

## **Analysis of the Effect of Insufficient Community Engagement in Land Registration through the Lens of Sunaryati Hartono's Typology of Legal Culture**

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**Abstract:** This research discusses the factors that cause low community participation in land registration in Sukoanyar Village and the impacts caused, as well as efforts made by the village government to improve land registration. We employ a juridical sociological research method, examining actual community situations to gather necessary facts and data. The findings demonstrated that Sukoanyar Village's low land registration phenomenon remains rooted in a pre-conventional legal culture. This is evident in the community's local customs, which include the conviction that they possess physical control over their land, negating the need for a certificate, their egocentric interests, and their disinterest in government land registration initiatives. The low interest of the community in registering land has several impacts on the certainty of their land rights, including uncertainty of ownership, proneness to disputes, and limited utilization of land ownership rights. In response to this phenomenon, the Sukoanyar Village government made several efforts to improve land registration in the village, including (a) conducting extension and socialization activities involving all villagers to increase public understanding of the importance of land certification and (b) participating in the Complete Systematic Land Registration (PTSL) program conducted by the government through ATR/BPN.

**Keywords:** Community Participation, Land Registration, Legal Culture, Land Certificate.

### **INTRODUCTION**

Land is crucial to the development of modern societies and plays an important role in the development process. Apart from being a place for people to live, land is also a place for individuals and communities to build economic, political, social and cultural life. Land regulation in Indonesia is the responsibility of the state in its implementation (Harry & Sukadi, 2022). Written legal provisions, complete and clear in content, support the importance of land for humans by providing certainty and legal guarantees for land parcels under the community's control. One of the instruments that contains the juridical and physical data of a land parcel is a certificate (Kumara dkk., 2021). The land certificate is obtained through a series of activities called land registration.

Article 19, Article 23, Articles 32 and 38 of the UUPA regulate land registration, and Government Regulation Number 10 of 1962 further regulates it. However, on July 8, 1997, Government Regulation Number 24 of 1997 amends this regulation. Article 19, paragraph

(1) of the UUPA regulates the government's systematic implementation of land registration throughout the Republic of Indonesia (Iswanto, 2007).

Land registration is intended to realize orderly administration, orderly law and meet the demands of Indonesian society. In addition to protecting the owner, land registration also serves to determine the status of a plot of land, who owns it, what the rights are, how much the area is, what it is used for and so on. The main concept to be realized through land registration is to provide a guarantee of legal certainty which includes certainty of the status of registered rights, certainty of the subject of rights, and certainty of the object of rights (Mujiburohman, 2018).

All levels of society that possess a land right must engage in land registration activities, including rural communities. The level of legal awareness within rural communities can significantly influence the high level of land registration. As stated by Sunaryati Hartono, a leading legal expert in Indonesia, especially in the field of national legal development, in his writing contained in the National Legal Development Document (DPHN), legal awareness is one of the important factors that need to be taken into account in efforts to build legal life in society because if legal awareness that originally referred to customary law, religious law, or colonial law does not turn into awareness of national law, then national law cannot be enforced properly (2021).

Indeed, legal culture and legal awareness are inseparable due to their mutual influence. Where legal awareness shapes legal culture, conversely, legal culture is a reflection of legal awareness. Both of these are actually built on a civilized society (civil society) because it is supported by an educated life, a fair economic order, and good interaction between the community and the government in a reciprocal manner, which is manifested in maximum public services. A favorable legal culture will produce the best works. A person's use or non-use of the law, as well as their compliance with it, heavily depends on the components present in the legal culture (Ismayawati, 2011).

This illustrates how people respond to the obligation to have a land certificate as valid proof of land ownership. When individuals possess a high level of legal awareness regarding the significance of land certificates, it signifies that the law operates effectively and is enforceable across the entire community, and vice versa. Low legal awareness in the community will inevitably reflect in a lack of attention to land registration and official recognition of land ownership rights. Therefore, the community's legal awareness and the legal culture it develops play a crucial role in understanding the high level of land registration in a village.

Sunaryati Hartono also underscored the significance of comprehending the local legal culture within society, including norms, values, and legal behavior, as these factors can shape people's attitudes and actions towards the significance of land registration. We divide the legal culture here into three types: pre-conventional, conventional, and post-

conventional. The pre-conventional type is a culture that relies on egocentric motives. This implies that everything is seen as a tool to further one's ego or personal goals. The law, and the obedience to it, are only viewed as tools to achieve personal gain. Therefore, the calculation of profit and loss for the ego becomes the basis of every action (Pokja Penyusunan DPHN, 2020).

