

# Legal Effects Of Making A Testament On The Inheritance Rights Of Members Of The Society Of Jesus (Pastors) Who Resign According To The Civil Code (Study In The Provincial State Of The Society Of Jesus Semarang)

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## Abstract

*This thesis examines and analyzes the legal consequences of making a testament and the mechanisms for resolving inheritance rights of members of the Society of Jesus (priests) who have made a testament and later resigned, according to the Indonesian Civil Code ( KUHPerdata ). The study was conducted at the Provincial House of the Society of Jesus in Semarang. The research method used is empirical legal research, employing interviews and literature review approaches. The results of the research show that, according to the Indonesian Civil Code, the legal consequence for a former priest who has made a testament and then resigned is that he remains bound by the testament he previously made. The Society of Jesus community or the Aloysius Association retains its position as the testamentary heir of the former priest, based on the legal grounds of Article 954 of the Civil Code. According to Articles 913–914 of the Civil Code, a testament that has not been revoked can affect the portion of inheritance and determine the subject entitled to the inheritance of the former priest. As a result, it may reduce the legitimate share (legitimate share ) of the former priest's family members, including biological children (if married) or biological parents as legataris (recipients of the legitimate portion). For former priests who were leaders of a foundation or institution managed by the Society of Jesus, whose names were used for purposes such as purchasing land under ownership rights, opening bank accounts, or receiving donations, a process of name transfer (re-registration) can be carried out.*

**Keywords:** Legal Consequences; Inheritance Rights; Testament; Civil Code and Resolution.

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## I. NTRODUCTION

In Catholicism , there is some people who are free and conscious No carry out marriage . Some of these people familiar called with priests , brothers , and sisters . They are also called with Members of the Life Order Devotion . Life with give contribution , through work mission on base dedication as well as offering self for service church , this is objective life from Members of the Living Order Devotion . [1]This is realized with to pledge three promise ( vow ) namely promise obedience , poverty , and chastity . Vows are bond holy ( can. 573 § 2). With to say vow purity so the consequences members of the living order devotion in matter this is a pastor, no allowed For Marry in accordance law Church .

Despite law Church forbid members of the living order devotion For No married , but connection rights and obligations moment they Already die stay still set up in accordance with law positive in Indonesia. In matter this is what it becomes base law is the Civil Code ( KUHPerdata ) which is known with the Law of Inheritance. According to Eman Suparman the heir is someone who has can die man and also the woman who left treasure riches in the form of right or obligation , can with letter will or without letter testament .[2] Remember members of the congregation who have die naturally leave treasure mandatory objects and relatives set up based on law positive that applies . This aiming so that prevent existence potential dispute law and in order to obtain certainty law for the parties who have it relationships , or those concerned with members of the order .

Embodiment from implementation law positive about law inheritance members of the living order devotion with making letter testament . Article 875 of the Civil Code arrange that letter will is a deed , its contents about statement from somebody about what is desired or wanted after the person died , letter will This can revoked back by the maker . With existence letter will aiming avoid dispute law about inheritance between expert heirs . heirs is someone who has right For accept diversion right as well as responsibility , good wife , children , parents and also someone who is appointed For accept treasure legacy the .[3] Determination expert inheritance final from members of the congregation are carried out through letter testament .

