



## Agrarian Issues in the Indonesian State: Case Study of MA Decision Number 777.Pk/Pdt/2019 and Legal Protection for Landowners

Khairil Qadarisman<sup>1</sup>, Fokky Fuad<sup>1</sup>, Anis Rifai<sup>1</sup>

<sup>1</sup>Universitas Al Ashar Indonesia

Corresponding Author: Khairil Qadarisman

Email: [Khairilq@gmail.com](mailto:Khairilq@gmail.com)



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### Abstract

*This research discusses agrarian problems that occur in Sikayah Negara Indonesia with a focus on the case study of the Supreme Court Decision Number 777.pk/Pdt/2019 and examines the legal protection given to landowners. The background to this problem comes from the agrarian conflicts that are often faced by landowners, where their ownership rights are threatened. The research method used is normative legal research with a case study approach. The collected data was analyzed qualitatively to identify emerging agrarian problems, analyze the methods used in the case studies, and evaluate the legal protection given to landowners. The results of the research show that the case study of the Supreme Court Decision Number 777.pk/Pdt/2019 involves conflicts between landowners and other parties who also claim the same land rights. The methods used include document analysis, case discussion, and legal assessment. Based on the research results, it can be concluded that legal protection for landowners in the context of agrarian problems in Sikayah Negara Indonesia is still not optimal. There are weaknesses that need to be fixed in legal policy and law enforcement to ensure better protection of land ownership rights and the interests of landowners. In order to improve this situation, further efforts are needed to improve relevant legal policies, strengthen law enforcement, and provide fair and effective protection for landowners. This will ensure the realization of balanced agrarian justice and adequate protection of the rights of landowners in the Sikayah Indonesia Country.*

## Introduction

Land is a very basic human need. Humans live and carry out activities on land so that at all times humans are always in contact with land, it can be said that almost all human life activities, both directly and indirectly, always require land (Ramadhani, 2021).

Land within the territory of the Republic of Indonesia is one of the main natural resources, apart from having deep inner value for the Indonesian people, it also has a very strategic function in meeting the increasingly diverse and increasing needs of the State and its people, both at the national level and in relation to the international world. (Frasandi, 2019.). So important is land for human life, even lives will be risked to defend it as described in the Javanese philosophy "Sedhumuk cough senyari earth yen needs to be filled with pati". Ter Haar stated that there is a close relationship between land and humans because land is a place to live, the land that gives life, the land where humans are buried, and the relationship is magical and religious (Andari, 2019).

In reality, the need for land is not balanced with the limited and non-renewable availability of land, this imbalance will naturally lead to frictions of interest which can give rise to land

problems. Problems regarding land can take the form of conflicts regarding ownership, control, use and utilization. These two things then gave rise to a land case.

The agrarian problem in Indonesia is a complex problem and often gives rise to conflicts involving various parties. One area that faces challenges in terms of agrarian matters is Sikayah Negara Indonesia. In this region, land and land ownership issues are often a source of disputes that affect people's lives and development in the area.

Based on several typologies, the number of land cases from year to year tends to increase along with all their complexity. These land cases are handled by various government agencies, including the Presidential Staff Office (KSP), the Ombudsman of the Republic of Indonesia, Supreme Court, Ministry of Agrarian Affairs and Spatial Planning/National Land Agency.

Quoted from the Republika media portal, the Presidential Staff Office (KSP) received reports of 780 cases of land disputes from the public in the last four years. Of the 780 land dispute cases received, the majority came from the plantation sector with 393 cases. Member of the Indonesian Ombudsman Dadan S Suharmawijaya at the presentation of the results of the Indonesian Ombudsman's study on "Review of the Implementation of Agrarian Reform in Resolving Agrarian Conflicts and Land Redistribution" which was held in Jakarta, 7 June 2022, explained that public services in the land sector have not fully met the community's expectations. This can be seen from the high number of public reports to the Indonesian Ombudsman, namely 1,612 reports in 2021. According to him, this number is the highest number of reports ever received by the Indonesian Ombudsman based on the type or substance reported with a variety of material and tends to be more than just service administration. But it shifts to more complex issues and conflict dimensions (Sapioper & Flassy, 2021).

A high number of land cases were also recorded at the Supreme Court of the Republic of Indonesia. From the website of the Supreme Court of the Republic of Indonesia, it is recorded that the number of civil cases involving land is 39,728 cases and for State Administration cases related to land it is 15,069 cases. From the data recorded on the Supreme Court website, it can be seen that cases involving land are ranked third in the Civil Chamber compared to other cases and are ranked second in the State Administrative Chamber.