Conventions, principles, and laws are the focal points of the conventional type of culture. In this culture, laws and norms are considered the only standard for judging the actions of people who are already at this level of conventional culture. Individuals who have attained this level of conventional culture adhere strictly to the law, uphold its principles, and resist any temptation to stray from it. The culture of the post-conventional type encompasses two aspects: it relies on both critical reason and conscience. People who have reached the level of critical thinking culture always and always fight for a better situation for the common interest. When they perceive a rule of law to be no longer functional, they strive to effect changes to the rule as quickly as possible. The culture of conscience implies that it consistently upholds the voice of conscience and upholds beliefs about what is right and good. They dare to stand alone instead of engaging in self-deception. They have a clear vision and mission, which is to uphold the dignity of all humanity. They do not hesitate to act *beyond the call of duty* or *super erogatory*. They have an extraordinary pioneering spirit (Tanya, 2011).

Research in the field revealed that the Sukoanyar village community still maintains a low level of land registration. Data from the DHKP (List of Determinations and Payments) of Sukoanyar Village as of 2023 indicates that the estimated number of registered land parcels is approximately 1,047, representing only 30% of the total 3,490 land parcels. The facts in the field show that there are still many people who are reluctant to register their land rights. This raises several questions, including what factors lead to low community participation in land registration and how the village government can improve land registration in Sukoanyar Village.

Previous studies have examined the factors that influence land registration, but no study has specifically analyzed the role of legal culture typology in the village context. Juliana Abdullah's research, among others, highlights the significance of land ownership certificates for community legal awareness (Abdullah, 2020), has identified the level of legal awareness related to land registration and the factors that influence it, such as economic factors and education levels.

Novi (Krismayanti, 2021) and Okta (Putri, 2022) explained that public legal awareness related to land registration is lacking in aspects of legal knowledge, legal attitudes, and legal understanding. However, these studies tend to focus more on individual aspects, while this study will analyze the factors and impacts of low land registration, which are then connected to the typology of legal culture according to Sunaryati Hartono.

Therefore, this research, using a qualitative approach that combines interviews and observations, aims to provide a more precise picture of the interactions and perceptions of the Sukoanyar Village community towards the existing legal system. This is to identify the dominant legal culture within the community. Additionally, it will outline the impact of low community participation in land registration, as well as the village government's efforts to improve land registration.

## **METHODS**

The research method used in this research is empirical juridical research or *sociolegal research* (Efendi & Ibrahim, 2018), Field research directly supports this type of sociological legal research, which scrutinizes current legal regulations and human experiences to gather necessary facts and data. We employ a qualitative approach, which generates descriptive data from either oral or written sources. Sukoanyar Village, Pakis District, Malang Regency was the site of the research. The selection of this location stems from the ongoing lack of public interest in land certification, resulting in a relatively low land registration rate.

Purposive sampling, a sampling technique for data sources selected by the researcher with specific considerations, identified the main informants in this study as the residents of Sukoanyar Village (Ali, 2022). In this case, the informants were considered to understand the problem and have the ability to provide answers, thereby assisting the researchers in achieving their research objectives. The number of sample informants was 11, consisting of several villagers, Sukoanyar Village Head, and Sukoanyar Village Officials.

We then qualitatively analyze the obtained data, drawing on primary legal materials such as Law Number 5 of 1960 concerning Basic Agrarian Principles and Government Regulation Number 24 of 1997 concerning Land Registration. Additionally, we use Sunaryati Hartono's legal culture theory as an analytical framework to comprehend the community's norms, values, and legal behavior, which can shape their participation in the land registration program and determine the dominant legal culture in Sukoanyar Village.

## **RESULTS AND DISCUSSION**

### **Factors Causing Low Land Registration in Sukoanyar Village**

Sukoanyar Village is one of the villages located in Pakis Subdistrict, Malang Regency (t.t.). The majority of people in Sukoanyar Village earn a living as farmers or farm laborers. This reflects the importance of the agricultural sector in the local economy and shows that the people of Sukoanyar Village have a strong connection to agricultural activities as their main source of livelihood. Sociologically, this rural community maintains a social system and structure rooted in the values of mutual cooperation and social hierarchy. Customs strongly influence their social life, regulating various aspects such as land ownership, land management, and inheritance. In the context of land registration, these communities often

hold differing perspectives from the formal legal system, which may hinder their participation in the program.

