



## Analysis of Complete Systematic Land Certification (PTSL) to Increase the Economic Value of Community Land

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### ABSTRACT

This research is motivated by the persistently high number of unregistered land parcels and the low level of legal certainty regarding community land ownership, which has resulted in limited access to economic opportunities and capital. The Complete Systematic Land Registration Program (PTSL) implemented by the government aims to accelerate asset legalization through the mass issuance of land title certificates. However, the effectiveness of PTSL in increasing the economic value of community land still requires empirical and juridical examination. This study aims to analyze the implementation of PTSL, identify the obstacles encountered, and assess the impact of land certification on enhancing the economic value of community land. The research method employed is normative legal research with a socio-juridical approach. Secondary data were obtained from statutory regulations, academic literature, and policy documents related to PTSL and land law. The analysis was conducted qualitatively to evaluate the relationship between legal certainty of land rights and the increase in economic value. The findings indicate that PTSL provides legal certainty and protection of land rights, increases land market value, and expands community access to financial institutions through credit schemes using land certificates as collateral. Certification also enhances investor confidence and strengthens the bargaining position of landowners. Nevertheless, administrative constraints, limited public understanding, and the suboptimal utilization of certificates as instruments of economic empowerment remain challenges. Therefore, PTSL significantly contributes to increasing the economic value of land, although strengthening community assistance and legal literacy is still necessary.

**Keyword:** PTSL, Land Certification, Economic Value of Land.

### ABSTRAK

Penelitian ini dilatarbelakangi oleh masih tingginya jumlah bidang tanah yang belum terdaftar serta rendahnya kepastian hukum atas kepemilikan tanah masyarakat, yang berdampak pada terbatasnya akses ekonomi dan permodalan. Program Pendaftaran Tanah Sistematis Lengkap (PTSL) yang dilaksanakan pemerintah bertujuan mempercepat legalisasi aset melalui penerbitan sertipikat hak atas tanah secara massal. Namun demikian, efektivitas PTSL dalam meningkatkan nilai ekonomi tanah masyarakat masih memerlukan kajian lebih lanjut. Penelitian ini bertujuan untuk menganalisis pelaksanaan PTSL, mengidentifikasi hambatan yang dihadapi, serta menilai pengaruh sertipikasi tanah terhadap peningkatan nilai ekonomi tanah masyarakat. Metode penelitian yang digunakan adalah penelitian hukum normatif dengan pendekatan yuridis-sosiologis. Data sekunder berasal dari peraturan perundang-undangan, literatur, dan dokumen kebijakan terkait PTSL dan hukum pertanahan. Analisis dilakukan secara kualitatif untuk menilai keterkaitan antara kepastian hukum hak atas tanah dan peningkatan nilai ekonomi. Hasil penelitian menunjukkan bahwa PTSL memberikan kepastian hukum dan perlindungan hak atas tanah, meningkatkan



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nilai jual tanah, serta membuka akses masyarakat terhadap lembaga keuangan melalui skema kredit dengan jaminan sertipikat. Sertifikasi juga mendorong meningkatnya kepercayaan investor dan memperkuat posisi tawar pemilik tanah. Namun, masih ditemukan kendala administratif, keterbatasan pemahaman masyarakat, dan belum optimalnya pemanfaatan sertipikat sebagai instrumen pemberdayaan ekonomi. Dengan demikian, PTSL berkontribusi signifikan terhadap peningkatan nilai ekonomi tanah, meskipun memerlukan penguatan aspek pendampingan dan literasi hukum masyarakat.

**Keyword:** PTSL, Pendaftarkan Tanah, Nilai Ekonomi, Tanah Masyarakat.

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## 1. Introduction

Land constitutes an agrarian resource that holds a strategic position in the social, economic, and legal life of Indonesian society. In addition to functioning as a place of residence and a means of production, land also possesses economic value that can serve as a fundamental capital for improving community welfare. Therefore, legal certainty over land tenure and ownership becomes a crucial factor in encouraging the optimal and equitable utilization of land.<sup>1</sup> The 1945 Constitution of the Republic of Indonesia, through Article 33 paragraph (3), stipulates that the land, water, and natural resources contained therein are controlled by the state and shall be utilized for the greatest prosperity of the people. This constitutional mandate is further elaborated in Law Number 5 of 1960 concerning Basic Agrarian Principles (the Basic Agrarian Law/UUPA).

One of the main problems in the land sector in Indonesia is the large number of land parcels that remain unregistered and uncertified. This condition results in weak legal certainty, a high potential for land disputes and agrarian conflicts, and the low economic value of land owned by the community. Uncertified land is generally difficult to use as collateral for credit, lacks investment attractiveness, and is vulnerable to unlawful occupation.<sup>2</sup> As a consequence, the potential of land as a productive economic asset has not been optimally utilized by the community, particularly by low-income groups and rural populations.

In order to address these issues, the government has implemented the Complete Systematic Land Registration Program (Pendaftaran Tanah Sistematis Lengkap/PTSL) as an effort to accelerate land registration throughout Indonesia. The PTSL program aims to provide legal certainty and legal protection over land rights through the simultaneous, systematic, and comprehensive issuance of land certificates. Through PTSL, it is expected that all land parcels within a single administrative area at the village or sub-district level will be registered, thereby creating a complete and accurate land database.

