INTERNATIONAL JOURNAL OF MULTIDISCIPLINARY RESEARCH AND ANALYSIS

ISSN(print): 2643-9840, ISSN(online): 2643-9875

Volume 09 Issue 05 May 2026

DOI: 10.47191/ijmra/v9-i5-122, Impact Factor: 8.685

Page No. 3212-3218

The Legal Implications of *Plurium Litis Consortium* in Islamic Inheritance Cases Under Indonesian Religious Court

Ardina Nur Amalia[1], Muhammad Ramdan[2]

[1,2]Faculty of Law, Universitas Diponegoro

ABSTRACT: Inheritance disputes within the Religious Court system require an exceptionally high degree of formal precision, particularly concerning the legitimacy of the parties involved in the case. One of the mandatory formal requirements in drafting a claim is the completeness of legal subjects who have a direct interest in the object of dispute. Failure to include interested parties may result in the claim being deemed formally defective due to the element of *plurium litis consortium* or a claim lacking necessary parties. Supreme Court Decision Number 512 K/Ag/2022 serves as an important ruling affirming the consistent application of this principle in Islamic inheritance disputes. This study aims to analyze the existence of the principle of *plurium litis consortium* in the procedural law of the Religious Courts, the legal consequences of an Islamic inheritance claim lacking necessary parties, and the legal considerations of the Supreme Court in Decision Number 512 K/Ag/2022. This research employs normative legal methods with statutory, case, and conceptual approaches. The results show that the principle of plurium litis consortium constitutes a vital instrument to guarantee the protection of the rights of all heirs and to prevent the issuance of rulings potentially detrimental to parties not present at trial. Claims that do not include all interested heirs are deemed formally defective and must be declared inadmissible *(niet ontvankelijke verklaard*). Supreme Court Decision Number 512 K/Ag/2022 demonstrates a strong orientation toward procedural legal certainty in resolving Islamic inheritance disputes within the Religious Court system.

KEYWORDS: *plurium litis consortium*; Islamic inheritance dispute; procedural justice; religious courts; incomplete parties

I. INTRODUCTION

The civil procedural law applicable within the Religious Courts generally refers to the provisions of the Herziene Indonesisch Reglement (HIR) or the Reglement Buitengewesten (RBg), as mandated by Article 54 of Law Number 7 of 1989 concerning Religious Courts. In addition to these general procedural rules, the characteristics of religious disputes, particularly Islamic inheritance law, have their own distinctiveness, the substantive aspects of which are governed in the Compilation of Islamic Law (KHI) (Mu'In et al., 2023). The formal validity of a statement of claim serves as the primary filter before the panel of judges examines the merits of the case. One of the most crucial formal aspects and also a frequent administrative pitfall for legal practitioners is the principle of completeness of legal subjects, known as the plurium litis consortium principle. This principle stipulates that all parties directly related to the legal relationship or disputed object must be included as parties in the proceedings, whether in the position of Plaintiff, Defendant, or Co-Defendant (Pradikta et al., 2023). The relevance of upholding this principle is clearly apparent in inheritance disputes. Under Islamic law, the division of the decedent's estate (tirkah) involves all lawful heirs present at the time of the decedent's death. The omission or neglect of even a single legal subject entitled to inherit in the claim structure will undermine justice for that party and render the judgment unenforceable (executable). The courts' consistency in applying the requirement of party completeness is reflected in Supreme Court Decision No. 512 K/Ag/2022. The cassation case, decided in 2022, annulled the examination of the case's substance solely because the plaintiff neglected to include the children of a deceased sibling, who are legally positioned as substitute heirs. Through a case study of this 2022 decision, this article aims to describe the position and tension that arise between formal certainty and substantive justice at the Supreme Court (Purkon et al., 2022).

