

## ABSTRACT

Darmayanti, Sri. 2011, 06210014, Analysis of Islamic Law Compilation (KHI) at Article 209<sup>th</sup> about Wasiat wajibah in juridical Normative Study. Thesis, Faculty of Syari'ah, Department of al-ahwal Assyakhsyiyah, the state islamic university Maulana Malik Ibrahim of Malang. Supervisor, Musleh Herry, S.H.,M.Hum

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Along with the development of age and more advanced civilization of the people of this earth, have made the trail and not a few scratches which affect the various problems that arise and faced by the man himself. A very interesting thing is the existence of Article 209<sup>th</sup> of KHI about wasiat wajibah which is mandatory for fulfilled, because of the rights accrued after the death of a person with an unusual occurrence relations.

The formulation of the problem in this study first is How juridical implications of Article 209 of KHI is? How the side of construction of article 209<sup>th</sup> of KHI about wasiat wajibah is? This study aims to determine and analyze the juridical implications of Article 209<sup>th</sup> of KHI and to find out and the analyze how the general construction of section 209<sup>th</sup> KHI about wasiat wajibah. The type of research used to write this essay is Qualitative Research, The approach in this research is a qualitative approach. The data sources in writing this essay is obtained from literature, libraries, books and manuscripts.

The position of adopted child and adopted parents in the law of inheritance has been stipulated in Article 209<sup>th</sup> of KHI which is soluted with wasiat wajibah, although the adopting of child does not change the status of the child. Giving wasiat wajibah is the middle way that adopted by Ulama in the preparation of KHI, because not a few people in the household who are not blessed with offspring, and eventually they adopt a child. Wasiat wajibah that is already exist in the KHI is not separated from the books of fiqh, al-quran and hadith, because of the Presidential Directive was mentioned that KHI is a guideline that requires development and assessment further.

After finishing the research, we can conclude that the implications of Article 209<sup>th</sup> KHI is after the adoption there will be also a result of laws that have been provided for in article 209<sup>th</sup> about wasiat wajibah. The Construction side of article 209<sup>th</sup> of KHI about Wasiat wajibah is still require the development and the assessment which are refer to the books of fiqh, al-qur'an and hadith.