

Inheritance System under Indonesian Civil Law: A Juridical Analysis of the Principles of Justice and Legal Certainty

Dewi Pratiwi¹, Wulandari²

Fakultas hukum, Universitas Medan Area

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ABSTRAK

Inheritance issues under Indonesian Civil Law remain an important legal concern because they directly relate to the realization of justice and legal certainty for heirs. Although the Indonesian Civil Code (Kitab Undang-Undang Hukum Perdata/KUH Perdata) comprehensively regulates the general principles of inheritance, categories of succession, the legal status of heirs, and their respective rights and obligations, practical implementation continues to raise legal issues concerning statutory interpretation, the protection of children born outside marriage, and the legal position of surviving spouses. This study aims to analyze the operation of the inheritance system under Indonesian Civil Law and to examine the extent to which the principles of justice and legal certainty are reflected in its regulatory framework. The research employs a normative juridical (doctrinal) method using statutory, conceptual, and case approaches through an examination of relevant judicial decisions. The findings indicate that the Civil Code provides a clear normative framework that ensures legal certainty through well-defined rules governing the order of heirs and the distribution of inheritance. Nevertheless, challenges remain in achieving substantive justice, particularly in response to evolving social conditions and the need for more inclusive legal protection for all heirs. The study concludes that progressive legal interpretation and regulatory reform are necessary to ensure that the inheritance system provides not only legal certainty but also justice and responsiveness to contemporary societal needs.

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Corresponding Author:

Dewi Pratiwi,
Faculty of Law, Medan Area University
Jl. Kolam No. 1, Kenangan Baru, North Sumatra 20225, Indonesia.
Email: dewipratiwi@gmail.com

1. PENDAHULUAN

The inheritance system in Indonesia constitutes an essential component of family law governing the transfer of a deceased person's estate to his or her legal heirs. In practice, the Indonesian inheritance system is characterized by considerable complexity due to the country's legal pluralism, whereby three distinct legal regimes coexist: Western Civil Law (the Indonesian Civil Code/Burgerlijk Wetboek), Islamic Law, and Customary Law (Adat Law). Each legal system embodies its own principles, mechanisms, and legal consequences concerning inheritance. The Indonesian Civil Code regulates inheritance primarily on the basis of blood relations and marital ties through an individualistic and rational legal framework. In contrast, Islamic inheritance law is founded upon the principles of Sharia, prescribing a detailed and mandatory distribution of inheritance shares. Meanwhile, customary law emphasizes kinship values and traditional norms that continue to develop within indigenous communities.

This legal pluralism provides flexibility by allowing individuals to apply the inheritance system that best corresponds with their religious beliefs and cultural traditions. However, it also gives rise to numerous legal challenges, particularly when conflicting interpretations emerge among the applicable legal systems. Within the framework of Indonesian Civil Law, common issues include

inconsistent implementation of inheritance regulations, conflicts of interest among heirs, uncertainty regarding the legal status of inherited property, and limited public understanding of lawful inheritance procedures. Furthermore, the involvement of external institutions, including notaries, courts, and customary authorities, frequently results in divergent legal interpretations, thereby contributing to legal uncertainty in the settlement of inheritance disputes.

Another significant concern is the deviation from the principle of justice in inheritance distribution. Such deviations may arise through the dominance of certain heirs, discriminatory treatment of women under some customary inheritance systems, or dispute resolutions that emphasize formal legal certainty without adequately considering substantive justice. These circumstances demonstrate that inheritance issues extend beyond normative legal questions and are closely associated with broader social, cultural, and moral dimensions. Within the context of civil inheritance law, a persistent tension exists between the principles of legal certainty and justice. Legal certainty requires clear, stable, and predictable legal rules to ensure an orderly and systematic inheritance process. Nevertheless, rigid adherence to legal certainty often fails to accommodate the dynamic nature of contemporary society, potentially resulting in injustice for certain parties.

Conversely, the principle of justice frequently demands a more flexible approach that considers humanitarian values, fairness, and moral considerations. A conflict arises when a judicial decision that is legally valid and predictable fails to satisfy the broader sense of justice among all heirs. This dilemma between legal certainty and justice represents one of the most fundamental challenges in the Indonesian civil inheritance system. From an academic perspective, the study of civil inheritance law is significant because it contributes to the development of legal scholarship, particularly in the fields of family law, civil law, and inheritance law. This research enriches the discourse on legal harmonization within a pluralistic society while providing a critical analysis of the implementation of the principles of justice and legal certainty in inheritance law.