The development of judicial practice shows that the issue of lack of parties in a lawsuit is not merely a technical administrative issue, but has developed into a fundamental matter that determines whether or not a case may be further examined by the judge. In various court decisions, including those within the Religious Courts (Ramadhan & Muslimin, 2022), panels of judges tend to treat the completeness of parties as an absolute requirement to safeguard legal certainty and prevent the issuance of decisions that may give rise to new disputes in the future. Such an approach demonstrates that civil procedural law is not understood solely

as a formal instrument, but also as a mechanism for protecting the rights of parties who have a legal interest in the object of dispute. Therefore, the principle of *plurium litis consortium* is closely related to the principle of audi et alteram partem, namely the right of every party to be heard and to defend their interests before the court (Budiono et al., 2024). In the context of Islamic inheritance, the application of this principle becomes even more complex because the structure of the legal relationships among heirs is often not straightforward. Frequently, inheritance disputes involve substitute heirs, multiple marriages, children born out of wedlock, or the transfer of rights over inheritance objects to third parties before the distribution of the estate is carried out. Such complexities make it difficult for plaintiffs to identify all legal subjects who must be included as parties in the lawsuit. As a result, lawsuits that in substance have a strong legal basis end up being declared inadmissible (niet ontvankelijke verklaard) because they are deemed not to meet formal requirements. This condition demonstrates that procedural law issues in Islamic inheritance disputes cannot be separated from the aspect of protecting the civil rights of all heirs (Muflichah et al., 2013).

The application of the *plurium litis consortium* principle also gives rise to debate regarding the boundary between procedural formalities and access to substantive justice. In practice, a decision declaring a claim inadmissible does indeed provide the claimant with an opportunity to refile the case by correcting deficiencies regarding the parties involved. However, in reality, this mechanism often results in significant consequences for those seeking justice, particularly in terms of time, cost, and certainty of dispute resolution. This is especially true in inheritance cases, where protracted disputes have the potential to spark increasingly complex family conflicts (Sumiarni & Chandra, 2023). Therefore, the application of formal requirements for a claim needs to be analyzed not only from the perspective of procedural order, but also from the standpoint of rights protection and the effectiveness of dispute resolution.

The Supreme Court Decision Number 512 K/Ag/2022 is noteworthy for study as it demonstrates the Supreme Court's tendency to strictly uphold procedural legal certainty within the Religious Courts. In this decision, the Supreme Court did not address the substantive issue of the inheritance dispute, but rather focused on the incompleteness of the parties due to the failure to involve substitute heirs. Such consideration shows that the status of substitute heirs is regarded as having a direct legal relationship to the inherited object, making their presence in the lawsuit an absolute requirement. This stance by the Supreme Court simultaneously reaffirms the position of substitute heirs within the Islamic inheritance law system in Indonesia, particularly following its explicit regulation in Article 185 of the Compilation of Islamic Law (Hamler et al., 2025).

The formalistic approach in applying the principle of *plurium litis consortium* still leaves room for academic discussion regarding the extent to which judges may balance procedural legal certainty with substantive justice values. From the perspective of progressive law, judges essentially do not merely function as "mouthpieces of the law", but also as guardians of justice who must consider the social impact of their decisions (Yasa, 2015). Therefore, it is important to examine whether rulings declaring cases inadmissible due to lack of parties have proportionally reflected the objectives of law, or instead create new obstacles for seekers of justice. Based on this background, this research becomes relevant to analyze the application of the principle of plurium litis consortium in Islamic inheritance disputes as well as to scrutinize the Supreme Court's legal considerations in Decision Number 512 K/Ag/2022 more comprehensively.

II. RESEARCH METHOD

This study employs normative legal research methods focusing on the analysis of legal norms, doctrine, and court decisions related to the application of the plurium litis consortium principle in Islamic inheritance disputes. The approaches used include the statute approach, case approach, and conceptual approach. The statute approach is conducted through the examination of the Herziene Indonesisch Reglement (HIR), Reglement op de Rechtsvordering buiten Java en Madura (RBg), Law Number 7 of 1989 concerning Religious Courts and its amendments, as well as the Compilation of Islamic Law. The case approach centers on the analysis of Supreme Court Decision Number 512 K/Ag/2022, while the conceptual approach is used to review doctrines concerning procedural legal certainty, substantive justice, and lawsuits rendered formally defective due to lack of parties.

The legal materials used consist of primary, secondary, and tertiary legal materials. Primary legal materials include statutes and court decisions related to inheritance disputes within the jurisdiction of the Religious Courts. Secondary legal materials are obtained from books, scientific journals, and academic works discussing civil procedural law and Islamic inheritance law, particularly doctrines developed by M. Yahya Harahap, Sudikno Mertokusumo, and Abdul Manan. All legal materials are analyzed qualitatively using a descriptive-analytical method to examine the legal reasoning of judges and to assess the balance between procedural legal certainty and substantive justice in the resolution of Islamic inheritance disputes.