From several life order group devotion Society of Jesus ( *Societatis Iesu* ) is one of those who regulates right inheritance its members through letter testament . The beginning The Society of Jesus was founded in Rome on September 27, 1540. The founder organization religious This Ignatius Loyola and his friends . The purpose from its stance For distribution teachings christian , sermon in frame to propagate faith with do teaching to children , simple people . Besides that , they also provide confession of sins anywhere based on order from the Pope. Confession of sins or Sacrament Repentance is sacrament reconciliation , where man confess all his sins and mistakes before him Lord past the presence of the Pastor.[4] Entry The Society of Jesus in the Archipelago was brought and spread by Francis Xaverius in 1546 – 1547 in the Maluku Islands . During that era the service area The Society of Jesus almost part large area of the Dutch East Indies . After the mission era Francis Xavier , arrival The Society of Jesus in the Archipelago occurred in the 17th century to the 19th, namely the Dutch East Indies era . Until beginning start independence until day This service and distribution mission The Society of Jesus is concentrated on the island of Java such as Semarang, Yogyakarta, Surakarta, Semarang, Malang, and Jakarta, as well as part is in West Kalimantan , South Kalimantan, and Papua. On June 6 , 1913, the Indonesian Society of Jesus formed Aloysius Society ( *De Vereniging Aloijsius* ) in Bandung, when that is also a group This to obtain legal recognition , announced with through *Staatsblad van Nederlandsch -Indie* No. 398.

In frame avoid conflict law and obtain certainty law , before to pledge vow end member The Society of Jesus does relinquishment ( *renuntiatio* ). Release has 2 meanings , namely comprehensive which means release on all over treasure property and rights that are real owned somebody as well as all rights know action due to with treasure that can fall to him . Other properties that is absolute which means the person who makes release keep away from himself all hope , that treasure the That Once will obtained return.[5]The release was made member The Society of Jesus is obligatory accompanied by with letter official about release of the contents give information rejection inheritance as well as to Who treasure the legacy that is owned inherited , if allow contract Can done with parents or other persons concerned in a way agreement written , this set up in Article 72 §1 §2 and the Complementary Norms Society of Jesus.[6]

In journey works and assignments become a priest, members were also found Society of Jesus (Pastor) who resigned self from his work and duties as a Pator at a time go out from member Society of Jesus. Members Society of Jesus (Pastor) who resigned self the own potential cause existence conflict law , if the priest Already make letter information release treasure objects and rights belong to , in matter This Already to pronounce vow end . In Article 205 of the Constitution The Society of Jesus and Complementary Norms mention that the Imam (Pastor) and Brother If Already do vow public despite No lively or called with the Co-auditors “ formatus ” more difficult Again For issued or to resign self from member Society of Jesus.[7 ]After get out and be race layman , of course this former pastor faced with with need economy as befits humans in general , one of them in matter treasure objects and rights owned by . According to Abraham H Maslow there are 5 basics draft need

Humans are one of them need assurance in his life , in matter This assurance in a way material . [8]The existence of letter information release made during to be a pastor will cause clash interest between organization The Society of Jesus and former priests or ex- its members This if No completed based on applicable law. Good party organization The Society of Jesus and ex- its members potential experience uncertainty law.

## II. RESEARCH METHODS

Study law that is carried out This use study law empirical or socio legal research . Key from study This is influence knowledge social on discipline law .[9]Study law empirical own objective invite the researcher so that No only review about problem normative law ( *law as written in books* ) , but own characteristic technical with operationalize regulation applicable law . Perspective study This leading awareness that law the fact from perspective knowledge social more from just legal and technical norms its operation, however concerning symptoms social and behavioral man in Community life .[10] Study law This put Civil Code as discipline knowledge law and consequences law making *testament* to rights inheritance member Society of Jesus (Pastor) who resigned self as incident law or symptom social events that occur in public.

## III. RESULTS AND DISCUSSION

On the concept law national , law inheritance regulated in Chapter V of the Civil Code about law inheritance . property inheritance has the meaning of treasure from the legacy of parents who have passed away passed away, to abandoned children as successor or expert inheritance . Therefore that , Article 830 of the Civil Code confirm that a inheritance only can happen If There is death a heir . Inheritance has 3 conditions among others:

- 1) The existence of death somebody ;
- 2) The existence of someone who is left behind , who wants to get from someone who has dead ;
- 3) The existence of a number of treasure riches from the legacy of people who have dead ( heir ).