Land registration is a crucial aspect of ensuring the certainty of land rights. However, in Sukoanyar Village, the level of land registration is still relatively low. The community's lack of interest in participating in the land registration process contributes to the low level of land registration in Sukoanyar Village. The community's attitudes and actions reveal the importance of land certificates as proof of legal ownership. Interviews with several villagers revealed their opinions on what, among other things, has delayed or prevented them from registering their land.

### **The Expensive Cost of Land Registration**

Economic factors frequently impede community participation in land registration. In the process of processing certificates, people with sufficient financial capacity certainly have no difficulty in taking care of their certificates. In contrast to people with weak economic levels, of course they think twice about certifying their land rights with the consideration that they have to fulfill their daily needs (Kasim dkk., 2020).

The process of land registration necessitates substantial financial resources, including tax fees, measurement fees, and administrative costs, which can pose a significant burden. The majority of villagers earn their livelihoods as farm laborers. Farm laborers often encounter limited financial resources to participate in the land registration process. In communities where farm laborers employ the majority of the population, they often prioritize meeting their family's basic needs and accumulating capital to ensure the sustainability of their livelihoods.

*The first factor is cost, as the process of converting a letter C to a certificate, along with the associated taxes, can be quite expensive. Additionally, since farm laborers make up the majority of the workforce in this area, the processing costs are particularly burdensome.”* (Warso, personal communication, December 2023)

In addition to the high expense of acquiring a land certificate, the village's unclear socialization or counseling about its significance leaves many individuals unaware of the procedures and advantages of land registration. This lack of clarity can lead to uncertainty and confusion within the community, thereby diminishing their motivation and confidence to engage in the land registration process.

To answer the challenge of perceived high costs, the village government has submitted a quota of land registration applicants to the complete systematic land registration (PTSL) program, which is a government program through the ATR/BPN ministry with the aim of obtaining land certificates at a more affordable cost and simplifying the land registration process for the people of Sukoanyar Village.

### **Assuming Certificates are only Economically Valuable**

People in general do not understand the function and usefulness of certificates; this is because they lack accurate information about land registration. Lack of accurate and easily understandable information about land registration can negatively impact the public's awareness of the importance of land registration. One of them creates the assumption that certificates are only seen based on their economic value (Manthovani & Istiqomah, 2021).

This assumption reflects a perspective that solely concentrates on economic aspects, often overlooking the values of legal certainty and the legality of land ownership. Interviews with several villagers reveal that their understanding of the significance of land certificates primarily revolves around personal interests, particularly the requirement for collateral to secure bank loans and the belief that certified land can boost its sale value.

People tend to consider land certificates unimportant because they do not plan to use the land as collateral to obtain loans from financial institutions. They may prefer not to go into debt to a bank and therefore do not feel the need to have a land certificate. This indicates a lack of understanding of the benefits and importance of land certificates in accessing financial services as well as an inability to take a long-term view of the need and benefits of land certificate ownership.

*"In my view, you can use it as collateral if you wish to borrow money from a bank to trade again, but the cost is higher."* (Sutrisno, personal communication, December 2023)

From the aforementioned perspective, it is evident that individuals tend to perceive the significance of certificates solely based on their economic worth. In reality, people will only register their land when there is an urgent personal interest, such as the need to apply for a loan at a financial institution as collateral. In addition, they also think that the potential increase in the selling value of land through certificates can be more expensive.

Whereas the function of the certificate itself, according to Article 3 of Government Regulation No. 24 of 1997 concerning land registration, is as a form of protection and legal certainty for holders of land rights, as a source of information for interested parties, as a source of data for the Land Office, and as a form of application of rules for the implementation of orderly land administration in Indonesia.

### **Assumption of Physical Control of Land**

One of the objectives of implementing land registration is to provide a guarantee of legal certainty to the community that owns a land plot; therefore, physical control over the

land plot must also be juridically controlled, namely by registering the land rights controlled or owned (Safitri, 2017).

