

ABSTRACT

Disputes within the division of inheritance problems caused by many things, because there are divisions are found to be fair, there is caused because of not understanding the laws that govern, even with the many laws of inheritance led to differences of legal system used in the division of inheritance. Dispute over the division of inheritance disputes could bring harm to heirs abandoned, because the fight over the estate of kinship ties amongst the heirs could damage or sever your ties of kinship among the heirs.

This thesis focuses on the problem of the validity of the adopted child and his or her rights in the distribution of inheritance are reviewed based on Islamic law.

The results obtained in this discussion is that the appointment Sunardi as an adopted child is legally valid, despite the removal of the child is not being applied for the determination of the court to obtain a guarantee of legal certainty. Removal of the child by filing an appeal may be made at any time with the evidence of witnesses at the hearing, the judge will apply for the appointment of a child with a court order issued as a valid proof of the origin of the child.

Sunardi as a foster child has the right to inheritance adoptive parents according to Islamic law, although in KHI adoption evidenced by a court order. Proof of court order was based on the intention of the adoptive parents raise the child's welfare is to give not because of a court order. As an adopted child then according to Islamic law, a testament wajibah as Article 209 paragraph (3) KHI from his adoptive parents inheritance is not as heir, as the adopted child does not have blood relations with the beneficiaries as stipulated in Article 174 KHI.

Key words: Inheritance, foster child, will wajibah