From a practical perspective, this study is highly relevant because inheritance disputes remain among the most frequently litigated legal issues in Indonesian society. The findings are expected to serve as valuable references for legal practitioners, law enforcement authorities, notaries, and the public in understanding and resolving inheritance disputes in a fair, prudent, and legally appropriate manner. Previous studies have primarily focused on normative comparisons between civil, Islamic, and customary inheritance systems. However, relatively few studies have specifically examined how the principles of justice and legal certainty are implemented in the practical application of civil inheritance law or how these two principles may be harmonized. Furthermore, comprehensive analyses integrating juridical, philosophical, and sociological perspectives on inheritance law remain limited.

This study is expected to contribute to the advancement of legal scholarship, particularly in the field of civil inheritance law, by enriching the academic literature concerning the harmonization of justice and legal certainty within Indonesia's inheritance system. Practically, the findings are intended to provide useful guidance for the public, legal practitioners, and policymakers in understanding and resolving inheritance disputes in a manner that is fair, professional, and consistent with prevailing legal principles. Moreover, the study may serve as a reference for future reforms aimed at improving Indonesia's civil inheritance law framework.

2. METODE

This study employs a normative juridical (doctrinal) research method. Normative juridical research focuses on examining positive legal norms and principles, particularly those governing the inheritance system under Indonesian Civil Law. This approach is intended to analyze legal doctrines, principles, and statutory provisions relating to inheritance while evaluating the implementation of the principles of justice and legal certainty within the practice of civil inheritance law. The statutory approach involves an examination of the legislation governing inheritance law, particularly the Indonesian Civil Code (*Kitab Undang-Undang Hukum Perdata/KUH Perdata*), as well as other relevant legal regulations. Through this approach, the study identifies the legal norms that constitute the foundation of the Indonesian civil inheritance system. The conceptual approach is employed to develop a comprehensive understanding of legal concepts related to inheritance, justice, and legal certainty. This approach examines legal doctrines, scholarly opinions, and theories developed by legal experts to provide an in-depth analysis of the principles of justice and legal certainty within the civil inheritance framework. Where relevant judicial decisions are available, a case approach is applied to analyze court judgments concerning inheritance disputes. The examination of

jurisprudence aims to evaluate how courts interpret and apply inheritance law and how the principles of justice and legal certainty are reflected in judicial practice.

3. HASIL DAN PEMBAHASAN

inheritance System under Indonesian Civil Law

1. Regulation under the Indonesian Civil Code

The inheritance system under Indonesian Civil Law is comprehensively regulated by the Indonesian Civil Code (Kitab Undang-Undang Hukum Perdata/KUH Perdata or Burgerlijk Wetboek), particularly in Book II concerning Property and Property Rights. These provisions govern various aspects of inheritance, including inheritance rights, legal heirs, succession procedures, and the distribution of inherited property. The Civil Code specifies who is legally entitled to inherit, the procedures governing the transfer of a deceased person's estate, and the rights and obligations of heirs concerning the inherited assets. The Civil Code provides a clear legal framework for inheritance by emphasizing formal legal requirements, thereby promoting legal certainty in the administration of inheritance. Nevertheless, in practice, these statutory provisions should be interpreted proportionately by taking into account the principles of justice and the social circumstances surrounding the inheritance process.

2. General Principles of Inheritance under Civil Law

Fundamentally, the inheritance system under Indonesian Civil Law is based on several general principles, namely:

A. Principle of Succession upon Death

Inheritance arises as a legal consequence of the death of an individual (the deceased). Upon death, all transferable rights and obligations of the deceased are transferred to his or her legal heirs.

B. Principle of Legal Relationship

A person acquires the status of a legal heir by virtue of a legal relationship with the deceased, either through blood relations or lawful marriage, as stipulated in the Indonesian Civil Code.

C. Principle of Individual Succession

The distribution of inheritance under civil law follows an individualistic approach, meaning that each heir receives his or her own separate and individual share of the estate.

D. Principle of Legal Certainty

The administration and distribution of inheritance must be conducted in accordance with statutory provisions to ensure legal certainty, legal order, and legal protection for all heirs.

