



UDC 34; DOI 10.18551/rjoas.2023-09.18

RE-CONCEPTION OF COMPREHENSIVE AND SYSTEMATIC LAND REGISTRATION TO BRING ABOUT LEGAL CERTAINTY FOR LAND RIGHTS

Wibowo Taufik Suroso, Fadli M., Manzilati Asfi, Tarno Hagus
Postgraduate Program, University of Brawijaya, Malang, Indonesia
*E-mail: taufiksurosowibowo@gmail.com

ABSTRACT

Policies governing land registration have developed over time, and the government has taken recurrent measures to arrive at the best but simple and effective model. In 2018, the government launched a Comprehensive and Systematic Land Registration Program, implemented by 2025. This program was aimed at those holding no certificates to guarantee legal certainty and land rights. This research aims to initiate a re-conception of land rights law from the perspective of *maslahat* (benefits). With empirical-juridical methods and statutory and conceptual approaches, this research reveals that the implementation of this Comprehensive and Systematic Land Registration Program carries some shortcomings in terms of payable land tax (income tax and Land and Building Title Acquisition Fee), human resources, facilities and infrastructure, *absentee* land, maximum excess and abandoned land, physical and juridical data announcement, the implementation of party's awareness principle of *kontradiktur delimitasi* (witnessing every process of land measurement by all parties) and right-proving. This re-conception program is aimed at covering existing weaknesses by synchronizing laws, conducting simpler and more integrated stages of implementation, excellent human resources management, and improvement of supervisory management and supervision. The Ministerial Regulation concerned needs to be reviewed to be considered in higher laws to ensure solutions to escalating land registration problems.

KEY WORDS

Re-conception, model, PTSL, legal certainty, Maslahat principle.

Land possesses strategic values if seen from economic, ecological, social, political, legal, or cultural perspectives, and these perspectives have always been closely related to the life of human beings to date. Every person needs to own land to support his ever-increasing basic needs. Departing from this reality, the state needs to always be present and act justly to fulfill these needs for people's well-being (Rachbini and Mattalata, 2018).

Article 33 Paragraph (3) of the 1945 Constitution of the Republic of Indonesia (henceforth referred to as the 1945 Constitution) states "*The land and the waters as well as the natural riches therein are to be controlled by the state to be exploited to the greatest benefit of the people.*" It carries the sense of *public-good* under the control of the state for the greatest well-being of all people. Control over land in this context highlights the authority that gives rise to the responsibility of the state, in which the control over land should be for the sake of the welfare of the people (Noor, 2006).

The main objective of the state's right to control is principally intended for the greatest well-being of the people within the context of the nation, welfare, the freedom of the people, and the state of law as referred to in Article 2 Paragraph (3) of Law Number 5 of 1960 concerning Basic Agrarian Law. The definition of the concept of meaning and substance of the state's right to control land is considered important to control the authority to regulate, administer, manage, and supervise to help avert ambivalence and unfair conduct (Erwiningsih, 2009).

The *Nawacita* program initiated by President Joko Widodo is expected to expedite agrarian reform (Wuryandani, et.al, 2015; Widodo and Kalla, 2014). This program is under the authority of the President concerned to deal with land-related issues in Indonesia. The public has been complaining about the sluggish process of land certificate issuance (Hasanah, 2022), and businesses have been facing issues in their business operation due to



poor capital, marketing, and management. The acceleration of the Comprehensive and Systematic Land Registration Program (henceforth referred to as PTSL) is expected to expedite the process of land registration for businesses. This has been the concern of the Agrarian and Spatial Planning/National Land Agency Minister (henceforth referred to as ATR/BPN Minister), considering that businesses contribute to the local economy and job opportunities.