At the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, the number of land cases including disputes, conflicts, cases and land crimes (which contain criminal elements) in 2021 in all regions is 8,111 cases.

Of the many cases handled by the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, one of them is the issue of Building Use Rights Number 2530/Semolowaru Subdistrict, in the name of Mrs. Nanik Widjaya, area 9,930 M<sup>2</sup>, Measuring Letter dated 10 May 2000 Number 260/Semolowaru/2000, rights expire on 15 October 2021 and Building Use Rights Number 2531/Semolowaru Village, in the name of Tjahjono Sutjipto, area 14,965 M<sup>2</sup>, Measurement Letter dated 10 May 2000 Number 259/Semolowaru/2000, rights expire on 15 October 2021, both on The land is located in Semolowaru Village, Sukolilo District, Surabaya City.

That Building Use Rights Number 2530/Semolowaru Subdistrict, in the name of Mrs Nanik Widjaya, area 9,930 M<sup>2</sup>, Letter of Measurement dated 10 May 2000 Number 260/Semolowaru/2000, expires on October 15 2021 and Building Use Rights Number 2531/Semolowaru Subdistrict, on name Tjahjono Sutjipto, area 14,965 M<sup>2</sup>, Letter of Measurement dated 10 May 2000 Number 259/Semolowaru/2000, rights expired on 15 October 2021, both on land located in Semolowaru Village, Sukolilo District, Surabaya City, originally in dispute with Abdul Fatah and/or his Heirs .

That further it has been partially canceled based on the Decree of the Head of the Regional Office of the East Java Province National Land Agency Number 03/Pbt/BPN.35/2017 dated March 8 2017 concerning the Cancellation of Partial Building Use Rights Number 2530/Semolowaru Subdistrict in the Name of Mrs Nanik Widjaya and Partial Use Rights Building Number 2531/Semolowaru Village in the Name of Tjahjono Sutjipto, located in Semolowaru Village, Sukolilo District, Surabaya City. As a Follow-up to the Court Decision which has Permanent Legal Force, Surabaya District Court Decision Number 337/Pdt.G/2010/PN.Sby dated 27 October 2010

Issuance of Land Rights Certificates using a negative publication system with a positive tendency causes disputes to arise which require resolution because there is an opportunity for the aggrieved party to sue. The Ministry of Agrarian Affairs and Spatial Planning/National Land Agency which has the authority to handle the land sector has attempted to resolve land cases as regulated in the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 21 of 2020 concerning Handling and Settlement of Land Cases.

Dispute resolution is basically divided into two resolution paths. First, through litigation, and second through non-litigation. Resolving disputes through litigation in court usually takes quite a long time and is tiring, starting from the District Court, High Court, perhaps even up to the Supreme Court level. This of course also requires quite large costs.

Dispute resolution through formal courts is very slow and complicated, court costs are expensive, the judiciary is unresponsive and resolution is generally unresponsive, court decisions do not resolve problems, the ability of judges is generalist.

So it can be found that the decisions issued by the judiciary do not lead the parties to the dispute towards resolving the problem. Court institutions, like other formal legal institutions, do not have totality in handling disputes, because their decisions are only limited to small portions of the actual cases at hand. This can be understood, because every court decision is always based on normative norms and procedures that have been formulated normatively, without paying attention to the values or laws that live and develop in society, so that they do not touch society's sense of justice. the process is convoluted, and places the disputing parties in the position of someone losing and someone winning.

Likewise, the resolution of the issue of Building Use Rights Number 2530/Semolowaru Subdistrict, in the name of Mrs. Nanik Widjaya, and Building Use Rights Number 2531/Semolowaru Subdistrict, in the name of Tjahjono Sutjipto has been going on for quite a long time and has gone through various courts, both the District Court and state administration. . It is recorded that efforts to resolve this problem have been made in the District Court in a total of 3 (three) cases and in the State Administrative Court in a total of 2 (two) cases, all of which have received decisions that have permanent legal force (inkracht).

Apart from going through court mechanisms, this problem has also been handled administratively at the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, BPN East Java Province Regional Office and Surabaya II Land Office.