Since the enactment of the Basic Agrarian Law (UUPA) in Indonesia through Law Number 5 of 1960, land certification has been one of its primary programs, requiring land that previously lacked formal proof of ownership to be granted legal evidence of land rights. The acceleration of land certification has become an important policy issue implemented across different periods of government administration. Even during the New Order era, this effort was considered highly significant and was incorporated into the State Policy Guidelines (Garis-Garis Besar Haluan Negara), as part of what was referred to as the “Green Revolution”.<sup>3</sup>

In order to accelerate the expected pace of land registration, the Government has intensified the implementation of the Complete Systematic Land Registration Program (Pendaftaran Tanah Sistematis Lengkap/PTSL), under which the Government has set a target of registering and certifying 1.5 million land parcels within a single fiscal year.<sup>4</sup> This acceleration is aligned with one of the Nawacita priorities of the President of the Republic of Indonesia, which emphasizes land distribution to the community. Nevertheless, what has been realized in practice is the certification of land covering approximately nine million hectares by 2019.

This effort constitutes a mandate explicitly stated in one of President Joko Widodo’s Nawacita agendas, namely “improving the quality of life of Indonesian people through enhanced education and training programs such as Indonesia Smart, as well as improving public welfare through the Indonesia Works and Indonesia Prosperous programs,” which are pursued by encouraging land reform and land ownership programs covering nine million hectares, the development of subsidized affordable housing, and the provision of social

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<sup>1</sup> Muhammad Yamin, *Hukum Agraria Nasional* (Medan: USU Press, 2025).

<sup>2</sup> Siti Julaha, “Alat Bukti Dalam Sengketa Pertanahan: Analisis Kepastian Hukum”, *Indonesia of Journal Business Law* 5, no. 1 (2026): 57–74, <https://doi.org/10.47709/ijbl.v5i1.7477>.

<sup>3</sup> Arief Rahman, *Politik Agraria* (Jambi: Salim Media Indonesia, 2019).

<sup>4</sup> Yulies Tiena Masriani, “Pentingnya Kepemilikan Sertifikat Tanah Melalui Pendaftaran Tanah Sebagai Bukti Hak”, *Journal USM Law Review* 5, no. 2 (2022): 539–552.

security for the people.<sup>5</sup>

Within the framework of these programs, particularly land reform initiatives, the National Land Agency (Badan Pertanahan Nasional) reported that by since the implementation of the PTSL program in 2017 until 2025, there have been at least hundreds of millions of new land certificates issued to the public.<sup>6</sup> This program has been implemented across various cities and regencies through the complete systematic land registration scheme and has even been characterized as a “race to meet targets,” aimed at fulfilling political commitments presidential period. From a quantitative perspective, many regions have achieved the prescribed targets, although several others have encountered obstacles in meeting these goals.

Table 1. PTSL statistical data based on ATR/BPN data.

| Year | Number of Registered Land Parcels                   | Number of Certified Land Parcels |
|------|---|----------------------------------|
| 2017 | ±5.4 million certificates issued (new certificates) | 5.4 million                      |
| 2018 | ±9.3 million certificates issued                    | 9.3 million                      |
| 2019 | ±11.2 million certificates issued                   | 11.2 million                     |
| 2020 | ±6.8 million certificates issued                    | 6.8 million                      |
| 2023 | ±110.8 million certificates issued                  |                                  |
| 2024 | ±117.4 million certificates issued                  |                                  |
| 2025 | ±121.64-123.1 million certificates issued           | ±94.1-97.4 million certificates  |

Source: Minister of ATR/BPN (setkab.go.id) (Cabinet Secretariat of the Republic of Indonesia), 2025

The PTSL program began in 2017 and has recorded the issuance of systematic public land certificates annually since its inception. As of the end of 2023, the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN) reported that approximately 110.8 million land parcels had been registered out of the national target of approximately 126 million parcels. By 2024–2025, land registration continued to increase, reaching approximately 117–123 million registered parcels, with around 94–97 million parcels having obtained land certificates.

Normatively, a land title certificate constitutes strong evidence of the physical and juridical data of a particular land parcel.<sup>7</sup> The existence of a certificate not only provides legal certainty but is also believed to increase the economic value of land. Certified land generally has a higher market value, is easier to transfer, and can be utilized as collateral for credit at formal financial institutions. Accordingly, PTSL functions not merely as an administrative instrument of land law but also as an economic policy instrument with the potential to stimulate community economic growth.<sup>8</sup>

The increase in the number of land certificates held by the community is often regarded by the Government as a major achievement of the mass, fast, and low-cost land certification program. However, if the issuance of a large number of certificates does not result in improved economic conditions for the community, then the fundamental objective of land registration must be considered unmet. Under these circumstances, it becomes necessary to examine whether the mass land certification activities carried out through the PTSL program have truly contributed to improving the economic conditions of certificate holders?

The crucial question, however, concerns the extent to which economic improvement has actually been felt by the community as the ultimate objective of land reform (land reform by prosperity) implemented through land registration activities.<sup>9</sup> Therefore, how are the legal regulations and the implementation of PTSL within the National Land Law System in realizing legal certainty of community land rights? Next question is

<sup>5</sup> Martono Anggusti and Yansen Anggusti, “Penegakan Hukum Di Indonesia Dalam Rangka Tata Kelola Pemerintahan Yang Lebih Baik Menuju 100 Tahun Kemerdekaan Indonesia (2045)”, *Journal of Legal Opinion (NJLO)* 01, no.01 (2020): 38–52.

<sup>6</sup> Noer Fauzi Rachman, *Land Reform Dan Gerakan Agraria Indonesia* (DIY Yogyakarta: INSISTPress, 2017).

<sup>7</sup> Dewi Padusi et al., “Sertipikat Elektronik Sebagai Jaminan Perlindungan Hak Atas Tanah Dalam Pelaksanaan Pendaftaran Tanah” *Journal USM Law Review* 8, no. 2 (2025): 3–6.

