ABSTRAK

Suatu realitas ketika seseorang meninggal dunia terjadi peristiwa hukum yang penting, yaitu penyerahan harta pewaris kepada ahli waris. Belum adanya hukum waris nasional, menjadikan masyarakat banyak menggunakan waris adat dalam pembagian warisan. Kenyataan tersebut dapat dilihat di Desa Purwosari, Kabupaten Wonogiri. Tidak bisa dipungkiri bahwa pembagian warisan bisa menimbulkan sengketa. Hukum adat tidak hanya menjadi sumber utama pembangunan hukum nasional, tetapi juga alternatif penyelesaian sengketa tanah warisan. Penelitian ini dilakukan untuk mengetahui kronologi sengketa tanah dan penyelesaiannya yang terjadi di Desa Purwosari, serta menganalisis eksistensi Hukum Adat untuk penyelesaian sengketa tanah warisan di Desa Purwosari. Metode penelitian yang dipakai dalam penelitian ini adalah *sosio legal,* dengan *deskriptif analitis.* Adapun analisis data dilakukan secara *deskriptif kualitatif* dengan menggunakan data primer serta data sekunder. Berdasarkan hasil penelitian diperoleh kesimpulan: (1) Sengketa tanah warisan di Desa Purwosari dialami oleh ahli waris Almarhum Bapak Wito dan Ibu Mikem, yaitu anak terakhir mempunyai keinginan untuk mendapatkan jatah warisan lebih banyak dibanding kakak-kakaknya; (2) Penyelesaian sengketa tanah warisan dimulai negosiasi para ahli waris diteruskan mediasi melalui Kepala Desa, dengan hasil anak terakhir mendapatkan harta warisan lebih banyak daripada kakak-kakaknya; (3) Hukum Adat masih eksis dipakai untuk menyelesaikan sengketa tanah warisan di Desa Purwosari disebabkan banyak kelebihan.

Kata Kunci: Hukum Adat, Sengketa Tanah Warisan

ABSTRACT

There is a reality when someone die occurs an important legal issue, which is called inheritance process. As long as there is no national rules of inheritance, making people use their customary law to their inheritance process. That reality can be seen in Purwosari Village, Wonogiri Regency. There is no doubt that legacy issue can make conflicts. Customary law is not only as main source to build national law, but also an alternative to settle inheritance conflict. This research is ain to know the chronology and settlement of land-inheritance conflict in Purwosari Village and to analyze the existence of customary law. The research method is *socio-legal* with *analitycal descriptive.* The data was analyzed using *qualitative-analityc* with primary and secondary data. Based on the research, there are some conclusion: 1. Inheritance conflict in Purwosari Village was experienced by the youngest child of Mr. Wito and Mrs. Wikem as their heir who wanted to get much legacy than his brothers; 2. The settlement of conflict was started from negotiation between the heirs and continued to mediation by chief village which results that the youngest child got much inheritance than his brothers; 3. Customary law still exists to settle any inheritance conflict in Purwosari Village because of its many benefits.

Keywords: Customary Law, Land-inheritance Conflict