Recipient inheritance have right in matter control riches heir ( boedel ) based on his rights as recipient inheritance from a heir , this set up in Article 834 of the Civil Code . Claims the similar with claim ownership others , which means that right That Can retained by the heirs to anyone or expert inheritance others , who have same claim .<sup>11</sup>

In Catholicism , there is a group of people who are free and conscious No carry out marriage . This group of people often known with the terms Pastor or Father, Brother , and Sister . Based on Article 573 of the Code of Canon Law , they merged in A a group called the Living Order Devotion with to pronounce vow or bond holy , namely advice – advice gospel purity , poverty , and obedience .<sup>12</sup> Through vow purity and vows poverty , which demands they For life celibate or No carry out marriage , at the same time demand they For No own treasure object in a way personal , then members of the living order devotion inherit with deed will or *testament* For arrange about right inheritance after they passed away. One of the living orders devotion that regulates right his heir through *testament* that is Society of Jesus.

Understanding expert inheritance according to Article 832 of the Civil Code interpreted as member family who still bound connection blood in a way valid and also No valid , and husband or living wife the oldest , which has right accept transfer or diversion treasure wealth from someone who has died . Here condition become an heir or condition the occurrence a inheritance :[13]

1) Heirs based on what is determined by law ( *ab intestato* )

Somebody or individuals who have right to obtain inheritance on base terms and conditions Regulation Applicable and related laws and regulations . Legal basis set up in Article 832 of the Civil Code , the definition expert the designated heir Constitution is family that has connection blood in a way valid , good husband and also wife who is still there is a bond marriage moment died . If there is family blood relative , husband or wife No There is then the country has right accept transfer from treasure or inherited assets heir and obligor pay off debt heir through treasure existing relics .

If the husband and also wife die first , then husband and also abandoned wife Marry or carry out marriage Again for the second , then the result husband and also wife as well as children from marriage second No may to obtain inheritance more from children who become expert inheritance , in other words not allowed get  $\frac{1}{4}$  of the property riches from heir . Article 852 letter b of the Civil Code arrange If husband or wife who is still life want to carry out distribution inheritance by a party who is not including descendants , children , or party from marriage previous so husband or wife the authorized on all over and also part furniture or goods House the ladder owned on his power .[14]

Following distribution group expert inheritance according to Civil Code ;

Article in Civil Code	Eligible Subjects Get Inheritance
Category I (Article 852 letter a)	a. Children or his descendants b. Husband / wife who already die
Group II (Articles 854 – 855)	a. Father & Mother, number part $\frac{1}{4}$ part b. You siblings & descendants
Category III (Article 853 and Article 858 paragraph (1))	a. Grandparents b. Mother is obliged accept part from Grandma , Dad is obliged accept part from Grandpa
Category IV (Article 858 paragraph (2), Articles 864 – 866)	a. Member The side line family , as well as relatives others , until with degrees sixth b. maternal aunt and father, and his descendants .

2) Heirs based on those determined in testament ( *Testamentair* )

About letter will set up in Article 875 of the Civil Code that is a expression desire after his death from a individual , where poured into a deed . Therefore matter the party who obtains it treasure inheritance Because deed will called expert heirs determined by letter testament . Here terms and conditions in accept heritage , including :

- a) Heir Already died ;
- b) Heir have treasure riches or abandoned assets ;
- c) Must login in expert inheritance and people or designated party on base will Heir For accept inheritance ;
- d) People or the parties mentioned in point C above not the one who has stated by the Decision Court as a person who does not worthy accept inheritance .

Following criteria for people who don't worthy in accept inheritance based on Article 912 of the Civil Code , among others:

- a) If it has been punished by a judge's decision due to case murder the heir ;
- b) If blamed consequence slander heir , then threatened five (5) year sentence and also more ;
- c) If proven darken , damage , or do forgery on letter will from heir the .[15]

Article 931 of the Civil Code arrange about letter a will that only can made deed holographic or in other words written hand , then through deed general , good in a way deed confidential and also deed closed .[16] Based on base law said , then There are 3 ( three ) types form will among others;<sup>17</sup>

## a) Will Olographic

Article 932 of the Civil Code arrange provision among others:

1. Must written as well as signed Heir ;
2. Must stored on a person The notary concerned .

About matter the must made A the deed referred to as deed storage ( *depot act* ). In connection with matter this is what must be done sign hand in deed This among others:

1. Maker letter will or the testament Alone ;
2. Notary Public storage letter will ;
3. If the letter testament to the circumstances closed or enter to in cover , deed the must made on top paper alone , then on top the contents of the sarong letter will must affixed notes explaining that letter will and notes the must given sign his hands .