However, a local custom has emerged in the community, which holds that land ownership doesn't require written documentation. This is due to the community's belief in the hereditary nature of the inhabited lands, leading them to disregard land certificates. They hold the belief that the land is secure and will not face requests from other parties. This is common with inherited land; people consider that land acquired through inheritance is strong enough without involving the registration process. This assumption indicates that the community still adheres to the customary law that evolved in relation to land today.

*“Families and neighbors leave it alone as long as there are no disputes. The important thing is that they acknowledge that this is my land, which I have controlled since the time of my ancestors, making it impossible for it to belong to anyone else.”* (Warso, personal communication, December 2023)

This phenomenon creates a strong understanding and belief that the land occupied as a house is inherited from previous generations, creating an atmosphere of confidence that the land has been privately owned for a long time, regardless of the existence of formal certificates. Believing in the absence of problems or disputes with neighbors, and the owner's belief in the land's guaranteed right for generations, instills a sense of security and comfort. This perspective may significantly contribute to the reluctance of some individuals to apply for land titles, perceiving it as an unnecessary step as long as there are no conflicts.

### **Lack of Enthusiasm for Registering Land**

The community's lack of enthusiasm for land registration stems from a cultivated attitude of laziness, which influences their perspective and legal actions. The village head's submitted information reveals that the PTSL program, which is currently in operation, hasn't operated flawlessly. This is due to obstacles, especially related to the lazy attitude that some people still have. The community's ignorance about the long-term functions of land certificates influences this lazy attitude, leading them to undervalue the significance of certifying their land.

*“Many people are not enthusiastic about taking care of it because not all people understand the land registration process, and low human resources as well.”* (N. Cholis, personal communication, December 2023)

From the above perspectives, we can conclude that the community's lack of enthusiasm for land registration is largely due to a lack of understanding of the

administrative process and a low level of education. In addition, there is the practice of handing over certificates to third parties, often called "titip jadi." This practice serves as an explanation for people's laziness and their perception of land registration as too difficult to handle independently. The above phenomenon illustrates a habit that has become part of the local culture in Sukoanyar Village, namely the tendency to entrust the processing of certificates to other parties in the hope of avoiding complexity and preferring instant solutions. This habit reflects the community's reluctance to be directly involved in the administrative process and prefers comfort, convenience, and practicality in dealing with administrative matters. On the other hand, while people tend to favor instant solutions, their disapproval of the perceived high fee rates shows that economic aspects remain a crucial consideration. For this reason, some people continue to postpone the process of obtaining a land certificate.

Research on the factors influencing the low level of land registration in Sukoanyar Village reveals that all these factors contribute to the low level of community participation in land certification. These factors significantly impact the application of law in society, particularly in the realm of legal culture. The functioning of the law depends on this legal culture. Public awareness determines whether people obey the law or not (M. Friedman, 2018). Sunaryati Hartono reaffirmed that legal awareness is one of the important factors that need to be taken into account in efforts to build legal life in society (Hartono, 2015).

If communities still refer to local legal norms that are not in line with national laws, there can be resistance or lack of participation in the land registration process. Likewise, local values, such as local customs related to land, can play an important role in shaping community perceptions. Communities may be more inclined to actively engage in the land registration process if they perceive land ownership as an important part of cultural identity and sustainability.

The low level of land registration in Sukoanyar Village suggests a low level of legal awareness regarding the importance of land certificates. This low legal awareness reflects in the non-compliance with the obligation to register land under Article 19 paragraph (1) of the UUPA, which states: To ensure legal certainty, the government conducts land registration throughout the Republic of Indonesia according to the provisions regulated by Government Regulation. Article 4 paragraph (3) of Government Regulation No. 24/1997 on Land Registration regulates this obligation, stating that to maintain administrative order, every parcel of land and unit of flat, including the transfer, encumbrance, and extinguishment of rights over parcels of land and property rights over units of flat, must undergo registration. PP No. 24 of 1997 has enhanced the provisions of Article 19 of the UUPA, providing the owner with legal certainty and protection through the issuance of a land title certificate (Sumiati dkk., 2021).

Article 19 paragraph (4) of the UUPA mandates the state to conduct land registration, even in the absence of a certificate, by simply recording the land. However, the results of this research show that the low level of land registration in Sukoanyar Village is not solely due to community ignorance of these provisions. However, it indicates a gap between the community's legal awareness of the benefits of land certificates and the statutory provisions.

