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## **ANALYSIS OF PARTIAL COMMUNITY REJECTION OF THE COMPLETE SYSTEMATIC LAND REGISTRATION PROGRAM WITH COMMUNITY PARTICIPATION (PTSL-PM)**

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### **ABSTRACT**

#### **KEYWORDS**

Policy, Community,  
PTSL-PM

The Ministry of Agrarian Affairs and Spatial Planning/National Land Agency has created a national priority program called the Accelerated Complete Systematic Land Registration (PTSL) as regulated in Ministerial Regulation ATR/BPN No. 6 of 2018. The PTSL program will be implemented throughout the Republic of Indonesia with the aim of accelerating the provision of legal certainty to all land rights holders, thereby helping to prevent land disputes in the community. The research contribution is the identification and analysis of the reasons why some members of the Mundu Pesisir Village community reject the PTFL-PM program. The study found that the response of the community to the program was very positive. However, there are internal family barriers to its implementation. Strategies of the Cirebon Regency Land Office and the Land Data Collector at the Land Office to Ensure the Proper Implementation of the Program are discussed.

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### **INTRODUCTION**

Indonesia, as an agrarian country with vast land areas, relies on land as a means for community productivity in food needs and settlements. This naturally necessitates that Indonesia, as a state governed by law, has formal regulations in the agrarian sector, particularly regarding land registration. The goal is to provide legal certainty regarding land ownership in the form of land certificates, enabling the certificate holders to protect their rights and prevent future land disputes.

Land registration is mandated by Article 19 of Law Number 5 of 1960 concerning Basic Agrarian Principles. Article 19 paragraph (1) of the UUPA explicitly states that to guarantee legal certainty, the government conducts land registration throughout the Republic of Indonesia according to the provisions regulated by Government Regulation. The main purpose of land registration is to guarantee legal certainty for land rights. This paragraph assigns the government the responsibility for regulating land registration.

The implementation of land registration is regulated by Government Regulation Number 24 of 1997 (PP No. 24/1997) concerning Land Registration. This regulation explains that land registration in Indonesia can be carried out sporadically, i.e., registration of land plots at the request of the relevant rights holders individually or collectively, or systematically, i.e., registration covering an entire village or part of it, primarily initiated by the government.

If land registration is carried out sporadically, the statistical result of land registration achievements is only 1 million per year. Therefore, to complete the registration of all 126 million land plots in Indonesia, it would take 126 years. If land registration is carried out systematically with a success rate of 7 to 9 million per year, it would take 15 to 16 years to

complete the registration of all 126 million land plots in Indonesia (Daming, Ratnawaty, Mustika, & Husna, 2023).

The slow process of creating land certificates has become a focal point for the government. In response, the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency has created a national priority program called the Accelerated Complete Systematic Land Registration (PTSL) as regulated in Ministerial Regulation ATR/BPN No. 6 of 2018. The PTSL program will be implemented throughout Indonesia with the aim of accelerating the provision of legal certainty to all land rights holders, thereby helping to prevent land disputes in the community (Syuib & Aulia, 2021).

Complete Systematic Land Registration, abbreviated as PTSL-PM, is an initial land registration activity conducted simultaneously for all land registration objects throughout the Republic of Indonesia within a village area, involving the collection of physical and juridical data on the land registration objects for registration purposes.

With the PTSL program, the Ministry of ATR/BPN targets that each work unit in districts/cities, i.e., Land Offices, can achieve certification through the PTSL program. This program is being implemented simultaneously in 33 provinces in Indonesia. PTSL started in 2017 and aims to have all land plots in Indonesia mapped and certified by 2025 (Putrisasmita, 2023). The implementation of land registration means establishing orderly administration in the land sector, as orderly land administration will facilitate all land-related activities in Indonesia's development (Novianti & Maulida, 2020).

Several studies related to this research have been conducted by previous researchers, including Zaenal Darmotannyono (2023) in his study titled "Implementation of Complete Systematic Land Registration (PTSL-PM) Policy at the Jember District Land Office." The study found that the implementation of the PTSL-PM policy by the Jember District National Land Agency ran well, although the field staff was quantitatively insufficient, leading to an uneven workload (Darmotannyono, Susanto, & Mulyani, 2022).