The PTSL for the first time took place concurrently, facilitating all unregistered objects in villages. The legalization program for rights to land aims at bringing about legal certainty (Fadli and Hadi, 2023) and minimizing the likelihood of agrarian conflict (Sumardjono, 2009). The PTSL is an innovative product of the government under the Agrarian and Spatial Planning/National State Agency Ministry (henceforth referred to as ATR/BPN Ministry) to facilitate the fulfillment of basic needs, including clothing, housing, and food. This program is highlighted in the Regulation of the ATR/BPN Minister and Presidential Instruction Number 2 of 2018 concerning the Acceleration of PTSL in all areas of the Republic of Indonesia. Furthermore, it is also regulated by Government Regulation Number 24 of 1997 concerning Land Registration (henceforth referred to as Government Regulation 24/1997). This indicates that the government shows consistency in systematic land registration that adheres to work plans that take place simultaneously. This program is expected to expedite the agrarian reform and to allow for legal measures that can take place in the announcement of physical and juridical data to ensure that the committee can provide evidence of land ownership in the PTSL process (Wahid, 2008).

The PTSL—land certification—indicates the responsibility of the government to guarantee protection and legal certainty for land ownership or land rights holders. The land certificate issue may be used as the basis of the capital to start businesses for people's well-being. The government guarantees the right to land owned by the members of the public to ensure legal certainty and protection of land rights appropriately, efficiently, safely, justly, evenly, and transparently (Apriani, 2021).

This systematic land registration program was initiated by the government based on periodical long-term work plans in regions as assigned by the Agrarian Minister/Head of the National Land Agency. This program serves as access to data on land parcels needed for sporadic registration. Proper land administration must be performed as part of land policy regulating comprehensive land data that needs to be recorded to avert any likelihood of land-related problems. When this is the case, land registration is intended to process a certificate to be issued as proof of land ownership (Ardani, 2019).

Land serves as an instrument that unites the state; its nature remains in its growth, and it needs to be cultivated and properly regulated at a national level (Nurahmani and Rismansyah, 2020). In Indonesia, land has often sparked conflicts or disputes among people across regimes since the beginning of the independence of Indonesia (Tampubolon, et al., 2020), and some disputes remain unresolved. According to the Consortium of Agrarian Reform (KPA), there were 659 agrarian conflict cases in 2018. This figure decreased to 410 cases. In total from 2015-2018, under the ruling of Jokowi-JK, there had been about 1,769 agrarian conflict cases (as in the 2021 record of the consortium). There are 207 cases in 32 provinces across 507 areas, affecting 198,895 family heads and 500,062 hectares of land in dispute (Koeswahyono and Maharani, 2022). This figure is considered relatively high after the Covid-19 pandemic.

On the other hand, the ATR/BPN Ministry recorded that of 126 million parcels of land, only 72 of them (29,688,781 hectares) have certificates. Fifty-four million parcels of land are without certificates, while out of this figure; six thousand parcels are in dispute (Rudianto and Heriyanto, 2022). Land disputes have been around since Dutch colonialism. Land disputes often involve individuals, but these growing issues may also extend to disputes between people and governments or authorities. Land grabbing in the past involved companies across countries (Konsorsium Pembaruan Agraria, 2014).

Therefore, there should be a commitment initiated by the government to profoundly get into the legal politics of PTSL that is more pro-people. Finding the source of the conflict and ending it must be done. This paper comprehensively and profoundly delves into the aspect of



the law-making process, legal products, and law implementation regarding PTSL seen from the lens of legal certainty and the principle of benefits to discover the law development model as an alternative paradigm in the time to come (*Ius constituendum*).

METHODS OF RESEARCH

This research employs a socio-legal method and incorporates approaches in the purview of social science, including public administrative science, economics, politics, and other sciences and legal sciences, including principles, doctrines, and several statutes relevant to this PTSL program. This research also employs a statutory approach and conceptual approach, where the former looks into the regulation regarding the PTSL program and the latter understands the proportional concept of land registration administration and other concepts within agrarian scope. Furthermore, primary, secondary, and tertiary data were analyzed using qualitative-judicial methods, dealing more with the implementation of the Regulation of ATR/BPN Minister Number 6/2018 and Presidential Instruction Number 2/2018. This approach is intended to scale legal certainty through the lens of the benefit aspect of the control over the rights to land through the PTSL program.