3. Types of Inheritance under Civil Law

a. Intestate Succession (Ab Intestato)

Intestate succession occurs when the deceased leaves no will or when the will does not regulate the entire estate. In such circumstances, the inheritance is distributed according to the provisions explicitly stipulated in the Indonesian Civil Code. The determination of eligible heirs, their respective inheritance shares, and the procedures for distributing the estate are governed by statutory law based on the legally prescribed order of heirs.

b. Pewarisan Berdasarkan Wasiat (Testamentair)

Pewarisan berdasarkan wasiat terjadi apabila pewaris semasa hidupnya telah menetapkan pembagian harta peninggalannya melalui testamen atau surat wasiat. Surat wasiat tersebut merupakan pernyataan sepihak pewaris yang memiliki kekuatan hukum sepanjang memenuhi syarat formil dan materil yang ditentukan undang-undang. Meskipun pewaris diberikan kebebasan untuk menentukan penerima warisan, namun KUH Perdata tetap memberikan pembatasan tertentu, terutama terkait hak mutlak ahli waris tertentu (*legitieme portie*) agar keadilan tetap terjaga.

4. Testamentary Succession (Testamentair)

Testamentary succession occurs when the deceased has determined the distribution of his or her estate through a legally valid will during his or her lifetime. A will constitutes a unilateral legal declaration by the testator and possesses legal force provided that it satisfies both the formal and

substantive requirements prescribed by law. Although the testator enjoys considerable freedom in determining the beneficiaries of the estate, the Indonesian Civil Code imposes certain limitations, particularly regarding the reserved portion (*legitime portie*) granted to compulsory heirs, thereby safeguarding the principle of justice.

5. Legal Status of Heirs under Civil Law

The legal status of heirs under Indonesian Civil Law is determined by their legal relationship with the deceased. Individuals acquire inheritance rights through direct ascending, descending, or collateral blood relationships, as well as through lawful marriage. This legal status entitles heirs to receive the deceased's estate while simultaneously imposing legal responsibilities associated with the inherited property. Under the Indonesian Civil Code, heirs enjoy a strong legal position because their status is recognized under generally applicable statutory law. Nevertheless, such legal status must be established through appropriate legal evidence, including birth certificates, marriage certificates, or other legally recognized documentary proof:

A. First Class I

The first class consists of the surviving spouse and the deceased's children, including their descendants. This class has the highest priority and excludes the inheritance rights of subsequent classes

B. Second Class II

The second class includes the deceased's parents and siblings, together with their descendants. They inherit only when no first-class heirs exist.

C. Third Class III

The third class comprises ascendants other than the parents, such as grandparents and other direct ancestors.

D. Fourth Class IV

The fourth class consists of more distant collateral relatives, including uncles, aunts, cousins, and other extended family members.

This hierarchical classification reflects the principle that the closer the blood relationship to the deceased, the greater the legal priority and entitlement to inherit.

6. Rights and Obligations of Heirs

Under the Indonesian civil inheritance system, heirs possess not only legal rights but also corresponding obligations:

Under the inheritance system governed by Indonesian civil law, heirs have certain inherent rights to the decedent's estate. The primary right of heirs is to receive a share of the estate in accordance with applicable laws and regulations or as stipulated in the will prepared by the decedent. In addition, heirs also have the right to reject an inheritance if it is deemed likely to cause them harm or impose a burden on them a concept known as acceptance of an inheritance on a beneficial basis. Furthermore, if there are discrepancies in the distribution of the estate or violations of applicable legal provisions, heirs have the right to file objections or legal claims to seek protection of their inheritance rights. On the other hand, heirs also have obligations they must fulfill regarding the decedent's estate. Heirs are responsible for the obligations or debts left by the decedent to the extent that such obligations relate to the inherited estate.

Before the distribution of the estate, the heirs also have an obligation to safeguard, manage, and maintain the estate's assets to prevent damage, loss, or misuse that could harm the parties entitled to receive the inheritance. Furthermore, heirs are obligated to carry out the provisions of the will made by the decedent, provided that the terms of the will do not conflict with the law, public order, or the absolute right (*legitime portie*) held by certain heirs. By understanding the rights and obligations of heirs within Indonesia's civil law inheritance system, it becomes clear that the legal relationship between the decedent and the heirs is not limited to the receipt of the estate but also encompasses legal responsibilities regarding all aspects inherent to the inheritance. A comprehensive understanding of the inheritance mechanism is essential for analyzing the extent to which the principles of justice and legal certainty can be realized in the practice of estate distribution, while also providing balanced legal protection for all interested parties.