III. DISCUSSION

A. The Existence of the Principle of *Plurium litis consortium* in Civil Procedure Law

A The principle of plurium litis consortium is a civil procedural law principle that requires all parties with a legal interest in the disputed object to be included in the lawsuit. In judicial practice in Indonesia, this principle is known as lack of parties in a lawsuit. The existence of this principle essentially aims to ensure that the judge's decision can provide a comprehensive legal resolution, bind all interested parties, and prevent the emergence of new disputes in the future due to the absence of parties who were not included in the proceedings (Уксусова, 2017). Although not explicitly regulated in the Reglemen Indonesia yang Diperbaharui (HIR) or the Reglemen Acara Hukum untuk Daerah Luar Jawa dan Madura (RBg), the principle of plurium litis consortium has developed through doctrine, jurisprudence, and judicial practice.

In the Indonesian civil procedure system, judges are given the authority to assess whether a lawsuit meets formal requirements, including the completeness of parties who have a direct legal relationship with the disputed object. Therefore, the existence of this principle is part of efforts to maintain orderly procedure as well as to provide protection for the rights of third parties who have an interest in the subject matter (Iriawan et al., 2025). From the perspective of procedural law, the completeness of parties is closely related to the principle of audi et alteram partem, namely, the principle that requires every party whose rights and interests may be affected by the judge's decision to be given the opportunity to be heard and to defend themselves before the court. If there are parties who have a legal interest but are not included in the lawsuit, then a decision rendered is likely to violate the rights of those parties because it is decided without the opportunity for them to present a defense. Thus, the application of the principle of plurium litis consortium is not merely an administrative formality, but also part of the protection of fundamental rights in civil judicial proceedings (Hidayat et al., 2024).

According to M. Yahya Harahap, a defect of lack of parties occurs when there are parties who should be included in a case but are not brought in as parties to the claim. As a result, the claim is deemed to contain a formal defect so that the judge may issue a decision declaring it inadmissible (niet ontvankelijke verklaard) (Hidayat et al., 2024). This view shows that civil procedural law places the completeness of parties as a fundamental requirement before the judge proceeds to examine the merits of the case. In other words, even if the plaintiff's material arguments are legally well-founded, the claim can still be declared inadmissible if it does not meet the formal requirements regarding the legitimacy of the parties (Jayadi, 2023).In Islamic inheritance disputes, the application of the principle of plurium litis consortium holds a highly important position because the object of dispute, namely the estate (tirkah), constitutes the joint right of all heirs (Fadhlillah & Hariyati, 2020). The division of inheritance is not only related to the legal relationship between the plaintiff and the defendant, but also concerns the interests of all heirs who are entitled to a share of the estate in accordance with Islamic law.

Therefore, the exclusion of any heir from a claim has the potential to create injustice, to diminish the legitimacy of the decision, and to render the decision difficult to execute (non executable) since there remain parties who are not legally bound by the decision.The urgency of party completeness in inheritance cases is also connected to the collective nature of inheritance disputes. In contrast to ordinary civil disputes, which often involve only two parties, inheritance disputes generally involve a number of legal subjects with complex family relations. In practice, inheritance disputes may involve biological heirs, substitute heirs, the deceased's spouse, or third parties who have acquired rights to the estate. This complexity makes the identification of necessary parties in a claim crucial in order to avoid formal defects due to lack of parties (Fadhlillah & Hariyati, 2020). The existence of substitute heirs as regulated in Article 185 of the Compilation of Islamic Law further broadens the scope of parties required to be included in Islamic inheritance disputes. This provision stipulates that the position of an heir who predeceases the decedent may be replaced by that heir's child.

A grandchild who is a substitute heir has the same legal right to the inheritance and must be included in the claim for the division of the estate. Ignoring the existence of substitute heirs may result in a claim being deemed formally defective because there are parties with a direct legal interest in the object of dispute who are not involved in the proceedings (Arsyam et al., 2021).The application of the principle of plurium litis consortium in Islamic inheritance cases ultimately reveals a close relationship between procedural legal certainty and the protection of the civil rights of heirs. On the one hand, this principle is necessary for maintaining the legitimacy and effectiveness of court decisions (Muttaqin et al., 2025). On the other hand, its overly formalistic application can also become an obstacle for seekers of justice if the claim is immediately declared inadmissible without examining the merits of the case. Judges are required to be able to balance procedural legal certainty with the principle of substantive justice in resolving inheritance disputes within the Religious Courts (Suryantoro, 2025).