That the final decision which was then attempted to end this problem was the decision of the Surabaya District Court Number 759/Pdt.G/2015/PN.Sby dated 1 June 2016 jo. Surabaya High Court Decision Number 813/PDT/2016/PT.Sby dated 9 December 2018 jo. Decision of the Supreme Court of the Republic of Indonesia Number 90.K/Pdt/2018 dated March 28 2018 jo. Decision of the Supreme Court of the Republic of Indonesia Number 777.PK/Pdt/2019 dated

16 December 2019, in the case between Nanik Widjaya and Tjahjono Sutjipto (Plaintiffs) against Abdul Fatah and/or his Heirs, et al.

Whereas then the decision was made by Muhammad Harto Azhar, SH Advocate/Legal Advisor, acting on behalf of Nanik Widjaya and Tjahjono Sutjipto, addressed to the Head of the Regional Office of the National Land Agency for East Java Province, in essence conveying a request to annul the Decision of the Head of the Regional Office of the National Land Agency for East Java Province. Number 03/Pbt/BPN.35/2017 dated March 8 2017, as well as deleting all legal notes/information related to Building Use Rights Number 2530/Semolowaru Village in the name of Mrs. Nanik Widjaya and part of Building Use Rights Number 2531/Semolowaru Village in the name of Tjahjono Sutjipto, based on Surabaya District Court Decision Number 759/Pdt.G/2015/PN.Sby dated 1 June 2016 jo. Surabaya High Court Decision Number 813/PDT/2016/PT.Sby dated 9 December 2018 jo. Decision of the Supreme Court of the Republic of Indonesia Number 90.K/Pdt/2018 dated March 28 2018 jo. Decision of the Supreme Court of the Republic of Indonesia Number 777.PK/Pdt/2019 dated 16 December 2019.

Thus, this research focuses on a case study of the Supreme Court (MA) decision Number 777.pk/Pdt/2019 which relates to agrarian issues in Sikayah Negara Indonesia. This case study involves two partially overlapping certificates between land with Building Use Rights (HGB) No. 2530/Semolowaru and No. 2531/Semolowaru. This condition creates uncertainty regarding land ownership and gives rise to legal conflicts between land owners and related parties.

As a follow-up to this decision, administratively the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency needs to study and carry out treatment in order to formulate a solution to the problem in question. Especially what form of resolution of land problems with Building Use Rights No. 2530/Semolowaru and No. 2531/Semolowaru? And what is the legal protection for the land owner?

## **Methods**

This type of research in legal research is normative or doctrinal legal research. The problem approach used is to use the case approach method, namely by reviewing cases related to the issues at hand which have become court decisions that have permanent legal force. In this research, Primary Legal Materials and Secondary Legal Materials were used. Primary Legal Materials were obtained by searching for data at the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, library research and downloading from the internet. Secondary legal materials are obtained by means of literature study, namely legal materials obtained by studying all secondary legal materials such as regulations, books, results of previous research, and regulations related to research (Ariawan, 2013).

## **Results and Discussion**

This research involves document analysis, case discussion, and legal assessment related to the case study of Supreme Court Decision Number 777.pk/Pdt/2019. The results of this research reveal significant findings regarding conflicts between land owners and other parties who claim rights to the same land. This dispute arose due to differences in ownership claims and rights related to the land in question.

Document analysis is one of the important activities in this research, because through document analysis, researchers can identify differences in ownership claims which are the root of agrarian conflicts such as those that occurred in this case. Through document analysis, researchers can

examine written evidence related to land ownership claims and understand the bases used by the parties involved in the conflict.

As mentioned in previous research by Afifah et al. (2021), document analysis activities are an important part of the process of identifying differences in ownership claims in agrarian cases. Document analysis helps in gathering information, understanding the arguments put forward by relevant parties, and gaining a deeper understanding of the issues that arise in land ownership conflicts. During the discussion process, the arguments and evidence presented by each party are carefully considered.

In the case studied, it appears that the land owner has submitted strong proof of land ownership, such as a land certificate and other valid legal documents. This shows the land owner's efforts to prove his ownership claim. Previous research conducted by Adhim (2019) also emphasized the importance of discussing cases carefully in order to carry out a fair study and resolution of a conflict. This assessment involves the application of applicable agrarian law provisions and consideration of relevant legal principles. The results of the legal assessment show that the land owner has valid ownership rights based on the evidence that has been presented.

Previous research conducted by Kotalewala, et al (2020) also underscored the importance of careful legal assessment in resolving agrarian conflicts. By carrying out a comprehensive legal assessment, it can be ensured that the decisions taken will be based on a strong legal basis and ensure justice for land owners.

