



Legal protection of adopted children's inheritance rights from the perspective of positive law in Indonesia: A comparative analysis

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Abstract

In the case of adopted children who are left without one of their adoptive parents due to death, such children do not have inheritance rights. This is due to the absence of regulations governing inheritance rights for adopted children, both in Islamic law and civil law. This situation creates an impression of injustice regarding the inheritance share for adopted children. To address this issue, the Compilation of Islamic Law (KHI) through Presidential Instruction No. 1 of 1991 (Article 209 KHI) provides protection and guarantees inheritance rights for adopted children, namely through obligatory wills. According to this provision, adoptive parents may allocate a portion of their inheritance to adopted children, not exceeding 1/3 of the total estate. The problem statement in this thesis revolves around understanding the status of adopted children's rights in inheritance distribution as regulated by Islamic law and civil law. It also aims to explore the concept of welfare and legal protection for adopted children in inheritance rights according to the Compilation of Islamic Law and civil law. The objective of this research is to investigate the legal protection of adopted children's rights to inheritance and their legal status based on the Compilation of Islamic Law and civil law to ensure they receive their entitled rights as stipulated by legislation. The research methodology employed is normative research, also known as library research, due to its focus on literature review and analysis of legal texts, scholarly journals, reference books, and other relevant publications available in libraries or through internet sources. Data analysis is conducted qualitatively through descriptive analysis. The findings of the study reveal that there are significant differences in legal protection for adopted children as per Islamic law and civil law. In Islam, even if a child is adopted legally through a court decree, it does not alter the fact that the child remains biologically connected to their birth parents; there is no concept of severance or entry into the lineage of the adoptive parents. In contrast, civil law reviews the position of adopted children under Government Regulation No. 54 of 2007, which provides guidelines for adoption implementation and the rights held by adopted children.

Keywords: Child testimony, proof, judge's subjectivity

Introduction

Marriage is a legal relationship between a man and a woman to live together as husband and wife. This bond is a formal relationship that is tangible, both for those entering into it and for others in society, which constitutes the smallest social unit comprising a father, mother, and child. However, not always are all three elements fulfilled, so sometimes there exists a family without children. For this reason, such couples may adopt a child^[1]. Marriage is undertaken with the intention, among others, of procreation and the creation of offspring. Married couples fundamentally desire the presence of a child who will inherit their wealth, as a child can also serve to strengthen the marital bond. A marriage without the presence of a child can feel incomplete, as children hold significant meaning within a household, and their presence is an essential element for the completeness of a family.

Many married couples are unable to have children. This can be due to various factors, both medical and otherwise. While they may be financially capable of providing their children with good education and proper care, there are also other couples who are not ready economically or mentally to raise and nurture their children. The joy that a child is expected to bring to a household often remains unfulfilled. On the contrary, a child's presence can impose burdens and difficulties on couples who are not mentally and financially prepared. If the issue faced by the first couple, who are yet to have children, is juxtaposed with the situation of the second couple^[2], who already have children as described

above, they can complement each other^[3]. Adoption is the process of legally bringing someone else's child into one's own family in such a way that a parent-child relationship is established between the adopted child and the adoptive parents. Adoption is considered as an alternative route for families who have not been blessed with children or wish to expand their family by extending their love and care to a new member. At the same time, adoption serves as a bond of love for the adoptive parents, thereby becoming a reality that grows within society^[4]. The goal of adoption can only be pursued for the best interests of the child and must adhere to the provisions of applicable laws and regulations. These provisions ensure significant protection for children who inherently rely heavily on their parents. It's crucial for prospective adoptive parents and biological parents alike to recognize that prospective adoptive parents must share the same religion as the adopted child, as the religious influence of adoptive parents on their adopted child is one-way, and any misalignment could deeply hurt the conscience and faith of the biological parents of the adopted child.

Adoption is a common practice carried out in accordance with the circumstances faced by the adoptive parents. The primary focus of adoption is to provide the child with the right to live, ensuring they receive adequate support, protection, and education. According to Surojo Wingjodipura, as cited by Mahjuddin^[5], adoption is the act of taking another person's child into one's own family, creating a legal familial relationship similar to that between biological parents and an adopted child is someone else's

child who is legally considered as one's own child by adoptive parents according to local customary law, with the purpose of perpetuating lineage and/or managing household wealth. According to Article 1 paragraph 9 of the Republic of Indonesia Law Number 35 of 2014 concerning Child Protection, an adopted child is defined as "a child whose rights are transferred from the authority of the Family of the Legal Guardian Parent, or another person responsible for the care, education, and upbringing of the child into the environment of the adoptive parents based on a court decision or ruling ^[6]."