When we associate this phenomenon with Sunaryati Hartono's three typologies of legal culture, namely pre-conventional, conventional, and post-conventional, we see that the developing legal culture is pre-conventional in nature. The dominance of the customary system or hereditary traditions regarding land ownership reveals the relationship between the pre-conventional type and the low level of land registration in the village. The community tends to prioritize less legal certainty, considering that they do not need certificates and rely more on the belief that they have physical control over the land they own.

A Land Certificate (SKT) or Letter C recorded in the village book is not enough if the landowner does not have proof of land rights in the form of a certificate that can only be issued for registered land. This can certainly lead to legal consequences that will harm the owner of the land rights themselves. Disputes can arise even on registered lands, particularly on unregistered lands where the right holder lacks legal authorization (Tarigan, 2013).

Furthermore, individuals often disregard legal norms and obligations in favor of their own egos or personal interests. People's growing habit of registering their land only for urgent reasons necessitating an immediate certificate, rather than just for legal certainty, demonstrates this personal interest.

People should cultivate a conventional legal culture that reflects their unwavering adherence to the law's provisions, specifically by incorporating the applicable legal rules into their daily lives. Furthermore, they possess the ability to comprehend and evaluate the potential legal ramifications of their actions. The community's response to a law reflects the conventional approach to land ownership. The community will prioritize legal certainty by viewing certificates as strong evidence of land ownership, meaning that physical control of the land does not necessarily prove official ownership. People will also register their land not because of economic interests but because they see it as an obligation to fulfill the purpose of orderly administration as mandated by law.

Similarly, the community should adopt a post-conventional legal culture. The post-conventional legal culture is the most advanced type, characterized by individuals who are more receptive to emerging legal developments. People can think critically and support legal innovations that can improve justice and efficiency in the legal system. Legal awareness in this type reflects a more comprehensive understanding and is more oriented

towards the common interest. According to this type, people's attitudes towards land registration can be said to be very positive towards legal change, people not only see land registration as a legal obligation, but also as an instrument to achieve broader social and economic goals. In addition, they are also responsive to legal innovations in land registration such as the very high enthusiasm for the PTSL program held by the government.

Thus, community decisions and actions are more influenced by local customs such as the belief that they have physical control over land so that they do not need a certificate, more ego-oriented interests and lack of interest in government programs also influence the low level of land registration. This situation leads the people of Sukoanyar Village to continue adhering to pre-conventional norms.

We can conclude that despite the existence of legal regulations pertaining to land registration, its implementation still encounters several obstacles. The community in Sukoanyar Village responds to the obligation to register cultivated land according to local customs. The low level of public interest in the importance of land registration has several impacts on the certainty of land rights.

### **Ownership Uncertainty**

The urgency of land registration is for landowners to obtain certainty over their land (Pamitri, 2022). This legal certainty allows the parties concerned to easily find out the legal status of the particular land they are dealing with, its location, area and boundaries, who owns it and what burdens are attached to the land (Soerodjo, 2003). The UUPA and its implementing provisions, specifically Government Regulation Number 24 of 1997 concerning Land Registration, regulate this registration obligation.

Legally, it is impossible to properly prove ownership of land without a certificate. Without a certificate, acquiring land through inheritance or custom does not guarantee perfect title. Without registration, a land right lacks robust ownership proof. As a result, the land is vulnerable to ownership claims from other parties. Although there is evidence of tax payments on the land, it is not strong enough to protect ownership rights (Lempoy, 2017).

Low levels of legal awareness have hindered the optimal execution of land registration activities in rural communities, particularly in Sukoanyar Village. Sukoanyar Village's low land registration level seriously impacts the uncertainty of land ownership, particularly for unconverted or customary land that lacks official land certificate registration. So far, the community has relied on letter Cs and land and development tax payment certificates as proof of ownership, but these cannot provide legal certainty comparable to land certificates. This situation results in the absence of legal and official

proof of land rights, which can lead to anxiety and insecurity among the community regarding their land ownership.