Supreme Court Decision Number 777.pk/Pdt/2019 has a strong role in strengthening the argument for the importance of providing fair and effective legal protection for land owners.

This decision is an important reference in ensuring adequate protection of land ownership rights and the interests of land owners more broadly. Previous research conducted by Erlis, (2019) also emphasized the importance of legal certainty and protection of land ownership rights in creating a conducive legal environment and providing support to land owners and their interests as a whole. The Supreme Court's decision provides a strong foundation for guaranteeing land ownership rights and ensuring justice in resolving agrarian conflicts.

With certainty and legal protection for land ownership rights, land owners can feel safe and protected from detrimental actions. This also creates a legal environment that is conducive to investment and economic development in the agricultural sector and other fields related to land. In this context, research by Sulistio, (2020) shows that fair and effective legal protection is very important to create an environment that favors land owners and facilitates the sustainability and success of their businesses.

The results of this research indicate that there are weaknesses in the implementation of legal policies and law enforcement in the context of agrarian problems in Sikayah Negara Indonesia. Previous research also shows similar things that there are weaknesses in the application of law related to agrarian problems in Indonesia. Uncertainty and confusion regarding land ownership can arise due to a lack of clarity in regulations governing agrarian issues. This lack of clarity can create uncertainty for land owners and make it difficult to resolve agrarian conflicts.

Apart from that, weaknesses are also visible in land management and supervision. Inaccuracies in land management and weak supervision can provide opportunities for practices that are detrimental to land owners and exacerbate agrarian conflicts. The importance of effective management and supervision of land is highlighted in efforts to improve the implementation of agrarian law policies.

Low public awareness and understanding regarding land ownership rights is also a challenge in implementing agrarian law policies. People's ignorance or lack of understanding of their

rights regarding land ownership can affect efforts to protect and enforce these rights. In the context of agrarian problems in Sikayah Negara Indonesia, previous research findings by Sarah, (2021) highlight the existence of weaknesses in the implementation of legal policies and law enforcement. This is important to create a legal environment that is conducive, fair and effective in dealing with agrarian problems in Sikayah Negara Indonesia.

Legal protection for land owners in the case study of two partially overlapping certificates between land with Building Use Rights (HGB) No. 2530/Semolowaru and No. 2531/Semolowaru in Sikayah Negara Indonesia, as well as conflicting decisions between TUN decisions and civil decisions can be made through the following steps:

### **Verification and Research**

Verification of land ownership and registration history of Building Use Rights (HGB) with different numbers but referring to the same place or land is an important task that must be carried out by the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency. This aims to ensure the authenticity and validity of documents related to ownership, with the following stages:

Examination of documents related to land ownership and HGB registration history. These documents include land certificates, proof of tax payments, previous ownership letters, and other related documents.

Analyze the numbers and references listed on these documents. If there are differences in numbers, then a match is made with the existing data in the system or database owned by the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency.

Research the history of the ownership. This includes tracking previous ownership history, changes in land status, as well as previous registration and licensing processes.

Field verification to ensure the existence and condition of the land related to these documents. This may involve field surveys and direct physical examination.

By carrying out careful verification, the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency can ensure the authenticity and validity of land ownership as well as the history of HGB registration. This is important to maintain legal certainty and prevent conflicts or disputes regarding land ownership in the future.

### **Data and Information Synchronization**

The purpose of this synchronization is to ensure the consistency and accuracy of data related to land ownership. Clarification of legal ownership based on the results of research and verification that has been carried out. This involves ensuring proper ownership with valid and legal documents. Identify differences and errors in numbering or assigning HGB numbers that refer to the same land.

Updated data and information related to land ownership. This includes updating inappropriate HGB numbers, correcting numbering errors, and ensuring the accuracy of recorded data.

Updating the database owned by the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency. This database must reflect changes and updates that have been made, so that the information stored is accurate and reliable.

By synchronizing data and information related to land ownership, the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency can ensure consistency and accuracy in the land administration system. This will have a positive impact on legal certainty and more effective and efficient land management.

## **Mediation and Dispute Resolution**

If a dispute occurs between land owners with different HGB numbers but referring to the same land, the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency has an important role in facilitating the resolution of the dispute. Mediation aims to reach an adequate and mutually beneficial agreement for all parties involved. Things that need to be done are:

Dispute resolution through land dispute resolution institutions. If mediation is unsuccessful or the parties to the dispute cannot reach an agreement through mediation, the dispute resolution process can involve an authorized land dispute resolution institution. These land dispute resolution institutions usually have established authority and procedures to resolve land disputes, such as courts or arbitration bodies.