<sup>8</sup> Sampara Lukman and Ali Hanafiah Muhi, “Implementasi Kebijakan Pendaftaran Tanah Sistematis Lengkap (Ptlsl) Di Kabupaten Muaro Jambi” *Jurnal Renaissance* 6, No. 02 (2021): 783–801.

<sup>9</sup> Asmarani Ramli Et Al., “Embracing Social Justice : Exploring The Journey From Land Reform To Agrarian Reform,” *The Fourth International Conference on Innovations Social Sciences Education and Engineering* 4, No. 62 (2024).

what are the implications of PTSL for improving the economic conditions of the community? What obstacles arise in the implementation of PTSL, and how can it be optimized to enhance the economic value of community land?

This research aims to analyze the legal regulation of the Complete Systematic Land Registration Program (PTSL) within the national land law system, to examine the implementation of PTSL in realizing legal certainty of community land rights, and to analyze the implications of land certification through PTSL for increasing the economic value of community land. It also seeks to identify obstacles in the implementation of PTSL and to formulate optimization efforts to enhance its economic benefits.

The theory applied in this research is Gustav Radbruch's Theory of Legal Certainty. Radbruch's Theory of Legal Certainty asserts that law must provide clarity of norms, consistency in application, and protection of rights. In the context of PTSL, Land certificates serve as strong evidence of title. Land registration reduces disputes and conflicts. Legal certainty enhances a sense of security in the utilization of land. In relation to economic value Land that possesses legal certainty has a higher market value. Can be used as collateral for credit is more attractive to investors.

The state of art in this research, first, research by Asmarani Ramli, Dodik Setiawan Nur Heriyanto et al, with the title *Embracing Social Justice: Exploring The Journey From Land Reform To Agrarian Reform*. The study findings indicate that the implementation of land reform and agrarian reform from 1960 until now has shown a change in the percentage of land ownership inequality. Based on these findings, data from the National Land Agency also suggests that the community's welfare has improved following the implementation of land reform and agrarian reform. The second study is by Hendro Novly Rotinsulu, Agnes Estephina Loho and Noortje Marselianie Benu, with the title *The Analysis Of The Impact Of Complete Systematic Land Registration Program (CSLRP) To The Regional Development Of The Girian Indah District Bitung City*, This study aims to analyze the implementation of the Complete Systematic Land Registration (PTSL) program and the impact of the implementation of the Complete Systematic Land Registration (PTSL) program on the regional economy (access to income) in Girian Indah Village, Bitung City, North Sulawesi, the results showed that the implementation of the Complete Systematic Land Registration (PTSL) program had gone well and met the indicators, namely communication, resources, disposition, and bureaucratic structure. In addition, the Complete Systematic Land Registration (PTSL) program has had a positive impact on local revenue in the form of additional income from PPB tax due to the issuance of land certificates but has not had a real effect on community income. The third study is by Salma, La Asiri and Herman Lawelai, with the title *Analisis Kebijakan Pendaftaran Tanah Sistematis Lengkap dan Implikasinya terhadap Pembangunan Berkelanjutan di Kota Baubau*, This study aims to examine the Complete Systematic Land Registration (CSLR) policy in Baubau City and its impact on sustainable development, this study on CSLR policy and sustainable development in Baubau City has some limitations.

Most previous studies position the Complete Systematic Land Registration (PTSL) as A land certification acceleration program; A reform of land administration bureaucracy; An asset legalization policy. The novelty of this research is this study positions PTSL not merely as a land administrative policy, but as an instrument for transforming the economic value of land based on legal certainty. This research shifts the paradigm from "legal certainty oriented" to "economic empowerment oriented land administration."

## 2. Research Methods

This study used qualitative methods, and uses a normative legal research method, namely research conducted by examining library materials or secondary data.<sup>10</sup> This study employs a normative juridical research method. Normative juridical research is a type of research that examines applicable positive legal norms, legal principles, and legal doctrines related to PTSL and land law. This research focuses on the analysis of Laws and regulations related to land affairs and PTSL, The principle of legal certainty in agrarian law, The concept of the social function of land, Legal theories concerning the protection of land rights and the economic value of assets.<sup>11</sup>

The data sources used in this research are secondary data, consisting of Primary legal materials (statutory regulations), Secondary legal materials (books, journals, research findings), Tertiary legal materials (legal dictionaries, legal encyclopedias). This approach aims to analyze and evaluate laws and regulations related to land registration and PTSL and provide recommendations for policy improvements to improve the community's economy and ensure legal certainty of land rights. The approaches used in this research include: Statutory Approach, is used to analyze the legal norms governing the Complete Systematic Land Registration

<sup>10</sup>Tunggul Ansari Setia et al., "Normative Legal Research In Indonesia : Its Origins And Approaches", *Audito Comparative Law Journal (ACLJ)* 4, no. 1 (2023): 1–9.

<sup>11</sup> Risti Dwi Ramasari, Shella Aniscasary, "Tinjauan yuridis kekuatan hukum sertifikat tanah elektronik berdasarkan peraturan menteri agraria dan tata ruang nomor 1 tahun 2021, *Jurnal Hukum Dan Etika Kesehatan* 2,no.1 (2022): 1–14.

Program (PTSL) within the national land law system; Conceptual Approach, is employed to examine the following concepts Legal certainty, Land rights, The economic value of land, Asset legality as an instrument of economic empowerment and Analytical Approach, is used to analyze the relationship between legal certainty of land rights and the improvement of the community's economic value.<sup>12</sup>

The data were analyzed using a normative qualitative method, by Inventorying and classifying legal materials, Interpreting legal norms systematically and grammatically,<sup>13</sup> Analyzing the conformity between legal norms and the objectives of the PTSL policy, Assessing the relevance of legal certainty to the increase in the economic value of land. The analysis was conducted in a descriptive-analytical manner to provide a comprehensive overview of the effectiveness of PTSL in enhancing the economic value of community land.