Based on the above descriptions, it can be concluded that adoption is a legal act carried out with specific intentions and purposes regulated by law, and it carries certain legal consequences. For instance, the adoptive parent assumes full responsibility, both physically and emotionally, for the adopted child. In legal terms, the purpose of adoption is to enhance the welfare of the adopted child themselves. Consequently, there is a transfer of responsibility in terms of educating and raising the child. Adoption introduces various new legal provisions, one of which concerns the protection of the adopted child's rights, such as inheritance rights from their adoptive parents. Adoption is not a new matter; since ancient times, adoption has been practiced with various objectives according to the evolving legal systems within those societies. Thus, adoption falls under the category of legal acts, establishing a legal relationship between adoptive parents and the adopted child. The issue of adoption involves two dimensions: firstly, a social dimension within society that holds values of assisting fellow humans, and secondly, a legal dimension that implicates both the adopted child with their adoptive parents and their biological parents.

In Western civil law, an heir not only leaves or bequeaths property but also transfers all rights and obligations possessed by the heir to the heirs, so that everything related to the heir passes to the heirs. Essentially, what can pass to the heirs are only rights and obligations in the field of property law. In inheritance cases, a very common problem that often arises is the issue of the status of adopted children's inheritance rights. For instance, the distribution of inherited property to adopted children must not exceed what is stipulated in Article 209 of the Compilation of Islamic Law. Normatively, adopted They do not have inheritance rights, as stated in the Compilation of Islamic Law in Article 174 regarding the groups eligible to inherit. It explains that those eligible to inherit are those who have legal and blood or marital relationships with the deceased ^[7]. Article 832 of the Civil Code states that according to the law, heirs include both legitimate and illegitimate blood relatives. Therefore, adopted children are not included in the group entitled to inherit, making this provision a harsh reality for adopted children. Adopted children who have been adopted since childhood cannot obtain justice in terms of inheritance because there are no regulations governing the inheritance rights of adopted children, resulting in a legal vacuum. This legal vacuum becomes an open door to neglect some of the rights of adopted children, especially regarding inheritance property.

From the background of the above problem, several problem formulations can be posed, as follows: How is the status of adopted children's rights in the distribution of inheritance rights regulated under Islamic law (KHI) and civil law (KUHPerdara)? And what is the value of benefits/legal

protection for adopted children in inheritance rights under Islamic law (KHI) and civil law (KUHPerdara)?

Research Method

In conducting this research, the author employs a normative research method. The normative approach in this study is instrumental in examining various legal provisions regarding the status of adopted children in inheritance rights, as well as reviewing civil inheritance law and Islamic inheritance law provisions that govern the protection/value for children in inheritance rights. The primary data used is derived directly from legal sources that have binding legal force or compel adherence to the law. The primary legal sources utilized by the researcher include: Civil Code, Compilation of Islamic Law, The Qur'an, Law Number 35 of 2014 concerning amendments to Law Number 23 of 2002 concerning Child Protection, Law Number 7 of 1989 concerning Religious Courts as amended by Law Number 3 of 2006 concerning amendments to Law Number 7 of 1989 concerning Religious Courts. and As for Secondary Legal Sources, these are binding legal materials that explain the primary legal sources, formed from the opinions or thoughts of experts who specialize in and study specific fields to serve as guidelines for authors of books on the status of adopted children regarding inheritance rights.

Result and Discussion

A study on inheritance according to the Civil Code

In the Civil Code, Book II addresses inheritance law ^[8]. Article 528 of the Civil Code regards inheritance rights as property rights over the assets of a deceased person. Additionally, Article 584 mentions inheritance rights as a means of acquiring ownership, which is governed by Book II of the Civil Code. According to the Dutch Civil Code, A. Pitlo defines inheritance law as follows: "Inheritance law consists of regulations governing property due to the death of a person, specifically the transfer of assets left by the deceased and the consequences of this transfer for those who inherit, both in their relations with each other and with third parties." Furthermore, Wirjono Prodjodikoro, in his work on the Civil Code, states that inheritance law encompasses rules and regulations governing the transfer of various rights and obligations concerning the assets of a deceased person to the living.