B. Legal Consequences of an Islamic Inheritance Lawsuit Lacking Parties

Lawsuits containing elements of *plurium litis consortium* are generally declared inadmissible (niet ontvankelijke verklaard). This decision differs from a judgment dismissing a claim because the court has not yet entered into examination of the merits of

the case. In a dismissal, the judge has examined the arguments of the claim and determined that the plaintiff's demands are unproven or legally unfounded (Abhimantara, 2018). Conversely, in an inadmissibility ruling, the judge only assesses the presence of a formal defect that renders the claim unfit for further examination. Thus, a niet ontvankelijke verklaard verdict does not touch the substance of the dispute and does not determine the truth or falsehood of the parties' arguments. Under civil procedural law, a judgment of inadmissibility is rendered if the lawsuit contains a formal defect, including incompleteness of parties, errors in determining legal subjects, unclear object of dispute (obscuur libel), or a prematurely filed claim (Hastuti et al., 2022).

Incompleteness of parties constitutes one of the most frequently encountered formal defects in judicial practice, especially in cases involving collective legal relationships such as inheritance disputes. Therefore, judges are obliged to assess from the outset whether all parties with legal interests in the object of dispute have been included in the lawsuit. The primary legal consequence of a lawsuit deemed lacking in parties is that it cannot be further examined and must be declared inadmissible (Abushenko, 2019). Consequently, the plaintiff is still permitted to file a new lawsuit after remedying the absence of parties previously not involved. This shows that a niet ontvankelijke verklaard ruling essentially does not eliminate the plaintiff's right to obtain legal protection, but merely postpones case examination until the formal requirements of the claim are fully met. Nevertheless, in practice, the process of refiling a claim often results in additional consequences, such as increased time, litigation costs, and uncertainty in dispute resolution.

In the context of Islamic inheritance disputes, incompleteness of parties prevents the judge from examining and determining the division of inheritance rights in a comprehensive manner (Wahyudi, 2020). This is because the verdict rendered could potentially disadvantage other parties who are not present at trial. Inheritance disputes have particular characteristics because the object of dispute, the estate (tirkah), is a joint right of all heirs. Therefore, every decision concerning the distribution of inheritance will directly affect the position and share of each heir. If one of the heirs is not included in the lawsuit, the ruling is liable to lose legitimacy because it decides the rights of a party without providing the opportunity to defend their interests in court.

In addition to potentially infringing upon the rights of certain parties, lawsuits with insufficient parties also create issues regarding the effectiveness of judgment enforcement (executorial power). Judgments rendered without involving all heirs can impede execution, as those not involved in the proceedings may refuse to comply on the grounds that they were never subjects in the trial. As a result, disputes that ought to be resolved through a court decision can, in fact, give rise to new conflicts in the future. From this perspective, the application of the plurium litis consortium principle functions as a preventive instrument to avoid issuing judgments that are ineffective or difficult to enforce (Muslimin, 2018). The application of this principle is essentially aimed at safeguarding legal certainty and ensuring the protection of the rights of all interested parties. Legal certainty in civil procedure law is not only related to procedural order, but also concerns clarity about which parties are bound by and subject to the court's decision. Therefore, judges tend to apply the principle of joinder of necessary parties rigorously, particularly in inheritance cases involving numerous legal subjects and complex familial relationships. This approach is also intended to prevent the issuance of partial judgments that do not fully resolve the dispute (Purkon et al., 2022).

A formalistic approach to lawsuits lacking proper parties also has consequences for access to justice. Lawsuits that are immediately declared inadmissible result in a longer case resolution process, require additional costs, and have the potential to hinder the fulfillment of the rights of those seeking justice. In practice, not all plaintiffs have the capacity to understand the complex structure of family legal relationships, especially in inheritance cases involving substitute heirs, descendants from different lines, or control of inheritance objects by third parties. As a result, administrative errors in determining the parties can actually undermine efforts to achieve substantive justice (Ramadhan & Muslimin, 2022).The application of overly strict formal requirements also has the potential to conflict with the principle of simple, swift, and low-cost justice as upheld in the Indonesian judicial system. When a lawsuit is immediately declared inadmissible without allowing for corrections or improvements to the parties, dispute resolution becomes even longer and inefficient. Therefore, some academic perspectives hold that judges should not focus solely on procedural formality but also consider substantive justice and effectiveness in dispute resolution. The application of the plurium litis consortium principle in Islamic inheritance disputes essentially lies between two major interests, namely procedural legal certainty and the protection of the substantive rights of the parties (Pradikta et al., 2021). On the one hand, the completeness of the parties is necessary to guarantee the legitimacy and effectiveness of the ruling. On the other hand, an excessively formalistic application can hinder public access to justice. Consequently, judges are required to apply this principle proportionally so that the legal objectives of certainty, justice, and utility can be achieved in a balanced manner.

