



The Role of Community Participation in Systematic Land Registration Processes in Preventing Agrarian Disputes

Evy Indriasari
Universitas Pancasakti Tegal

Corresponding Author: Evy Indriasari evy_indriasari@upstegal.ac.id

ARTICLE INFO

Keywords: Systematic Land Registration, Community Participation, Legal Certainty, Agrarian Disputes

Received : 18, October

Revised : 20, December

Accepted: 22, February

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ABSTRACT

Systematic land registration has become a key instrument for enhancing legal certainty and preventing agrarian disputes, yet administrative approaches alone face limitations due to data inaccuracies, overlapping claims, and boundary objections. This article examines the role of community participation in systematic land registration using a juridical-empirical and socio-legal approach, incorporating regulatory analysis, interviews, field observations, and land document review. The findings show that meaningful community participation serves as a mechanism for social verification of land data, early detection of potential disputes, and improved accountability in land administration. Its effectiveness depends on transparency, facilitation quality, inclusivity, and institutional integrity, while challenges include low legal literacy, local power dynamics, and limited evidentiary capacity. The study recommends strengthening participatory frameworks, data disclosure, and community-based legal assistance to support equitable and sustainable land registration.

INTRODUCTION

Legal certainty of land rights is a fundamental prerequisite for the protection of citizens' rights, sustainable development, and the prevention of agrarian conflicts. In the context of developing countries, agrarian problems are often triggered by unclear land legal status, weak land administration, and overlapping rights claims that lead to prolonged disputes (Deininger et al., 2021). In Indonesia and various other jurisdictions, systematic land registration is promoted as a strategic policy to comprehensively organize the control, ownership, use, and utilization of land.

In the last five years, the systematic land registration approach has increasingly emphasized the aspects of acceleration, broad scope, and data integration. However, a number of studies show that administrative-technocratically oriented land registration has not been fully able to prevent agrarian disputes, especially in areas with complex social relations, evidence of informal ownership, and latent conflicts between citizens (Zoomers et al., 2022). Inaccuracies in juridical data, incorrect determination of boundaries, and lack of space for public participation are the dominant factors in the emergence of post-registration objections and disputes.

From the perspective of administrative law and agrarian law, community participation is not only understood as a democratic principle, but also as a corrective instrument to ensure the validity of procedures and the substance of administrative decisions. Meaningful public participation plays a role in ensuring transparency, accountability, and procedural fairness in the land registration process (Arnstein, 2019; OECD, 2020). In the context of systematic land registration, the involvement of local communities including landowners, boundary neighbors, indigenous leaders, and village governments has the potential to become a mechanism for social verification of the correctness of physical and juridical data.

A number of recent empirical studies confirm that active community involvement can reduce the risk of agrarian conflict by opening up space for clarification of claims, deliberative dispute resolution, and early detection of potential conflicts before certificates are issued (Boone & Dunning, 2021; Wehrmann & Kenneth, 2023). However, the effectiveness of community participation is highly dependent on the quality of state facilitation, the level of community legal literacy, and the developing power relations at the local level. Participation that is formalistic and symbolic has the potential to reproduce new inequality and conflicts.

Based on this background, this article aims to analyze the role of community participation in the systematic land registration process as an instrument for the prevention of agrarian disputes from a legal perspective. The focus of the study is directed at the function of participation as a social verification mechanism, a means of early detection of disputes, and a tool to strengthen the accountability of land administration. Using a juridical-empirical approach, this article is expected to make a theoretical contribution to the development of participatory agrarian law as well as practical recommendations for improving the design of a systematic land registration policy that is fair and sustainable.

THEORETICAL REVIEW

Systematic Land Registration in the Perspective of Legal Certainty

Systematic land registration is a legal instrument designed to ensure legal certainty and protection of land rights through official registration by the state. In contemporary agrarian law literature, land registration is seen as part of the state's function in regulating and administering agrarian resources to prevent conflicts and create legal order (Larsson & Nilsson, 2020). The systematic approach aims to reduce data fragmentation and administrative gaps that have been the main causes of land disputes.

Nonetheless, recent research shows that the success of land registration is determined not only by the completeness of the administrative procedures, but also by the extent to which the process reflects the real social conditions and land tenure on the ground. Bruce et al. (2021) assert that land registration that ignores local dynamics has the potential to result in a formal legality that is fragile and easily disputed. Therefore, systematic land registration needs to be understood as a legal-social process, not just technical-administrative.