RESULTS AND DISCUSSION

The Face of the Implementation of PTSL Program Completion in Indonesia. PTSL is one of the National Strategic Programs initiated by the Government of the Republic of Indonesia, delegated by the ATR/BPR Ministry in charge of spatial planning and land-related matters. With the design model of land registration acceleration in Indonesia, the government projects all land parcels in Indonesia to be registered by 2025. This projection is divided into some years of the targeted number of registered parcels: five million parcels in 2017, 7 million parcels in 2018, 9 million parcels in 2019, and 10 million parcels in each of the following years to the year 2025. This program is to increase the number of registered parcels targeted each year from about 500,000 registered land parcels in Indonesia, meaning that it will take about 160 years to get all the parcels registered (Mujiburohman, 2018).

This PTSL program certainly offers many benefits from environmental, social, economic, and cultural aspects and legal certainty. One of the models involves the collection of physical and juridical data covering one or more objects to be registered. Land registration should be performed appropriately and continuously to collect, manage, restore, and present certain data on parcels within a particular area for certain purposes (Daliyo, et.al, 2001).

The definition of land registration is also elaborated in the Government Regulation 24/1997 as a series of programs continuously and regularly carried out by the government requiring the collection, management, bookkeeping, presentation, and maintenance of both physical and juridical data in the form of a map and a list bearing the information on land, tenement units, along with the statement of right proof for land parcels that carry the rights of ownership of a tenement unit and other certain rights. Land registration, according to Article 19 Paragraph (1) of Basic Agrarian Law, is further regulated in Government Regulation Number 24/1997 regarding the format of land registration for *rechtscadaster* (land registration) to guarantee legal certainty and legal protection for those holding land rights with a land book and a land certificate consisting of the copy of the land book and measurement record as proof of ownership of land (Hutagalung, 2005).

Some implementations of the program performed by the government in land registration includes the PTSL taking place in Jakarta. Only 1,228 parcels have been registered out of 2,816 targeted parcels of land (Nanggar, 2023a). The number of land parcels that have been registered or mapped in the administrative town of West Jakarta accounts for 431,567 parcels or 99.56 percent, while in the administrative town of North Jakarta, there are 332,555 parcels or 99.98 percent. In terms of electronic data preparedness, the administrative towns of West Jakarta and North Jakarta have met 92.02 percent and 98.5 percent respectively (Indonesia Parlemen, 2023; Nanggar, 2023b).



The implementation of the PTSL in Surabaya City involves village chiefs across all areas in Surabaya. Their involvement is deemed to give a solution to the action taken. In 2017, only 14 sub-districts engaged in the program, while 59 sub-districts did not. In 2018 this number rose to 28 sub-districts, and in 2019 73 sub-districts participated in the program. Of the targeted number of land parcel registrations in the sub-district of Sememi from 2017-2020, there were 7,914 targeted land parcels, but only 5,535 were registered (Cahyadi and Nawangsari, 2022).

The measures taken in these national strategies are mapped to build the data of new land parcels and ensure that the quality of the land parcels remains stable for more accurate and comprehensive registered land. Due to this condition, the PTSL program has gained much attention from the President, who responded by issuing a Presidential Instruction of the Republic of Indonesia Number 2 of 2018 concerning the Acceleration of Comprehensive and Systematic Land Registration in Indonesia, considering that land registration serves as an essential basis in land management.

Land registration should guarantee certainty and safety for land rights holders. Generally, land is defined as the surface or the crust of the earth composed of minerals and other organic matter. Moreover, Article 4 Paragraph (1) of Basic Agrarian Law mentions “on the basis of the authority of the state to control as referred to in Article 2, rights on the surface of the earth as land are set, and this object can be owned by a person, jointly with other persons or juridical persons” (Permadi, 2016). That is, juridically, the land is defined as the surface of the earth to which the right of a person or a juridical person can attach, while the land rights can be owned by a person in a partial portion of the earth marked with borders and the dimension of length and width (Sarkawi, 2014).

Notwithstanding the provisions and policies set out by the Basic Agrarian Law along with the regulations regarding land, land registration has been problematic, while this registration should hold evidentiary power in terms of how land is acquired and transferred, and how land rights are attached to a person or revoked from a person. The follow-up as mandated in Articles 19, 23, 32, and 38 of Basic Agrarian Law is marked with the enactment of Government Regulation Number 24/1997. The State regulates the ownership, controls the use of land within the sovereignty of Indonesia, and abides by the provisions of Basic Agrarian Law. Considering the initial objectives of Basic Agrarian Law, we can conclude that this regulation is intended to serve as a tool to reach the goal of this state as mandated by the Preamble of the 1945 Constitution – to advance general prosperity and develop the nation’s intellectual life (Sumardjono, 2008).

