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Creative Legal Insights: Constructing Land Ownership in Sembulang Village

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ABSTRACT

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Land stands as a valuable asset with significant economic and social implications. In Indonesia, land registration is governed by the Basic Agrarian Law No. 5 of 1960, which has undergone several amendments and is complemented by more specific implementing regulations. However, the lack of understanding among the residents of Sembulang Village regarding the benefits and processes of land registration poses a challenge that needs to be addressed, requiring a concerted effort to enlighten the community. Therefore, a community service program (PkM) in Sembulang Village is deemed necessary. The methods employed to realize this initiative involve Focus Group Discussions (FGD) and field observations. The selection of these methods is aimed at providing a deeper knowledge and understanding to the residents of Sembulang Village regarding their lack of comprehension about the land registration process. The outcome of this legal education initiative is reflected in the heightened understanding of the community concerning the benefits and steps involved in land registration.

Keywords: Legal Outreach, Land Registration Regulations

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INTRODUCTION

The process of land registration stands as a crucial administrative endeavor within the legal property framework of any region. Land, being a valuable asset with significant economic and social implications (Masnah, 2021), necessitates a

clear and accurate registration process. This is essential not only to safeguard land ownership rights but also to prevent disputes and facilitate legitimate property transactions (Pratama & Agustini, 2022). However, in many countries, including Indonesia, land registration often grapples with various obstacles and challenges (Fiona & Tan, 2022). Common issues include unclear ownership, incomplete or inaccurate documents, overlapping ownership claims, and a lack of community understanding about the land registration process (Prayogo et al., 2019).

Legal enlightenment on land registration emerges as a vital step in building awareness and understanding among the public about the importance of proper land registration aligned with existing legal regulations (Silviana, 2012). This educational effort aims to provide accurate and easily comprehensible information regarding land registration rules and requirements, landowner rights and responsibilities, and legal protections related to land ownership (Nurmiati et al., 2020). A crucial aspect to consider in legal education on land registration is the legal framework governing land registration in a particular country (Rohman et al., 2019). Each country possesses unique legal systems and regulations concerning land registration. In Indonesia, land registration is regulated by the Basic Agrarian Law No. 5 of 1960, which has undergone several amendments and is supplemented by more specific implementing regulations (Yamin & Zaidar, 2018).

Beyond the existing legal framework, legal education on land registration must also consider the social, economic, and cultural contexts of the targeted communities (Lendrawati, 2013). Every region has distinct characteristics, including land ownership practices, customs, traditions, and prevailing value systems. Therefore, legal education on land registration needs to be tailored to the local context to be effective and relevant to the local population (Dirham et al., 2022). The importance of legal education on land registration is also linked to its impact on the social and economic stability of a country (Pamungkas Satya Putra, S.H., 2018). Inaccurate or unclear land registration can lead to legal uncertainties, ownership disputes, and disruptions to property transactions (Krisnantoro, 2020). This can hinder investment, impede economic growth, and create social conflicts detrimental to the entire community.

Furthermore, legal education on land registration can improve public access to services related to land. With a better understanding of the land registration process, communities can more easily handle documents and applications related to land, such as land surveys, land certificates, and property development permits. In the global context, legal education on land registration is gaining more attention due to its connection with sustainable development. Clear and accurate land registration forms the foundation for sustainable natural resource management, environmental protection, and sustainable infrastructure development. Properly registered and efficiently managed land can drive sustainable economic growth

and enhance the quality of life for communities. In this light, legal education on land registration can also promote best practices in sustainable land management, including the use of Information and Communication Technology (ICT) in land registration. The use of ICT in land registration can improve efficiency, transparency, and accuracy in the land registration process, facilitating public access to necessary information.

In the context of legal education on land registration in Indonesia, special attention needs to be given to rapidly growing and complex urban areas, such as Batam City. Batam City is one of the largest cities in Indonesia with rapid economic growth, especially in the industrial and business sectors. This growth has led to an increased demand for land and property in Batam City. However, rapid growth brings challenges in land management, ownership, and registration. Issues such as limited available land, overlapping land ownership, and a lack of community understanding of the land registration process need to be addressed. Therefore, legal education on land registration in Batam City is crucial to provide understanding to the community about the importance of this process and the rules and requirements associated with land registration. This education can help the community understand their rights and responsibilities as landowners, avoid ownership disputes, and legally protect their rights.

