



The Role of Village Apparatus in the Success of Agrarian Reform in the PTSL Program in Ciparagejaya Village, Tempuran District, Karawang Regency

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ABSTRAK

The lack of legal certainty in land ownership is the root cause. Agrarian reform is crucial for addressing land and natural resource management issues, aiming to alleviate poverty and injustice. Through the Ministry of ATR/BPN, the government has launched the Acceleration of Complete Systematic Land Registration (PTSL) as a National Priority Program. Its objective is to issue land certificates to legitimize assets in accordance with Presidential Instruction No. 2 of 2018 and Ministerial Regulation No. 6 of 2018. The PTSL's success depends on collaboration among stakeholders, including the Village Apparatus, who facilitate community engagement. Ciparagejaya Village is one site selected for PTSL implementation. This study employs an empirical juridical approach to examine the Village Apparatus' role and supporting factors. They play a critical role in educating the community about PTSL, ensuring document legality, and maintaining open communication and coordination.

Keywords: Village Apparatus, Success, Complete Systematic Land Registration.

INTRODUCTION

Land is a gift from God that plays an important role in sustaining human life and livelihood because most of human existence depends on it. In Indonesia, land functions as a means to achieve prosperity and support life (Roestamy, Martin, Rusli, & Fulazzaky, 2022). This is in line with the mandate contained in the "1945 Constitution Article 33 paragraph (3)" which contains a statement that every part of natural resources, water, land, and their existence in Indonesia must be managed and utilized as much as possible in order to build a prosperous state for the Indonesian people. When discussing prosperity and welfare, what is meant is the community's economic welfare. On the contrary, happiness is associated with social security, which is built on the foundation of the culture and customs of the community. Justice is closely related to the concept of legal certainty and guarantees the protection of the rights and responsibilities of all Indonesian citizens (Fitriani, 2015).

The Indonesian state is agrarian, so most of the population, especially in the countryside, has a livelihood in agriculture and fisheries (Widodo, 2017). Both have a strategic position for food fulfillment for people throughout Indonesia. Agrarian conflicts and land disputes will hinder the effectiveness of agricultural and fishery businesses. Agrarian conflicts can arise due to two main considerations. Today, there are still no clear rules written in legislation regarding agrarian issues, including perspectives on land, land classification, and land ownership. In addition, the land dispute settlement process is also slow and unfair, which ultimately leads to increasingly severe

conflicts (Merrills, 2017). The lack of legal certainty regarding land ownership is the fundamental cause of this problem. The enactment of "Law Number 5 of 1960 concerning Basic Regulations on Agrarian Principles" has a direct impact on the application of the "1945 Constitution Article 33 paragraph (3)" concerning the sound of the rules in the main agrarian legislation. The main basis for the implementation of Agrarian Reform in Indonesia is known as the "Basic Agrarian Law". From a philosophical point of view, the "Basic Agrarian Law" is a response to the injustice of laws and regulations that have been in force since the colonial period, especially regarding the legal status of Indonesian citizens. This law aims to radically change the land ownership and ownership system, accompanied by restructuring the legal relationship between individuals and land (Pitaloka, 2020).

Agrarian reform in Indonesia began when the Basic Agrarian Law was born. In fact, religious reform in the juridical aspect has been organized in "Article 7, Article 10 and Article 17 of the Basic Agrarian Law". When viewed in terms of etymological or the origin of the word, agrarian reform is absorbed from the Spanish language with the meaning of "a change-up," is also called social decomposition, which is carried out on awareness to make a transition of the agrarian order to a superior and just agrarian system for the welfare of the village community (Luthfi, 2018).

Implementing agrarian reform is the best way to overcome various problems over land and natural resource management and alleviate poverty and injustice. The "Basic Agrarian Law" is responsible for overseeing the restructuring of the unequal land system to improve justice, facilitate the resolution of land-related disputes, and increase the level of prosperity for the community after the implementation of agrarian reform (Martini, Ash-Shafikh, & Afif, 2019).

The Indonesian government has implemented agrarian reform in an effort to increase prosperous conditions for the community and solve various land problems, namely related to land disputes, uncertainty over land ownership and abandoned land (Arisaputra & SH, 2021).

