaking, the division of heritage in the people of South Aceh can be grouped in three groups:

1. The male part is larger than the female

For some South Acehnese, men get a greater share of girls. This is in line with the principle of Islamic law that gives men two greater shares of women's rights. For some families, the inheritance that is divided is given more to boys because it is considered male to be the backbone of the family. In a boy there is a responsibility to provide for his wife and children and if the mother is still alive, the boy has an obligation to bear the living of his surviving parents. In fact, not infrequently boys also bear the burden of unmarried and do not have sufficient income.

A woman has no material responsibility for her husband and children. Women only bear a living for themselves. Even if there is a woman who earns a family living and helps ease the burden of one of her masters who still lives in religion it is not an obligation for her. It is nothing but his devotion as a child or mother in the house. In South Aceh society usually who divide the share of men larger than women is from among people who have a lot of inheritance from their masters.

2. The female part is larger than the male

In some families, women get a share of the inheritance than men. This is not without reason, in some cases it is found that men relent to get a smaller share of the daughter because the girl has been instrumental in maintaining her master while still alive. While his other brothers, especially men, did not live at home with his master. There are also some men who give up the rights they receive less than women because they consider themselves to have been well-off and successful in their lives. While his sister who is a woman lives mediocre even some are destitute. Some men also pursue higher education, while women are not as high as their male brothers. Men consider his parents have spent a lot of money on the cost of his education, so he made more inheritance for his female brother.

Even in some cases the man gives up all parts of himself to be distributed to his other brothers, especially women because he feels he has succeeded and is well-off. There are those who immediately refuse to accept the inheritance there are also some that are divided first then after being divided then the man handed his share to his female brother. If his sister was only one person, it was given to him. If the sisters are more than one then divide equally with each other.

3. The women's and men's shares are equally large.

Over time and the development of the times, many among the people of South Aceh are no longer distinguishing between men and women in the division of inheritance. Today many families divide the inheritance equally between the male and female parts. The family of the deceased parents consulted to divide the inheritance by calculating the entire

property left behind. Then the treasure is estimated to be in price. After it is known the total value of the heirlooms left behind then the treasure is divided equally to all brothers.

It is intended to keep the feelings of fellow brothers so that no one is sad and disappointed with different parts. Women, however, are sisters who both struggle from childhood with joy and sorrow. So when the treasure is divided, do not let there be a bad feeling in the heart.

d. Person Who Gets a Share of Inheritance Other than Heirs

In the practice that occurs in South Aceh Regency there are some facts found where in addition to heirs there are some people who also get inherited property but are not part of the siblings. Here are some of them:

1. Foster Child

In some south Acehese people, there are cases that there are some parents who take other people's children and be used as adopted children. The taking of adopted children is motivated by many factors including some parents who long have no children, then take other people's children to be adopted children, but after some time the parents are blessed with biological children. There is also the taking of adopted children due to the pity factor for the fate of the child who comes from an orphaned or underprivileged family and other factors.

In this case the parents immediately give some of the property to the adopted child when the parent is still alive. The treasure given is called a grant. But there are also some parents who give wills to their children to give certain treasures to adopted children after he dies. For parents who do not leave a will and have not had time to give grant to their adopted children in some cases, the biological children of the deceased give part of their right to be given to the adopted child. The portion given to adopted children is the same as the biological child because it is considered that the adopted child has been part of their family since he was a child. But there are also fewer parts, this depends on the deliberation and wisdom of the family.

2. Nanny

In some cases it was also found that some families raised others outside the nuclear family to look after their parents. This is usually because the biological child of the deceased lives in a location far from his parents so they ask for the help of others to take care of their parents. People who take care of their parents are not paid but live and eat in their parents' homes like their own families.

The caregiver is given some of the property by the person who was fostered while still alive with consideration because the caregiver has been instrumental in caring for and nurturing him. Children of fostered people are usually heartened to give up some of their parents' possessions given as gifts for the caregiver. But if the person who is fostered when he dies does not have time to leave a will or has not given hiah to him. So his children who gave a little part of them to the caregiver as a thank you for his services who have been willing to take care of and care for their parents during his life.

3. Nephew

In some cases in the people of South Aceh found some people divide some of the inheritance to his nephew. Nephews who are given inheritance are nephews whose master people (the siblings of the heirs) have died before the inheritance is shared. The gift of inheritance to the nephew whose master has died is in consideration to ease the burden of

his life and also do not let the feeling of sadness for his nephew because his uncle and aunt divide the inheritance while he is not given the slightest when his parents are the siblings of the guardian.

IV. Conclusion

From various explanations about the tradition of the division of heritage in the southern western region of Aceh, especially South Aceh Regency, there are several things that can be concluded that the practice of sharing inheritance in South Aceh Regency can be seen from several aspects, namely *First*; the people of South Aceh majority divide inheritance based on customary law, but there is also a small portion that divides inheritance using Islamic law. The inheritance is only shared for children who died. *Second*; The time of division of inheritance in South Aceh society varies, some are divided when the parents are still alive, when one of the parents dies, when both parents die and there is also a split after a very long time. *Third*; The number of parts of inheritance divided varies, some divide the male share larger than the female, the female part is greater than the male and there is also a large divide between men and women. *Fourth*; There are others outside the heirs who get a share of the inheritance such as adopted children, nieces and caregivers of parents.

