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The Role of Notaries in Ending Pluralism in Making Inheritance Statements for All Indonesian Citizens

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Abstract: At this time, there are 3 (three) forms and also 3 (three) institutions that can make evidence as an heir that is adjusted to the class or ethnicity of the population or Indonesian citizens, namely Notary. The classification of the population based on race and the laws that apply to each population group is a legacy of the Dutch colonial government in Indonesia. Until now is still considered a sacred rule that no one, even the state, can change. In fact, in the context of legal reform and building a dignified nation, such rules must be immediately abolished and left behind because it is no longer compatible with our independent nation. Notaries have a role in ending pluralism in making the inheritance statement based on the authority of a Notary in Article 15 of the Notary Position Act (UUJN) in the form of a Notary deed made before a Notary at the request of the parties so that there will be legal unification in the making of Inheritance Statements for all Indonesian Citizens.

Keywords: *Unification of Law, Information on Inheritance Rights, Notary.*

1. Introduction

If we read the history of the origins of the Indonesian nation, we will find various kinds of ethnic groups in Indonesia (Adjie, 2021). Indonesia is not inhabited and built by one ethnic group only, but all ethnic groups in Indonesia have contributed to the journey of the Indonesian nation (Beaumount, 2018). Even further than that, before colonialism came (Portuguese and Dutch and Japanese), the people who existed at that time were not segmented or separated based on ethnicity or class. They lived side by side and did not question where they came from (Bel, 2011). The separation of the Indonesian population based on ethnicity and class emerged after the Dutch colonial colonizers gripped Indonesia. And at that time (Indonesia) was not an area that did not have laws; what was called "Adat" was the applicable law. In it, there is a law and also regulates the behaviour of the community. Thus, Adat is not merely a law but just a law (Fitzpatrick & Compton, 2021). But in subsequent developments, it is better known as customary law, which has a narrower meaning than just custom (Gautama, 1972).

In practice, Notaries pay attention to the implementation of the three classifications of the population in making documents or evidence as heirs, such as jokes, for example, by paying attention to their physical appearance, their skin is white or black, their eyes are slanted or *"belo"*, their name has the smell of a particular ethnicity, like tracing a lineage. Paying attention to the physical like that can mislead the notary if it turns out that those who appear are not purely from a particular ethnicity but are ethnic mixtures through marriage (Geelen, Tosun & van Rossum, 2020).

President Susilo Bambang Yudhoyono, in a speech, while attending the 2556 Chinese New Year celebration at Balai Sudirman, Jakarta, February 15, 2005, emphasized that an independent Indonesia only recognizes two types of population classification, namely Indonesian Citizens (WNI) and Foreign Citizens (WNA). The president also stressed that every citizen of the nation must eliminate the wrong perception inherited from the colonial era. The perception regarding the classification of

the population is divided into 3 (three) groups, namely European/Chinese, Foreign Easterners and Indigenous (Bumiputera). In another part of his speech, the president also emphasized that in the reform era, the government had revoked various regulations that were considered to have discriminatory values, for example, by eliminating the mention of the terms indigenous and non-indigenous, or indigenous citizens and descendants (Dupret, Bouhya, Lindbekk & Yakin, 2019). The president's elimination of such discrimination is referred to as the Equality Policy.

Although efforts have been made to eliminate various regulations that contain discriminatory values, there are still acts of discrimination and pluralism based on the three population groups, namely in the preparation of documents or proof of inheritance (Hadikusuma, 2003).

For European, Chinese/Chinese, Foreign Eastern groups (except Arabs who are Muslim), their proof as heirs are based on a Certificate of Inheritance (SKW) made by a Notary, in the form of a Certificate. So far, foreign Easterners (not Chinese/Chinese) prove their proof as heirs are based on the SKW made by Balai Harta Peninggalan (BHP). Indigenous people (Bumiputera), so far their defence as heirs are based on an SKW which is made under the hand, stamped, by the heirs themselves and is known or justified by the village's leader according to the last place of residence of the heir (Hendriatiningsih, 2009).

The classification of the population and the laws that apply to each group is based on Articles 131 IS, and 163 IS inherited from the Dutch East Indies Colonial Government (Judiasih, Rubiati, Salim & Safira, 2020). The existence of population classifications and the laws that apply to each population group is the Legal Politics of the colonial government to monitor the population in their colonies and the Politics of Fooling for residents in the Dutch East Indies at that time (Kaban & Sitepu, 2017).