The Principle of Justice in the Civil Law Inheritance System

1. The Meaning of Justice in Law

Justice is one of the fundamental values in the legal system and serves as the objective of every legal norm's formulation and application. In the context of civil law, justice is understood as a condition in which every individual receives their rights proportionally according to their status and legal relationship with other parties. Justice is not only understood in a formal sense that is, justice that follows written rules but also in a substantive sense that takes into account the humanitarian, moral, and social conditions of the parties involved.

In the tradition of legal thought, justice is often associated with the idea of a balance between rights and obligations. A just law is one that is capable of protecting the interests of all parties without causing inequality. Therefore, in civil inheritance, the principle of justice serves as a crucial foundation for determining who is entitled to be an heir and how the estate is distributed.

2. Is the Distribution of Inheritance Under Civil Law Fair?

Normatively, the inheritance system under the Civil Code is designed to provide legal certainty while ensuring fairness for heirs. The distribution of an estate is based on blood ties and marital relationships, which are considered to reflect emotional closeness, responsibility, and dependence on the decedent during their lifetime.

However, the question of whether the distribution of an estate is entirely fair remains a subject of academic debate. In some cases, a formalistic approach to estate distribution is sometimes viewed as failing to reflect substantive justice. For example, in certain situations, there are heirs who are in greater need of social and economic protection but receive the same share as other, more financially secure heirs. This situation demonstrates that even though the law provides clear rules, questions of justice cannot always be resolved solely through the text of the law.

3. Protection of Heirs from the Perspective of Justice

a. Protection of Legitimate Children

In civil law, legitimate children hold a primary position as heirs because their status is based on a valid legal relationship between parent and child. Legitimate children are granted strong inheritance rights that are protected by law, including the right to receive a specific share of the estate that cannot be simply set aside. This provision reflects the value of justice because legitimate children are viewed as parties who were directly dependent on the decedent during the decedent's lifetime, both economically and socially.

b. Protection of Children Born Out of Wedlock

In the development of modern civil law, the status of children born out of wedlock has begun to receive more equitable attention. Although historically children born out of wedlock were often treated discriminatorily, civil law has since granted certain recognition of their rights, particularly following legal reforms and updates through case law and relevant legislation. Granting inheritance rights to children born out of wedlock is a form of legal protection based on the principles of justice and humanity. Children born out of wedlock cannot be blamed for their birth status; therefore, the state has an obligation to protect their fundamental rights, including in matters of inheritance.

c. Protection for Widows or Widowers

Widows or widowers hold an important position in the inheritance system because they are the lawful spouses of the decedent. Civil law grants widows or widowers the right to receive a share of the estate as a form of protection for their livelihood after the decedent's death. This status also reflects social justice, as the decedent's spouse generally has a strong economic and emotional dependence on the decedent. Protection for widows or widowers is also a manifestation of respect for family values, while ensuring that the surviving spouse does not suddenly lose their economic rights after being left by the decedent.

4. Philosophical and Legal Analysis of Justice

Philosophically, justice in civil inheritance is an effort to allocate shares to each heir in accordance with their rights, based on the degree of kinship, responsibility, and need. Justice is not merely understood as an equal division, but as a proportional division in accordance with the status of each heir. From a legal perspective, justice is realized through written legal provisions that provide a clear and measurable basis for the distribution of an estate. Regulations concerning categories of heirs, shares of the estate, and the absolute rights of certain heirs serve as legal mechanisms to prevent arbitrariness in the determination of heirs and the distribution of inherited assets. Thus, justice in civil inheritance law is essentially a blend of normative, moral, and humanitarian values that the legal system seeks to realize through positive law. Although challenges still arise in practice, the ongoing

development of legal regulations demonstrates the legal system's commitment to fostering more substantive justice within Indonesia's inheritance system.

Philosophical and Legal Analysis of Justice

1. The Meaning of Legal Certainty in Inheritance

Philosophically, justice in civil inheritance is an effort to allocate shares to each heir in accordance with their rights, based on the degree of kinship, responsibility, and need. Justice is not merely understood as an equal division, but as a proportional division in accordance with the status of each heir. From a legal perspective, justice is realized through written legal provisions that provide a clear and measurable basis for the distribution of an estate. Regulations concerning categories of heirs, shares of the estate, and the absolute rights of certain heirs serve as legal mechanisms to prevent arbitrariness in the determination of heirs and the distribution of inherited assets. Thus, justice in civil inheritance law is essentially a blend of normative, moral, and humanitarian values that the legal system seeks to realize through positive law. Although challenges still arise in practice, the ongoing development of legal regulations demonstrates the legal system's commitment to fostering more substantive justice within Indonesia's inheritance system.