The implementation of agrarian reform, which aims to mitigate disparities in land tenure and ownership, has the capacity to provide significant improvements in social and economic equality on a national scale. Land disputes occur in many places in Indonesia due to the lack of legal certainty surrounding land ownership (Iswantoro, 2021). This shows the main role of land certificates in representing land ownership rights and being legally recognized. The government has voiced its concerns about the prolonged process of obtaining land certificates. As an effort to solve this problem, the government has launched a National Priority Program at the Ministry of ATR (Agrarian and Spatial Planning)/BPN (National Defense Agency) called PTSL/Acceleration of Complete Systematic Land Registration. The goal is to legitimize assets by providing as many land certifications as possible. The PTSL program is contained in "Presidential Instruction Number 2 of 2018" This instruction provides directions to all parties, including Village Apparatus, to support the acceleration of the implementation of PTSL so that all land in Indonesia can be fully registered. Furthermore, the regulation regarding PTSL is outlined in "Ministerial Regulation Number 6 of 2018 concerning Complete Systematic Land Registration" This regulation specifically regulates the implementation of the PTSL program, including the stages of

implementation, community participation, and the obligations of the Village Apparatus in facilitating the implementation of the program. The PTSL program is known as land certification, and it is a manifestation of the government's obligation to provide guarantees with certainty of legal protection of the land ownership rights for the community (Joewono, Prasetyawati, & Nasution, 2023). Through the PTSL method, the Government has the authority to supervise land ownership through the issuance of official documents, especially to control and enforce land rights through the media of land certificates.

Based on the "Basic Agrarian Law", a land certificate is proof or a letter stating ownership of the land and the right to control, utilize and benefit from the land. It is not only limited to providing legal certainty, but the usefulness of land certificates also makes it easier when buying and selling transactions or applying for credit for business assistance capital that has utility for the community's welfare (Abdulai & Ochieng, 2017).

The government implements instructions based on the "Basic Agrarian Law" that the Government must register land, thus requiring the Government to ensure legal transparency and protect the rights of all Indonesian citizens. Based on "Article 19, paragraph (1) of the Basic Agrarian Law", the Government must carry out land registration in all regions of the Republic of Indonesia to ensure legal certainty. This process must be carried out in accordance with the rules that the Government has passed. Furthermore, "Paragraph (2) letter c" mandates the submission of proof of rights, which is strong evidence. Based on the mandate of "Article 19 of the UUPA", "Government Regulation Number 10 of 1961 concerning Land Registration" was then replaced by a rule in "Government Regulation Number 24 of 1977 concerning Land Registration". Land registration is the first way to prove ownership of land, therefore it must be done by the land owner. The success of the PTSL program, which stands for Acceleration of Complete Systematic Land Registration, depends on the cooperation of several stakeholders, including the Village Apparatus. Village apparatus is an important intermediary between the community and the National Land Agency. The role of the Village Apparatus as an intermediary between the Land Office and the community is very important in ensuring the success of agrarian reform through the PTSL program in the village concerned. Therefore, it is important to involve the Village Apparatus in PTSL operations. The active involvement of the Village Apparatus can be achieved through efficient collaboration between the Land Office, the Village Apparatus, and the local community (Wahyudi, Achmad, & Pamungkas, 2021).

The National Land Agency of Karawang Regency held a socialization activity on Complete Systematic Land Registration (hereinafter abbreviated as PTSL) at the Ciparagejaya Village Office Hall, Tempuran District, on Friday, January 29, 2021. According to the Public Relations of the National Land Agency of Karawang Regency (Yanuar Pribadi), the implementation of the PTSL program is carried out in accordance with Presidential Instruction Number 2 of 2018 in conjunction with the Regulation of the Minister of Agrarian and Spatial Planning/Head of the National Land Agency Number 6 of 2018 concerning Complete Systematic Land Registration.