The method of drawing conclusions employed a deductive approach, namely starting from general norms within the national land law system, examining their application in the PTSL policy, drawing specific conclusions regarding the contribution of PTSL to increasing the economic value of community land. This method enables the formulation of systematic conclusions that are consistent with the prevailing legal framework.<sup>14</sup>

### 3. Result & Discussion

#### 3.1 Legal Regulation of PTSL within the National Land Law System and the Mechanism for Its Implementation

##### 3.1.1 Legal Regulation of PTSL within the National Land Law System and Hierarchy of Norms Governing PTSL

Land registration constitutes the primary instrument within the national land law system for realizing legal certainty over land rights. Its constitutional foundation is found in Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which affirms that land, water, and natural resources contained therein are controlled by the State and shall be utilized for the greatest prosperity of the people. This constitutional provision is further elaborated in Law Number 5 of 1960 concerning Basic Agrarian Principles (the Basic Agrarian Law/UUPA), which serves as the principal foundation of Indonesia's national agrarian law.<sup>15</sup>

Article 19 of the UUPA explicitly mandates the State to conduct land registration throughout the territory of the Republic of Indonesia in order to guarantee legal certainty. Land registration encompasses land measurement, mapping, land bookkeeping, registration of land rights, and the issuance of certificates of title that function as strong evidentiary instruments. This normative mandate forms the legal basis for various land registration policies, including the Complete Systematic Land Registration Program (Pendaftaran Tanah Sistematis Lengkap/PTSL).<sup>16</sup>

More technically, the regulation of PTSL is grounded in Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Condominium Units, and Land Registration. This regulation, which is derived from the Job Creation Law, was enacted on February 2, 2021. It governs electronic land registration and provides legal certainty for holders of land rights, customary (ulayat) land rights, as well as rights to above-ground and underground space, which stipulates that land registration may be conducted either sporadically or systematically. PTSL represents a concrete form of systematic land registration carried out simultaneously and comprehensively within a single village or urban ward administrative area.<sup>17</sup> These provisions are further reinforced through various regulations issued by the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN), which specifically govern procedures, stages, financing, and the roles of relevant stakeholders in the implementation of PTSL.

Accordingly, from a juridical perspective, PTSL constitutes an integral component of the national land law system and functions as a state instrument to accelerate the fulfillment of community rights to legal certainty in land affairs. The existence of PTSL reflects a paradigm shift in land registration from a passive

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<sup>12</sup> Diantha, I. M. P. "Metodologi penelitian hukum normatif dalam justifikasi teori hukum" (Cet. ke-2). Jakarta: Kencana Prenada Media Group. 2016.

<sup>13</sup> Bhagyamma G and Research, "A Comparative Analysis of Doctrinal and Non-Doctrinal Legal Research," *Ile Journal of Governance and Policy Review* 1, no. 1 (2023): 2023, <https://www.researchgate.net/publication/373632259>.

<sup>14</sup> *Ibid.*

<sup>15</sup> Muhammad Yamin, *Logika Agraria* (Medan: CV. Mandar Maju, 2025).

<sup>16</sup> I Putu Arwan Puspa Resmawan et al, "Aspek Perlindungan Hukum Dari Pendaftaran Tanah Terhadap Pemegang Hak Atas Tanah Berdasarkan Pengaturan Akta Otentik Sebagai Alat Pembuktian Yang Sah", *Jurnal Kertha Wicaksana*, 19 No.2, (2025): 112–20.

<sup>17</sup> Rahmat Ramadhani et al, "Pendaftaran Tanah Sebagai Langkah Untuk Mendapatkan Kepastian Hukum Terhadap Hak Atas Tanah", *Jurnal Sosial dan Ekonomi* 2, No.2 (2021): 95-103

approach to a more active and proactive role undertaken by the State.<sup>18</sup>

Land registration constitutes the primary instrument within the national land law system for realizing legal certainty over land rights. Its constitutional foundation is found in Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which affirms that land, water, and natural resources contained therein are controlled by the State and shall be utilized for the greatest prosperity of the people. This constitutional provision is further elaborated in Law Number 5 of 1960 concerning Basic Agrarian Principles (the Basic Agrarian Law/UUPA), which serves as the principal foundation of Indonesia's national agrarian law. Based on the system of laws and regulations in Indonesia (Law on the Formation of Laws and Regulations), the position of PTSL regulations can be mapped as follows

- (1) Law (Legislative Level): Law Number 5 of 1960 (Basic Agrarian Law / UUPA)  
Serves as the operational constitutional foundation of national agrarian law. Article 19 of the UUPA mandates the government to conduct land registration in order to ensure legal certainty. PTSL constitutes a concrete implementation of the mandate of Article 19.<sup>19</sup>  
Position as Primary normative source of land registration law;
- (2) Government Regulations (Delegated Legislation) : Government Regulation Number 24 of 1997/ Government Regulation Number 18 of 2021.<sup>20</sup>  
Regulates the system of first-time land registration and data maintenance. Establishes the general framework of a negative publication system with positive tendencies. Updates and adjusts the land registration system and Regulates digitalization and electronic land registration.  
Position as Direct implementing regulations of the UUPA;
- (3) Ministerial Regulation (Technical Regulation): Regulation of the Minister of ATR/BPN Number 6 of 2018.<sup>21</sup>  
Specific technical regulation concerning the mechanism of PTSL. Governs stages including planning, public outreach, collection of physical and juridical data, land book registration, and issuance of certificates.  
Position as Administrative operational regulation;
- (4) Presidential Instruction (Policy Instrument): Presidential Instruction Number 2 of 2018.<sup>22</sup>  
Coordinative in nature and aimed at accelerating policy implementation. Strengthens cross-sectoral commitment to support PTSL targets.  
Position as Strategic policy instrument, not a source of new legal rights.