With ethnic mixing through marriage, it is challenging to trace whether those belonging to these three groups are of European, Chinese/Chinese, Eastern Foreign and Indigenous blood (Kirana, Nurjaya & Suryokumoro, 2019). Following the times, such a classification must have been abandoned as desired by all Indonesian people (Lev, 1965). As a real example in the Nanggroe Aceh Darussalam area, there are residents with blonde hair, blue or brown eyes, white skin (like Europeans), but they speak Acehnese; based on research, it turns out that they are descendants of Portuguese soldiers who had stopped by the area (Mahy, 2020). Even though they are different from other Acehnese, they still say Acehnese (original). This is just one example; in other areas, there are many other examples. With such a reality, it is no longer appropriate if we still adhere to the classification of the population like that (Vanderlinden, 2019).

In 2004, Law Number 20 of 2004 concerning the position of a Notary (UUJN) juncto was promulgated, which in Article 15 regulates the authority of a Notary. Based on Article 15 of the UUJN in paragraph (1) and Article 58 paragraph (2) of the UUJN, it can be concluded that the authority of a Notary can make a party deed (deed of parties) made before a Notary and a relaas deed made by a Notary. And the conditions for the two types of deeds have been determined based on Article 38 of the UUJN.

With the authority that is in the notary, then all Indonesian people, if they want to make evidence as an heir, it can be done with a Notary Deed, in the form of a Deed of Parties, this is following the notary's authority to make an Authentic Deed desired by the

interested parties.

As evidence as an heir, a notary can make a deed of statement as heir or an act or word of inheritance in the type of party deed, without leaving the provisions or substances that have existed, such as statement or statement of death of the testator, report of the marriage of the heir, whether or not there is there are adopted children, the number of biological children of the testator, there is no marriage agreement, and there is or is no will from the competent authority (Meliala, 2020).

The settlement, as mentioned above, it has ended or eliminated discrimination and pluralism in making evidence as heirs (Fitzpatrick & Compton, 2021). This is also following the aims and objectives of the making of UUJN, which is a unification of arrangements for Notaries who, in carrying out their duties, can provide legal protection and certainty (Mirshekari & Ghasemi, 2019).

Whereas from the other side, if the notary can take the actions described above, it has shown that the notary has carried out civilizational reforms to adapt to the times characterized by democratic nuances and respect and uphold human rights (Nisa, Darmawan & Adli, 2019).

We believe and believe that all Notaries in Indonesia have at least a Bachelor of Law (SH) education, that one of the goals of the school or educated people is to free ourselves (our nation) from fear, ignorance and prejudice (Oraby & Sullivan, 2020). With such capabilities, let us participate in liberating our country from such discrimination (Rumadan, 2021). If we Notaries still maintain the classification of the population as the basis for making evidence as heirs in the form of SKW, we have not freed ourselves from fear, ignorance and prejudice.

2. Result and Discussion

Authority of Notary and Deed of Statement as Heirs instead of Certificate of Inheritance (SKW)

Authority is a legal action regulated and given to a specific position based on the laws and regulations or the rule of law. Thus, every authority has its limits, as stated in the laws and rules that govern it (Vora, 2019). Notary as a position (ambt) has specific authority as stated in the Law on Notary Positions (UUJN). The source of a Notary is currently regulated in Article 15 of the UUJN.

The authority of a Notary to do an authentic deed as referred to in Article 15 paragraph (1) of the UUJN above, namely regarding all acts, agreements and provisions required by laws and regulations and desired by the interested parties or parties/appearers, can only be stated in the deed. It was made before a notary or deed of parties and actions made by a notary or deed of relaas (Article 58 paragraph (2) UUJN).

The existence of the explicit inclusion of the authority of the notary has gathered all the powers of the notary in carrying out his duties in 1 (one) law, as stated in Article 15 of the UUJN. It has also provided clear limits on what matters are the notary's authority in carrying out their duties. Thus, there is no other authority that appears suddenly without being regulated in statutory regulation (Beaumont, 2018). Whereas

Article 15 of the UUJN and its elucidation does not explicitly state whether, after the enactment of the UUJN, still notaries have the authority to make SKW?. Or can the notary's power to make SKW be based on Article 15 paragraph (3) UUJN?. In this case, there are 2 (two) things that need to be studied, namely: 1) Regarding the legal basis (authority) of a Notary to make an SKW; 2) Regarding the traditional form of SKW.