Another study by Helianus Rudianto and Muhamad Heriyanto (2022) titled "Implementation of the Complete Systematic Land Registration Program (PTSL-PM) in Ngada District" found that the PTSL-PM program in Ngada District was running smoothly, as evidenced by achieving the given targets, despite facing obstacles related to customary land, lack of human resources, measuring equipment, and the geographic conditions of Ngada District. The Ngada District National Land Agency is expected to continue innovating and responding quickly to expedite administrative services (Rudianto & Heriyanto, 2022).

Every policy program planned by the government does not always run smoothly; there are almost always obstacles in its implementation. One such program is the PTSL-PM, aimed at land registration to provide legal certainty and rights to community-owned land. However, its implementation is not without obstacles. For example, in Mundu Pesisir Village, some residents rejected the PTSL-PM program. The implementation of the Complete Systematic Land Registration program in Mundu Pesisir Village faced obstacles in the certificate creation process because some residents refused to have their land certified, preferring only land measurement or letter C.

Socially and culturally, Mundu Pesisir Village still adheres to customary law, influenced by factors such as resistance to certification due to a lack of understanding of land ownership with certificates as legal certainty, and concerns about the transfer of land ownership or its use as collateral. It is identified that the customary law culture of Mundu Pesisir Village regards the sale and purchase deed as more valuable than the land certificate, although formally, the land certificate is a stronger proof of land ownership compared to the sale and purchase deed.

Based on the background described above, the research purpose is to understand the reasons behind the rejection of the PTSL-PM program by some members of the Mundu Pesisir Village community. The research contribution is the identification and analysis of the reasons why some members of the Mundu Pesisir Village community reject the PTSL-PM program. This involves understanding the factors and underlying causes that lead to their opposition or resistance, which can provide valuable insights for improving the program's acceptance and effectiveness.

## RESEARCH METHOD

The author employs an empirical juridical research method, involving interviews and observations of the subjects being studied. Interviews involve direct question-and-answer sessions with respondents, sources, or informants, which are crucial for obtaining information that cannot be obtained through observation alone. Interviews can be conducted using a question guide or freely, as long as the researcher obtains the necessary data. Observations are conducted to collect data on human behavior, social life, and the lives of the people being studied. The purpose of observation is to obtain comprehensive data on human behavior, provide a detailed description of social life, and explore the lives of the people being studied.

## RESULT AND DISCUSSION

The Ministry of ATR/BPN has devised an accelerated land registration scheme to provide legal certainty, such as establishing the PTSL Program as regulated in the Ministerial Regulation ATR/BPN Number 6 of 2018 and Presidential Instruction Number 2 of 2018 concerning PTSL. This program has been implemented since 2018 with a target completion date in 2024, aiming to register land in areas that have not yet been registered in a village or sub-district simultaneously. Additionally, this program can reduce land conflicts since registered land parcels can be corrected and added, and any arising conflicts can be resolved (Rengganis, Marlina, Maulida, & Sutrisno, 2023).

The Complete Systematic Land Registration (PTSL-PM) policy in issuing land certificates is crucial for ensuring an individual's land rights and achieving accurate and secure land management and administration. When a land certificate has been legally issued in the name of a person or legal entity that has rightfully acquired and controlled the land, any other party claiming rights to that land cannot enforce their claim. In contrast, land that has not been certified has weaker legal certainty, and legal enforcement cannot be pursued (Darmotannyono et al., 2022).

Legal certainty is a guarantee that the law must be implemented properly. Legal certainty requires efforts to regulate law in legislation created by authorized and authoritative parties so that these rules have a juridical aspect that guarantees the law functions as a regulation that must be obeyed (Asikin, 2012).

The theory of legal certainty is highly relevant to the objectives of the Accelerated Complete Systematic Land Registration Program (PTSL-PM). Legal certainty in this context means a guarantee that land rights are obtained and maintained legally and in accordance with regulations. As stated in several sources, the goal of PTSL is to ensure the legal certainty of community land rights in a clear, simple, and transparent manner.

The PTSL-PM program began in 2023, with its implementation expedited to ensure it progresses quickly due to its limited timeframe until the end of 2023 and to meet the targets set by the Cirebon Regency Land Office. The program has elicited various reactions.

