



Optimizing Systematic Land Registration (PTSL) to Enhance Legal Certainty of Land Ownership Rights: Collaboration with Religious Value in Indonesia

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ABSTRACT

Research Problem: Land disputes between the public and various stakeholders frequently arise in Indonesia, often due to limited public trust in the Complete Systematic Land Registration Program (PTSL). This distrust results in low participation in PTSL, affecting land security and legal ownership.

Research purposes: This study aims to analyze how religious institutions and values can help optimize PTSL to provide stronger legal guarantees for land ownership while supporting the legal protection of land rights within the community.

Research methods: A qualitative approach with descriptive-analytical methods was applied to explore the relationship between PTSL implementation, public trust, and religious influence on land registration.

Results and Discussion: The findings indicate that the implementation of PTSL has been effective in promoting land certification, which strengthens legal protection in compliance with existing laws. Moreover, the involvement of religious institutions has been shown to foster public trust by aligning PTSL with community values rooted in faith, making the program more widely accepted.

Research Implications and Contributions: The research highlights the importance of religious institutions in enhancing public trust in government programs like PTSL. By integrating community beliefs into the implementation of PTSL, the program not only functions as a mechanism for legal protection but also aligns with ethical and religious principles. This study provides a conceptual foundation for the government to incorporate religious and community values into policy implementation, ultimately enhancing legal certainty and protection of land rights.

Keywords: *PTSL, Legal certainty, Land rights*

INTRODUCTION

The Complete Systematic Land Registration Program (PTSL) is a significant government initiative in Indonesia aimed at providing legal certainty regarding land ownership across the nation. The program seeks to address issues of land ownership, which frequently lead to disputes, particularly concerning uncertified land that becomes the subject of conflict. In this context, PTSL ensures that every individual or group has recognized legal proof of ownership through land certificates. This certification strengthens community land ownership rights and provides legal assurance in accordance with the Basic Agrarian Law (UUPA), particularly Articles 16 and 53, which govern land rights, including ownership rights, building use rights, use rights, and management rights.

However, land disputes between communities and stakeholders often arise, largely due to a lack of registration and certification of land, rendering these lands devoid of legal proof of ownership (Y. Sari & Jumiati, 2020). In response, the government issued Regulation No. 12/2017 Article 1 Paragraph 2 of the Ministry of Agrarian Affairs and Spatial Planning, mandating simultaneous land registration for unregistered properties within village or urban areas (Almira & Sari, 2022). Through ATR/BPN services, the government aims to address territorial issues related to land through the PTSL program (Putri & Novianti, 2020). Comprehensive land registration is expected to provide communities with legal certainty

over their lands, covering aspects such as area, boundaries, and ownership status (Ardani, 2019a; Saragih & Niken, 2022).

Nevertheless, the implementation of PTSL faces various challenges, particularly a lack of public participation. Many people are reluctant to register their land due to limited trust in the program's effectiveness. This situation is further complicated by limited outreach, inadequate human resources, and additional certification fees (Bahagia & Hartono, 2020; Fazira & Khaidir, 2022). The lack of communication with traditional and religious leaders also hinders the program, especially in regions where religious and cultural traditions strongly influence land ownership perspectives.

On the other hand, religious institutions and leaders play a crucial role in building public trust in government programs, including PTSL. Religious institutions such as mosques, churches, and Islamic boarding schools (*pesantren*) have the potential to support PTSL socialization through religiously aligned approaches that encourage public participation. Previous research indicates that program success depends heavily on strong community support and the involvement of religious institutions in raising awareness about the importance of land legalization (Limart, 2023; Jamaluddin, 2021).

This study aims to analyze the role of religious institutions in optimizing PTSL as a mechanism to provide legal protection for community land ownership rights. Using a qualitative descriptive-analytical approach, the study also explores how collaboration between the government and religious institutions can enhance the PTSL program's implementation to meet communities' legal ownership rights. Thus, this research aims to contribute to the concept of religiously-based public policy, particularly in the context of land ownership and legal land rights. This study provides a conceptual foundation for the government to integrate faith-based approaches in PTSL implementation, thereby enhancing public trust and legal certainty regarding land ownership.