Land rights that carry legal connection are defined more in Article 4, implying that land rights delegate both the authority and obligation to its holder. To ensure legal certainty for all the land rights, on one hand, the Basic Agrarian law requires the government to run the land registration program across Indonesia. On the other hand, Basic Agrarian law also requires right holders to get their rights registered (Daliyo and Sidharta, 2001).

Basic Agrarian Law and Government Regulation Number 24/1997 were aimed by the government to guarantee legal certainty for all land rights holders in Indonesia. The land registration program involves first-time registration and land registration data maintenance, where the former is performed systematically and sporadically. Systematic registration is performed based on work plans and takes place in areas assigned by the Agrarian Minister, while sporadic registration only takes place upon the request of the parties concerned (Arba, 2018).

Government Regulation Number 18 of 2021 concerning the Rights to Land Management, Land, Tenement Unit, and Land Registration in Article 1 point (4) defines land rights as those acquired under the legal connection between right holders and the land, including the space above and under land, tenement units, including legal documents as proof of land ownership, space above and under land to which rights are attached and the right of ownership of tenement units along with particular rights carried.

Williem Egbert van der Muur, a land tenure specialist from the World Bank argues that PTSL is oriented to social and environmental risk analysis with a safeguard approach that is intended to control risks that may arise (Waskito and Arnoeo, 2019). That is, the objects in



PTSL are in the form of land parcels without any rights attached to them, land as an asset of the government, land of State-Owned Enterprises, land of Regional-Owned Enterprises, land under the ownership of the State, land of *adat* people, forest areas, land as land reform object, transmigration land, and other types of land parcels (Syuib and Aulia, 2021). Therefore, objects included in PTSL are wider and cover all rights on land until registration.

Re-Conception of PTSL Model to Bring About Legal Certainty for Land Rights. The Constitution is the supreme law of the land and provides a guarantee for people as stipulated in Article 33 Paragraph (3) of the 1945 Constitution, mandating the state to regulate and ensure fair utilization of earth, water, and all the resources therein for the greatest welfare of the people in Indonesia. Article 33 Paragraph (3) carried essential meaning and gave great hope for the citizens of Indonesia post-colonialism, and delegated regulation of this Article, Basic Agrarian Law, was needed. This regulation serves as the standard provision of National Land Law as the basis and principle for the law to allow for proper ownership of and control over land for a person or juridical person to fulfill their needs, for business, or development, including housing development.

The Government Regulation Number 12 of 2021 concerning the Amendment to Government Regulation Number 14 of 2016 concerning Housing and Residential Areas of Article 1 point 3 states that residential areas are part of the areas outside of protection forest, including urban and rural areas, functioning as residential areas for people to run their activities, to live a life, and to start livelihood. Residential areas give space for people to live in or to conduct activities. However, lots of land for residence remains unregistered for freehold titles, and this tendency will not guarantee any welfare for people.

Land rights have to be varied in their nature, rendering them usable within the purview of land law and a juridical aspect (Aditya, 2020). Control over land rights represents human behavior corresponding to the economic aspect. Appropriate land information will allow for the proper function of all four types of land management, including land tenure, land value, land use, and land development (Yamin and Lubis, 2004).

Guaranteeing legal certainty in land-related matters must involve comprehensive and consistent written legal instruments and effective land registration since these written instruments will allow the parties concerned to access information before they control and use land, how it is acquired, and they will also figure out the rights, obligations, and what is forbidden in controlling land with certain rights, what sanctions that may be faced when certain rules are violated, and other matters related to control over and use of land under one's ownership (Harsono, 2008).

The PTSL program administered by the ATR/BPN Minister is aimed at expediting land registration and fostering complete mapping of an area. The certification program performed by the National Land Agency has been sporadic and is not linked to the acceleration of land registration and inventory of control over, ownership, use, and utilization of land within agrarian reform, leaving only a few parcels having been legalized compared to the number of parcels across Indonesia (Masduki, 2016).