In the Civil Code, inheritance law operates under the principle that only rights and obligations in the field of property law can be inherited. Therefore, rights and obligations in the realm of family law, such as personal rights and duties like those of a husband or father, cannot be inherited. Similarly, rights and obligations as a member of an association cannot be inherited. Furthermore, according to Article 830 of the Civil Code, inheritance only occurs upon death. This means that the estate or inheritance is only opened after the death of the deceased, and the heirs are alive at the time the inheritance is opened. As for the Conditions for Inheritance according to the Civil Code, for the process of inheritance to occur, the deceased must have passed away. As stated in Article 830 of the Civil Code (KUHPerdara), inheritance only takes place due to death. The death referred to is natural death, which also includes a baby in the mother's womb, as explained in Article 1 paragraph 2 of the Civil Code.

The Groups Eligible to Inherit According to the Civil Code

In British legal terminology, '*ab intestato*' (heirs according to the law) is explained in Article 832 of the Civil Code. As stated in this article, those entitled to inherit are blood relatives, whether legitimate or born out of wedlock, as well as the surviving spouse who lives longest. On the other hand, '*testamentair*' (heirs appointed by will) is explained in Article 899 of the Civil Code. According to the provisions of this article, the owner of the estate creates a will where their heirs are designated in a testament that must not contravene the law. Here is a detailed explanation regarding the categories of heirs according to the Civil Code (KUHPerdata), namely

- a. **Category I:** According to Article 852 of the Civil Code, children and all their descendants, whether born from another marriage, inherit from both parents, grandparents, or any of their blood relatives in the direct ascending line, without distinction of gender or birth order. They inherit per capita if they are related to the deceased within the first degree, each having rights in their own capacity. They inherit per stirpes if all or some of them act as substitutes. Based on this explanation, the first heirs according to the law are the children and their descendants, and additionally, the spouse of the deceased.
- b. **Category II:** Described in Article 859 of the Civil Code, the surviving father or mother inherits the entire estate if the deceased child leaves behind no descendants, spouse, or siblings. According to the Civil Code, the rightful heirs in this category are the parents, siblings, and descendants of siblings.
- c. **Category III:** If the deceased does not leave behind a spouse, descendants, siblings, or descendants of siblings, the estate is first divided among relatives from both the paternal and maternal sides before distribution. According to the Civil Code, a division (*kloving*) occurs if there are no heirs from the second category, including descendants of siblings (both male and female), who can inherit.
- d. **Category IV:** As per Articles 853 and 858 of the Civil Code, the inheritance falls to the closest relative in each line. If there are several persons in the same degree, they inherit equally. However, if there are no blood relatives in one line who are eligible to inherit, then all blood relatives in the other line receive the entire inheritance, as described in Article 861 of the Civil Code. Therefore, based on the explanation of these articles, the rightful heirs in this category are blood relatives in collateral lines up to the sixth degree.

This is a brief summary of the detailed inheritance rules outlined in the Civil Code.

Inheritance according to the Compilation of Islamic Law along with the eligible heirs according to the Compilation of Islamic Law

Islamic inheritance law, also known as *Faraidh*, is a legal system that governs inheritance among Muslims, aiming to resolve issues related to the distribution of the deceased's estate within a family. The term "inheritance" originates

from the Arabic word "waris," which means the transfer of one's wealth to another after death. In the Quran, various forms of the word "warasa" imply succession, giving or granting, and receiving inheritance. According to Islamic scholars, "al-miras" refers to the transfer of ownership rights from the deceased to their living heirs, which includes property, land, or any legal ownership under Sharia law^[9]. In terminology, there are several formulations regarding the meaning of inheritance. According to Ali Ash-Shabuni, it is "the transfer of ownership rights from the deceased to their living heirs, whether it be money, land, or any legal ownership under Sharia law." Meanwhile, Wahbah Alzuhaeli defines inheritance similarly to "tirkah," which means "everything left by a person after death, whether it's property or material and non-material rights." According to Ahmad Azhar Basyir, "inheritance in Islamic law is the process of transferring the estate of a deceased person, whether tangible or intangible property rights, to their family members deemed eligible under the law."