Analysis and evaluation of documents and evidence. In the dispute resolution process, the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency can carry out further analysis and evaluation of existing documents and evidence to support dispute resolution. This involves further research regarding land ownership and the validity of the documents presented by both parties.

Implementation of dispute resolution decisions. Once the dispute resolution reaches its final point, the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency will ensure the implementation of the resulting decision. This includes coordinating the steps necessary to change or update land ownership documents, as well as informing the results of the completion to related parties, such as land owners, financial institutions, or other parties involved in ownership or transactions related to the land. The Ministry of Agrarian Affairs and Spatial Planning/National Land Agency can also take administrative steps to recognize and implement dispute resolution decisions, such as updating land ownership records and related documents.

During the dispute resolution process, the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency will maintain continuous communication between the two parties involved and provide the necessary direction. The Ministry of Agrarian Affairs and Spatial Planning/National Land Agency will follow the applicable legal framework in taking appropriate and fair dispute resolution steps.

## **Data Update and Re-registration**

If there is an error in numbering or assigning Building Use Rights (HGB) numbers, the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency needs to update the data and re-register accordingly. The main objective is to ensure the integrity and accuracy of land ownership data recorded in the land administration system. The things needed are:

Identify errors that occur in numbering or assigning HGB numbers. This involves gathering information and analyzing relevant documents, including land titles, registration documents and other relevant data.

Correction of necessary errors. This could include changing or replacing the wrong HGB number with the correct number and in accordance with the land ownership in question.

Update land ownership data recorded in the land administration system. This involves updating information regarding the HGB number, land owner, land area, ownership status, and other related information.

Re-registration of land ownership with the corrected HGB number will be carried out. This will update the legal status of ownership and ensure accurate and up-to-date records relating to the land.

Coordinate with land owners and related parties, such as financial institutions or property developers, to ensure a smooth process and accuracy of recorded information.

By updating data and re-registering accordingly, the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency will be able to ensure the integrity and accuracy of recorded land ownership data. This is important in maintaining legal certainty, protecting the rights of land owners, and facilitating effective and efficient land management.

### **System and Procedure Improvements**

In dealing with problems such as errors in numbering or assignment of Building Use Rights (HGB) numbers which can affect the integrity of land data, the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency needs to carry out a thorough evaluation of the administrative systems and procedures used in registering and managing land data. The things needed are:

Identify problems and failures in administrative systems that contribute to HGB numbering or assignment errors. This involves an in-depth analysis of the registration process, data management and use of existing information systems.

Evaluate the procedures used in registering and managing land data. This includes reviewing the verification process, numbering, assigning HGB numbers, data updates and re-registration. This evaluation will identify gaps or deficiencies in procedures that could lead to errors or data inconsistencies.

Analysis of information systems used in land administration. This includes a review of databases, software, technology infrastructure, and integration between systems. Identify necessary repair solutions. This involves developing or changing procedures, updating information systems, improving training for relevant personnel, or implementing other relevant actions.

Implementation of improvements in the administration system. This involves procedural changes, information system updates, training of relevant staff, and effective communication to ensure proper understanding and adoption of the improvements made.

Continuous monitoring and evaluation of improvements that have been implemented. The Ministry of Agrarian Affairs and Spatial Planning/National Land Agency will carry out continuous monitoring and evaluation of the improvements that have been implemented. This involves monitoring the performance of administrative systems, updating land data, and tracking potential new problems. Training and understanding of relevant staff regarding updated procedures and implemented improvements. A good understanding of the updated administration system will help prevent human error and ensure better data quality.

Collaborate and update regulations with relevant parties, including legal experts, academics and other stakeholders, to identify broader areas of improvement in the land administration system. In some cases, regulatory or policy updates may be necessary to strengthen and improve the reliability of administrative systems.

Communication and public education about improvements made in the administrative system. This aims to increase public awareness and understanding of the importance of land data integrity and the efforts made to improve it.

### **Harmonization of Legal Decisions**

Judicial parties, such as the Supreme Court, and related institutions, such as the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN), need to coordinate

actively to ensure harmonization of legal decisions related to agrarian affairs in this case. This coordination is important to avoid conflicting decisions and reach consistent agreements in resolving land ownership conflicts.