Regarding the legal basis or granting authority to a Notary to make an SKW, it is necessary to pay attention to the opinion of Tan Thong Kie, that in 1913 in the Netherlands, de Wet op de Grootboeken der Nationals Schuld was issued which is the National Book of Accounts applicable in the Netherlands (Grosso, 2019). The book with the principle of concordance was enforced in the Dutch colonies, including Indonesia. In Article 14, paragraph (1) of the book, it is stated that the heirs of a person who has a right registered in the national debt ledger must prove their rights with an Inheritance Certificate after the death of the testator is proven (Kurchiyan & Kubal, 2018). Then Article 14, paragraph (2) number 3, states that a Notary makes the Declaration of Inheritance. The Declaration of Inheritance must be issued in its original form. With such a basis then in the practice of Notaries in Indonesia, Notaries have the authority to make SKW.

Whereas de Wet op de Grootboeken der Nationale Schuld does not regulate the authority of Notaries to make SKW, it means that de Wet op de Grootboeken der Nationale Schuld is not a law (Wet) that governs the jurisdiction of Notaries explicitly to make SKW (Geelen, Tosun & van Rossum, 2020). Even though with such a legal basis, making SKW "as if" has become the authority of a Notary, even Notaries who came later immediately believed and believed that Notaries had the power to make SKW. Of course, the Notaries who came later were imitating (plagiarizing) or plagiarizing from their seniors, and lecturers at the Notary Education Program taught it like that, so naturally, later Notaries followed suit (Backhouse, 2017).

GHS. Lumban Tobing, in the elaboration and explanation of Article 1 of the PJN, does not mention that a Notary has the authority to make an SKW. Still, a Notary has the power to do an authentic deed with the requirements stated in Article 1868 of the Civil Code (John, Gulati & Koehler, 2020). If studied further, since August 17, 1945, which was the beginning of the independent state of Indonesia, Notaries residing in Indonesia, which at that time (mostly) were still held by Dutch people, Notaries no longer have the authority to make SKW.

As described above, de Wet op de Grootboeken der Rationale Schuld is the legal basis that a Notary can make an SKW enforced in Indonesia based on the Concordance Principle (Walters, 2020). This principle would still apply if Indonesia were still a Dutch colony; since Indonesia became independent on August 17, 1945, an independent Indonesia is no longer bound by this principle.

Whereas there is Article II of the Transitional Rules of the 1945 Constitution, which enforces all state bodies and the existing regulations are still in effect as long as a new one has not been enacted according to the 1945 Constitution, it does not apply to *de Wet op de Grootboeken der Nationale Schuld.*

De Wet op de Grootboeken der Nationale Schud did not apply immediately because it was never stated in the form of a Reglement or Ordonantie was also not included in the State Gazette (Staatsblaad) at that time (Oraby & Sullivan, 2020). We

know that the Reglement or Ordonantie is a form of legislation promulgated by the Government of the Netherlands Indies and applies as Positive Law in its colonies, in this case by the Governor-General of the Netherlands Indies (Dutch East Indies) in Indonesia. As the most accessible evidence to find, we can see from the Association of Legislations of the Republic of Indonesia, compiled according to the Engelbrecht System. In this collection, we will not find *de Wet op de Grootboeken der Nationale Schud* as legislation that has been enforced in Indonesia by the Dutch East Indies Government at that time given the form of Reglement or Ordonantie.

This was different from the Notary Position Regulations (PJN), which came from *De Wet op het Notarisambt in Nederland or Notariswet*, which was in effect in the Netherlands at that time. For the Notariswet to be valid in Indonesia, it is then officially emphasized in the form of a Reglement, namely *Reglement op het Notarisambt* in Nederlands Indie (StbL 1860 No, 3). *Whereas De Wet op het Notarisambt* in Nederland immediately applies based on Article II of the Transitional Rules of the 1945 Constitution because it already has a particular formality, namely becoming *Reglement op het Notarisambt in Nederlands Indie (StbL 1860 No. 3).*

Thus, it can be concluded that the legal basis or the authority of an Indonesian Notary since August 17, 1945, to make an SKW no longer exists. Also, if studied further, it is not found that there are laws and regulations for products of an independent Indonesian state that regulate the authority of a Notary to make SKW.

In connection with this conclusion, it can be used to explain Tan Thong Kie's opinion that *de Wet op de Grootboeken der Nationale Schud* does not apply in Indonesia. These regulations do not bind notaries in Indonesia. The making of an inheritance statement by a Notary in Indonesia does not have a basis in Indonesian law. As described above, one of the powers of a Notary is to do an authentic deed only in 2 (two) types, and Article 38 of the UUJN has regulated the Form and Nature of an original stunt.

