

divide Islamic law (Islamic law) into two groups, namely the law on individuals and family law. The implementation of Islamic law in Somalia is always influenced by customary law, this also affects the distribution of inheritance. Because the region of Somalia was originally a British colony and was a protectorate area under India, Indian and British laws were initially also enforced. Then in 1865 there was a change of leadership, since then there have been several exchanges of regulations and legislation, for example the 1875 regulations, then the creation of the 1908 civil law, then expanded with the law of engagement and marriage according to custom which was confirmed in 1938. In 1937 all of them were determined as qadhi legal ordinances¹.

More specifically, this article will discuss the comparison of Islamic inheritance law in Indonesia and in Somalia. So far, what we understand is that the distribution of inheritance based on Surah An-Nisa verse 11 is the distribution of sons twice the distribution of daughters, but in Somalia the distribution of sons is the same as that of daughters. In Indonesia, there was also an idea by Prof. Dr. H. Munarir Sjadzali MA, to give which part to male and female heirs.

2. Research Methods

This writing uses a normative legal method that uses primary legal materials, for example laws and legal theories, as well as secondary legal materials, for example books, theses, and related journals. The legal approach used in this writing is the Conceptual Approach and Statute Approach. What is meant by the Conceptual approach is by using views and doctrines in legal science that are relevant to the issue to be discussed, the statutory approach is carried out by examining laws and regulations related to the legal issue being handled.

3. Literature Review

First, a journal written by Ahmad Syaf'li Suard and Suad Fikriawan, e-Journal Al-Syakhsiyyah Journal of Law and Family Studies, Vol. 3 No. 2 (2021), yang berjudul "PEMBAHARUAN HUKUM KELUARGA ISLAM: Studi Kasus Hukum Waris di Somalia." This journal discusses the distribution of inheritance in Somalia which is based on the articles of the Somali Family Law Law No. 23 of 1975 which has undergone drastic changes, especially in terms of the distribution of inheritance from the Islamic inheritance system in general and from the mainstream schools of thought that are developing. This journal also discusses Somalia which also uses the *ijtihad* method by providing a completely new interpretation of the existing texts. This is reflected in the existing inheritance law material, including articles 158 and 160 of Law No. 23 of 1975, as mentioned above. Article 158 states that men and women have the same rights in the distribution of inheritance. While article 160 also regulates in detail that a wife who is left by her husband gets half of the inheritance if there are no children or grandchildren, and gets a quarter if there are children or grandchildren. It can be concluded in this journal that the distribution of inheritance aims to elevate the status of women by providing equal shares between men and women. This is based on the principles of the socialist revolution that emphasize aspects of social justice and equal human rights. This also means that some of Somalia's laws have moved away from traditional concepts as stated in the books of Islamic jurisprudence.

Second, a journal written by Muhammad Salahuddin, Volume 21 Nomor 2 Tahun 2023, Jurnal Ilmiah Ar-Risalah, yang berjudul "Kesetaraan Gender Dalam Pembaharuan

¹ Pratama, A., Sari, N. R., & Rachmatulloh, M. A. (2022). Hukum Keluarga Islam di Somalia. Al-Adillah: Jurnal Hukum Islam, 2(2), 86-95.