

Surah Al-Baqarah verse 240: This verse explains the inheritance rights of daughters and biological mothers.¹

History that has occurred explains that the problem of inheritance law, especially Islamic inheritance law, has undergone a very long and complicated process. This is proven by the inheritance that occurred in the pre-Islamic era based on the traditions and customs of the Arab nation during the Jahiliyah era. There are three causes of the transfer of inheritance, namely; first, due to lineage or kinship. Second, through adoption. Third, through an agreement.

First, the customary inheritance law system, the customary inheritance law system in Indonesia is influenced by the principle of kinship. Kuntjaraningkrat said that there are four main principles of lineage (principle decent) in Indonesia, namely: The Patrilineal Principle (Patrilineal Decent) which calculates kinship through men only, and therefore results in each individual in society all of the father's relatives entering the boundaries of his kinship, while the relatives fall outside those boundaries; The Matrilineal Principle (Matrilineal Decent), which connects kinship through women only, and therefore results in each individual in society all of the mother's relatives within the boundaries of his kinship, while the father's relatives fall outside those boundaries; Bilineal Principle (Bilineal Decent) this principle is also often called double decent, which calculates kinship relations through men only, for a number of certain rights and obligations, and through women only for a number of other rights and obligations, and because it results in each individual in society sometimes all of the father's kinship falls within the limits of his kinship relations, while the mother's kinship falls outside those limits, and sometimes vice versa; Bilateral Principle (Bilateral Decent) which calculates descent relations through father and mother

Second, the Western Inheritance Law System, A. Pitlo stated that inheritance law is a collection of regulations that regulate the law regarding wealth due to a person's death, namely regarding the transfer of wealth left by the deceased and the consequences of the relationship between them and them, as well as in the relationship between them and third parties (Pitlo: 1986). Another definition is conveyed by Wirjono Prodjodikoro that inheritance law is the laws or regulations that regulate whether and how the various rights

¹ Syarifuddin, A. (2015). Hukum kewarisan islam. Prenada Media.