C. Analysis of Supreme Court Decision Number 512 K/Ag/2022

Supreme Court Decision Number 512 K/Ag/2022 originated from a dispute over the distribution of inheritance assets within the Religious Court system. The plaintiffs filed a lawsuit regarding the division of inheritance against some of the heirs, but did not

include all substitute heirs in the lawsuit. In the case, there were descendants of heirs who had predeceased the decedent and who, by law, hold the status of substitute heirs as stipulated in Article 185 of the Compilation of Islamic Law. The absence of these substitute heirs subsequently became the central point of consideration for the Supreme Court in examining the cassation petition. In its considerations, the Supreme Court stated that substitute heirs are parties who have a direct legal interest in the object of dispute. Therefore, their absence in the lawsuit resulted in the case containing a formal defect in the form of lack of parties (plurium litis consortium). The Supreme Court considered that all parties who have rights to the inheritance object must be included in the proceedings so that the ruling handed down can provide legal certainty and bind all interested parties. Based on these considerations, the plaintiffs' lawsuit was declared inadmissible *(niet ontvankelijke verklaard*) (Muda & Gunardi, 2024).

The Supreme Court's considerations indicate that the completeness of parties is regarded as a fundamental requirement in Islamic inheritance disputes. The Supreme Court places formal requirements regarding the legitimacy of parties as a primary prerequisite before entering the examination of the subject matter. This stance demonstrates that, in inheritance cases, the presence of all heirs is considered inseparable from the disputed object, since the distribution of the estate will directly affect each heir's civil rights. Thus, examining a case without involving all interested parties has the potential to result in a judgment that lacks comprehensive binding force. From the perspective of civil procedural law, the Supreme Court's considerations are in line with the doctrine of protection for the rights of interested third parties. All heirs have rights to the inherited object, so they must be given the opportunity to defend their interests in court. This is closely related to the principle of audi et alteram partem, which requires that any party who could be adversely affected by a decision must first be heard. If a judge proceeds to examine and decide a case without involving all heirs, then such a decision risk violating the rights of parties not present at trial, since their rights are determined without an opportunity to defend themselves.

In addition to protecting the rights of the parties, the Supreme Court's considerations also demonstrate a strong orientation toward procedural legal certainty. In the context of inheritance disputes, legal certainty becomes extremely important because the disputed object often involves joint ownership of land, buildings, or other family assets of high economic value. If a decision is issued without involving all heirs, such a ruling has the potential to give rise to new disputes in the future (Simanjuntak et al., 2023). Parties not involved may raise objections or even file new lawsuits regarding the same inheritance on the grounds that they were never parties to the previous case. Therefore, the application of the *plurium litis consortium* principle is viewed as an instrument to prevent the emergence of partial and ineffective judgments. The decision also demonstrates the dominance of a procedural approach in the settlement of civil cases within the Religious Court system. The Supreme Court places greater emphasis on fulfilling formal requirements rather than examining the substance of the inheritance dispute itself. As a result, the core issue of who is most entitled to a share of the inheritance is never examined, because the case is declared formally defective from the outset. This approach shows that procedural law is still regarded as the “main gateway” that determines whether a dispute may proceed to further examination, even when there are substantive civil rights in need of legal protection.

From the perspective of substantive justice, such conditions can create barriers for those seeking justice, especially when the parties involved have economic limitations or lack legal understanding. A claim that is declared inadmissible requires the parties to file a new claim after correcting all formal deficiencies, including involving parties who were previously not included in the claim (Muflichah et al., 2013). Consequently, the case resolution process becomes longer, incurs additional costs, and has the potential to escalate conflicts among family members. In inheritance cases, such situations often lead to new tensions because previously strained family relationships become even more complex as a result of protracted litigation.