The relationship among these regulations is vertical and functional, namely:

- (1) UUPA : Provides the normative mandate for land registration.
- (2) GR 24/1997 & GR 18/2021 : Elaborate the land registration system and procedures.
- (3) Ministerial Regulation ATR/BPN 6/2018 : Regulates the technical mechanism for implementing PTSL.
- (4) Presidential Instruction 2/2018: Accelerates and coordinates policy implementation.

Thus, PTSL is not a standalone policy but rather part of the national land law architecture.

From a theoretical perspective, PTSL is an instrument for implementing the principle of legal certainty in agrarian law, Normatively, it possesses strong legitimacy as it is rooted in the UUPA. Administratively, it strengthens the national asset legalization system. However, in practice, its effectiveness still depends on The quality of physical and juridical land data, Integration of digital systems and Coordination between central and regional governments.

### *3.1.2 Mechanism for the Implementation of PTSL*

The implementation mechanism of PTSL is carried out through structured and systematic stages

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<sup>18</sup> Joshua Melvin et al., "Analisis Hukum Pendaftaran Tanah Sistematis Lengkap (PTSL) Terhadap Tanah Tongkonan", *Mulawarman Law Review* 6, no. 32 (2021): 15–31.

<sup>19</sup> Undang-Undang No.5 Tahun 1960 Tentang Dasar-Dasar Pokok Agraria

<sup>20</sup> Peraturan Pemerintah No.24 Tahun 1997 Tentang Pendaftaran Tanah/Peraturan Pemerintah No.18 Tahun 2001 Tentang Hak Pengelolaan, Hak Atas Tanah, Satuan Rumah Susun dan Pendaftaran Tanah.

<sup>21</sup> Peraturan Menteri ATR/BPN RI No.6 Tahun 2018 Tentang Pendaftaran Tanah Sistematis Lengkap

<sup>22</sup> Instruksi Presiden No.2 Tahun 2018 Tentang Percepatan Pendaftaran Tanah Sistematis Lengkap di Seluruh Wilayah Republik Indonesia

involving various stakeholders, including the central government, local governments, and the community as legal subjects. The initial stage begins with the determination of locations by the Land Office based on specific criteria, such as low levels of land registration and the potential for land disputes.

The next stage involves public outreach and counseling to provide communities with an understanding of the objectives, benefits, and procedures of PTSL. This outreach is a crucial element in enhancing public legal awareness, as the success of PTSL is highly dependent on active community participation. Subsequently, physical data collection is conducted through land measurement and mapping, along with the collection of juridical data in the form of proof of land rights or evidence of land possession.<sup>23</sup>

The collected data are then publicly announced to provide opportunities for interested parties to submit objections. This announcement mechanism reflects the application of the principles of transparency and prudence in land registration. If no objections or disputes arise, the process proceeds to the confirmation of rights and the issuance of land title certificates. Certificates issued through PTSL carry the same legal force as those issued through sporadic land registration.

Institutionally, the implementation of PTSL falls under the authority of the Ministry of ATR/BPN through regional Land Offices, with support from village or urban ward governments. Synergy among these institutions is a key factor in ensuring data accuracy, implementation efficiency, and the legitimacy of land registration outcomes.

### *3.2 Normative-Critical Analysis of the Regulation and Implementation of PTSL in Realizing Legal Certainty of Community Land Rights: PTSL in the Perspective of Legal Certainty Between Legal Ideals and Normative Reality*

Legal certainty constitutes one of the principal objectives of land registration within the national land law system. Land title certificates issued through PTSL function as strong evidence of the physical and juridical data of a land parcel. Through certification, rights holders obtain legal protection against competing claims and certainty regarding the subject, object, and type of land rights they possess.<sup>24</sup>

In the societal context, PTSL plays a strategic role in reducing the potential for land disputes and agrarian conflicts, particularly those arising from overlapping claims and unclear land status. Moreover, legal certainty produced through PTSL also opens access to economic resources, such as capital from financial institutions, thereby positioning land not merely as a social asset but also as a productive economic asset.<sup>25</sup>

Normatively, PTSL represents a direct implementation of the mandate of Article 19 of the UUPA, which places land registration as the primary instrument for achieving legal certainty. Land certificates produced through PTSL are positioned as strong evidence within the national land law system.<sup>26</sup> Nevertheless, such evidentiary strength is not absolute but rather relative, as Indonesia's land registration system adheres to a negative publication system with positive elements. Under this system, the State does not fully guarantee the material truth of the data contained in land certificates.<sup>27</sup>

In the context of PTSL, a normative issue arises when the State, through its land registration acceleration policy, places greater emphasis on the quantity of certified land parcels rather than the quality of juridical data verification. Consequently, the expected legal certainty risks becoming merely pseudo legal certainty, as issued certificates remain open to legal challenges by parties claiming stronger rights.<sup>28</sup> This situation creates a normative paradox: on the one hand, PTSL is intended to create legal certainty, while on the other hand, it may generate new disputes if verification of underlying rights is not conducted carefully.

Normative-critical analysis further reveals tension between the principle of legal certainty and the principle of substantive justice in the implementation of PTSL. Legal certainty achieved through certification often takes a formalistic form—fulfilled once administrative procedures are completed—without sufficiently considering the historical land tenure, social relations, and local customary law contexts.