This study employs a qualitative approach with a descriptive-analytical method to explore information related to the Complete Systematic Land Registration Program (PTSL) as a measure to ensure legal protection and certainty regarding land ownership (Sugiono, Noerdjanah, & Wahyu, 2020). The research is descriptive in nature and is not quantifiable; Meanwhile, an analytical approach is used to help identify PTSL policy implementations impacting land rights protection (M. Sari & Asmendri, 2020). To gather and address essential information, this exploration utilizes literature studies and investigative strategies. The literature study includes sourcing data from various scientific sources, such as journals, books, research reports, and records related to PTSL. As highlighted by Darmalaksana (2020), an investigative approach was also conducted to understand strategies governing the PTSL program, including existing guidelines and implementation rules (Hasibuan, Rodliyah, Thalhah, Ratnaningsih, & E, 2022; Mustaqim, 2016). This investigation focuses on PTSL program implementation, explicitly guaranteeing opportunities for land ownership. Additionally, the assessment is confined to understanding the composition fixation effect by discussing PTSL. By employing a logical and enlightening strategy, particularly through information gathering, it is believed that the continuity of the PTSL program can be established as a legitimate guarantee of exclusive land ownership rights.

RESULTS AND DISCUSSION

Complete Systematic Land Registration Program (PTSL) and Its Role in Legal and Social Certainty

The Complete Systematic Land Registration Program (PTSL) is a government initiative aimed at increasing legal certainty and protection of land ownership rights for citizens. This program facilitates systematic land registration in designated areas, covering all unregistered parcels to ensure that each individual or group holds a legitimate, legally recognized land ownership certificate as mandated in Article 19 of the Basic Agrarian Law (UUPA) (Belladina, Pujiwati, & Rubiati, 2021; Mustomi & Aida, 2021; Rizanah, 2022; Sitorus, Handayani, & Karjoko, 2023). PTSL aims to provide legal assurance over land ownership for citizens, operating with high efficiency to ensure swift, smooth, and secure certificate issuance. The program also seeks to ensure fairness in the distribution of land ownership by making the registration process accessible and equitable for all social strata. By facilitating easier access to land resources, this program is expected to enhance community welfare, promote economic growth, and support the broader national economy. Furthermore, as Elisa (2022) emphasizes, PTSL establishes a clear legal foundation that can help prevent and resolve land disputes that commonly arise due to

ownership uncertainty.

PTSL implementation follows specific stages outlined in Article 4 of Regulation No. 6/2018 from the Ministry of Agrarian Affairs and Spatial Planning (Ardani, 2019b). The process begins with the National Land Agency (BPN) designating target locations to optimize effectiveness. Preparation includes providing infrastructure, planning activities, and coordinating with village leaders and relevant human resources (Mako & Saleh, 2023). Next, the formation and placement of adjudication committees take place, with committee members directly engaging in the target regions. Educational outreach is conducted to build public understanding of the PTSL process and requirements. Data collection involves measuring and mapping land parcels, gathering evidence of land ownership through documents and witness testimony. The adjudication committee then reviews the land's boundaries, location, and legal status for proof of ownership. According to Abimanyu (2022), PTSL is organized into clusters, where ownership changes and rights transfers are verified before certificate printing, which is then approved by the head of the adjudication committee. Finally, registered land plots are documented in a property book, and land ownership certificates are issued. Through this process, PTSL delivers legal certainty to communities, making it easier for residents in rural and underserved areas to obtain state-recognized proof of land ownership.

In executing the PTSL program, several challenges must be addressed to improve its effectiveness. According to Mujiburohman (2018), unresolved land taxes represent a significant barrier. Additionally, application form errors and limited resources delay certificate issuance. Communication challenges with external stakeholders, such as village authorities and community members, further impede the program. Low community participation also remains a concern, possibly due to limited understanding of the importance of land certification. By tackling these issues through enhanced outreach, streamlined administration, increased resources, and improved communication, it is anticipated that PTSL can achieve its objectives more effectively (Suharto & Supadno, 2023).