When viewed from the principle of a simple, quick, and low-cost judicial process, such a ruling also raises questions about the extent to which procedural formalities must be strictly upheld. In practice, not all justice seekers understand the complex structure of legal relationships in inheritance matters, particularly concerning the status of substitute heirs. Therefore, there is a view that judges should not focus solely on the formal aspects of a claim, but should also take a more active role in providing considerations that support the effectiveness of dispute resolution. An excessively formalistic approach has the potential to hinder public access to justice, particularly for those with limited legal knowledge. Supreme Court Decision Number 512 K/Ag/2022 continues to demonstrate the Supreme Court’s consistency in applying the principle of *plurium litis consortium* in Islamic inheritance cases (Sumiarni & Chandra, 2023).

This decision also affirms that the status of substitute heirs carries legal consequences that are just as important as those of other heirs, and thus they must be included in inheritance distribution claims. As such, this ruling not only serves as a resolution for a specific dispute, but also functions as a jurisprudential guideline for the drafting of inheritance claims within the Religious Courts. The decision highlights the tension between procedural legal certainty and substantive justice in Indonesia’s civil procedural law (Kusmayanti et al., 2025). On one hand, the Supreme Court seeks to maintain the legitimacy of its decisions by strictly applying formal requirements. On the other hand, this approach has the potential to delay the resolution of civil rights for

those seeking justice. Therefore, a balance is needed in the application of procedural law so that the legal objectives of certainty, justice, and utility can be proportionally achieved in resolving Islamic inheritance disputes.

IV. CONCLUSION

The principle of *plurium litis consortium* is a fundamental concept in civil procedural law requiring the involvement of all parties who have a legal interest in the object of dispute. Although not explicitly regulated in either the HIR or RBg, this principle has developed through doctrine and judicial practice as an instrument to ensure the effectiveness of judicial decisions, protect the rights of the parties, and prevent the emergence of new disputes in the future. In the context of Islamic inheritance disputes, the application of this principle holds special importance because the object in dispute, inheritance assets, is a joint right of all heirs, including substitute heirs as stipulated in Article 185 of the Compilation of Islamic Law.

The legal consequence of an Islamic inheritance claim lacking necessary parties is that the claim is declared inadmissible *(niet ontvankelijke verklaard)* due to a formal defect. Such a ruling demonstrates that the completeness of parties is considered a fundamental requirement before the judge examines the merits of the case. In inheritance disputes, failure to include one of the heirs may lead to legal uncertainty, diminish the legitimacy of the decision, and make its enforcement difficult as it does not bind all interested parties. Nevertheless, strict application of the *principle of plurium litis consortium* can also affect access to justice, as dispute resolution processes become longer and impose additional costs on litigants.

Supreme Court Decision Number 512 K/Ag/2022 demonstrates the Supreme Court's consistency in upholding procedural legal certainty through the application of the principle of *plurium litis consortium in* Islamic inheritance cases. The Supreme Court emphasized that substitute heirs are parties who must be involved in the claim because they have a direct legal relationship to the inheritance object. While this approach aligns with the principle of protecting the rights of the parties and the effectiveness of decisions, it also highlights the dominance of a formalistic approach in civil procedural law. Therefore, the application of the principle of *plurium litis consortium* needs to be carried out proportionally, by maintaining a balance between procedural legal certainty, substantive justice, and the principles of simple, speedy, and low-cost proceedings in the resolution of Islamic inheritance disputes within the Religious Courts.