The implementation of this legal education initiative is an initiative and realization of students' dedication to providing legal education to rural communities. The target of this education initiative is the residents of Sembulang Village, Pulau Galang, with a population of 50 individuals. Sembulang is a sub-district located in the Riau Islands province. Established in 1936, the sub-district is situated in the Galang District, Batam City. Sembulang consists of 10 neighborhoods (RT), divided into 4 villages: Sembulang Hulu, Sembulang Tanjung, Pasir Merah, and Tanjung (Sama et al., 2019). To reach this sub-district, one must travel a distance of 54.60 KM, passing through 4 bridges in the Bareleng region. The total area of Sembulang is 2018.49 KM², dominating 52.17% of the Galang District (Central Statistics Agency Batam City, 2022). The goals of this legal education implementation are: 1) To educate the community in Sembulang Village about the land registration process; 2) To provide legal education to the Sembulang Village community regarding legal aspects related to land registration.

IMPLEMENTATION METHOD

The writer's focus is on addressing the lack of understanding and knowledge among the community regarding the benefits and processes involved in land registration. A significant portion of the population perceives land registration as less beneficial, and there is a noticeable lack of education on this matter. The

majority of residents are unaware that land certificates serve as strong evidence of land ownership and can aid in resolving potential land-related issues. Unlike legal research that employs a scientific analysis approach, this community service initiative does not utilize such methods (Disemadi, 2022). To implement this initiative, the chosen methods are Focus Group Discussions (FGD) and field observations. This selection stems from their ability to provide in-depth knowledge to the community regarding the issues surrounding the lack of understanding in the land registration process. These methods also facilitate the delivery of informative sessions in a light and engaging manner. Before implementation, organizers conduct direct visits to partners for field observations to uncover and understand the specific issues at hand. Subsequently, armed with insights, they prepare the materials for the presentation.

The legal education session begins with self-introductions, followed by the delivery of the prepared materials. After the presentation, a question-and-answer session is opened for attendees to seek clarification. The final segment involves summarizing key points and documenting the activity. Evaluation becomes a crucial aspect at this stage to gauge the success of the event, ensuring it aligns with the initial objectives. Through Q&A sessions and follow-up interviews related to the presented material, the effectiveness of the legal education is assessed. Additionally, this stage involves the creation of reports for accountability. Not limited to education, this phase also includes a social contribution element with the distribution of basic necessities to the residents of Sembulang Village.

IMPLEMENTATION RESULTS

General Overview of the Land Registration Process

Land registration is a crucial step in obtaining legal certainty over ownership and rights to land (Aufima, 2020). In Indonesia, the National Land Agency (BPN) is the institution responsible for the management and registration of land. Land registration is governed by Law No. 5 of 1960 concerning Basic Agrarian Principles (Agrarian Law) and Government Regulation No. 24 of 1997 concerning Land Registration. This process ensures that individuals have legal recognition and protection for their land ownership and associated rights (Actika & Agustianto, 2020). The National Land Agency plays a pivotal role in maintaining an organized and reliable land registry system, contributing to the overall legal infrastructure and security in land transactions

Land registration offers several benefits, including: 1) Legal Certainty: Land registration provides legal certainty to landowners regarding ownership rights and other entitlements associated with the land. 2) Legal Protection: Land registration also offers legal protection to landowners, safeguarding them against actions by

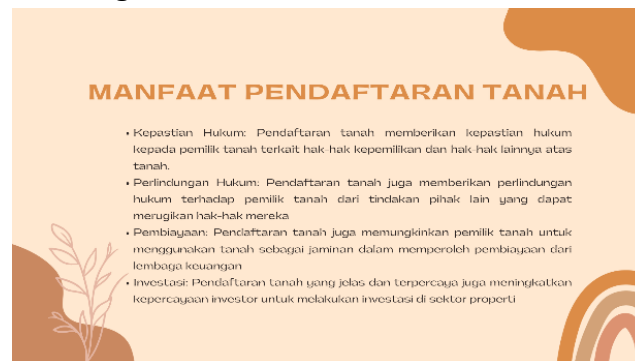
other parties that may compromise their rights. 3) Financing: Land registration enables landowners to use their land as collateral when seeking financing from financial institutions. 4) Investment: Clear and reliable land registration enhances investor confidence, encouraging investments in the property sector (Sulastri et al., 2022). In addition to the aforementioned advantages, land registration plays a pivotal role in fostering economic growth and development. It serves as a fundamental mechanism for creating an organized and transparent land tenure system, which, in turn, stimulates economic activities and attracts both domestic and foreign investments. The assurance of legal rights through land registration not only facilitates individual landowners but also contributes to the overall socio-economic stability of a region, creating an environment conducive to sustainable development.