The implementation of PTSL has substantial implications for legal and social stability. As Darmotannyono (2022) explains, PTSL speeds up the land registration process, providing legal certainty to landowners and reducing the likelihood of disputes by ensuring clear ownership documentation. Involving various parties, including local governments, communities, and the National Land Agency (BPN), PTSL guarantees a responsible and transparent registration cycle. Therefore, PTSL not only expands local access to formal land rights but also strengthens public trust in the land administration system as a reliable entity. Certified land ownership promotes social and financial stability within communities, encouraging local development and strengthening social foundations. Salma (2024) notes that this regulatory measure has the potential to reduce land conflicts due to ownership ambiguities, alleviate pressures on public land, and foster social cohesion.

Effectiveness of the Complete Systematic Land Registration Program (PTSL) in Enhancing Legal Certainty of Land Rights

The Complete Systematic Land Registration Program (PTSL) has demonstrated significant success in achieving legal certainty over land rights and enhancing citizen participation and welfare (Syukri, Dea, Sapira, & Gaffar, 2024). This success is evident in various regions, such as in Grobogan Regency, where PTSL has made substantial progress. The alignment between the PTSL targets and outcomes is seen in the registration of 154,632 land parcels from 2018–2020, leading to a notable increase in mortgage registrations from 7,199 in 2018 to 20,556 in 2020. Such achievements illustrate the positive impact of PTSL certification, not only providing legal certainty over land rights but also fostering trust from financial institutions and aiding local development planning (Novatama & Ma'ruf, 2019).

Similarly, in South Tapanuli, PTSL exceeded its targets, demonstrating the benefits of effective planning and execution (Harahap, 2022). In Pekanbaru, the program successfully reached targeted communities and was adapted to meet specific local needs, reflecting the importance of PTSL's responsive approach to social dynamics. The timely completion of PTSL objectives is further exemplified in Gayam and Gedong Tataan sub-districts, Pesawaran Regency (Dianti, 2017), where strong governance and program monitoring led to efficient implementation. Likewise, in West Seram Regency, administrative order and legal compliance were key to the program's effectiveness (Askar, Rahawarin, & Patty, 2023). Additionally, in Kalipuro Village, Mojokerto Regency, high community engagement reinforced local support for PTSL (Sholikhudin, 2021). Despite these successes, challenges persist, such

as limited resources and infrastructure, as noted in Banjarbaru, which highlights a critical need for additional staffing (Almira & Sari, 2022). Addressing these resource constraints is essential to furthering PTSL's overall efficacy. Legal protection and land ownership certainty, as demonstrated in Sememi Village, Surabaya, are additional factors requiring ongoing support within PTSL implementation (Cahyadi, 2022).

Conversely, PTSL implementation in areas such as Sinjai, Magelang, and Merangin remains suboptimal. For example, in Sinjai, fluctuating implementation rates from 2017 to 2022 show that PTSL has not yet fully reached its target goals, although the program is pivotal in providing legal assurances of land ownership (Syukri et al., 2024). In Magelang, the PTSL policy has not accelerated the registration of waqf land certification, maintaining the same challenges as before PTSL (Name et al., 2023). Likewise, in Merangin, although PTSL has effectively met its target accuracy, goal achievement, and monitoring, total target completion remains underwhelming. In 2020, only 6,153 certificates were issued from an 8,353-target certification goal (Jutara, 2023). Therefore, further efforts are needed to enhance PTSL effectiveness in these areas to meet intended outcomes.

Furthermore, PTSL in Pasaman Regency by the National Land Agency (BPN) still faces issues with target accuracy, program dissemination, goal setting, and alignment (Almira & Sari, 2022). This gap indicates that PTSL is not yet fully effective in delivering legal certainty regarding local land ownership rights. In Kalipuro Village, Mojokerto, the program was implemented successfully; however, it still falls short of anticipated targets. The PTSL committee's limited capacity to educate the public thoroughly about the program underscores the need for better community outreach and engagement (Sholikhudin, 2021). Both programs would benefit from further optimization to maximize their impact and extend legal certainty benefits to all targeted communities.

