

KEDUDUKAN ANAK ADOPSI DALAM SISTEM PEWARISAN HUKUM ADAT BALI DI DESA MANISTUTU KABUPATEN JEMBRANA

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ABSTRAK

Penelitian ini bertujuan untuk mengetahui kedudukan hak waris anak adopsi dalam sistem pewarisan menurut Hukum Adat Bali di Desa Manistutu, Kabupaten Jembrana, serta akibat hukum dari pengangkatan anak adopsi yang tidak sesuai dengan ketentuan Hukum Adat Bali. Penelitian ini merupakan penelitian hukum empiris dengan pendekatan deskriptif-kualitatif. Teknik pengambilan sampel menggunakan non-probability sampling dengan metode purposive sampling, yaitu memilih informan dan responden berdasarkan relevansi dengan topik penelitian, seperti tokoh adat, perangkat desa, orang tua angkat anak adopsi, dan orang tua kandung anak adopsi. Hasil penelitian menunjukkan bahwa di Desa Manistutu hanya terdapat satu kasus pengangkatan anak adopsi dari Banjar Pendem, yang dilakukan di luar golongan *purusa* dan *pradana* tanpa melalui prosesi upacara adat. Berdasarkan awig-awig Desa Manistutu, anak adopsi dari luar golongan *purusa* dan *pradana* dapat memperoleh hak waris apabila telah melalui prosesi adat serta sah menurut hukum negara. Jika tidak memenuhi ketentuan tersebut, anak adopsi tidak memiliki kedudukan hukum yang sah dalam pewarisan dan tidak berhak atas harta warisan. Oleh karena itu, penting bagi masyarakat untuk memahami serta mematuhi ketentuan hukum adat yang berlaku guna menghindari konflik dalam pewarisan.

Kata kunci: Anak adopsi, Hukum Adat Bali, Pewarisan, *Awig-awig* Desa Manistutu

THE POSITION OF ADOPTED CHILDREN IN THE INHERITANCE SYSTEM OF BALI CUSTOMARY LAW IN MANISTUTU VILLAGE, JEMBRANA REGENCY

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ABSTRACT

This study aims to determine the position of inheritance rights of adopted children in the inheritance system according to Balinese Customary Law in Manistutu Village, Jembrana Regency, as well as the legal consequences of adopting children who are not in accordance with the provisions of Balinese Customary Law. This research is an empirical legal research with a descriptive-qualitative approach. The sampling technique used non-probability sampling with purposive sampling method, namely selecting informants and respondents based on relevance to the research topic, such as traditional leaders, village officials, adoptive parents of adopted children, and biological parents of adopted children. The results showed that in Manistutu Village there was only one case of adopting a child from Banjar Pendem, which was done outside the purusa and pradana groups without going through a traditional ceremony procession. Based on the awig-awig of Manistutu Village, adopted children from outside the purusa and pradana groups can obtain inheritance rights if they have gone through a traditional procession and are legal according to state law. If they do not fulfill these provisions, adopted children do not have a legal position in inheritance and are not entitled to inheritance property. Therefore, it is important for the community to understand and comply with the applicable customary law provisions to avoid conflicts in inheritance.

Keywords: *Adopted child, Balinese Customary Law, Inheritance, Awig-awig of Manistutu Village*