Based on Article 38 of the UUJN, it will be proven that if there is still a Notary who will make an SKW by imitating the existing forms or formalities, this is no longer following the provisions of Article 38 of the UUJN. This means that if there is still a Notary who will make the SKW while still copying or taking samples of the existing SKW, the SKW does not meet the terms and conditions regarding the Form and Nature of the Deed as regulated in Article 38 of the UUJN.

The provisions of Article 15, Article 38 of the UUJN are very much following Article 1868 of the Civil Code, that the deed will be valued as an authentic deed if it meets the following requirements: 1) The deed must be made by (door) or before (ten overstaan) a public official; 2) The deed must be done in the form determined by law; and 3) Public officials by - or in the presence of whom the deed was done, must have the authority to do the deed (Borofsky, 2020).

Thus, since the enactment of the UUJN, there is no longer the authority of a Notary to make an SKW in the form of a "Certificate Letter" or to make other letters other than the 2 (two) types of deeds that are under the authority of the notary. Or, in other words, the source of a Notary beyond what is stated in Article 15 paragraph (1) is only what is stated in Article 15 paragraph (2) of the UUJN. If the authority of a notary is to be added, it must be in the form of law because the power of a notary is currently regulated in the form of a law, namely UUJN. Therefore, if after the enactment of the UUJN, there are still Notaries who make

SKW by imitating the form of SKW that had been carried out before the promulgation of the UUJN, then the notary's actions are *Bid'ah* or made up and, of course, not following the UUJN or misguided or misleading.

If so, what should be done by a Notary to meet the community's needs in proving as an heir? Following the authority possessed by a Notary, namely to do an authentic deed with the frame of Article 15 paragraph (1), Article 38 and Article 58 paragraph (2) of the UUJN and Article 1868 of the Civil Code, namely by making a Deed of Information as Heirs in the form of a Deed of Parties. Why does it have to be in the type of party deed? Because: 1) Notaries only write statements of the will or wishes of the parties, so that the composition of the heirs is made with an authentic deed; 2) There is no need for government intervention to prove the composition as heirs, this is a citizen's right; 3) There is no accountability from the government if there is a deviation in the arrangement of heirs, but this is solely the responsibility of the person concerned; and 4) Respect the personal rights of every citizen, that only the person concerned knows who his heirs are.

Even though it is in the form of a certificate of statement as heirs, it still needs to be described in the premise regarding the death of the testator based on existing documents, proof of marriage, birth certificates of children, statement of whether or not there is a marriage agreement, a notice of having adopted children or not, and also information whether or not there is a will.

That the deed of statement as heirs is for specific groups or layers of society and Indonesian citizens, regardless of ethnicity/race/ethnicity and religion, with the increasing number of ethnic mixing through marriage, nowadays it is rather challenging to determine which class a person belongs to and which law must obey. In this case, the notary must be at the forefront of legal reform, eliminating barriers to differences related to proving as heirs.

So that if all Notaries take action based on their authority in making a deed of Declaration as Heirs, then: 1) Notaries have a role in stopping legal pluralism, especially in proving as heirs or to create legal unification is proving as heirs; 2) Restore the soul or spirit of the notary following the will of the UUJN; 3) Helping the community to obtain proof as heirs with a clear legal basis; 4) Teach the public, to be honest, especially the documents and information related to the heirs that are shown to the notary.

We know that this UUJN has been fought for such a long time, with the intent and purpose that Indonesian Notaries be regulated based on laws that are following the current situation of Notaries. This is following the contents of the Elucidation of the UUJN that the UUJN was made in the context of comprehensive reform and re-arrangement in one law that regulates the position of a Notary so that a legal unification can be created that applies to all residents throughout the territory of the Republic of Indonesia.

The Role of Notaries to Eliminate Discrimination in Making Evidence as Heirs

To eliminate and eliminate informal discrimination forms and officials/institutions that make proof of heir for Indonesian Citizens and Residents, the notary can act as the only party (official/institution) to make evidence as to the heir. As a Notary who lives in an independent country, the notary must actively participate in implementing the values of independence in real action. Notaries must be ready to become agents of renewal and

the only official authorized to make proof of heirs in the form of a (formal) party deed for all citizens of the Republic of Indonesia, regardless of class/ethnicity/ethnicity or religion.