In general, PTSL has proven successful in securing recognized ownership rights across various regions, as shown by the program's fulfillment of its goals. In Grobogan and South Tapanuli Regencies (Harahap, 2022; Novatama & Ma'ruf, 2019), PTSL successfully met or even surpassed its targets, demonstrating the alignment between planning, execution, and community needs. Additionally, PTSL's effectiveness in reaching targeted groups in Pekanbaru (Limart, 2023) illustrates its adaptability to community requirements. The program's punctuality, demonstrated in multiple regions, exemplifies its efficiency. For instance, PTSL timely achieved its goals in Gayam and Gedong Tataan sub-districts in Pesawaran Regency due to robust monitoring and management (Dianti, 2017; Septiyani, 2021). Nonetheless, infrastructure and resource limitations continue to challenge some areas, such as Banjarbaru (Monoarfa, 2021). Staffing shortages in such regions highlight the need for improved infrastructure and human resources to enhance PTSL effectiveness.

A comprehensive evaluation is necessary to identify areas where the program remains less effective, such as inadequate public understanding and outreach and limited infrastructure and resources. With targeted improvements, PTSL can continue to be implemented more efficiently, delivering optimal benefits in securing land ownership rights and fostering legal certainty for citizens.

The Relationship Between PTSL and Increased Legal Certainty of Land Ownership Rights

Land certificates have a highly significant impact on land ownership rights. As formal proof, land certificates ensure that individuals or entities hold legally recognized rights to land, thereby providing critical legal clarity (Sirait, Nazer, & Azheri, 2020). This clarity is essential in upholding legal standing and supporting property-related rights such as the use, transfer, or collateralization of land in accordance with prevailing laws. In the context of property transactions, land ownership certificates streamline the verification process, facilitating smoother transactions. Moreover, the legal certainty granted by land certificates reassures landowners that their rights are safeguarded, affirming their legitimate claim to the land (Apriani & Bur, 2021). Finally, possessing a land certificate helps mitigate potential land ownership disputes by offering clear and certain legal documentation. Thus, the Complete Systematic Land Registration Program (PTSL) is intrinsically tied to the importance of land certificates in securing legal certainty and protecting land ownership rights.

The Legal Certainty Theory is directly relevant to the Complete Systematic Land Registration Program (PTSL). PTSL aims to provide the public with legal assurance regarding their land ownership. Normative legal certainty is reflected in PTSL's effort to formulate clear regulations regarding land registration. Additionally, administrative legal certainty is manifested in the program's commitment to

transparent and efficient execution. Individual legal certainty is realized through the issuance of land certificates that protect personal land rights. Accordingly, PTSL not only aims to increase the number of certified lands but also strives to provide legal certainty to landowners, adhering to the principles of legal certainty theory.

PTSL has a substantial impact on strengthening legal certainty over land rights in Indonesia. By facilitating a structured and transparent land registration process, PTSL offers landowners valid proof of ownership by providing certified and registered documentation. The primary goal of PTSL aligns with what is known as the Rechts Cadaster or Legal Cadaster (Istiqamah, 2018), a system that ensures citizens have valid land certificates, allowing them to utilize and manage their land assets with greater confidence. Furthermore, PTSL aims to reduce frequent land disputes arising from unclear ownership statuses. To reinforce the legal standing of land rights holders, landowners are encouraged to define boundaries and resolve overlapping claims, thereby minimizing the risk of land disputes (Nuriya, 2023).

The Impact of PTSL on Social Welfare and Stability

Legal certainty is a crucial foundation in a rule-of-law state. In the context of land ownership, legal certainty is vital to provide security for the community in possessing and controlling their land. One concrete measure to enhance legal certainty regarding land rights is the implementation of the Complete Systematic Land Registration Program (PTSL).