2. Legal Certainty in the Civil Code

The Civil Code, as the primary source of civil inheritance regulations in Indonesia, has provided a relatively clear and systematic legal foundation. The provisions in the Civil Code cover matters such as the causes of inheritance, types of inheritance, the status of heirs, the order of priority among heirs, and the mechanisms for distributing an estate. The clarity of these norms provides certainty to the parties regarding the structure of inheritance and their respective inheritance rights. Furthermore, the existence of provisions regarding the absolute rights of certain heirs, as well as rules concerning wills, serve as legal instruments that ensure the rights of heirs remain protected. Thus, from a normative perspective, the Civil Code has established a strong foundation of legal certainty in the regulation of inheritance.

3. Legal Certainty in Judicial Practice

Legal certainty in inheritance matters depends not only on the text of the law but also on its application in judicial practice. The judiciary plays a vital role as the institution that interprets and enforces the law when inheritance disputes arise. Through court decisions, general legal norms are applied to specific cases, thereby providing legal certainty for the parties involved. However, in practice, situations often arise in which judges must interpret the law in light of social developments and substantive justice. This sometimes leads to differences in rulings from one case to another. While this provides more context-specific justice on the one hand, it can raise doubts regarding the consistency of legal application on the other.

4. Factors Hindering Legal Certainty in Inheritance

Although, in theory, there are various legal provisions governing inheritance, achieving legal certainty in practice is not always possible. This is due to various factors that hinder the implementation of inheritance law in Indonesia. One of the main factors is the diversity of applicable inheritance legal systems. Indonesia is a country with a pluralistic legal system, and as such recognizes several inheritance law systems: civil inheritance law derived from the Civil Code (KUHPerdara); customary inheritance law developed based on the values and customs of local communities; and religious inheritance law specifically Islamic inheritance law for communities that adhere to such provisions. On the one hand, this diversity of legal systems reflects the richness of the national legal system; on the other hand, it can lead to conflicts of norms, differences in interpretation, and uncertainty in determining which legal rules should be applied in an inheritance case.

In addition to differences in legal systems, the public's lack of legal understanding is also a factor that hinders the realization of legal certainty in the field of inheritance. Some members of the public still lack an adequate understanding of the rights and obligations of heirs, the mechanisms for distributing inherited assets, and the legal procedures that must be followed in the event of a dispute. These conditions often lead to misunderstandings regarding the status of heirs, an unequal distribution of inherited assets, and the emergence of conflicts among family members all of which could be prevented if the public had greater legal awareness and understanding. Another factor affecting legal certainty in inheritance matters is the incompleteness of administrative documents related to a person's legal status as an heir. In practice, various documents such as birth certificates,

marriage certificates, family registration cards, property ownership certificates, and wills play a crucial role in establishing the legal relationship between the decedent and the heirs. When these documents are unavailable or incomplete, the process of establishing inheritance rights becomes more difficult and has the potential to lead to disputes among the interested parties.

5. Case Examples (Optional for Academic Reinforcement)

In some court rulings, issues of legal certainty arise when disputes occur regarding the status of heirs, such as disputes between legitimate children and children born out of wedlock, or disputes between the nuclear family and the extended family. In such cases, judges do not merely rely on the text of the Civil Code (KUH Perdata), but also consider substantive justice and legal developments, including the influence of recent case law. These examples demonstrate that while legal certainty is the primary objective, its application must often be balanced against considerations of justice and humanitarian values. This underscores that legal certainty in inheritance matters is not rigid but rather dynamic, evolving in tandem with social and legal developments. Thus, the principle of legal certainty in the inheritance system serves to provide clarity, order, and protection of the heirs' rights. However, to achieve ideal legal certainty, there must be harmony among legal norms, judicial practices, and the public's legal awareness.

Analysis of Justice and Legal Certainty in Inheritance Practices

1. The Balance Between Justice and Legal Certainty

The implementation of inheritance law should ideally reflect a balanced relationship between the principles of justice and legal certainty. Legal certainty provides a clear normative foundation through explicit statutory regulations, ensuring predictability, consistency, and stability in the application of inheritance law. At the same time, justice requires that the enforcement of these legal provisions takes into account humanitarian values, ethical considerations, and the specific circumstances faced by the heirs. In practice, however, these two principles do not always operate harmoniously. The strict application of legal rules in pursuit of legal certainty may result in substantive injustice for certain parties, particularly when unique social or familial circumstances are overlooked. Conversely, prioritizing substantive justice through flexible legal interpretation may weaken legal certainty by creating inconsistencies in judicial decisions and reducing the predictability of legal outcomes. Consequently, one of the fundamental challenges in inheritance law is achieving an appropriate balance between justice and legal certainty, ensuring that the law is not only normatively certain but also substantively fair in its implementation.