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<sup>23</sup> Titin Ani, Rihantoro Bayuaji, and Nuryanto Ahmad Daim, "Mekanisme Pelaksanaan Pendaftaran Tanah Sistematis Lengkap (PTSL) Di Indonesia," *Jurnal Fakultas Hukum Universitas Wijaya Putra*, no. 24 (2015): 99–114.

<sup>24</sup> Mira Novana Ardani et al., "Tantangan Pelaksanaan Kegiatan Pendaftaran Tanah Sistematis Lengkap Dalam Rangka Mewujudkan Pemberian Kepastian Hukum," *Jurnal Gema Keadilan* 6, no. November (2019): 268–86.

<sup>25</sup> Ardani et al.

<sup>26</sup> Ilyas Ismail, "Sertifikat Sebagai Alat Bukti Hak Atas Tanah Dalam Proses Peradilan", *Kanun Jurnal Ilmu Hukum* no. 53 (2011): 23–34.

<sup>27</sup> John F McCarthy, Ahmad Dhiaulhaq, and Kathryn Afiff, Suraya Robinson, "Land Reform Rationalities and Their Governance Effects in Indonesia: Provoking Land Politics or Addressing Adverse Formalisation?," *Geoforum* 132 (2022): 92–102, <https://doi.org/https://doi.org/10.1016/j.geoforum.2022.04.008>.

<sup>28</sup> Abdul Muthallib, "Pengaruh Sertifikat Hak Atas Tanah Sebagai Alat Bukti Dalam Mencapai Kepastian Hukum Abstrak", *Jurnal Ilmu Syariah, Perundang-Undangan dan Ekonomi Islam* 12, No.1 (2020): 21–43.

In certain communities, particularly indigenous and rural communities, land tenure is not always based on written documentation but rather on communal recognition and living customary law. When PTSL is applied uniformly using modern state administrative standards, there is a risk of marginalizing traditional rights that have not been formally documented. From the perspective of substantive justice, this condition indicates that PTSL may reinforce the legalization of land control by those with greater access to information and administrative processes, while vulnerable groups remain disadvantaged.<sup>29</sup>

Theoretically, the State bears a positive obligation to protect community land rights as part of constitutional property rights and the right to a decent livelihood. PTSL may be viewed as an expression of this positive obligation. However, in practice, the burden of implementation is often shifted back to the community, whether through documentary requirements, indirect costs, or legal risks should disputes arise in the future.

From a normative-critical standpoint, this reflects a shift of responsibility from the State to citizens, with the State acting more as an administrator than as a guarantor of substantive legal certainty. If PTSL is to be positioned as an affirmative policy, the State should assume a more active role in tracing land tenure history and resolving potential conflicts prior to certificate issuance.

The legal regulation of PTSL, which remains embedded within a negative publication system, contains structural weaknesses in guaranteeing long-term legal certainty.<sup>30</sup> While certificates provide temporary legal protection, they do not entirely preclude annulment through court decisions. Consequently, PTSL has yet to resolve the classic problem of Indonesian land law: the weak state guarantee of title validity.

Normatively and critically, it must be questioned whether accelerated certification through PTSL without reformulating the land publication system—merely reproduces longstanding problems on a broader scale. In other words, PTSL risks becoming a short-term administrative solution that fails to address the structural roots of land registration issues.

Accordingly, legal certainty within the context of PTSL should not be narrowly interpreted as mere administrative certainty achieved through certificate issuance, but rather as substantive legal certainty that ensures rights protection, social justice, and economic utility. Legal certainty through PTSL depends not only on certificates themselves but also on implementation quality, data validity, and the sustainability of land administration systems. This necessitates structural reform in the land sector that integrates legal certainty, justice, and utility as unified objectives. Conceptual reconstruction of legal certainty over land rights must move beyond formal documentation toward state recognition of social realities and historical land tenure. Ideally, PTSL should function as a transformative instrument within the national land law system rather than merely as a technocratic program.

### *3.3 Analysis of PTSL on Community Economic Improvement and Evaluation of Implementation Barriers*

#### *3.3.1 PTSL as an Instrument for Increasing the Economic Value of Community Land*

Conceptually, PTSL aims not only to realize legal certainty over land rights but also embodies a strong economic dimension. Land certificates produced through PTSL transform land from mere objects of possession into legally recognized economic assets with market value, collateral value, and investment value. From a law-and-economics perspective, asset legalization through land certification is believed to increase land's economic value and expand community access to formal sources of capital.

In practice, certified land tends to experience an increase in market value due to clarity of legal subject and object. Certificates also enable landowners to use land as collateral for credit from financial institutions, which may subsequently be utilized for productive activities such as micro, small, and medium enterprises. In this context, PTSL serves as a legal instrument that reduces legal uncertainty and enhances economic actors' trust in land as an object of transaction. Consequently, PTSL has the potential to function as an instrument of community economic empowerment and asset-based poverty reduction.<sup>31</sup>

However, normative-critical analysis indicates that increases in land economic value resulting from PTSL are not automatic. Land certification constitutes an enabling factor, but not the sole determinant of economic welfare improvement. Without supporting policies, PTSL risks remaining at the level of administrative legalization without generating significant economic impact.

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<sup>29</sup> Klaudius Ilkam Hulu et al., "Kekuatan Alat Bukti Sertifikat Hak Milik Atas Tanah Dalam Bukti Kepemilikan Hak", *Jurnal Panah Keadilan* 1, no. 1 (2021): 27–31.

<sup>30</sup> Yagus Suyadi, *Menuntaskan Pendaftaran Tanah Sistematis Lengkap (PTSL)* (Jakarta Timur: Sinar Grafika, 2023).

<sup>31</sup> Lisnadia Nur Avivah et al., "Pentingnya pendaftaran tanah untuk pertama kali dalam rangka perlindungan hukum kepemilikan sertifikat tanah", *Jurnal Tunas Agraria* 5, no. 3 (2022): 197-210.