### **Prone to Dispute**

Land registration not only provides legal certainty but also encompasses several other significant aspects. One of them is to provide strong legal protection for land rights certificate holders. This is a preventive measure against potential land issues that can create conflict in the community. With a certificate, land ownership rights become more secure and minimize the risk of disputes. Moreover, the National Land Agency (BPN) facilitates easy access for parties seeking information or data about registered land. Land registration provides an accurate and reliable database on land ownership, facilitating transactions and legal processes related to it. However, the phenomenon of low legal awareness of the community in Sukoanyar Village towards the importance of land registration has an impact on the number of uncertified land, which automatically means that the land does not receive legal protection.

Lack of land registration can lead to frequent land grabbing by other parties. Land grabbing is any act by any name whose purpose is to unlawfully take another person's land, or, in other words, occupy a plot of land without a valid title (Mustafa, 1997). Any action that seizes or occupies land without legal rights, including property rights, business use rights, building use rights, or other rights, constitutes land grabbing, which is illegal and subject to legal action by the land rights holder. In reality, this can still happen to land that already has a certificate, especially for land that does not have a certificate, of course, which has a greater risk of a dispute occurring (Tarigan, 2013).

Low public interest in land certification can lead to serious consequences in the future, such as inheritance disputes. It will be challenging to distribute inheritance to the next generation on land that the parents have not individually registered. Land that lacks clear documentation of ownership and rights can hinder ownership transfers. Furthermore, the division of some parts of the land, but not others, can lead to confusion and potential disputes within the family.

Therefore, we must continuously improve our efforts to prevent and resolve disputes. Education and socialization about the importance of land registration and dispute resolution through mutually acceptable channels can be effective measures to create a more harmonious land environment, free from potential conflicts.

### **Limited Utilization of Land Ownership Rights**

Land registration not only provides legal certainty but also protects land ownership. The law provides land rights holders with benefits related to their land ownership. A land certificate, serving as proof of ownership, can serve as a guarantee for the owner's social

and economic needs. These benefits include the ability to use land as collateral to secure financing from financial institutions, which can also increase the land's selling value.

Land within a certain period of time will also depend on population density, level of employment opportunities, level of community income, community needs for housing, development needs, and others (Masriani, 2022). The increase in land prices is a logical consequence of the increasing population growth. The limited land on the one hand and the increasing demand for land on the other have pushed land prices even higher. This phenomenon is often utilized by some people to gain financial benefits by selling their land (Peranginangin, 1991).

This is not the case in Sukoanyar Village, where some people are still not interested in certifying their land. This lack of land registration will impact the community's ability to utilize their land optimally. Communities that own land but have not yet certified it will only enjoy its physical benefits, such as housing and farming. However, the community's limited utilization of land ownership rights stems from the absence of land certificates, which serve as a guarantee for the owner's social and economic needs.

### **The Village Government is Making Efforts to Improve Land Registration in Sukoanyar Village.**

Based on the analysis of the inhibiting factors and impacts that contribute to the low level of land registration in Sukoanyar Village, it is evident that the community's awareness of the importance of land certification remains low. This results in a legal culture that lacks the necessary strength to stimulate the land registration process. The Sukoanyar village government realizes the importance of improving land registration as a crucial step in creating legal certainty and overcoming the negative impacts arising from low community interest. In its efforts, the village government has taken a number of strategic steps.

### **Conducting Counseling and Socialization**

Extension is an activity that aims to provide information and understanding of a particular problem and involves active methods, such as meetings and discussions. Meanwhile, socialization is an activity that aims to provide information to the community through norms, values, and procedures that apply in a society, usually through daily interactions.

In an effort to increase legal awareness, the village government first conducted counseling with several communities about the land registration process, the requirements for applying, and the benefits of owning a land certificate. Village officials and community representatives typically participate in this activity at the Sukoanyar Village Hall.

*“The RT, RW, and community leaders, along with several community representatives, have conducted counseling at the village hall.” (Usman, personal communication, January 9, 2024).*

Representatives of residents or community leaders participated in this counseling activity at the Sukoanyar Village hall. The village head and village officials participated in the meeting, disseminating detailed information about the significance of land registration and the advantages of certificate ownership. Thus, the people invited to the meeting were able to thoroughly understand the land registration process, the requirements needed, and the benefits of owning a land certificate.

The next step is to disseminate information or socialization to all villagers. Residents and community leaders who have participated in counseling activities at the village hall can serve as representatives to convey the information they have received to residents in their respective areas. Various forums, including tahlil congregations, farmer groups (poktan), and youth groups, typically facilitate the dissemination of this information.