2. Current Issues in Inheritance Practices in Society

Inheritance disputes remain a common issue within society and continue to present significant legal and social challenges. One of the primary concerns is the uncertainty surrounding the legal status of heirs, where disagreements frequently arise due to differing interpretations regarding the rights of legitimate children, children born outside of marriage, and heirs resulting from subsequent marriages. Another major challenge is the coexistence of multiple inheritance law systems in Indonesia, namely civil inheritance law, customary inheritance law, and Islamic inheritance law. This legal pluralism often creates confusion, particularly when disputing parties hold different views regarding which legal system should govern the distribution of the estate. In addition, limited public legal awareness contributes significantly to inheritance disputes, as many individuals lack a proper understanding of lawful inheritance procedures. Consequently, the distribution of inherited property is often conducted without due consideration of applicable legal principles, increasing the likelihood of future conflicts. Furthermore, the resolution of inheritance disputes through litigation is generally characterized by lengthy proceedings and substantial financial costs. Such conditions not only delay the realization of legal certainty but also tend to intensify family conflicts, making amicable settlement increasingly difficult.

3. Potential for Injustice in Inheritance Practices

Potential injustices in inheritance are still frequently encountered, whether toward children, spouses, or other parties who are legally entitled to protection. Injustice can arise from the disproportionate distribution of an estate, the disregard of certain heirs' rights, or legal manipulation by parties who are socially or economically more powerful. Furthermore, injustice can also occur when the law is applied in a formalistic manner without considering the specific circumstances of the heirs—for example, when a party in greater need of economic protection does not receive adequate consideration in the distribution of the estate. On the other hand, inconsistencies in court rulings in

some inheritance cases can also create a perception of injustice. This demonstrates that substantive justice and legal certainty still need to be strengthened in practice.

4. Alternative Solutions and Regulatory Reinforcement

Addressing issues of justice and legal certainty in inheritance requires a number of strategic measures involving both regulatory reform and practical implementation. First, greater harmonization among civil law, customary law, and religious law is essential to prevent normative conflicts that may create legal uncertainty in inheritance disputes. Second, inheritance regulations should be revised and updated to reflect contemporary social developments, ensuring more equitable legal protection for children born outside of marriage, widows, widowers, and other vulnerable parties. Third, the role of the judiciary should be strengthened by promoting greater consistency in court decisions through the development of well-established jurisprudence, thereby providing clearer legal guidance in resolving inheritance disputes. In addition, non-litigation mechanisms, particularly mediation and family deliberation, should be encouraged as effective alternatives to court proceedings, as they help preserve family relationships while facilitating the achievement of justice and legal certainty in a more efficient manner. Furthermore, improving public legal literacy on inheritance law is equally important so that individuals better understand their respective rights and obligations, thereby reducing the likelihood of future disputes. Overall, the analysis of inheritance practices demonstrates that justice and legal certainty are two fundamental principles that must be pursued simultaneously. Strengthening the regulatory framework, ensuring consistent application of legal norms, and enhancing public legal awareness are therefore essential to establishing an inheritance system that provides not only legal certainty but also substantive justice and effective protection of the rights of heirs.

KESIMPULAN

Kesimpulan The conclusion of this study confirms that the inheritance system under Indonesian civil law essentially has a strong normative foundation through the provisions of the Civil Code, which govern the principles, status, and rights and obligations of heirs. Legally speaking, this system provides a framework of legal certainty through clear regulations regarding classes of heirs, inheritance mechanisms based on statutory law or wills, and legal protection for entitled parties. However, from a justice perspective, several issues remain regarding disparities in protection for children born out of wedlock, the status of widows or widowers, and interpretive challenges in judicial practice that have the potential to create legal uncertainty. Thus, it can be concluded that although, normatively, the inheritance system in the Civil Code has fulfilled the element of legal certainty, its implementation in practice still requires strengthening whether through progressive legal interpretation or regulatory reform so that the principles of justice and legal certainty can be balanced and capable of addressing the evolving social dynamics of society.

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