Agrarian Disputes as a Structural Problem

Agrarian disputes are a structural phenomenon that cannot be separated from inequality in land tenure, weak land administration, and lack of public participation in decision-making (Hall et al., 2020). In the context of land registration, disputes often arise due to inconsistencies between formal legal claims and land tenure practices based on certain customs, customs, or social relations. Empirical studies show that agrarian conflicts are often latent and only escalate after land rights are formalized through certification (Borras et al., 2022). This indicates that the land registration process that does not open up room for clarification and objection from the beginning has the potential to exacerbate conflicts. Thus, dispute prevention must be systemically integrated in all stages of land registration.

Community Participation as a Principle of Land Governance

Community participation is the main principle in good land governance. FAO (2022) emphasizes that community involvement in land administration serves to increase legal legitimacy, improve data quality, and reduce the risk of conflict. In the framework of administrative law, participation is also understood as a form of preventive legal protection for citizens. Recent literature underscores the importance of substantive participation, not just procedural. According to Fung (2020), effective participation must allow the community to influence the outcome of decisions, not just be formally present in the administrative process. In systematic land registration, community participation includes involvement in boundary determination, claim recognition, and supervision of the process of collecting and announcing juridical data.

Social Verification and Local Deliberation in Dispute Prevention

Social verification through local deliberation forums is one of the key mechanisms in participation-based land registration. This approach allows local communities to act as verifier actors who test the correctness of rights claims based on collective knowledge and the history of land tenure (Unruh & Williams, 2021). This process has proven effective in identifying overlapping claims and boundary conflicts from an early stage. However, the effectiveness of social verification is greatly influenced by the institutional design and facilitation capacity of the state. Studies by Cotula and Berger (2021) show that without guarantees of inclusivity and transparency, participatory forums risk being dominated by local elites. Therefore, community participation must be regulated normatively and supported by operational standards that guarantee procedural justice.

Research Position and Contribution

Based on the literature review, it can be seen that there is an academic consensus on the importance of community participation in land registration as an effort to prevent agrarian disputes. However, studies that specifically elaborate on the function of community participation from a legal perspective especially as a preventive mechanism in land administration are still relatively limited. This research fills this gap by analyzing community participation as a preventive legal instrument that strengthens legal certainty and reduces the potential for disputes in systematic land registration.

METHODOLOGY

Types and Approaches to Research

This study uses a juridical-empirical method with a socio-legal approach, which combines normative analysis of laws and regulations in the land sector with empirical studies on their implementation at the community level. This approach was chosen because the problem of systematic land registration and agrarian disputes is not only related to written legal norms, but also to social practices, power relations, and community participation in the land administration process (Banakar & Travers, 2021). The socio-legal approach allows law to be understood as a social institution that works in a specific context, making it relevant to analyze the role of community participation as a preventive mechanism in the prevention of agrarian disputes (McCrudden, 2020).

Normative Approach

The normative approach is carried out through an examination of the legal framework of land registration and land governance, including the principles of legal certainty, protection of rights, and community participation in administrative law. This normative analysis aims to identify the position of community participation in the land law system and assess its conformity with the principles of good land governance and procedural justice (FAO, 2022). The legal materials used include laws and regulations, agrarian and administrative law doctrines, and court decisions related to land disputes as supporting materials to understand the legal implications of weak community participation in land registration.

Empirical Approach

An empirical approach was carried out to obtain a factual picture of the implementation of systematic land registration and forms of community participation in the field. Empirical data were collected through semi-structured interviews with landowners, village officials, and land officers, as well as direct observation of the boundary measurement process and the announcement of juridical data. In addition, this study also uses a study of documents, such as boundary minutes, judicial data minutes, and records of community objections. This method allows researchers to identify potential disputes from the pre-certification stage and assess the effectiveness of community participation in preventing agrarian conflicts (Yin, 2020).

Data Collection and Analysis Techniques

The data obtained were analyzed qualitatively using descriptive-analytical analysis techniques. The analysis is carried out through the process of data reduction, categorization, and inductive conclusion drawing to connect empirical findings with the applicable normative framework. This approach allows researchers to identify patterns of community participation and factors that affect their effectiveness in systematic land registration (Miles et al., 2020). To maintain the validity and reliability of the data, this study uses the triangulation technique of sources and methods, by comparing the results of interviews, observations, and legal documents to obtain a comprehensive and objective understanding (Flick, 2022).

Research Limitations and Ethics

This research is limited to the analysis of the role of community participation in the context of systematic land registration as an effort to prevent agrarian disputes, without discussing the settlement of disputes after the issuance of certificates through litigation. The entire data collection process is carried out by paying attention to the ethical principles of research, including informed consent, identity confidentiality, and objectivity of analysis, as recommended in socio-legal research (McCrudden, 2020).