The PTSL is one of the priority programs of Agrarian Reform by legalizing assets intended to minimize land conflict, disputes, and unfair practices by the Mafia due to ownership without clear registration. This program is expected to initiate considerable transformation to guarantee legal certainty in the control over and ownership of great numbers of land parcels and it is also expected to accommodate those not happy with the announcement of physical and juridical data in the proving of land ownership by the committee concerned through the stages of administrative mechanism and claims (Ardani, 2019). This land certification program is intended to boost economic development stemming from sale and purchase, tenure, and mortgage rights provision, thereby giving a contribution to their business needs (Samudra, 2017).

Land registration in the PTSL program is required to guarantee protection and legal certainty. Law cannot be enforced unless legal certainty, benefits, and justice are fulfilled. However, these three aspects should not be emphasized only on one condition, considering that fostering balance between the three is never easy. Legal certainty within a normative scope represents rules made and stipulated since they should clearly and logically regulate



the matters concerned (Suadi, et al., 2016). Legal certainty has been the source of hope for legal subjects to find out what is (not) allowed by law. As a consequence, proper norm settings in the legislation are needed for further appropriate implementation in society. Legal certainty is not absolute in reaching the goals of the law, but it is rather to provide recommendations that depend on certain conditions that take into account the principles of benefits and efficiency (Kirnasari, et.al, 2021).

Guaranteeing legal certainty should at least take into account the following elements: a). clear-cut and consistent rules; b) consistent implementation of law by the government, compliance with the law; c). appropriate people's behavior towards the law concerned; d). independent judges, impartiality in the consistent implementation of the law and thorough handling of legal disputes; e) concrete execution following the court's decision. Legal protection for land right holders, on the other hand, requires all these three aspects to be fulfilled: (1) the certificate has been issued for five years or more (2) the certificate issuance is based on good faith, (3) the land is physically under the ownership of a right holder or one's authority (Mujiburohman, 2018). Control over land carries two meanings—physical and juridical, meaning that the juridical aspect is based on the rights protected by law and it gives authority to the right holders to physically hold control over the land to which the rights are attached; in this case, the land owners gain benefits from the land with the rights attached without transferring this object to another party (Santoso, 2005).

Land registration not only protects the owner of the land concerned but also helps the owner to be informed about the parcel he/she is entitled to, who owns it, what rights are entitled to it, the width of the area, how the land is used, and many more. The legal certainty covered involves the certainty of the status of the rights registered, the certainty of the subject of the rights, and the certainty of the object of the rights. This registration results in the issuance of a certificate as proof of the rights concerned (Dalimunthe, 2000). PTSL program is intended to give legal certainty to land rights holders or other related parties (Santoso, 2010). The legal certainty of land ownership must be proven with the issuance of a certificate, considering that this certificate holds evidentiary power. Nevertheless, the norm stipulated in Article 19 Paragraph (2) of Government Regulation Number 24/1997 concerning Land Registration has not fully guaranteed legal certainty and protection for land rights holders simply because Indonesia has adhered to negative *stelsel* or system with positive tendency. That is, all information recorded in a land book and certificate of land rights serve as powerful proof proving the truth of the status of the land until it is proven otherwise (Sutedi, 2012). In other words, all stated in the certificate are absolute and true unless other proof exists to defend against what is outlined in the certificate (Bur and Apriani, 2017).

Article 19 Paragraph (1) of Basic Agrarian Law implies that the government has ensured legal certainty and legal protection for all people all over Indonesia to control over and be entitled to all the rights to land under the procedure of land registration. Systematic land registration is the priority over sporadic one, recalling that it helps quickly obtain the required data of the parcels registered (Sumarja, 2010). Land registration is performed according to simplicity, safety, affordability, openness, and up-to-date principles, as in line with the provision of Article 2 of Government Regulation Number 24 of 1997 (Sangsun, 2008). Land registration as mandated under Article 3 of Government Regulation Number 24/1997 is to avert any likelihood of double certificates, while this likelihood often results from the conventional process of land measurement and registration, thereby leaving the certificates outdated and unsystematic. Departing from this issue, the government has recommended online registration to ensure that all physical and juridical data on land can be regularly controlled and updated. This idea is congruent with the idea of Industrial Revolution 4.0 in which all databases concerned are digitized.