Muhammad Amin Suma defines Islamic inheritance law as the regulation governing the transfer of ownership of a deceased's estate, determining who are rightful heirs, specifying each heir's share, and outlining when the distribution of the deceased's wealth should occur^[10]. From the above definitions, it can be concluded that Islamic inheritance law, also known as *faraidh*, is a set of rules governing the division and transfer of the deceased's estate to living recipients designated as rightful heirs. These regulations are codified in the Compilation of Islamic Law as legislative provisions to guide the implementation of Islamic inheritance law^[11]. In the Compilation of Islamic Law (KHI), Article 171 letter b defines a deceased person as someone who, at the time of death or as declared by a religious court decision under Islamic law, leaves behind heirs and an estate. This includes relationships such as marriage, kinship, or the emancipation of slaves between the heirs and the deceased, and the existence of rightful heirs.

In Islamic law, there are also pillars that must be fulfilled. If any of these pillars are not fulfilled, then the inheritance cannot be distributed to the heirs. The pillars of inheritance according to Islamic law are as follows

1. The inheritor or *al-warits* is a person who has a familial relationship with the deceased based on inheritance reasons.
2. The testator or *al-muwarrits* is a person who has passed away and has been determined by the court.
3. The inheritance estate or *al-mauruts* is the property left behind by the deceased that is intended to be inherited.

Meanwhile, the eligible heirs according to the Compilation of Islamic Law,

1. The property left behind by a deceased person automatically transfers to the living individuals who have a relationship with the deceased. Islamic law governs the relationships that qualify someone to inherit or receive inheritance. There are two types of relationships:
2. Kinship Relationship. Kinship refers to blood relations, both in the direct line (ancestors and descendants) and collateral line (siblings, cousins, etc.). Direct line ascendants include father, grandfather, mother, grandmother, and so forth, while descendants include sons, daughters, grandchildren, great-grandchildren, and so on.

3. Marital Relationship. As stipulated in Article 2 (1) of Law Number 1 of 1974, Marriage is considered valid when conducted according to the respective laws and beliefs of each religion. In the case where a husband and wife marry according to Islamic law and one of them passes away, as long as their marriage contract remains intact, they have the right to inherit from each other, provided there are no legal impediments to inheritance^[12].

Regarding Adoption of Children according to the Civil Code and Adoption of Children according to the Compilation of Islamic Law.

Government Regulation of the Republic of Indonesia Number 54 Year 2007 concerning the Implementation of Child Adoption, in Article 1 point 1, states that "Adopted child is a child whose rights are transferred from the authority of the family of the biological parents, lawful guardian, or other responsible person for the care, education, and upbringing of the child, into the environment of the adoptive parents based on a decision or court ruling." Meanwhile, Article 1 point 2 explains that Adoption is a legal act that transfers a child from the authority of the biological parents, lawful guardian, or other responsible person for the care, education, and upbringing of the child into the environment of the adoptive parents^[13]. According to Soerjono Soekanto, "an adopted child is a child of another person (within a lawful marriage according to religious and customary laws) who is adopted for specific reasons and considered as a biological child." An adopted child is defined as a child whose rights are transferred from the authority of the family of the biological parents, lawful guardian, or other responsible person for the care, education, and upbringing of the child, into the environment of the adoptive parents based on a decision or court ruling^[14].

Adoption of children under the Civil Code does not recognize the term adoption; it only regulates adoption outside of marriage. The regulation on adoption can be found in Staatsblad Year 1917 Number 129, which supplements the Civil Code to address legal gaps regarding adopted children not covered by the Civil Code. This regulation serves as a reference for adoption issues for communities subject to the Civil Code (*Burgerlijk Wetboek*). In civil law, adoption is a legal act concerning the status of adopted children that is equivalent to biological children.

Several regulations governing the adoption of children include

- a. Supreme Court Circular Letter (SEMA) Number 2 of 1979 regarding Adoption of Children dated April 7, 1979. This SEMA does not provide a detailed definition of adoption but regulates the adoption procedure.
- b. Supreme Court Circular Letter (SEMA) Number 6 of 1983 concerning the Refinement of Supreme Court Circular Letter (SEMA) Number 2 of 1979 dated April 7, 1979, regarding Adoption of Children dated November 22, 1983. This SEMA elaborates on the adoption procedures outlined in the previous SEMA, without defining adoption.
- c. Ministry of Social Affairs Regulation Number 3 of 2018 on Guidance, Supervision, and Reporting of Implementation of Adoption of Children. This regulation specifies guidance, supervision, and

reporting requirements for adoption, ensuring compliance with adoption criteria.

