

Pewarisan masa Jawa kuna abad VIII-XV Masehi: kajian kehidupan sosial masyarakat berdasarkan data prasasti = The inheritance of the ancient Java period VIII-XV AD: study social society life based on prasasti data

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Abstrak

ABSTRACT

Seseorang yang meninggal menyebabkan munculnya berbagai permasalahan mengenai kelanjutan hak dan kewajibannya, penyelesaiannya akan diatur dalam hukum waris. Pewarisan sudah berlangsung sejak zaman dahulu seperti pada masa Jawa Kuna. Pewarisan masa Jawa Kuna dapat diketahui berdasarkan prasasti dan kitab-kitab dari masa tersebut seperti kitab agama dan Manawadharmasastra. Beberapa peneliti sudah melakukan penelitian mengenai pewarisan masa Jawa Kuna, tetapi belum pernah dibahas secara mendalam. Penelitian ini membahas mengenai penerapan pewarisan pada masa Jawa Kuna. Pewarisan dalam prasasti dikaitkan dengan kitab agama dan Manawadharmasastra yang menghasilkan penjelasan mengenai penerapan pewarisan masa Jawa Kuna. Pewarisan pada masa tersebut memiliki tiga unsur yaitu pewaris, harta warisan, dan ahli waris. Pewaris dan ahli waris masa Jawa Kuna berdasarkan prasasti tidak membedakan jenis kelamin. Harta warisan yang diteruskan dibagi menjadi dua yaitu harta berwujud yang berupa tanah, kebun, dan sawah, serta harta tidak berwujud berupa takhta, hak-hak istimewa, hutang piutang, dan pajak. Pewarisan pada masa Jawa Kuna menerapkan pewarisan parental seperti masyarakat adat Jawa sekarang ini.

ABSTRACT

People who dies causes the emergence of various problems regarding the continuity of his rights and obligations, the settlement will be regulated in law of inheritance. Inheritance has been going on since long time ago as in ancient Javanese. The inheritance of the Old Javanese can be known by the inscriptions and books of the period such as agama and Manawadharmasastra. Some researchers have done research on ancient Javanese inheritance, but have not been discussed in depth. This research discusses the application of inheritance in the Old Javanese period. Inheritance in the inscription is associated with the agama and Manawadharmasastra books which resulted in an explanation of the application of the ancient Javanese inheritance. Inheritance at that time had three elements: inheritors, inheritance, and heirs. The inheritors and the heirs of Javanese Kuna based on the inscription do not distinguish the sexes. The proceeds of the inheritance are divided into two: tangible property in the form of land, gardens, and fields, and intangibles in the form of thrones, privileges, accounts payable, and taxes. The inheritance of the Old Javanese implements parental inheritance such as the Javanese indigenious people today.