### 3.3.1.1 *The Relationship between Legal Certainty and Increased Economic Value of Land*

There exists a causal relationship between legal certainty over land rights and increased economic value of land. Legal certainty produced through PTSL creates rights stability that allows landowners to engage in various legal transactions, such as sale, lease, inheritance, and encumbrance through mortgage rights. These legal activities directly contribute to increased economic value of land.

Nevertheless, from a normative-critical perspective, legal certainty produced through PTSL remains largely formal-administrative. While certificates provide legal protection, they do not fully guarantee substantive legal certainty due to Indonesia's negative publication system. This residual uncertainty limits optimal economic utilization of land, particularly for long-term financing and large-scale investment.

### 3.3.1.2 *PTSL and Community Access to Capital*

One of the primary indicators of increased land economic value is its capacity to function as credit collateral. PTSL expands community access to formal financial institutions by providing legally recognized certificates. In law-and-economics theory, asset legalization enables integration of community assets into the formal economic system.

However, critical analysis reveals that post-PTSL access to capital remains uneven. Low-income communities often face structural barriers, including limited business capacity, low financial literacy, and stringent banking requirements. Consequently, although land has been certified, anticipated economic gains do not always materialize. This demonstrates that PTSL constitutes a necessary but not sufficient condition for improving community economic welfare.

### 3.3.1.3 *PTSL between Economic Empowerment and the Risk of Dispossession*

From a normative-critical standpoint, PTSL embodies ambivalence.<sup>32</sup> On one hand, land certification through PTSL has the potential to empower communities by strengthening landowners' bargaining positions. On the other hand, increased land economic value may trigger commodification and speculation, which risks transferring land ownership from smallholders to economically stronger actors.

In this context, PTSL may accelerate dispossession if not accompanied by adequate legal protection and social policies. Certificates intended as empowerment tools may instead become legal instruments facilitating land loss due to credit default or economic pressure. Therefore, land economic value enhancement must be analyzed not only quantitatively but also from the perspective of social justice.

### 3.3.1.4 *Evaluation of the Effectiveness of PTSL as an Instrument for Increasing Land Economic Value*

Normative evaluation of PTSL demonstrates that its effectiveness as an instrument for increasing land economic value is highly dependent on implementation quality and policy integration. PTSL has proven effective in increasing potential economic value of land, yet has not fully ensured increased realized economic value directly experienced by communities.

The gap between potential and realized value reflects PTSL's limitations as a sectoral policy. Without cross-sectoral policy support, such as inclusive access to capital, business assistance, and protection for vulnerable groups, PTSL risks remaining at the level of asset legalization without sustainable economic transformation.

### 3.3.1.5 *Reconstruction of the Role of PTSL as a Legal-Economic Instrument*

Based on the foregoing analysis, PTSL must be reconstructed as a legal-economic instrument oriented not merely toward land registration but toward community welfare enhancement. This reconstruction requires a paradigm shift from land-registration orientation to land-based economic empowerment. The State must not only issue certificates but also ensure their fair and productive utilization.

Ideally, PTSL should be understood as part of the State's constitutional obligation to guarantee land rights alongside the right to a decent livelihood. Thus, the success of PTSL should not be measured solely by the number of certificates issued, but by the extent to which it generates economic justice and sustainable social welfare.

From the above analysis, several accountable reasons can be identified for the failure of the PTSL program to improve community economic conditions, namely:

- (1) PTSL is a top-down program that is overly coercive in its implementation;

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<sup>32</sup> Dian Aries Mujiburohman, "Potensi Permasalahan Pendaftaran Tanah Sistematis Lengkap ( PTSL )", *Jurnal Agraria dan Pertanahan* Vol.4, No.4 April (2018):217..

- (2) PTSL functions as a political program aimed at fulfilling policy promises, rendering it largely symbolic;
- (3) PTSL implementation prioritizes target achievement, resulting in outcomes that are formally accountable but materially insufficient to meet the theoretical objectives of sound land registration;
- (4) The program insufficiently considers social realities, as certificates are primarily used as security instruments rather than productive economic tools, while legal certainty remains fragile due to the contestability of certificates;
- (5) Land registration remains largely deed registration rather than registration of title, whereas effective land registration should provide certificates as absolute and indefeasible proof of ownership.

### 3.3.2 *Obstacles in the Implementation of PTSL*

#### 3.3.2.1 *Juridical Obstacles in the Implementation of PTSL*

Juridical obstacles in the implementation of PTSL are primarily related to the characteristics of Indonesia's land law system, which still adopts a negative publication system with positive elements. Under this system, land title certificates do not fully guarantee material truth, leaving room for legal claims by third parties. This condition creates continuing legal uncertainty that directly affects the economic value of land, particularly in terms of trust from financial institutions and investors.

In addition, agrarian legal pluralism, encompassing state law, customary law, and community social practices—poses challenges in the affirmation of rights through PTSL. Land that is socially recognized as individually owned or as customary (ulayat)<sup>33</sup> land often lacks written legal title that complies with the standards of positive law.<sup>34</sup> As a result, the PTSL process may marginalize traditional claims that are socially legitimate but juridically weak. From an economic perspective, this ambiguity in legal status hampers the optimization of land as a productive asset.<sup>35</sup>

#### 3.3.2.2 *Administrative Obstacles in the Implementation of PTSL*

Administratively, the implementation of PTSL faces various constraints, including limited human resources, restricted timeframes for implementation, and pressure to meet quantitative certification targets. The strong emphasis on achieving numerical certification targets often leads to suboptimal verification of juridical and physical data of land parcels.