Act Can written below letter will That yourself , if the Will in condition open . All action This must implemented in front of Notary and witnesses . If heir after do sign hand on letter will No Can come For sign hand deed will , then Notary Public must stated in the deed will Article 933 of the Civil Code arrange about proof letter will holographic .

Article 934 of the Civil Code arrange that Notary Public play a role in matter withdrawal return a determination , which was previously Can implemented with request Again letter will said . In the event this is responsibility a Notary Public must make a deed . The existence of return the own consequence law namely letter will holographic That must considered Already revoked. Every letter will holographic closed submitted to the Notary moment after heir died , mandatory reported to the Treasure Hall Legacy , then For action or implementation letter will closed implemented on basis of Article 942 of the Civil Code .

b) Will General ( *Openbaar testament* )

Article 939 of the Civil Code arrange in matter making letter will closed , namely :

1. Making must in front of Notary and 2 (two) witnesses ;
2. Notary Public must write desire or will the heir in the form of words clear , based on what is said heir ;
3. If there are delivery a problem However without presence witnesses , meanwhile script Already prepared Notary Public so the heir must convey Again desire or his will in accordance What being in front witnesses before script the read in front of heir ;
4. Afterwards letter will must read out Notary Public with witnesses who were present . After read , Notary must ask the heir about truth Contents will whether Already covers his will , if Already Correct letter will signed heirs , witnesses , as well Notary Public ;
5. If the heir No can present so because from No presence the must mentioned in letter will ;
6. Wills must mention that all existing provisions Already implemented or fulfilled .

In *openbaar testament* there is some people who don't allowed For become witness to the making will This namely :

1. Heir legatee
2. Family blood relatives as well as family from marriage until with degrees sixth
3. Descendants from family said , until with degrees sixth
4. Employee contributing notary to the manufacturing process will the .

Objective from existence restrictions witness that is so that Contents will the No known by experts inheritance . Article 966 of the Civil Code arrange regarding the testator who has to grant a goods belongs to someone else then can cancel grant will that , this applicable For conscious error and also No realized .

c) Will Secret ( *geheim testament* )

Article 940 of the Civil Code arrange about will confidential as following :

1. Must written by the testator himself or other people for heir that , at the same time signed by the testator Alone ;
2. Paper containing writing or cover containing description will from heir must closed as well as sealed ;
3. Paper and also cover That must handed over Notary , and attended four witnesses , at the same time heir must explain paper That the contents the will that has been He write alone , if written by someone else on his name , and affixed sign hand himself Alone ;
4. Information by a Notary must written on the deed mentioned deed addressing or acta superscriptite . Then deed the must written on paper or cover part above , where the contents sign hand from heirs , witnesses , and notary .

The Society of Jesus organizes right inheritance its members (Pastors) through a deed will or *testament* . Making of testament by members This Society of Jesus aiming as embodiment appreciation vow or promise more poverty plenary . Poverty Vow based on Article 158 of the Complementary Norms Constitution The Society of Jesus is defined that in The Society of Jesus must maintained method far away life from all influence greed . poverty this is also a disclosure total member trust union in God and service without selfless towards others .[18 ]Act will made This as one of the condition For to pronounce vow end . final vow own meaning of a promise or pledge by members The Society of Jesus as form has accepted become core and permanent members . They sued have independence inner For dedicate self to Society of Jesus.