Ciparagejaya Village was selected as one of the villages that became the object of implementing the Complete Systematic Land Registration Program, hereinafter abbreviated as PTSL. The program aims to optimize and accelerate the land registration procedure to increase the efficiency of obtaining land certificates. Village apparatus has an important role as a bureaucratic agent in implementing the bureaucracy of the PTSL program. This activity is a procedure for registering all land in certain villages or sub-districts simultaneously and comprehensively throughout the territory of the Republic of Indonesia (Suroso, Fadli, Asfi, & Hagus, 2023). This requires the collection of physical data and juridical data regarding one or several objects of land registration. The PTSL program ensures the Government's dedication to providing legal guarantees for land rights. People who have not understood the legal implications of the PTSL procedure are given a legal understanding of this PTSL method. The goal is for the public to understand the importance of the Government's National Priority program, which is designed to improve the community's welfare, especially in Ciparagejaya Village. The PTSL program is part of an agrarian reform in the form of asset legalization. Village Apparatus is a bridge between the National Land Agency and the community to determine the success of agrarian reform in local villages. This is because the Village Apparatus has a deeper understanding of the geographical and social conditions of the community. The Ciparagejaya Village Apparatus strongly supports the existence of this PTSL program so that its role can determine the success of agrarian reform in Ciparagejaya Village. So, what is the role of the Ciparagejaya Village Apparatus in the success of agrarian reform in Ciparagejaya Village, as well as what factors support the success of agrarian reform in the PTSL program in Ciparagejaya Village, Tempuran District, Karawang Regency

Based on the above problems, the author is interested in conducting research that is poured into a scientific paper (Tracy, 2019). Therefore, the implementation of this research aims to get various answers regarding the role of Village Apparatus and what factors support the success of agrarian reform in the PTSL program. For this reason, the author was encouraged to conduct research entitled "The Role of Village Apparatus on the Success of Agrarian Reform in the PTSL Program in Ciparagejaya Village, Tempuran District, Karawang Regency."

RESEARCH METHODS

The type of research used in this study is empirical juridical research, which is legal research that uses primary and secondary legal materials. Conduct interviews and field research observations to obtain primary data. Secondary data, also called data obtained from sources other than primary sources, is collected through literature research, including literature analysis and legislation.

RESULTS AND DISCUSSION

The Role of Village Apparatus on the Success of Agrarian Reform in the PTSL Program in Ciparagejaya Village

The Village Apparatus's role is to spearhead the implementation of land certification programs (Pahrudin & Senjaya, 2021). Village Apparatus has an important role when collecting information related to land data, connecting the community with interested parties, supervising the implementation of the PTSL program and becoming a facilitator in the final stage of PTSL, namely the issuance of land certificates so that the role of the Village Apparatus greatly determines the success of Agrarian Reform in the PTSL Program that is carried out. In the land registration process, the community and Village Apparatus must do quite strategic work. These include counseling, the installation of boundary markers, the availability of juridical data, and field efforts to help with measurements. According to Law Number 6 of 2014, as an element of village government organizers, the Village Head or what is called by another name with the help of village officials, is responsible for supporting all Government programs implemented in the village.

Ciparagejaya Village, located in Tempuran District, Karawang Regency, is the target of implementing the National Priority Program using the PTSL method. Ciparagejaya Village is one of the coastal villages. Given the land size in Ciparagejaya Village, it is important to provide legal certainty of property rights for the entire community to mitigate potential land conflicts. The land area of Ciparagejaya Village is around 325 square meters. The villagers' main livelihood is in pond cultivation and fisheries. It has a land area of 50 hectares and rice fields of 11 hectares, the rest of which are ponds used by pond farmers as a place to cultivate shrimp and fish. (Interview with Mr. Dedy as the Secretary of Ciparagejaya Village, May 8, 2024).

In 2021, Ciparagejaya Village, under the leadership of the Head of Ciparagejaya Village (Kabun), actively participated in the PTSL program. All residents of Ciparagejaya Village, both those who live in Muara 01 Hamlet, Muara 02 Hamlet, Mangunkarya Hamlet, Pulumulya Hamlet, and Cibanjar Hamlet, actively participate in implementing the PTSL Program. The following is the PTSL Scheme implemented in Ciparagejaya Village, including:



From the scheme above, it can be explained that the community is first given counseling. The counseling, which took place at the Ciparagejaya Village Hall, was carried out by Extension Officers from the National Land Agency of Karawang Regency and witnessed by the entire community of Ciparagejaya Village. Before conducting counseling, the Village Apparatus coordinates with each hamlet's representatives, including the Hamlet Head, Rukun Tangga (RT), and Rukun Warga (RW). This coordination aims to inform the public that the National Land

Agency of Karawang Regency will conduct counseling sessions on the National Priority Program, with special emphasis on implementing Complete Systematic Land Registration (Agraria, 2019). The counseling aims to educate residents about the importance of participating in the PTSL program by explaining various benefits in the form of legal land rights ownership.