The technical guidelines of Comprehensive and Systematic Land Registration Number 1/Juknis-100.HK.02.01/I/2022 dated 26 January 2022 indicate that the PTSL program covers three stages: 1) planning; 2) determining location; 3) preparation; 4) appointment of adjudicatory committee for PTSL and Task Force; 5) workshops; 6) physical and juridical data collection; 7) juridical data research to prove the rights; 8) announcement of physical and juridical data and validation; 9) conversion assertion, recognition of rights and rights



granting; 10) rights bookkeeping; 11) certificate issuance; 12) documentation and submission of outcomes; and 13) reporting.

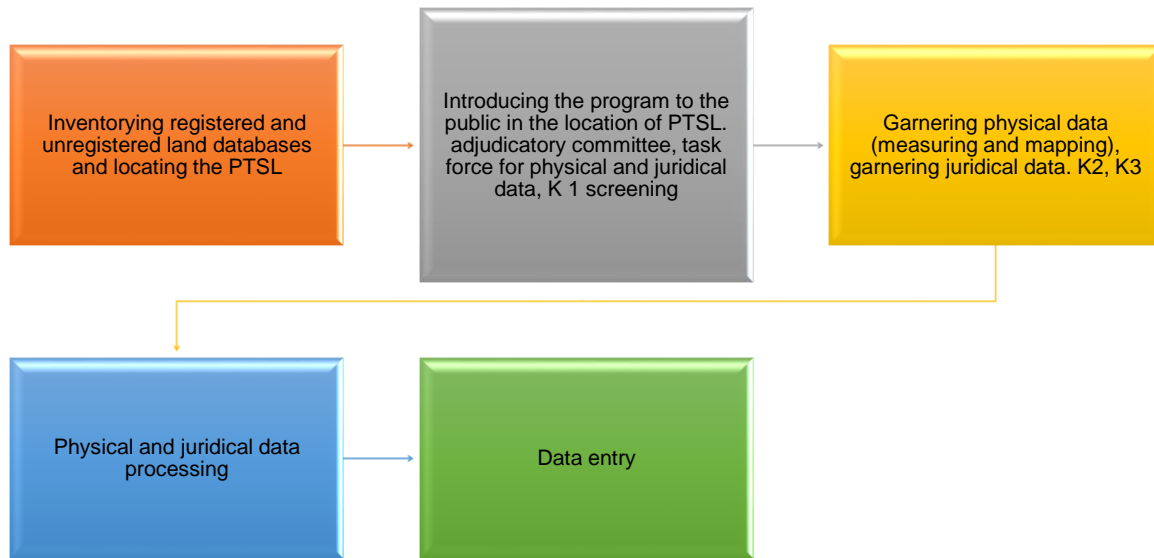


Figure 1 – Stages in PTSL

The PTSL targets are not easy tasks, contrary to the preconceived ideas that this program is nothing more than branding, being too ambitious, and political interest-oriented. This assumption refers to the results brought by land registration that is still below 50% of registered land. However, land registration has been mandated for 57 years under Basic Agrarian Law. Analyzed further, the main cause of this problem is the political will of the government (Laila, et.al, 2020). Moreover, land registration was previously performed only within ministerial scope, not within the presidential structure as the top governmental level. This highlights the main diverging line between early land registration programs and the PTSL. The president supervises, controls, and directly distributes certificates to ensure legal certainty and protection. Thus, this PTSL program is to guarantee that the number of disputes is reduced (Prayitno, 2017). ATR/BPN Ministry should improve all legal instruments/written legal bases and guarantee their clarity and comprehensiveness, improve the quality and the quantity of human resources and facilities and infrastructure, extend the funding for this area of issues, and encourage better coordination among institutions apart from the National Land Agency. Therefore, this matter can be normatively governed by the law to allow for easy and accelerated processes in land registration in Indonesia.