In carrying out a comprehensive analysis of conflicting TUN (State Administration) decisions and civil decisions, the judiciary and related institutions need to involve agrarian law experts and land experts. This analysis will help understand the case comprehensively, including the legal and factual factors related to overlapping certificates.

In the analysis process, the main goal is to find common ground that results in accurate and fair decisions for land owners. An accurate decision will consider legal aspects, valid evidence, and applicable provisions. A fair decision will consider the rights and interests of all parties involved, including land owners and other parties who have related interests. Thus, land owners can get proper legal protection and justice in cases of overlapping certificates they face.

### **Agrarian Policy Reform**

Complex agrarian problems require policy reform measures that can strengthen legal protection for land owners. The government needs to carry out a thorough evaluation of the regulations and procedures that apply in issuing land certificates, document verification, and resolving agrarian disputes. This evaluation must pay attention to problems that arise in cases of overlapping certificates and conflicting decisions.

Renewing inclusive and transparent agrarian policies could be a solution to reduce overlapping certificates and increase legal protection for land owners. This could involve improving more stringent certificate issuance procedures, improving more accurate document verification systems, and increasing the effectiveness of agrarian dispute resolution. Inclusive policies will involve active participation from various stakeholders, including land owners, community organizations and agrarian law experts. Transparency in the policy process will give landowners confidence that the legal protection measures taken are in their interests.

In carrying out agrarian policy reforms, it is important to consider developments in the agrarian context and emerging challenges. Existing regulations and procedures need to be updated regularly to remain relevant to agrarian needs and dynamics. The government can involve a team of experts, conduct public consultations, and adopt best practices from other countries that have successfully faced similar problems. By carrying out comprehensive agrarian policy reforms, legal protection for land owners can be strengthened and justice can be achieved in an increasingly complex agrarian context.

### **Law Education**

To ensure effective legal protection for land owners, legal education efforts are needed that provide better access and understanding of their rights in the context of agrarian law. The government, non-governmental organizations and community organizations can play an important role in organizing legal education activities that embrace land owners.

Through legal education activities, land owners can understand procedures related to land ownership, such as issuing certificates, renewing and transferring rights, as well as regulations regarding land use and utilization. They will also gain a better understanding of their rights, including land rights, control rights, building use rights, and legal protection rights in agrarian disputes.

Legal education will also provide land owners with the necessary information regarding their obligations as land owners, such as fulfilling tax payment obligations and maintaining land.

With better understanding, landowners will be able to take appropriate action to protect their rights and avoid conflicts that could threaten their ownership.

Apart from that, legal education can also help increase landowners' awareness of the importance of involvement in the agrarian policy making process. They can be invited to participate in public dialogue, discussion forums, and activities involving landowners as the main stakeholders in agrarian policy making. Through active participation, landowners can influence policy changes that better accommodate their needs and protect their rights.

Thus, legal education organized by the government, non-governmental organizations and community organizations will provide landowners with better access to knowledge of agrarian law and help them understand their procedures, rights and obligations regarding land ownership. This will be an important step in strengthening legal protection for land owners in dealing with agrarian problems and overlapping certificate conflicts.

## Conclusion

Based on the analysis, it can be concluded that legal protection for land owners in the context of agrarian problems in Sikayah Negara Indonesia is still not optimal. The research revealed several weaknesses that need to be corrected in legal policies and law enforcement to ensure better protection of land ownership rights and the interests of land owners.

First of all, weaknesses related to agrarian law provisions are one of the main factors in suboptimal protection. Lack of clarity and indecisiveness in agrarian regulations can cause confusion and uncertainty in terms of land ownership. Therefore, it is important to make improvements in the preparation and improvement of agrarian law provisions that are clearer, more detailed and can provide legal certainty to land owners.

Apart from that, weaknesses in land management and supervision are also problems that must be considered. Non-transparency in the process of granting land use permits and weaknesses in monitoring illegal actions such as forest encroachment or illegal land transfers can threaten legal land ownership rights. Minimal understanding of their rights in land ownership makes land owners vulnerable to misuse and grabbing of land by other parties.

In conclusion, it is important to make improvements in legal policies and law enforcement to increase protection for land owners in the context of agrarian problems in Sikayah Negara Indonesia. This includes increasing the clarity of agrarian law provisions, improving land management and supervision, as well as increasing public awareness and understanding of land ownership rights. With these steps, it is hoped that better legal protection can be realized, ensuring justice and certainty for land owners and their interests as a whole.

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