

IMPLIKASI TIDAK DIAKOMODASINYA HAK WARIS ANAK PEREMPUAN PADA KEPUTUSAN PESAMUHAN AGUNG III MAJELIS UTAMA DESA PAKRAMAN BALI DALAM PENDAFTARAN TANAH SISTEMATIS LENGKAP (STUDI KASUS DI DESA ADAT TAJUN, KABUPATEN BULELENG)

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INTISARI

Tujuan penelitian untuk mengetahui faktor yang melatarbelakangi belum diakomodasinya hak waris anak perempuan pada Keputusan Pesamuhan Agung III MUDP dalam program PTSL di Desa Adat Tajun dan implikasi dari tidak diakomodasinya keputusan tersebut dalam program PTSL di Desa Adat Tajun.

Jenis penelitian yuridis empiris, data didapat dari penelitian lapangan dan dilengkapi penelitian kepustakaan. Data utama didapatkan lewat wawancara dengan responden dan narasumber, yang ditentukan melalui teknik *purposive sampling*. Data sekunder didapatkan dengan studi kepustakaan. Data yang terkumpul kemudian diolah dan dianalisis secara kualitatif.

Hasil penelitian: (1) Belum diakomodasinya hak waris anak perempuan *pradana* dan *ninggal kadaton terbatas* pada Keputusan Pesamuhan Agung III MUDP dalam program PTSL di Desa Adat Tajun dipicu faktor masyarakat masih menganut sistem *purusa* berdasarkan *dresta*, penerimaan hak berkaitan dengan tanggung jawab, belum dilakukan sosialisasi keputusan, faktor terkait substansi keputusan, dan faktor terkait harta warisan berupa tanah. (2) Implikasi tidak diakomodasinya hak waris anak perempuan dalam program PTSL adalah keputusan ini seharusnya berlaku bagi seluruh masyarakat desa adat Bali, tetapi pemberlakuannya belum bersifat mengikat, melainkan bersifat mengatur. Akibatnya sampai saat ini belum menimbulkan konsekuensi dengan tidak diakomodasinya keputusan dalam program PTSL di Desa Adat Tajun.

Kata kunci: Pesamuhan Agung, Hukum Waris Adat, PTSL.

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**IMPLICATION OF NOT ACCOMMODATING DAUGHTER'S
INHERITANCE RIGHTS IN THE DECISION OF THE GREAT
GATHERING III OF THE MAIN ASSEMBLY OF PAKRAMAN
VILLAGE IN COMPLETE SYSTEMATIC LAND REGISTRATION
(CASE STUDY IN TAJUN TRADITIONAL VILLAGE, BULELENG
DISTRICT)**

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ABSTRACT

The objective of this research is to determine factors that cause daughter's inheritance rights to not be accommodated in the Decision of the Great Gathering III MUDP in PTSL program in Tajun Traditional Village and the implication of not accommodating this decision in PTSL program in Tajun Traditional Village.

This is juridical-empirical research, data obtained from field study and library study. The main data was obtained through interviews with respondents and informants, determined by purposive sampling. The secondary data was obtained from literature. The obtained data was analyzed with qualitative analysis.

Research results: (1) The inheritance rights of daughters who have *pradana* and *limited ninggal kadaton* status haven't been accommodated in PTSL program in Tajun Traditional Village triggered by factors such as community still adhering to *purusa* based on *dresta*, acceptance of rights related to responsibility, the decision hasn't yet been socialized, the substance of the decision, and factor related to inherited assets in the form of land. (2) The implication of not accommodating daughter's inheritance rights in the PTSL program is that this decision should apply to all Balinese traditional village communities, but its implementation is not yet binding. As the result, until now there have been no consequences for not accommodating decision in the PTSL program in the Tajun Traditional Village.

Keywords: Great Gathering, Customary Inheritance Law, PTSL.

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