Based on research results in Mundu Pesisir Village, Mundu Pesisir Sub-district, Cirebon Regency, we interviewed a source, Mr. Rudi Yanto, a village official and Land Data Collector in Mundu Pesisir Village. He stated, "The PTSL-PM program is excellent for the

future of the Mundu Pesisir Village community to have proof of land ownership rights. The PTSL-PM program is completely free of charge, which greatly helps the community members who need land certificates. In addition to being free, the PTSL-PM program significantly helps to avoid land disputes and land mafia. The PTSL-PM program is also highly anticipated by the community because it serves various individual interests such as buying, selling, and grants. Moreover, the PTSL-PM program has received great enthusiasm; there have been various reactions during its implementation. The response of the Mundu Pesisir Village community to the PTSL-PM program was very positive. Many residents actively inquired with village officials about the PTSL-PM program, as they found it highly beneficial for them.

### **Reasons Some Residents of Mundu Pesisir Village Reject the PTSL-PM Program**

Based on interviews conducted by the author with a source, Mr. Rudi Yana, as the Land Data Collection Officer (PULDATAN) at the Mundu Pesisir village office, it was found that some residents of Mundu Pesisir Village reject the PTSL-PM program due to initial controversy within the community. Despite enthusiasm for PTSL-PM, there are internal family barriers to its implementation.

One of the obstacles in Mundu Pesisir Village involves families who inherited land from their parents. Each child is married and hesitant to have their name on the land certificate, preferring to have their own certificate separately from their siblings. The family consists of five siblings, currently residing out of town, which complicates communication and decision-making regarding whose name should be on the land certificate.

Based on these interviews, the author concludes that despite recognizing the importance of the PTSL-PM program, some residents are reluctant to participate due to concerns about potential jealousy among family members listed on the certificate. This land is inherited, and as we know, inherited land is susceptible to conflict.

### **Strategies of the Cirebon Regency Land Office and Mundu Pesisir Village Government to Ensure the Proper Implementation of the PTSL-PM Program**

Based on research conducted by the author at the Cirebon Regency Land Office, it was found that the strategy involves promoting the PTSL-PM program extensively to all residents of Cirebon Regency through promotional activities emphasizing the program's benefits such as faster, easier, and cheaper certificate issuance. The Cirebon Regency Land Office approaches the community by placing banners and other forms of promotion.

Fundamentally, the Cirebon Regency Land Office does not compel residents to register for PTSL-PM; it respects individual rights to register land for legal and secure ownership. The office merely encourages and promotes the PTSL-PM program, emphasizing its effectiveness and efficiency compared to routine land registration. Registering land through PTSL-PM typically takes 1 to 3 months, which is quicker than routine registration and incurs lower costs accessible to lower-income communities.

Mundu Pesisir Village does not enforce legal sanctions against residents who choose not to participate in the PTSL-PM program. Participation in PTSL-PM is an individual right, and the program's purpose is to accelerate land registration and ensure legal protection of land ownership. The Mundu Pesisir Village Government continues to actively engage and persuade residents through verbal explanations and door-to-door visits to encourage land registration under the PTSL-PM program.

Residents are grateful for the affordability of PTSL-PM registration compared to independent registration, which is perceived as expensive. Despite some challenges in implementation, residents find the program highly beneficial. Upon learning about the PTSL-

PM program, residents of Mundu Pesisir Village showed great enthusiasm and actively sought information about its benefits, reflecting their eagerness to participate in this facilitative and cost-free program offered by the government.

## CONCLUSION

The author's research reveals that some Mundu Pesisir Village residents are hesitant to participate in the PTSL-PM program due to implementation obstacles, particularly family issues that create confusion over land certificate ownership. This vulnerability can lead to conflicts among family members, and some families are reluctant to participate due to concerns about potential misuse of the names listed on the land certificate. Despite initial enthusiasm for the program, there are pros and cons associated with every policy, including the PTSL-PM program. The Land Data Collection Officers (PULDATAN) and Cirebon Regency Land Office faced challenges during implementation. Understanding these challenges can lead to solutions that improve the performance of implementers in the future. To minimize rejection, PULDATAN and the Cirebon Regency Land Office should conduct extensive pre-implementation outreach emphasizing the importance of land certificates as valid proof of ownership to prevent legal disputes. Additionally, the Ministry of ATR/BPN should consider more stringent policies, such as significant tax increases, to encourage landowners to register their land for certification as legitimate proof of ownership.

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