- d. Law Number 17 of 2016 concerning the Second Amendment to Law Number 23 of 2002 concerning Child Protection. This law does not define adoption but outlines the purposes of adoption and the fulfillment of rights as adoptive children
- e. Law Number 35 of 2014 concerning amendments to Law Number 23 of 2002 concerning child protection dated October 17, 2014. This law does not define adoption but discusses amendments to Law Number 23 of 2003, including the objectives of adoption, parties involved in adoption, and the implementation of adoption.
- f. Government Regulation Number 54 of 2007 concerning the Implementation of Adoption of Children, effective from October 3, 2007. This regulation defines adoption as a legal act transferring a child from the authority of parents, legal guardians, or other responsible parties for care, education, and upbringing to the adoptive family.
- g. SEMA Number 2 of 2009 concerning the Obligation to Complete Adoption Applications with Birth Certificates, which mandates that adoption applications must include birth certificates.
- h. Law Number 3 of 2006 concerning Amendments to Law Number 7 of 1989 concerning Religious Courts, where Article 49 letter a, number 20 stipulates that Religious Courts have the authority to issue declarations of origin and adoption based on Islamic Law, without defining adoption.
- i. Declaration of adoption based on Islamic legal compilations, which does not define adoption but regulates adoptive children and their rights. Jurisprudence of the Supreme Court and final court decisions, which have been consistently followed by subsequent judges in deciding similar cases over a long period.
- j. These regulations and laws in Indonesia provide various aspects of adoption procedures, oversight, and legal definitions, although some do not explicitly define the concept of adoption itself.

In Islamic context, the term "*pengangkatan anak*" in Indonesia is derived from the English term "*adoption*," which means taking a child to be raised as one's own and granting them equal rights as biological children. During the spread of Islam, adoption, known as "*tabanni*" in Arabic, was practiced among the majority of Arab communities. Article 171 letter h of the Compilation of Islamic Law states that "*anak angkat*" (*adoptive child*) refers to a child whose daily care, education expenses, and other responsibilities have shifted from their biological parents to their adoptive parents based on a court decision.

Islamic law has stipulated that the legal relationship between adoptive parents and adoptive children is akin to that between foster parents and foster children, albeit expanded. It does not establish a lineage relationship whatsoever. The juridical consequence of adoption under Islamic law is merely the creation of affection and mutual responsibility as fellow human beings. Due to the absence of a lineage relationship, another consequence is that adoptive parents and adoptive children must observe the rules of mahram (those with whom marriage is prohibited), and since there is no lineage relationship, they may marry

each other. Muhammad Ali As-Shabuni stated, "Just as Islam has abolished zihar, so too with tabanni." Yusuf Al Qardhawi remarked that if a person cannot deny the lineage of children born in his bed, then he should not adopt children who are not his biological offspring either. Islam views absolute adoption as an attempt to falsify authenticity and reality, turning strangers from outside the family into members of the family who can freely mix with female relatives because adoptive children are considered mahram, despite having no blood relation. A mother who adopts a child is not the biological mother of the child she adopts, and they remain strangers within the family. Many biological relatives may envy adoptive children because they are essentially outsiders who have entered the adoptive parents' family and may subsequently usurp their inheritance rights^[15].

Analysis of Inheritance Rights of Adopted Children According to Compilation of Islamic Law and Civil Law

Analysis of Inheritance Rights of Adopted Children According to Compilation of Islamic Law and Civil Law; Adoption is a profound and significant act in the context of family law. For many couples without offspring or wishing to provide a home to a needy child, adoption is a frequently chosen option. Islam, as one of the religions obligating its adherents to follow its laws, especially those legislated in family and specific commercial laws, ensures its Shariah is guaranteed by law. One such practice is Islamic inheritance law. Since the enactment of Law No. 3 of 2006, amending Law No. 7 of 1989 on Religious Courts, on 20 March 2006, related to the jurisdiction of Islamic Religious Courts. However, the status of an adopted child regarding inheritance rights can become complex when comparing Islamic law and civil law approaches. Adoption is an important process that can form a strong familial bond between adoptive parents and the adopted child. However, the adopted child's status in terms of their inheritance rights can vary significantly based on two different legal contexts, and the adopted child's position in the adoptive family is not equivalent to that of a biological child. These contexts are Islamic Law Compilation (KHI) and Civil Law. According to Islamic law, adoption means taking in a child to nurture, provide affection, and educate to meet their needs, but they are not treated as one's biological offspring because Islamic law recognizes biological children who have a relationship with their biological parents. Therefore, to protect the rights of adopted children and adoptive parents, the Islamic Law Compilation provides legal certainty in the form of compulsory testament as regulated in Article 209 KHI Verses (1 and 2). Compulsory testament itself is an imposition by a judge or institution that has the right for a deceased person's estate, but did not make a testament voluntarily, to be taken from their rights or assets to be given to a specific person in a particular state. Adopted children inherit assets from adoptive parents through compulsory testament in Article 209