RESEARCH RESULTS

Community Participation Patterns in Systematic Land Registration

The results of the study show that community participation in systematic land registration takes place in various forms and levels of intensity at each stage of the process. In the early stages, participation is generally realized through the presence of residents in socialization and initial data collection activities organized by the village government and land officers. However, such involvement has not always been accompanied by an adequate understanding of the goals, stages, and legal implications of systematic land registration.



Figure 1. Community Participation in Participatory Village Mapping for Land Administration

At the stage of measuring and determining boundaries, the involvement of landowners and boundary neighbors is the most decisive form of participation. The presence of parties directly adjacent to the plot of land allows for direct boundary clarification and minimizes the potential for measurement errors. A village official explained that:

"If the landowner and neighbors of the boundary are all present, usually the boundary can be agreed immediately. Problems often arise if one of them does not come" (Interview, Village Apparatus, 2024).

At the research site with active facilitation from the village government, community participation was not only physical presence, but also involved substantive discussions regarding land plot boundaries, tenure history, and potential overlapping claims. In this context, the local deliberation forum serves as a space for clarification and initial negotiation before land data is formalized. A landowner stated that:

"Deliberation at the village level is very helpful, because many boundary issues can be resolved before entering the rights determination stage" (Interview, Land Officer, 2024).

In contrast, in areas with a dominant administrative approach, community participation tends to be passive and limited to the fulfillment of formal requirements, such as the signing of minutes without adequate explanation. This condition is reflected in the statement of a landowner as follows:

"We came during the measurement, but not everything was explained. Many just go because it is considered an officer's business" (Interview, Landowner, 2024).

In addition, some residents admitted that they were reluctant to submit objections because of limited legal knowledge and concerns were considered to hinder the process. A resident said that:

"Actually, there is something that is not right about the boundaries, but we are hesitant to talk about it because we are afraid that it will become a problem" (Interview, Citizen, 2024).

These findings show that there is a variation in the quality of community participation, ranging from substantive and dialogical participation to participation that tends to be formalistic. This variation is greatly influenced by the quality of village government facilitation, information transparency, and the level of community legal literacy in the systematic land registration process.

Participation as a Mechanism for Social Verification of Land Data

This study found that community participation functions as an important social verification mechanism for physical and juridical data on land parcels. The presence of boundary neighbors, community leaders, and village officials at the time of measurement allows direct clarification of potentially overlapping land boundaries.

In some cases, local knowledge-based information has proven to be more accurate than initial administrative data. A village official explained that:

"Often local residents know more about the history of land boundaries than the documents brought. If they are not involved, the potential for misalignment is great" (Interview, Village Apparatus, 2024).

This social verification contributes to the early correction of measurement errors and unilateral claims, thereby strengthening the validity of land data before it is legally established.

Early Detection of Potential Disputes through Participatory Forums

The results of the study show that participatory forums, especially during the announcement of judicial data, function as an early detection mechanism for agrarian disputes. The objections submitted by the community are generally related to land boundaries, the identity of the subject of rights, and unagreed ownership claims.

These objections can mostly be resolved through local deliberation without having to proceed to the litigation process. A land official reported that:

"If objections arise during the announcement and are discussed together, it can usually be resolved there. A big problem actually arises when the certificate has been issued" (Interview, Land Officer, 2024).

These findings confirm that community participation plays a role as an effective and efficient dispute prevention instrument, especially at the pre-determination stage of rights.

The Effect of Participation on Land Administration Accountability

This study also found a relationship between the level of community participation and the accountability of land apparatus. Active community involvement encourages officers to work more transparently, thoroughly, and responsive to citizen input.

In areas with high participation, administrative errors such as misrepresentations of land area and the identity of rights holders can be identified and corrected before certificates are issued. An officer revealed that:

"If residents actively ask questions and participate in supervising, we are also more careful. The process is indeed longer, but the results are safer" (Interview, Land Officer, 2024).

This shows that community participation functions as a form of social accountability in land administration.

Supporting and Inhibiting Factors for Community Participation

The results of the study identified several factors that affect the effectiveness of community participation. Supporting factors include information transparency, the active role of the village government as a mediator, and the level of community trust in the land apparatus. Clear and repeated legal socialization has been proven to increase the courage of citizens to raise objections.

On the other hand, inhibiting factors include low legal literacy, inequality in local power relations, latent conflicts between citizens, and limited documents proving rights. In some cases, the dominance of local elites causes community participation to be pseudo-and non-inclusive. A resident stated that:

"If it is a certain figure who speaks, other residents are usually silent, even though there are actually objections" (Interview, Citizen, 2024).