PTSL aims to grant legal certainty over land rights to the public. By registering land and issuing land certificates, this program seeks to provide valid and state-recognized evidence of land ownership. However, the program's success requires not only a legal analysis but also collaboration with community institutions, including religious organizations, to educate and strengthen public understanding of legal certainty. Through the lens of Legal Certainty Theory, the effectiveness of PTSL can be evaluated across three main aspects: normative legal certainty, administrative certainty, and individual certainty, as follows:

Normative Legal Certainty in Legal and Religious Value Perspectives

Normative legal certainty focuses on the clarity of legal guidelines acknowledged by the general public. In this context, religious institutions can help the community understand the importance of legal certainty as part of social justice. These institutions can reinforce the public's understanding that PTSL is designed to offer fair legal certainty over land, aligned with justice principles present in religious teachings. PTSL has a strong legal foundation in key regulations, including:

1. The 1945 Constitution of the Republic of Indonesia
 - Article 28(h) Paragraph (4): "Everyone has the right to private property, and that right cannot be arbitrarily seized and must be accompanied by compensation."
 - Relation to PTSL: By focusing on the legal recognition of private property, PTSL reflects a respect for ownership rights, which is also emphasized in religious norms. Thus, the program assures the community that their land ownership is protected, even in cases of public interest acquisition.
2. Law Number 5 of 1960 on Basic Agrarian Law (UUPA)
 - Articles 6 and 19: These articles ensure that land registration by the government not only protects private ownership rights but also serves the public interest through orderly administration and legal certainty. This principle aligns with the justice and social benefit advocated by religious institutions.

Administrative Legal Assurance and the Support of Religious Institutions

Administrative legal certainty is achieved through transparent and accountable governance in the implementation of PTSL. Here, collaboration with religious institutions plays an essential role in improving transparency and accountability, as religious bodies often serve as trusted facilitators in local communities. They can raise awareness about citizens' rights and help build trust, which is frequently a barrier to government programs.

Individual legal certainty is reflected in the issuance of land certificates as valid ownership evidence. In this regard, religious institutions are instrumental in educating the public about the importance of land ownership documents as a form of justice and responsibility, which is consistent with religious teachings about respect for others' property rights.

Evaluation of Effectiveness and Socio-Religious Implications of PTSL

Evaluating the effectiveness of PTSL, collaboration between the government and religious institutions can strengthen program success across various regions. For instance, PTSL's achievements in Grobogan Regency and South Tapanuli, which reached or even exceeded land certification targets, demonstrate that local community support, including religious figures' roles in public outreach, can significantly improve community understanding and participation. The success of Pekanbaru City in effectively disseminating the program also highlights the value of community support, where religious and community education efforts facilitated public acceptance of certification.

Moreover, religious support reinforces the value of land ownership as part of welfare and social stability. Certified land allows owners to conduct transactions, gain access to capital, and reduce disputes due to the clarity of ownership status. In this regard, PTSL has demonstrated the optimization of its role as a government program that aligns with the principles of justice, social responsibility, and stability, which are also upheld by various religious institutions.

CONCLUSION

The Complete Systematic Land Registration Program (PTSL) has proven effective in providing legal certainty and safeguarding land ownership rights for communities across various regions in Indonesia, aligning with principles of justice and welfare. Based on legal certainty theory, PTSL establishes a clear legal foundation through the Basic Agrarian Law (UUPA), Government Regulation No. 24 of 1997, and ATR/BPN Regulation No. 6 of 2018. Implementation across normative, administrative, and individual levels has successfully provided legitimate ownership certainty through land certification. The program's success is evident in areas like Grobogan and Tapanuli Selatan, where it has met or even exceeded certification targets, enhancing local community welfare and fostering social stability by reducing land-related conflicts. Additionally, effective socialization efforts in Pekanbaru and procedural adaptations in Pesawaran confirm that PTSL can be implemented adaptively to meet local needs.

However, certain regions, such as Sinjai, Magelang, and Pasaman, still face challenges due to administrative, targeting, and infrastructure limitations, as well as resource constraints. To achieve optimized program outcomes nationwide, efforts are needed to strengthen community awareness, enhance human resource capacities, and improve infrastructure. Overall, PTSL not only provides a robust legal guarantee for land ownership but also aligns with the principles of justice and welfare rooted in religious teachings. By improving implementation effectiveness and enhancing communication efforts, PTSL holds the potential for sustainable benefits to communities and the reinforcement of Indonesia's agrarian legal framework.

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