The PTSL has been around since 2017 to expedite the land registration process and enhance the quality of land data in Indonesia. This program was administered under the ATR/BPN Ministry by, for example, the National Land Agency in North Jakarta as a vertical institution under the ATR/BPN Ministry at the municipal/regency level from 2017-2021. The following Table shows the target and recapitulation of requests for PTSL in the National Land Agency of North Jakarta, Budget Year 2017 – 2021:

Table 1 – Recapitulation of Request for PTSL Budget Year 2017-2021

Year	Targeted Land Parcel Registered	Targeted Certificate of Rights to Land	Filing	K1	K2	K3	K4	DI 208	DI 301A
2017	0	5.000	5.004	5.000	0	0	0	5.000	5.000
2018	56.727	54.727	56.750	31.949	41	16.019	2.018	31.494	31.494
2019	53.000	51.623	34.225	21.968	0	14.088	6.468	21.968	1.771
2021	8.473	3.000	3.037	2.894	0	8.123	122	2.901	1.771
Total	118.200	114.350	99.016	61.356	41	38.230	8.608	61.363	60.233

Source: Land Office of the Administrative Town of North Jakarta, 2022.



The Number in K1 above indicates that the land of 61,356 parcels met the physical and juridical requirements of the total filing, accounting for 99,016 parcels. However, the K3 accounted for 38,230 parcels, divided further into K3.1, K3.2, and K3.3. The technical guidelines of PTSL 2022 indicate that it would perform several stages as the follow-up of K3.1, K3.2, and K3.3 to accelerate rights-granting. The total of targeted registration and certificate of rights to land in the Land Office of North Jakarta from 2017 to 2021 was 118,200 and 114,350 parcels. However, the total filing of PTSL from this office was 99,016 parcels.

With this PTSL program, people are expected to have land certificates that may give legal protection for the land as a legal consequence, and its existence is highly required especially by those running businesses to contribute to the local economy and give more job opportunities. The PTSL program is congruent with the goals of the government of protecting the people with the certainty of land rights without any sophisticated and demanding regulations and costly procedures.

Varied regulations have been made and improved for the sake of the implementation of PTSL to ensure legal certainty and protection and suppress disputes. However, this implementation faces some hurdles that may be getting serious in the time to come. These issues involve payable land tax (income tax and Land and Building Title Acquisition Fee), human resources, infrastructure and facilities, *absentee*-related problems, maximum excess and abandoned land, announcement of physical and juridical data, the application of the principle of *kontradiktur delimitasi* (witnessing every process of land measurement by all parties), and right-proving. All these issues are prone to further disputes primarily caused by the standing of the Regulation of Agrarian and Spatial Planning Minister/the Head of National Land Agency Number 6 of 2018. In terms of the hierarchy of the legislation (Manan, 2004), this regulation is lower than the law mentioned above. A more effective and efficient PTSL program is expected for the future, considering that it is an urgent necessity to bring about legal certainty and welfare for all the members of the public. The existence of this program should be more *maslahat*-oriented under a one-gate-system paradigm with integrated databases.

CONCLUSION

Land registration has been a complex issue, and it requires a program that guarantees legal certainty, is just, and beneficial. This program, however, is prone to weaknesses in terms of payable land tax (income tax and land and building acquisition fee), human resources, infrastructure and facilities, *absentee* issues, maximum excess, the announcement of physical and juridical data, problematic application of *kontradiktur delimitasi* and land right-proving. Thus, it is urgent to provide excellent service along with stakeholders and policy-makers within the framework of excellent service provision for all people. With this research, the authors suggest the re-conception model of the PTSL program consisting of four aspects: first, in terms of regulation, the government needs to ensure there are no overlapping policies by conducting the studies on synchronization and harmonization of the legislation; second, in terms of the implementation, its stages need to be simplified, integrated into one-gate-system databases by utilizing cutting-edge technology collaborating with the ministry to avert any scene of sectoral ego between ministries, considering that ministries have so far interpreted the mandate delegated by the President; third, in terms of human resources and responding to the jargon emphasized on mental revolution, this program is expected to minimize unfair practices of mafias of law and land and brokering; forth, the management and mechanism are regarded as important in minimizing the likelihood of conflict and disputes. Under all these four measures of re-conception, the PTSL program is expected to be more responsive and adhere to the constitutional mandate to ensure the well-being and benefits of all Indonesian citizens fairly and in a civilized manner.



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