In this case, if all heirs agree and have divided the inheritance according to their own agreement or provisions, then the adopted child is entitled to inherit more than 1/3 of the estate of the adoptive parents, as provided in Article 183 which allows heirs to mutually agree to settle the distribution of the inheritance after realizing their respective shares. The owner of the wealth can use a testamentary gift as a means to express their final wishes regarding the

distribution of their estate to heirs, on the condition that this gift will only take effect after the death of the testator.

Rights of Adopted Children According to Civil Law

Article 852 of the Civil Code states that the position and legal relationship of an adopted child entitle them to inherit the estate of their adoptive parents, inheriting the legitimate portion of all forms of inheritance assets and as absolute heirs of their adoptive parents. Article 830 of the Civil Code stipulates that inheritance occurs only upon death. Article 913 of the Civil Code guarantees the Legitimate Portion, wherein adopted children can still inherit from their adoptive parents as long as it does not disadvantage other heirs. According to the Compilation of Islamic Law (KHI), the position of adopted children is considered legitimate based on court decisions and does not sever their lineage from their biological parents. Adopted children inherit from their adoptive parents through gifts or wills. The distribution of obligatory wills is regulated under Article 209 paragraph KHI, where adopted children who do not receive a will are entitled to a maximum of 1/3 of the estate of their adoptive parents, and adoptive parents are entitled to a maximum of 1/3 of the estate of their adopted children. Government Regulation Number 54 of 2007 provides guidelines for the implementation of adoption and the rights held by adopted children to prevent deviations that could ultimately protect and enhance their welfare for the future and their interests. Based on protective legal measures, a court decision affirms that adopted children have the right to inherit from their adoptive parents, ensuring legal protection and certainty for adopted children regarding inheritance assets.

Conclusion

1. The legal protection of adopted children's rights to inheritance is an important legal aspect within the goals of justice, legal certainty, and legal utility. Therefore, the legal protection of adopted children's rights to inheritance serves a clear legal purpose as mandated by legislation. Consequently, this legal protection will further strengthen the adoption process carried out by families in lawful marriages in Indonesia who do not have biological children, based on principles that promote the best interests of the child. Regarding the distribution of inheritance to adopted children, Islamic law does not recognize adoption, and matters arising from the adoption process do not sever the relationship between the adopted child and their biological parents. This differs from the Civil Code system in Staatblad 1917 No. 129, Articles 11 and 12, which state that adopted children are considered akin to biological children, bear the name of their adopting parents, and inherit as legitimate heirs just like biological children.
2. According to civil law, the position of adopted children is regulated under Government Regulation Number 54 of 2007, which provides guidelines for the implementation of adoption and the rights held by adopted children to prevent deviations that could ultimately protect and enhance the welfare of children for their future and best interests. There are several differences in legal protection according to Islamic law and civil law. According to Islamic law, the status of adopted children is considered in the distribution of inheritance. In the Compilation of Islamic Law (KHI), the classification of heirs is governed by Article 174. In

Islam, even if a child is legally adopted through a court decree, it does not change the fact that the child remains a child of their biological parents; there is no concept of severing ties and entering into the lineage of the adoptive parents. Therefore, adopted children do not receive a larger share than biological children but may receive gifts and/or wills, although the KHI specifies a maximum limit of 1/3. Under civil law, the position of adopted children is regulated by Government Regulation Number 54 of 2007, which includes guidelines for the implementation of adoption and the rights held by adopted children to prevent deviations that could ultimately protect and enhance the welfare of children for their future and their best interests.

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