*Testament* member The Society of Jesus was created in form deed authentic . Based on Article 1868 of the Civil Code mention that a deed authentic is deed made in the form that has been determined Constitution by or in front of official general authority For it's in place deed the made . Article 1 number 1 of UUJN regulates that Notary Public is official general which has authority For make deed authentic and have authority other as meant in this law or other laws . Authentic writings , which were made in the form that has been determined by law, created in front of official general ( employee) general ) given authority and place Where deed the made . In the reality there is a writing made No with objective as tool evidence , but can used as tool evidence . If the thing like This happen to have mark proof must done or supported with tool other evidence.[19]

Form from *testament* member The Society of Jesus , namely Will General ( *Openbaar testament* ). The Testament made in front of Notary Public as official authorized public and in the presence of 2 (two) witnesses . Notary the Then write with clear desire the parties present . Making *testament* This must made in front of Notary Public in form deed authentic so that deed will This applicable in a way general and recognized by applicable state law . So that a moment can used as tool valid evidence in front of Court .[20] After made , deed will this is also a must registered to Ministry of Law and Human Rights Humans , so that moment want to execute deed will the can done checking whether There is will previously or No .[21]

Civil Code distinguish 2 types about Contents testament . This is determined based on will from testator namely :

- 1) Will appointment inheritance ( *inheritance* ).

According to opinion from Subekti method for somebody get inheritance with appointment in letter will or *testament* . Subekti call it with expert inheritance *testamentary* .[22] Will the is a will somebody before died , because of That will new Can applicable when the person has passed away. Through story telling so a person designated in a will his position like expert inheritance ab- intestato

.<sup>23</sup> Contents of appointment inheritance is will ( *erfslling* ), desire This own connection about treasure legacy , because expert heirs and recipients will have position The same .

Recipient testament to the appointment inheritance the called *summary erfgenaam* namely Where he equated . This is has a real meaning the recipient testament ( expert) inheritance because will ) and expert inheritance his position The same based on law . Consequences the law that is they get all rights and obligations from heir who dies ( *onder general title* ) [24]. Rights the that is right *saisine* that is right For continue from heir to expert inheritance , also applies from testator to recipient testament , right *heredity petition* It means right demand treasure legacy heir use given to him , and treasure legacy testator use given to him .[25]

Despite own equal position in between expert inheritance *ab- intestato* with recipient will *erfsterlingng* , will but they own difference about expert inheritance substitute , if expert inheritance *the erfsterling* know expert inheritance replacement temporary expert inheritance *ab- intestato* No to know . In matter treasure boedel , if expert inheritance *ab- intestato* Can enjoy treasure boedel , meanwhile expert inheritance *the erfsterling* No Can Because he only Can enjoy things that are appropriate loaded in deed will *evildoer* .

## 2) Will grant ( *grant* )

Article 957 of the Civil Code define grant will is A determination in a way special , where heir to one person or more give goods his from a type certain , for example goods move and also No move or give right use results on all and also part treasure his legacy . Based on description the so elements grant will among others:

- a) Determination in a way special
- b) Give One and also a number of a object certain
- c) All object from a type certain
- d) Good in the form of rights that result Can collected .

Grant testament ( *lefaat* ) can also be defined that is determination about will special namely heir give treasure his heir from type certain to somebody and also more .[26]

Legate is designation for the person who receives grant testament . Position between legitimacy and recipient will appointment inheritance different . Location the difference is in position legitimacy Where He is recipient right special as arranged in Article 957 of the Civil Code . [27]Special rights interpreted as right Where stated with special For objective reception a grant will . If the right special This No there is , automatic grant will will lost . Legal basis about right special There is in Article 958 of the Civil Code which regulates that each grant a humble testament as well as No own conditions , provide right For those who are granted the will since day die the testator , use do demands donated property his will so Which rights decrease at once expert inheritance and also replacement his rights . Position from recipient relief or *legaataris* No including in expert inheritance *testament ( testament) testamenter* ) because He No own right in matter replace heir However entitled in matter do bill to expert inheritance so that carry out grant testament .[28]