Figure 1. Material Presentation Slide



Source: Personal Documentation, 2023

Figure 2. Material Presentation Slide



Source: Personal Documentation, 2023

The land registration process involves several stages that must be navigated. These stages include: 1) Document Preparation: The initial step in land registration is gathering the required documents, such as ownership letters, previous land certificates (if any), and other supporting documents like tax payment receipts. 2) Document Verification: After collecting the documents, the National Land Agency (BPN) will conduct a verification process to ensure the authenticity and accuracy

of the data in the documents with the data held by the BPN. 3) Land Survey: Following document verification, the BPN will dispatch officers to conduct a land survey. The officers will inspect the land boundaries, create maps, and measure the land area. 4) Announcement: Upon completion of the survey, the BPN will announce the intention to register the land through notice boards at the BPN office and strategic public locations. 5) Adjudication Process: After the announcement, parties who feel aggrieved or have objections to the land registration may file a lawsuit with the District Court. 6) Certificate Issuance: If no objections are raised within the specified period, the BPN will issue a land certificate indicating ownership and rights over the land. The intricacies of the land registration process underscore the importance of meticulous document preparation, stringent verification procedures, and thorough land surveys. The public announcement and adjudication phases ensure transparency and provide avenues for resolving disputes. Ultimately, the issuance of a land certificate signifies the successful completion of the registration process, granting legal recognition to the ownership and rights associated with the land.

Figure 3. Material Presentation Slide



Source: Personal Documentation, 2023

In addition to the land registration process, there are several crucial considerations regarding land ownership in Indonesia. These include: 1) Land Boundaries: Landowners need to understand and ensure the boundaries of their land. In case of disputes or uncertainties, resolution can be sought through mediation or legal processes. 2) Rights Over Land: Apart from ownership rights, there are other rights associated with land, such as land-use rights, rights of use, or lease rights. Landowners must be aware of the types of rights they possess and handle them appropriately. 3) Land Taxes: Landowners are also obligated to pay land taxes according to the prevailing regulations. Since land taxes may vary across regions, landowners need to comprehend and fulfill these obligations. 4) Changes in Land Data: If there are alterations in land data, such as boundary changes or changes in ownership, landowners need to address these by submitting a data

change request to the National Land Agency (BPN). 5) Land Disputes: In cases of disputes concerning ownership or rights over land, legal action can be taken to the District Court for resolution. Land registration in Indonesia is a crucial process to obtain legal certainty over ownership and rights to land. Through a structured process based on applicable laws, land registration provides legal certainty to landowners and encourages investments in the real estate sector.

Legal Basis of Land Registration

The process and requirements for land registration in Indonesia are governed by regulations related to agrarian affairs and land registration (Rumawung, 2019; Khairuddin, 2022). Several laws and government regulations serve as the legal basis for land registration in Indonesia. Firstly, Law No. 5 of 1960 concerning Basic Agrarian Principles (Agrarian Law) serves as the primary foundation governing land rights, land registration, land measurement, and land acquisition (Wicaksono et al., 2020). Secondly, Government Regulation No. 24 of 1997 concerning Land Registration outlines the procedures for land registration, the use of land certificates, archival storage, and re-registration processes (Kaunang, 2016). Thirdly, Government Regulation No. 35 of 2009 on Amendments to Government Regulation No. 24 of 1997 concerning Land Registration introduces changes to various essential aspects of land registration, including registration procedures, archival organization, and registration fees (Arifin, 2013). Lastly, Law No. 2 of 2012 on Amendments to Law No. 5 of 1960 concerning Basic Agrarian Principles revises the Agrarian Law, addressing agrarian reform, spatial planning, land acquisition, and legal certainty (Trisilia, 2013).

Figure 4. Material Presentation Slide



Source: Personal Documentation, 2023

These laws and regulations collectively establish a comprehensive framework for land registration, ensuring that the process is governed by clear legal provisions. They encompass various aspects such as land rights, registration procedures, archival practices, and fees, providing a robust legal foundation for

individuals and entities seeking to register land in Indonesia. The continuous amendments and updates to these regulations reflect the government's commitment to enhancing and streamlining the land registration process to meet the evolving needs of society and ensure legal certainty in land transactions.

Implementation of Land Registration Socialization to Strengthen Legal Knowledge in Sembulang Village

The initial stage of implementing this outreach activity commences with a direct field observation. In this phase, students conduct on-site observations by meeting Mr. Ute Rambe, S.E., who holds the position of Galang Sub-district head. This preliminary visit aims to seek permission for the upcoming legal outreach activity in one of the sub-districts of Galang. The outcome of the meeting with the Galang Sub-district head includes the determination of the outreach location, the scheduled date, and the designated contact person. The chosen venue for the outreach activity is the Sembulang Sub-district.