Thus, the notary must position himself as an official who is present to serve the community's interests. Notaries are not good stewards if it turns out that we still carry the colonial vision and mission, namely still wanting to make, maintain and take discriminatory legal actions, especially in making proof of heirs. Therefore, let Notaries position themselves as Notaries to be good public servants, one way that we must do is let Notaries implement the notary's authority as Officials who are authorized to make proof of heir for all Indonesian people, not based on ethnicity and any group in the traditional form of a party deed.

The legal basis that a Notary can be the only official/institution authorized to make proof of heir for all Indonesian people, not based on ethnicity and class, any religion, namely based on the authority of a Notary as referred to in Article 15 paragraph (1) of the Position Law Notary (UUJN), namely doing a deed. With the presence of the UUJN at this time, it is the only law that regulates Indonesian Notaries, which means that there has been a legal unification in Notary regulation. So that the UUJN can be called the closing (setting) of the past world of Indonesian Notaries and the opening (location) of the future world of Indonesian Notaries. Now only UUJN is the "rule of law" for the world of Indonesian Notaries.

In the General Explanation of the UUJN, it is emphasized that the laws and regulations governing Notaries are no longer following the development and legal needs of the Indonesian people. Therefore, it is necessary to carry out a comprehensive reform and re-arrangement in one law that regulates the position of a notary to create a legal unification that applies to all residents throughout the territory of the Republic of Indonesia. To realize the legal unification in the notarial field, a Law on Notary Positions was formed.

Notary as a position, any position in this country has its authority. The place must have legal rules as a limit so that the situation can run well and not collide with other functions' management. Every command must have a legal basis. If we talk about leadership, then the authority of any office must be clear and firm in the laws and regulations governing the official or position. So if an official commits an act outside his jurisdiction, it is called an act of violating his authority. Therefore, management does not just appear due to a discussion or discussion behind the desk or discussions or opinions in the legislature. Still, power must be stated clearly in the relevant legislation. Therefore, State Administrative Officers may take other legal action or independence to act for State Administrative Officials if the authority is not expressly stated in the laws and regulations governing a position. Such actions in Administrative Law are called pouvoir discretionnaire or freis ermessen. If the *pouvoir discretionary or freis ermessen* is blamed for being used by a State Administrative Officer, then the action is an abuse of power or *onrechtmatigeoverheidsdaad or ultra vires*. And freis ermessen has its limits in the principles or general rules of good governance and will have legal consequences if parties feel aggrieved by the decision of the State Administrative Officer.

UUJN as a legal unification of Notary settings, the authority of a Notary has been unified, namely the power of a Notary is only listed in Article 15 of the UUJN. With the

enactment of the UUJN as a legal unification in the regulation of Notaries in Indonesia *(ius constitutum)*, then only UUJN applies, including the authority of the notary as referred to in Article 15 paragraphs (1) and (2). At the same time, Article 15 paragraph (3) will apply and refer to the laws and regulations that will apply later *(ius constituendum).* Thus, if the notary commits an act outside his authority, the notary has committed an unlawful act or acted outside his jurisdiction. If the notary has done so, then the product or legal action of the notary is not legally binding *(nonexecutable)*, and parties or those who feel aggrieved by legal action. A notary outside the authority, the notary, can be sued civilly in the district court.

I sifted through the Certificate of Inheritance (SKW), which Notaries have made based on custom that has no legal basis at all, using the size as stated in Article 38 of the UUJN SKW does not meet the requirements to be called a Notary deed. But only in the form of a Notary statement based on the evidence presented to the notary. In fact, according to Tan Thong Kie, the making of SKW by Notaries does not have any underlying statutory regulations.

SKW is only an underhand letter made by a Notary whose proof value is not perfect. The deal is the same as other documents (for administrative purposes of a Notary's office), usually issued by a Notary, such as Certificate of Apprenticeship, Cover note. Therefore, if a Notary gives such a letter (SKW) that seems to have the power of proof, such as a deed, it is beyond the notary's authority. A notary deed, of course, has value perfect guarantee when compared to a letter.

The notary, as the only official/institution who has the right to take evidence as to the heir, is very appropriate to be made with a party deed, as a statement or statement of the parties' will to state the rights and composition of the heirs with a notary deed in the form of a party deed if this can also be done directly to return the authentic act made by the notary, namely the original deed and the relaas deed, so that there is no other genuine type other than the two.