REFERENCES

1) Abhimantara, I. (2018). Legal Consequences for Children Born from Surrogacy Contracts. *JURNAL HUKUM PRASADA*, *5*(2), 75–82. https://doi.org/10.22225/jhp.5.2.759.75-82
2) Abushenko, D. (2019). The Procedural and Legal Consequences of an Unapproved Settlement Agreement in the Lawsuit. *Access to Justice in Eastern Europe*, *2*(4), 12–32. https://doi.org/10.33327/ajee-18-2.4-a000017
3) Arsyam, A., Musyahidah, S., & Malkan, M. (2021). Islamic Law Perspective on Settlement of Inheritance Disputes. *INTERNATIONAL JOURNAL OF CONTEMPORARY ISLAMIC LAW AND SOCIETY*, *3*(1), 15–27.
4) https://doi.org/10.24239/ijcils.vol3.iss1.25
5) Budiono, E., Mukhlas, O. S., Mustofa, M., Solehudin, E., & Ridwan, A. H. (2024). Analyzing the Legal Framework of Substitute Heirs in Islamic Inheritance Cases: DKI Jakarta High Religious Courts Perspective. *Syariah Jurnal Hukum Dan Pemikiran*, *23*(2), 281–299. https://doi.org/10.18592/sjhp.v23i2.12545
6) Fadhlillah, M. R., & Hariyati, T. (2020, January 1). *The Effectiveness of Mediation in Distribution of Inheritance Association Based on The Supreme Court Report 2016 to 2018*. https://doi.org/10.2991/assehr.k.200917.006
7) Hamler, H., Marlina, T., Anas, K. A., Asril, F., Azurma, R., & Meidizon, M. (2025). Implikasi Putusan Mahkamah Agung No. 6581 K/Pdt/2024 terhadap Daluwarsa Hak Atas Tanah Pribadi. *JURNAL RUANG HUKUM*, *4*(1), 1–14.
8) https://doi.org/10.58222/juruh.v4i1.1231
9) Hastuti, I., Sanjaya, E., & Prasetyo, B. (2022). Interfaith Marriage And Its Legal Consequences For Children Born According To Islamic Law. *International Journal of Educational Research & Social Sciences*, *3*(1), 509–517.
10) https://doi.org/10.51601/ijersc.v3i1.303
11) Hidayat, I., Budiono, A. R., Santoso, B., & Sulistyarini, R. (2024). The existence of judge's authority norm in preliminary review as an embodiment of the principle of immediate procedures in civil procedure law. *Naukovij Vìsnik Nacìonal'noï Akademìï Vnutrìšnìh Sprav*, *29*(1), 75–88. https://doi.org/10.56215/naia-herald/1.2024.75
12) Iriawan, A. I., Nurbaiti, S., Permanasari, A., & Jamal, C. B. P. (2025). Legal Counseling on Fast Procedural Law for Business and Investment in the Public Dialogue on the Draft Civil Procedure Law. *AIWADTHU: Jurnal Pengabdian Hukum*, *5*(3), 149. https://doi.org/10.47268/aiwadthu.v5i3.3442