The Impact of Participation on Agrarian Dispute Prevention

Overall, the results show that systematic land registration carried out with meaningful community participation tends to result in stronger legal certainty and minimize potential post-certification disputes. On the other hand, land registration with minimal participation leaves latent conflicts that have the potential to develop into legal disputes in the future.



Figure 2. Community Participation in Land Boundary Marker Installation as Part of Systematic Land Registration

These empirical findings confirm that community participation is not just a procedural complement, but a substantive element in preventing agrarian disputes and strengthening equitable land governance.

DISCUSSION

The results of this study confirm that community participation in systematic land registration is a key factor in the prevention of agrarian disputes, especially at the stage of measuring and determining land boundaries. The involvement of landowners and boundary neighbors allows for social verification of physical and juridical data before it is administratively established. This finding is in line with the study of Sumardjono (2020) which emphasizes that the legal certainty of land rights cannot be separated from the recognition of the fact of control and social relations that live in society. When land registration ignores the social dimension, certificates have the potential to become a source of new conflicts instead of legal protection instruments.

This study also shows that the quality of community participation determines the effectiveness of systematic land registration as an instrument for dispute prevention. Substantive participation through dialogue, deliberation, and the submission of objections has been shown to be able to identify latent conflicts early on, while formalistic participation tends to meet only administrative requirements. This finding strengthens the results of research by Arizona and Cahyadi (2018) who stated that agrarian policies that place the community as a mere administrative object risk perpetuating inequality and structural conflicts in land tenure. Thus, participation must be understood as a deliberative process, not just a physical presence.

From the perspective of land administration law, community participation functions as a social control mechanism for the actions of state apparatus. This study found that increased community involvement correlated with increased prudence and transparency of land apparatus in decision-making. This finding is in line with Sihombing's (2021) research which emphasizes that accountability in land administration can only be realized if there is information disclosure and effective public participation space. Without participation, the land registration process risks producing administrative defects that are difficult to fix after the certificate is issued.

The role of the village government as a local mediator has also proven to be significant in strengthening community participation. The village government's social proximity and contextual knowledge allows for the resolution of boundary issues and claims of dominance through deliberation before it develops into formal legal disputes. This finding is in line with the study by Nurhasan and Rahardjo (2020) which emphasized that community-based agrarian dispute resolution and local deliberation are more effective in maintaining social cohesion than litigation mechanisms. Therefore, the role of the village government should be strategically positioned in the design of a systematic land registration policy.

However, this study also reveals the limitations of community participation, especially due to low legal literacy and inequality in power relations at the local level. In these conditions, participation has the potential to be controlled by local elites, thereby reducing the inclusivity of the land registration process. This finding is in line with the criticism conveyed by Zakie (2019) that participation without a fair institutional design can be pseudo-and actually reinforces agrarian injustice. Therefore, the state needs to ensure that community participation is complemented by facilitation, legal education, and protection mechanisms for vulnerable groups.

Overall, this discussion emphasized that systematic land registration that meaningfully integrates community participation is more likely to result in fair and sustainable legal certainty. Community participation serves as a link between formal legal norms and land tenure practices that live in the community, thereby strengthening legal legitimacy and preventing future agrarian disputes.

CONCLUSIONS AND RECOMMENDATIONS

This study concludes that community participation is a key element in systematic land registration as an effort to prevent agrarian disputes. The involvement of landowners, boundary neighbors, and local actors at every stage of the process serves as a social verification mechanism that improves the accuracy of land data and allows for early detection of potential conflicts before land rights are administratively established.

The results of the study show that substantive and dialogical participation is more effective in realizing legal certainty than formalistic participation that is limited to fulfilling procedures. The role of the village government as a facilitator also determines the quality of participation and the effectiveness of resolving boundary issues and land tenure claims in a non-litigation manner. Therefore, strengthening the participation design through legal education, information transparency, and an inclusive objection mechanism is needed so that systematic land registration not only produces formal legal certainty, but also prevents agrarian disputes in an ongoing manner.

ADVANCED RESEARCH

Future research should expand this study by employing longitudinal and comparative empirical designs to assess the long-term impact of community participation on dispute prevention and land tenure security across different regional and institutional contexts. In addition, quantitative and mixed-method approaches could be used to measure the correlation between participatory intensity, data accuracy, and the reduction of agrarian conflicts.

Further research is also needed to examine the interaction between community participation, digital land administration systems, and transparency mechanisms, particularly in the context of electronic land registration and geospatial technologies. Finally, advanced socio-legal studies should explore the influence of local power relations, legal pluralism, and community-based dispute resolution practices on the effectiveness of participatory land registration, contributing to the development of more inclusive and resilient agrarian governance frameworks.

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