By involving representatives from various levels of society, it is hoped that messages about the importance of land registration can be more evenly distributed and easily received by all citizens. Additionally, this method fosters active community participation in the extension and socialization process. This can foster a sense of belonging and a shared responsibility, thereby raising awareness and enthusiasm among the community to immediately certify their property.

### **The Complete Systematic Land Registration (PTSL) Program Allows for the Submission of Land Parcel Quotas**

Based on Article 1 point 2 of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 concerning Complete Systematic Land Registration, it states that Complete Systematic Land Registration, hereinafter abbreviated as PTSL, is a Land Registration activity for the first time carried out simultaneously for all Land Registration objects throughout the territory of the Republic of Indonesia in one village/kelurahan area or other names of the same level, which includes the collection of physical data and juridical data regarding one or several Land Registration objects for the purpose of its registration.

The government, through ATR/BBPN, organizes the PTSL program, which covers all land registration objects in all regions of the Republic of Indonesia. The purpose of this program is to provide legal certainty and land rights to the community free of charge. We have been implementing the PTSL program since 2018, and it will persist until 2025. The Malang Regency Land Office is actively implementing the Complete Systematic Land Registration (PTSL) in Malang Regency. The Head of the Malang District ATR/BPN Office, La Ode Asrafil, revealed that in 2023 there are 53 thousand parcels of land included in the

PTSL program in Malang District. This program involves 19 villages spread across 5 sub-districts in Malang District (Suseno, 2024).

The village head in Sukoanyar Village submits an application for the PTSL program quota, which the Pakis sub-district then forwards to the BPN. In 2023, Sukoanyar Village received a quota of 2000 PTSL land plots. To date, the village is still at the stage of issuing certificates for the first phase. According to the Sukoanyar village government, the Complete Systematic Land Registration (PTSL) program represents the final attempt to enhance land registration.

*“PTSL is a form that the village submits to the BPN. For example, if a shop wants its merchandise to sell well, it must make a promo, maybe from the BPN there is a special program that is termed the community to immediately register their land, making a promo called PTSL. This ensures a high level of enthusiasm within the community..” (W. Sudandi, personal communication, September 27, 2023)*

In this PTSL activity, the Sukoanyar Village government collaborates with BPN to provide access to land registration services that are easier, faster, and more affordable for the community. The applicant must bear the costs associated with its implementation, which are not necessarily free. Each land parcel incurs a fee of 500,000 rupiah, which covers the costs of measurement, stakes, stamps, and other related expenses. Both the village and the community have agreed upon the fee. We expect the more affordable fee to overcome the economic constraints that lead to the community's low interest in the land registration process.

The government expects the PTSL program's facilities, which facilitate the land registration process, to motivate and actively encourage the community to register their land. The program provides easy access to information through socialization, facilitates low costs, and streamlines the land registration process to make it less time-consuming and more efficient. Thus, the PTSL serves not only as a means to enhance legal certainty, but also as a tangible step towards overcoming economic barriers that may hinder some individuals from registering their land.

## CONCLUSION

Several factors influence the low level of community participation in land registration in Sukoanyar Village, including the assumption of expensive land registration costs, the belief that certificates only hold economic value, the belief that they already physically control the land, and the lack of enthusiasm for property registration. Thus, from the perspective of Sunaryati Hartono's typology of legal culture, the phenomenon of low land registration in Sukoanyar Village falls into the pre-conventional legal culture category. This is because people tend to prioritize less legal certainty in the land sector and rely more on

the belief that they have physical control over their land. In addition, people also tend to emphasize ego interests, where they will only register their land if there is an urgent need that makes them have a certificate immediately. These factors lead to various consequences, such as ownership uncertainty, a higher likelihood of disputes, and a restricted use of land ownership rights.

The village government's efforts to improve land registration in Sukoanyar Village, Pakis District, Malang Regency include: 1) organizing counseling and socialization; and 2) submitting a quota of land parcels through the Complete Systematic Land Registration (PTSL) program. This effort is a positive step toward overcoming several inhibiting factors and fostering a conventional legal culture. Through counseling and socialization activities involving all villagers, the Sukoanyar Village government seeks to increase community understanding of the importance of land certification. Participating in the government's Complete Systematic Land Registration (PTSL) program through ATR/BPN is a concrete step that offers more affordable costs for the community, particularly those who work as farm laborers.

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