Figure 5. Direct observation with Mr. Ute Rambe, S.E. as Galang Sub-District Head



Source: Personal Documentation, 2023

Engaging in a direct conversation with the Sub-district head is a crucial step in obtaining essential approvals and logistical details. This initial groundwork not only sets the stage for a successful outreach program but also establishes a collaborative relationship with the local authorities, ensuring a smooth and well-coordinated execution of the legal awareness campaign. The proactive approach taken by the students in seeking permission and clarifying logistical aspects reflects a commitment to the community and highlights the importance of effective communication in the planning and implementation of such educational initiatives.

Figure 6. Land Registration Counseling held at the Sembulang Exit Hall



Source: Personal Documentation, 2023

After coordinating with the sub-district head, the next step involved further discussions with the appointed village chief, whose location had been selected for the upcoming outreach session. This phase serves as the pre-outreach stage, focusing on the preparation of facilities and equipment to be utilized during the informational session. The agenda at this stage encompasses logistical arrangements to ensure a smooth and effective outreach event. The forthcoming legal outreach endeavors to address the theme "Legal Literacy: Land Registration Awareness to Strengthen Legal Knowledge in the Sembulang Community." During the pre-outreach phase, the students collaborated closely with Mr. Danang Prilasandi, S.K.M., who serves as the chief of Sembulang village. Coordination efforts also extended to Mrs. Dian Nurhuda, the Chair of the Promotion Program Department in the Sembulang neighborhood. This collaboration ensures a comprehensive and community-tailored approach to the legal awareness campaign.

The legal outreach conducted by the students is well-equipped with PKM banners, meticulously designed presentation materials, including slides and videos, laptops, and prepared giveaways to be distributed among the participants. The outreach event is scheduled to take place on March 25, 2023, at the Sembulang village hall, promising an engaging and informative session for the community members involved.

On Saturday, March 25, 2023, the residents of Sembulang Subdistrict gathered at the designated venue, the community hall, eagerly preparing themselves to participate in an enlightening session organized by university students. Prior to the residents' assembly in the hall, meticulous preparations, including the setup of presentation materials and the display of community service

project banners, had been carried out by the students. The introduction phase marked the initial session of this event, followed by a comprehensive presentation outlining the purpose and objectives of the planned activities.

Figure 7. Opening and introductory session



Source: Personal Documentation, 2023

This community gathering showcased not only the residents' enthusiasm but also the proactive engagement of the students in facilitating an informative outreach program. The collaborative effort between the community and the university students reflected a shared commitment to knowledge dissemination and community development. The atmosphere resonated with a sense of anticipation as the residents and students embarked on a collective journey towards the exchange of valuable insights and the promotion of mutual understanding.

Figure 8. Delivery of Material to the Residents Present



Source: Personal Documentation, 2023

The material presented to the residents as participants in the counseling session revolves around the land registration process. The interactive nature of the counseling implementation has been well-received by the residents. Beyond the intricacies of land registration, the students delivering the content in this event have also shed light on the benefits of land registration and the legal foundations governing the entire process.

Figure 9. Question and answer session



Source: Personal Documentation, 2023

Figure 10. Symbolic Handing Over of Gifts



Source: Personal Documentation, 2023

Following the informative presentations by the students, a question-and-answer session was opened. The abundance of questions posed by the attending residents serves as evidence that the execution of this activity has been warmly welcomed. The Q&A session aims not only to address inquiries but also to provide a deeper understanding and respond to specific experiences that residents may have encountered regarding the land registration process. The counseling session on land registration has not only educated the residents on procedural aspects but

has also engaged them interactively. The positive reception, evident through active participation and numerous questions during the Q&A, highlights the success of the event in fostering community understanding and addressing practical concerns related to land registration.

CONCLUSION

The implementation of the legal outreach activities represents a dedicated service provided by students to the community, with a focus on legal matters. In this particular legal outreach session, students delved into the intricacies of the land registration process. The outreach was conducted in the Sembulang neighborhood, aiming to enlighten the residents on the significance and benefits of registering their land, especially for those who own but have not yet registered their properties.

The interactive lecture method was employed for the outreach, where students delivered prepared materials using effective presentation techniques. The outcome of this initiative was evident as the students successfully imparted knowledge to the Sembulang community about the advantages, procedural steps, and legal foundations of land registration. The positive response from the attending community members was apparent, illustrated by their enthusiastic participation in the question-and-answer session. Mrs. Dian Nurhuda, representing the residents, provided feedback on the event, expressing that the material presented by the students was engaging and easily comprehensible for those less familiar with the procedures and laws related to land registration.

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