The Certificate of Inheritance has perfect evidence in terms of proof because it was made before a powerful official (Notary). Still, the Certificate of Inheritance (SKW) does not have excellent evidentiary power, even though a Notary did not make it, because it meets the requirements as a deed and does not Notary authority. The Deed of Information as Heirs, if it turns out that the contents are not accurate, is the responsibility of the parties who appear before the notary. There is no need to involve a Notary, and if it is to be corrected, the Deed of Information as Heirs must previously be revoked by those who made it and then a new deed according to the fact that was made what the parties wanted. Meanwhile, if the SKW is not correct, then the SKW can't be made by himself, and already there must be a party applying for a Notary that is made so that the SKW is cancelled, so maybe a Notary and an SKW that he has made himself? If this happens, where is the responsibility of the notary? So if the notary does not want to delete it, the revocation must be filed against the notary. And the notary can be compensated. So that the lawsuit against the notary is not in vain (illusoir), then a confiscation can be placed on the notary's property (private property). Suppose the property (private property) of the notary is confiscated and auctioned to claim the compensation so that the notary has nothing left. In that case, this is what the Notary Bankruptcy means by UUJN.

Whereas the Deed of Information as Heirs is the will *(wilsvorming)* of the parties to prove themselves as heirs, because it is stated before a Notary, they were then following the authority of a Notary as stated in the Law on Notary Positions (Article 15 paragraph (1) UUJN), obliged to formulate it in the form of a notarial deed. Thus, the notary does not/do not copy the parties' statements, but they will (wilsvorming) of the parties themselves, which is formulated in the form of Deed of Declaration of Heirs.

The notary has no will *(wilsvorming)* to do a deed for another person, and the notary will not do any deed if there is no request or will from the parties, and the notary is not a party the act. Thus the notary will never make a Deed of Inheritance if there is no request or will from the parties.

Our country has been independent for more than 60 years, and physical colonialism from other nations is no longer. However, the spirit and soul to continue the values and vision of colonialism is ongoing today, namely still applying different provisions in making evidence as heirs. In contrast, Article 27 paragraph (1) and 28 D paragraph (1) of the 1945 Constitution have determined that all Indonesian citizens have equal rights before the law. Also, Article 26 of the 1945 Constitution determines that Indonesia only recognizes Indonesian citizens (Indonesian Citizens) and Foreign Citizens (WNA). Besides that, the position of a Notary in Indonesia can be carried or held by anyone from any ethnicity/tribe, and the important thing is that they are Indonesian citizens and meet the requirements to be appointed and serve as a Notary. But even so, there is almost no awareness to end the discrimination as mentioned above.

It should be understood that Notaries must immediately try to stop the paradigm that Indonesian law is drafted and made for the interests of certain (Indonesian) ethnicities/groups/ethnic groups. Even among Notaries (both individually and as an organization), it seems that there is no effort to eliminate discrimination in making their evidence, and it appears as if Notaries are still in a condition that must be distinguished before the law.

Based on the authority that exists in the notary, it is time to be one step ahead in anticipating the progress of the times and carrying out renewal. If the Notaries can do this, it will be a contribution of Notaries to participate in building Legal Unification, at least as the only institution with the right to make formal evidence as heirs in the form of a party deed for all levels of Indonesian society.

Besides that, the position of a Notary in Indonesia can be carried or held by anyone from any ethnicity, religion, which is essential that they are Indonesian citizens and meet the requirements to be appointed and serve as a Notary. Participating and trying to eliminate discrimination in making proof of heirs in the form of a formal Deed of Declaration of Heirs for all Indonesian Citizens and Indonesian Residents is one of the efforts to build the world of Indonesian Notaries.

An Indonesian Notary as a Notary who uses the symbol of the Republic of Indonesia, namely the Garuda Bird, should be moved with his heart and mind to participate in building this nation and state, at least eliminating discrimination in making evidence as an heir, following the authority that exists in the notary, namely to make a deed of statement as heirs at the request of the person concerned or the parties.

3. Conclusion

This study shows that the notaries are the only ones authorized to make a statement of inheritance rights in the form of an authentic deed for all Indonesian residents/citizens without distinction of ethnicity/ethnicity, religion, and class. With the authority that exists in the Notary in Article 15 paragraph (1) of the UUJN, the notary, at the request of the parties (heirs), can make evidence as heirs for the parties (heirs) in the form of Deed of Statement of Heirs, because the notary's authority is making a deed, not making a letter. The Notary is in a position to exercise part of the state's authority in the field of Civil Law, especially in making certificates of evidence desired by the parties based on the applicable laws and regulations, has a critical role in ending discrimination and pluralism in making an inheritance statement for all Indonesian citizens, namely in the form of a party deed (partij) according to the authority of a Notary as referred to in Article 15 paragraph (1) of the UUJN.

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