13) Jayadi, H. (2023). Searching for Material Truth in Civil Trials Based on Civil Procedure Law in Indonesia. *International Journal of Law and Politics Studies*, *5*(4), 49–53. https://doi.org/10.32996/ijlps.2023.5.4.6
14) Kusmayanti, H., Afriana, A., & Kania, D. (2025). Implementation Of Dominus Litis Religious Court In Indonesia. *Fiat Justisia: Jurnal Ilmu Hukum*, *19*(3), 237–250. https://doi.org/10.25041/fiatjustisia.v19no3.3958
15) Muda, Z. A., & Gunardi, A. (2024). Niet Ontvankelijke Verklaard as an Obstacle in an Execution Lawsuit: Indonesian Bankruptcy Law Perspective. *AURELIA: Jurnal Penelitian Dan Pengabdian Masyarakat Indonesia*, *4*(1), 1265–1270. https://doi.org/10.57235/aurelia.v4i1.4834
16) Muflichah, S., Subekti, T., & Faradz, H. (2013). EKSEPSI PLURIUM LITIS CONSORTIUM (Studi Terhadap Putusan Pengadilan Tinggi Semarang No. 401/Pdt/2002/PT. Smg jo. Putusan Pengadilan Negeri Purwokerto No.41/Pdt.G/2000/PN.Pwt). *Jurnal Dinamika Hukum*, *8*(2). https://doi.org/10.20884/1.jdh.2008.8.2.48
17) Mu'In, F., Faisal, F., Fikri, A., Asnawi, H. S., & Nawawi, M. A. (2023). THE PRACTICE OF SUBSTITUTE HEIRS IN INDONESIAN RELIGIOUS COURT: Restricted Interpretation. *Al-Ahwal: Jurnal Hukum Keluarga Islam*, *16*(1), 141–157. https://doi.org/10.14421/ahwal.2023.16107
18) Muslimin, J. (2018, January 1). *Law and Culture: 'Urf as a Substance of Islam Nusantara as Reflected in Indonesian Religious Court Decisions*. https://doi.org/10.2991/icclas-17.2018.37
19) Muttaqin, M., Rifa'I, S., Yahya, H., Sakinah, H., & Qamaruddin, Q. (2025). The Dynamics of the Relationship between Islamic Law and Customary Law in Inheritance Disputes in Indonesia. *Insani: Jurnal Pranata Sosial Hukum Islam*, *1*(1), 80–95. https://doi.org/10.65586/insani.v1i1.6
20) Pradikta, H. Y., Faisal, F., Pane, E., & Muafiah, E. (2021). THE PARADIGM OF JUDGE'S THOUGHTS IN THE SETTLEMENT OF ISLAMIC INHERITANCE CASES AND THEIR IMPLICATIONS ON FAMILY LAW RENEWAL IN INDONESIA (Study on Supreme Court Decision Number 721 K/Ag/2015, Supreme Court Decision Number 218 K/Ag/2016, and Supreme Court Decision Number 331/K/AG/2018). *SMART: Journal of Sharia, Traditon, and Modernity*, *1*(2), 161. https://doi.org/10.24042/smart.v1i2.11037
21) Pradikta, H. Y., Mahmudah, S., & Susanto, I. (2023). ANALYSIS OF JUDGES' DECISIONS REGARDING ISLAMIC INHERITANCE CASES AND ITS IMPLICATIONS FOR FAMILY LAW REFORM IN INDONESIA. *SMART: Journal of Sharia, Traditon, and Modernity*, *2*(2), 91. https://doi.org/10.24042/smart.v2i2.14626
22) Purkon, A., Buang, A., & Jamaludin, M. (2022). THE STRENGTHENING OF ISLAMIC LAW COMPILATION AS MATERIAL LAW IN INDONESIAN RELIGIOUS COURT. *DOAJ (DOAJ: Directory of Open Access Journals)*.
23) https://doi.org/10.31943/afkarjournal.v5i3.339
24) Ramadhan, S., & Muslimin, J. (2022). Indonesian Religious Court Decisions on Child Custody Cases: Between Positivism and Progressive Legal Thought. *JURIS (Jurnal Ilmiah Syariah)*, *21*(1), 89. https://doi.org/10.31958/juris.v21i1.5723
25) Simanjuntak, K., Hayani, M., & Hutama Hutabarat, D. T. (2023). Tinjauan Terhadap Tanah Warisan yang Dijadikan Agunan Peminjaman Uang Tanpa Sepengetahuan Ahli Waris (Studi Putusan Pengadilan Negeri Kisaran No.65/Pdt.G/2022/Pn.Kis). *MODELING: Jurnal Program Studi PGMI*, *10*(4), 654–664. https://doi.org/10.69896/modeling.v10i4.2111
26) Sumiarni, M. E., & Chandra, S. (2023). Traditional Sanctions Against the Button Tribe Elopement in the Labuhan Regional Court Judge. *Musamus Law Review*, *5*(2), 121–137. https://doi.org/10.35724/mularev.v5i2.5714
27) Suryantoro, D. D. (2025). The Application of Fiqhiyah Principles in the Settlement of Inheritance Disputes in Indonesia from the Perspective of Islamic Law and National Law. *The Indonesian Journal of Islamic Law and Civil Law*, *6*(2), 204–219. https://doi.org/10.51675/jaksya.v6i2.1108
28) Wahyudi, T. (2020). LEGAL CONSEQUENCES OF AGREEMENT IN ISLAMIC ECONOMIC BUSINESS. *Jurnal Pembaharuan Hukum*, *7*(1), 65. https://doi.org/10.26532/jph.v7i1.11196
29) Yasa, A. (2015). THE DEVELOPMENT OF INDONESIAN ISLAMIC LAW: A Historical Overview. *JOURNAL OF INDONESIAN ISLAM*, *9*(1), 101. https://doi.org/10.15642/jiis.2015.9.1.101-122
30) Уксусова, Е. (2017). Interrelation Between Civil Procedure Law and Material Law: Problems of Theory and Practice (Beginning). *Актуальные Проблемы Российского Права*, *3*. https://doi.org/10.17803/1994-1471.2017.76.3.143-153

There is an Open Access article, distributed under the term of the Creative Commons Attribution – Non Commercial 4.0 International (CC BY-NC 4.0) (https://creativecommons.org/licenses/by-nc/4.0/), which permits remixing, adapting and building upon the work for non-commercial use, provided the original work is properly cited.