Moreover, coordination problems persist among institutions, particularly between Land Offices, village or sub-district governments, and other relevant agencies. The lack of synchronization between land data, population data, and spatial planning data creates the potential for overlapping rights and administrative errors. In the long term, such errors may reduce the economic value of land by increasing legal risks for rights holders.

From a normative-critical perspective, these administrative obstacles indicate that PTSL is still positioned primarily as a technocratic program, rather than as part of a structural reform of the land administration system oriented toward quality and sustainability.<sup>36</sup>

#### 3.3.2.3 *Social Obstacles in the Implementation of PTSL*

Social obstacles in the implementation of PTSL are closely related to low levels of legal literacy and financial literacy within the community. Many landowners perceive land certificates merely as proof of ownership, without understanding the economic potential inherent in the land. Consequently, certificates are often not utilized productively or are misused as collateral for non-productive consumption.

On the other hand, social resistance also arises from public distrust toward authorities or trauma stemming from past land conflicts. In several cases, communities are reluctant to participate in PTSL due to concerns that their land may become problematic or subject to financial burdens in the future. These social obstacles demonstrate that the success of PTSL is strongly influenced by sociological factors and the prevailing

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<sup>33</sup> William A. Schabas, *The Customary International Law of Human Rights* (New York: Oxford University Press, 2021).

<sup>34</sup> Ivana Novrinda Rambe et al., *The Urgency of Customary Land Registration (Analysis of Minister of Agraria Regulation No. 14 of 2024)* (Atlantis Press SARL, 2025), [https://doi.org/10.2991/978-2-38476-366-5\\_48](https://doi.org/10.2991/978-2-38476-366-5_48).

<sup>35</sup> Wahyu Andi Kurniawan et al., "Ekspektasi Pendaftaran Tanah Sistematis Lengkap Terhadap Faktor Sosial dan Ekonomi Masyarakat", *Jurnal Tunas Agraria*, Vol.1 No.1 (2026):171.

<sup>36</sup> Khair and Assyahri, "Optimalisasi Administrasi Pertanahan Di Indonesia : Tantangan Dan Strategi Menuju Kepastian Hukum", *Journal of Public Administration and Management Studies*, Vol.2 No.2 (2024):55-62.

legal culture within society.<sup>37</sup>

### *3.3.2.4 Evaluation of PTSL Issues in Relation to Increasing the Economic Value of Land*

An evaluation of PTSL implementation indicates that the program is effective in enhancing formal legal certainty but has not yet been fully optimal in sustainably increasing the economic value of land. PTSL primarily addresses the stage of asset legalization, yet it has not been systematically integrated with policies on access to capital, business assistance, and community economic empowerment.<sup>38</sup>

From a normative-critical standpoint, optimizing PTSL requires a paradigm shift from mere land registration toward asset-based development. The state's role should not be limited to issuing land certificates; it also has a constitutional obligation to ensure that these certificates genuinely function as instruments for improving public welfare. Without cross-sectoral policy integration, PTSL risks becoming a symbolic policy that merely produces land data without generating tangible economic transformation.

### *3.3.2.5 Optimization of PTSL for Increasing the Economic Value of Community Land*

The optimization of PTSL should be directed toward strengthening substantive legal certainty and enhancing the economic capacity of the community. This can be achieved through improved juridical verification, alignment with the recognition of customary land rights, and integration of PTSL with economic empowerment programs, such as certificate-based microcredit schemes, entrepreneurship training, and assistance in the productive use of land.

Ideally, PTSL should be positioned as a legal-economic instrument that not only creates legal certainty but also promotes distributive economic justice. Accordingly, the success of PTSL should not be measured solely by the number of certificates issued, but rather by the extent to which the program is able to sustainably increase the economic value of land and improve community welfare.

## **4. Conclusion**

Based on juridical, normative-critical analysis and evaluation of the implementation of PTSL, several conclusions may be drawn:

- (1) The legal regulation of the Complete Systematic Land Registration Program (PTSL) within the national land law system has a clear normative foundation in land-related legislation. Conceptually, PTSL serves as an instrument to accelerate land registration aimed at realizing legal certainty and legal protection of community land rights. In its implementation, PTSL has succeeded in enhancing the legality of land ownership through the issuance of land certificates as strong evidence of title. Therefore, PTSL significantly contributes to strengthening the national land administration system and reducing the potential for land disputes and agrarian conflicts;
- (2) The implications of PTSL for improving the community's economic conditions can be observed in the increased market value of certified land, expanded access to financial institutions through the use of land certificates as collateral, and improved business certainty. Land certification also strengthens the bargaining position of communities in economic transactions and encourages more productive economic activities. Thus, PTSL not only has a juridical dimension but also produces tangible economic impacts;
- (3) The obstacles in implementing PTSL include administrative constraints, limitations in physical and juridical land data, low levels of legal literacy among the community, and potential boundary disputes. Optimization of the program can be achieved through enhanced public outreach, strengthening the capacity of land administration officials, digitalization of land data, and community assistance in utilizing certificates as instruments of economic empowerment. With such optimization, PTSL is expected to become more effective in sustainably increasing the economic value of community land.

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<sup>37</sup> Kurnia Rheza and Randy Adinegoro, "Tantangan Pelaksanaan Program Pendaftaran Tanah Sistematis Lengkap (PTSL) Terhadap Pendaftaran Tanah Yang Berkepastian Hukum", *Jurnal Widya Bhumi*, Vol.3, no. 1 (2023): 1–12.

<sup>38</sup> Robert Dicky Syahputra, "Implications of Asset Structuring and Access on Land Tenure in Realizing Agrarian Reform, *Journal of Universal Studies*" Vol.3 No.12 (2022): 1430.

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