References

- Abdu Manan, *Aneka Masalah Hukum Perdata Islam di Indonesia*, Jakarta: Prenada Media, 2017.
- Abdul Ghofur Anshori, *Hukum Kewarisan Islam di Indonesia Eksistensi dan Adaptabilitas*, Yogyakarta: Gadjah Mada University Press, 2012.
- Admad Haries, *Hukum Kewarisan Islam*, Yogyakarta: Ar-Ruzz Media. 2019.
- Al-Imam Asy-Syaukani, *Mukhtashar Nailul Authar*, Jilid 3, Jakarta: Pustaka Azzam, 2012.
- Amir Syarifuddin, *Hukum Kewarisan Islam*, Jakarta: Kencana), 2021.
- Gregor Van Der Burght, *Hukum Waris Buku Kesatu*, terj. F. Tengker, Bandung: Citra Aditya Bakti, 1995.
- Hasil wawancara dengan Delfi Afrawi, Keuchik Desa Alur Semerah Kecamatan Samadua, pada tanggal 15 September 2021.
- Hasil wawancara dengan Delvi Afrawi, Keuchik Desa Alur Semerah Kecamatan Samadua, pada tanggal 15 September 2021.
- Hasil wawancara dengan Delvi Afrawi, Keuchik Desa Alur Semerah Kecamatan Samadua, pada tanggal 15 September 2021.
- Hasil wawancara dengan Drs. Aswin Yasdi, Kepala Sekretariat MAA Aceh Selatan, pada tanggal 16 September 2021.
- Hasil wawancara dengan Drs. Aswin Yasdi, Kepala Sekretariat MAA Aceh Selatan, pada tanggal 16 September 2021.
- Hasil wawancara dengan Drs. Aswin Yasdi, Kepala Sekretariat MAA Aceh Selatan, pada tanggal 16 September 2021.
- Hasil wawancara dengan Drs. Elfizal, Imam Chik Jamik Lasdi Kecamatan Samadua, pada tanggal 14 September 2021.
- Hasil wawancara dengan Drs. Elfizar, Imam Chik Mesjid Lasdi Kecamatan Samadua, pada tanggal 14 September 2021.
- Hasil wawancara dengan Hasnurzal, S.PdI, Tuha Peut Desa Alur Semerah Kecamatan Samadua, pada tanggal 26 November 2021.

- Hasil wawancara dengan Lukman S, Ketua MAA Kecamatan Labuhan Haji, pada tanggal 17 September 2021.
- Hasil wawancara dengan Mahmuddin, Ketua MAA Kecamatan Kluet Timur, pada tanggal 17 September 2021.
- Hasil wawancara dengan Maiyufrizal, S.Ag Tuha Peut Desa Ujung Kampung Kecamatan Samadua, pada tanggal 15 September 2021.
- Hasil wawancara dengan Maiyufrizal, S.Ag Tuha Peut Desa Ujung Kampung Kecamatan Samadua, pada tanggal 15 September 2021.
- Hasil wawancara dengan Maiyufrizal, S.Ag, Tuha Peut Desa Ujung Kampung Kecamatan Samadua, pada tanggal 15 September 2021.
- Hasil wawancara dengan Rusli Rasyid BA, Ketua MAA Aceh Selatan, pada tanggal 16 September 2021.
- Hasil wawancara dengan Sabri, Teungku Meunasah Desa Ladang Kecamatan Samadua, pada tanggal 14 September 2021
- Muhammad Zuhaily, *Al Fara'id wa al Muwarits wa al Washayah*, Damsyik: Darul Kalam al-Thayyib, 2001.
- Ni Made Ayu Ananda Dwi Satyawati, *Sistem Pewarisan Apabila Pewaris dan Ahli Warisnya Meninggal Dunia Pada saat Bersamaan Ditinjau Berdasarkan Kitab Undang-Undang Hukum Perdata*, dalam Jurnal Kertha Semaya, Vol.2, No. 2, Oktober 2014.
- Nur Lailatul Musyafaah, *Filsafat Kewarisan Dalam Hukum Islam*, al-Qanun, Vol. 20, No. 1, 2017.
- Nurhadi, *Hikmah di Balik Kaedah Dua Banding Satu Pada Hukum Warisan*, dalam jurnal Al'Adalah: Jurnal Syariah dan Hukum Islam, Vol. 4, No.1, Juni 2019.
- R. Santoso Pudjosubroto, *Masalah Hukum Sehari-Hari*, Yogyakarta: Hie Hoo sing, 1964.
- Wahyono Darmabrata, *Hukum Perdata Asas-Asas Hukum Waris*, Jakarta: Fakultas Hukum Universitas Indonesia: 2003.
- Wirjono Prodjodikoro, *Hukum warisan di Indonesia*, Bandung: Sumur Bandung, 1992.

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