Contents of deed will or *testament* member This Society of Jesus including in will appointment inheritance ( *heritage* ) . Contents of deed will or *testament* made by members The Society of Jesus as one of the condition to pronounce vow end including :[29]

- a) Statement revocation about letter wills and testaments others who have strength as letter will , which has been made previously ;

b) Lift expert inheritance the only one who has the right on all over treasure inheritance namely the Order of the Society of Jesus or Association Aloysius who is based in Semarang;

c) If Because one thing and another For reception inheritance for the interests of the Society of Jesus are not can given , then lift expert The sole heir , namely the Pastor or Provincial Father of the Order of the Society of Jesus, is based in Semarang as Executor Will especially rights and powers holding , managing , and controlling all over treasure inheritance according to provision Constitution . Based on opinion Jazim Hamidi said impact law or consequence law have meaning impact or consequence law in a way direct , strong , or explicit .[30] In literature knowledge law There is three type consequence law , including :

- a) Consequence law based on birth , change , or disappearance A condition law certain ;
- b) Consequence law based on birth , change , or disappearance A connection law certain ;
- c) Consequence law based on sanctions , which are not wanted subject law , also called act oppose law .

When the Pastor who had to pronounce vow end to rewind self from The Society of Jesus will cause gap problem law . This Because He has make release or a testament in the form of Act Authenticity created by or in the presence of Notary, as regulated in Article 1 number 7 UUJN. Deed Will or *testament* This will Keep going tie the former pastor in matter right inheritance , as long as No There is making will new contents cancel deed the will that ever made previously , according to provisions of Article 992 of the Civil Code .

Based on information from Mr. Jonny as legal staff from Society of Jesus, Pastor who wants to resign self so far This No look after cancellation deed will or the previous *testament* Once made by him .[31] *Testament* that has not been canceled This Of course result law in matter right inheritance for former pastor in life next , because The Society of Jesus in matter This The Aloysius Society is still entitled become expert inheritance *testament* from the former pastor based on *testament* that ever made . After becoming a layman , the former priest Of course faced with with the world of family as befits society in general . Well choice For continue life without wedding with return to parents and siblings his/her siblings , and choice For do wedding with own wife and children .[32]

If the former pastor Then Marry in matter This have wife and descendants , then in determine subject right inheritance applicable Article 852 letter (a) of the Civil Code , namely those who have the right to obtain inheritance Group I:

- a. Children or his descendants
- b. Husband and wife from the heir who has die

If the former pastor Then No married and not own child or descendants until He died , then in determine subject right inheritance Article 854 – 857 of the Civil Code applies , namely those who are entitled to obtain inheritance Group II:

- a. Father & Mother, with amount  $\frac{1}{4}$  part
- b. You siblings & their descendants .

Contents of deed will or *testament* that ever made by ex member The Society of Jesus (Pastor) who does not canceled in a way law will influence distribution right inheritance . This Because Contents *testament* the mention that the Order of the Society of Jesus or The Aloysius Society as expert inheritance the only one who has the right on all over treasure inheritance from the former pastor . In law The Society of Jesus and Association Aloysius Still own right inherit from treasure inheritance the former pastor. It could also be interpreted as the Society of Jesus or Association Aloysius Still become *legitimacy* or recipient grant will from former pastor based on *testament* that ever made it . This will bring adverse impact for former pastor and his family involved in life next , because

ownership and rights inheritance in a way law Still bound with The Society of Jesus remembers Contents from *testament* that has not been canceled the .

For ex- member The Society of Jesus which once work as leaders of foundations or institutions managed by unions , often found his name used For needs making bank account , purchase Land Ownership Rights, Receipt grant or donation Good in form land or building . If until moment to resign self No There is management come back Name and also cancellation *testament* This will harm party The Society of Jesus because in a way law a *assets* the Still on Name the former Pastor concerned , then automatic the former priest in question Still hold right ownership in a way law For utilise .

In law inheritance civil there is element coercion like arrangement about right absolute (legitime portie ) to expert inheritance certain on a number of certain from treasure inheritance or provisions that prohibit heir has make determination like to grant part certain from treasure his legacy , then recipient grant have obligation For return the property that has been granted to him in treasure inheritance use fulfil part absolute (legitime portie ) expert heirs who have right absolute said , with paying attention to Article 1086 of the Civil Code , regarding mandatory grants inbeng ( income ).<sup>33</sup> According to opinion Subekti , part absolute ( legitime portie ) is part legacy that has been set become rights of experts inheritance in a straight line and not can written off by the person who left inheritance .<sup>34</sup>

The size part absolute ( legitime portie ) counted with the ways that have been set up in Article 921 of the Civil Code as following :[35]

- 1) Counting all grants that have been given by the testator during his life , including grants given to one of them or experts inheritance absolute or legitimate ;
- 2) Amount the added with assets existing heritage ;
- 3) Then , deduct the debts of the heir ;
- 4) From the results addition and subtraction above , then counted the magnitude part absolute ( legitime portie ) from expert inheritance absolute or legitimacy demands its part .

Absolute part This must given to the heirs in a straight line . Talk about straight lines , then there is a straight line to above and there is a straight line down.

The size part absolute or legitimate portie obtained the is the true amount accepted expert inheritance absolute or the legitimate party concerned . Article 914 of the Civil Code arrange about part absolute ( legitime portie ) for experts inheritance in a straight line down , as following :

1. If only There is a ( legitimate ) children only , then part That is 1/2 of part That If He inherit without testament ( ab intestato ).
2. If there are 2 children part That by 2/3 each according to law inheritance without testament.
3. If there are 3 children or more so part it's 3/4 of each part according to law inheritance without testament.

If the heir lift a expert inheritance with will For all over treasure his legacy , then There is legitimacy that is not demand part absolutely, then part legitimacy that is not demand the still become part expert designated heir according to will said . [36]In the inheritance with letter will or expert inheritance testamentair , legitime portie or part absolute used For minimize consequence from deed will or a deviant testament . Therefore That based on base Law Article 913 of the Civil Code guaranteed with legitime portie or part absolute.

Act will or *testament* that is not canceled by ex member The Society of Jesus (pastors) resulted in violate part absolute or legitimate portie on rights his heir This is . because one of them Contents *testament* That namely lift community The Society of Jesus or The Aloysius Society as expert inheritance the only one to all treasure the legacy that has been owned , or want to owned by

the priest maker *testament* As a result , will reduce parts inheritance from family the former pastor Good child his/her sibling If married , or parent his/her sibling as legitimacy or recipient from the legitime portie. The size part absolute or legitime portie No can abolished, including reduced by a *testament* or deed testament.

#### IV. CONCLUSION

Consequence law right inheritance member The Society of Jesus (Pastors) who have make *testament* and resign self according to Civil Code that is the former pastor Still bound with *testament* that ever made , where community or the Society of Jesus or The Aloysius Society is still domiciled become expert inheritance *testament* from the former priest concerned , according to base Article 954 of the Civil Code . *Testaments* that are not canceled This can influence parts magnitude inheritance in determine subject right inheritance the former pastor . After No become pastor, then a former pastor returns to family Good those are parents and siblings womb Where as regulated in Article 854 – 855 of the Civil Code as expert inheritance Group II, and if the former pastor Marry so There is wife and children his/her sibling as expert inheritance Class II, as regulated in Article 852 letter a of the Civil Code , which will also become expert inheritance *in the interest* after the former priest die . *Testament* that does not canceled this also has consequences violate part absolute or legitime portie on expert inheritance from the former pastor in accordance base law Article 913 and Article 914 of the Civil Code , because Contents *testament* that lifts community The Society of Jesus or The Aloysius Society as expert inheritance the only one . As a result will reduce parts absolute from family the former pastor Good child his/her sibling If married , or parent his/her sibling as legitimacy or recipient from legitime portie.

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