This counseling was first scheduled by the National Land Agency of Karawang Regency and then carried out in Ciparagejaya Village, the PTSL implementation location. In addition, the Village Apparatus assists the community in collecting and compiling the documents needed for land registration, such as application letters or statements of PTSL participants, population documents such as Family Cards (KK), Identity Cards (KTP), and then land certificates, which can be in the form of Letter C, sales deeds, grant deeds, or testimony minutes. The next stage of data collection is the collection of physical and juridical data (Abinowo, Suyudi, & Wahyuni, 2019). The Adjudication Committee must carry out juridical data research to prove rights. Officers collected data on the people of Ciparagejaya Village by collecting information about who owned the land and how the land was obtained. They also asked for the acquisition of land and building rights (BPHTB) and income tax (PPH), which have been paid. The next step is to carry out measurements which include determining the length and width of the land controlled, determining the boundaries of land that are mutually agreed upon based on agreement with adjacent land owners, and verifying the shape and area of the land plot. After completing these steps, the next action is to hold a Committee A Session. The purpose of the trial procedure is to study the juridical data of the field examination, record the rebuttal, and draw conclusions to obtain additional information. The session was conducted by three people from the National Land Agency of Karawang Regency and one representative of Ciparagejaya Village, namely from the PTSL Task Force of Ciparagejaya Village. After the Committee A Session, then the next stage is the announcement and endorsement. The committee announced the session's results, and then the officer carried out the ratification, which is expected to take approximately 14 days, provided that the notice is clearly pasted at the Village Office. Furthermore, the closing stage of the PTSL program resulted in the issuance of a certificate by the Ministry of Agrarian Spatial Planning/National Land Agency. This certificate serves as legal proof of a person's ownership of land that cannot be denied and is handed over directly to the community that owns the land concerned (Bola, 2017).

A series of stages of the PTSL method that have been carried out by officers from the National Land Agency of Karawang Regency with the assistance of the Ciparagejaya Village Apparatus have resulted in quite active collaboration and communication so as to make the PTSL Program run in Ciparagejaya Village faster, more efficient, and successful. The following is a table of PTSL land certification in Ciparagejaya Village in 2021.

Table 1.
Issuance of Land Certificate as a result of the PTSL Method of Ciparagejaya Village

| No. | Hamlet Name | Kelurahan/Village | District | Sum Issued Certificate |
|--|-------------|-------------------|----------|---------------------------|
| Target for Issuance of PTSL Certificate in Ciparagejaya Village: 700 Books | | | | |
| 1. | Muara 01 | Ciparagejaya | Tempuran | 100 Books |
| 2. | Muara 02 | Ciparagejaya | Tempuran | 100 Books |
| 3. | Pulomulya | Ciparagejaya | Tempuran | 50 Books |
| 4. | Mangunkarya | Ciparagejaya | Tempuran | 100 Books |
| 5. | Cibanjar | Ciparagejaya | Tempuran | 100 Books |

Source: Karawang Regency Land Office in 2021

The results of the table above show that out of the planned target of 700 books, about 500 people signed up to participate in the PTSL Program. A total of 450 PTSL certifications have been issued. Currently, 40% of the land in Ciparagejaya Village is owned by individuals who are not residents of Ciparagejaya Village. However, this ownership was officially recognized before the implementation of the PTSL program. The land certification rate in Ciparagejaya Village is around 80%, which means that almost 80% of the village land has received official certification (Interview with Mr. Anas, as the PTSL Task Force of Ciparagejaya Village, May 4, 2024).

The people of Ciparagejaya Village have a livelihood identical to that of pond farmers and fishermen. For pond farmers, the benefit of soil certification is to increase the cultivation of shrimp and fish ponds; the cultivation products are sold at fish auctions or can be processed into food products through Ciparagejaya Village MSMEs. Meanwhile, for fishermen, the benefit of land certification is to buy a boat, so they do not need to rent a boat to a tenant when they are going to sail to look for fish in the sea. This PTSL program is very helpful for the people of Ciparagejaya Village in improving the welfare of social and economic equity. (Interview with Mr. Kabun, as the Head of Ciparagejaya Village, May 4, 2024).

Supporting Factors for the Success of Agrarian Reform in the PTSL Program in Ciparagejaya Village

The role of the Village Apparatus that has succeeded in realizing land certification to improve community welfare cannot be separated from the factors that support the success of Agrarian Reform, especially in Ciparagejaya Village. The factors supporting the success of Agrarian Reform in the PTSL Program include: Effective education from the Village Apparatus, effective education that is intensified, can increase public understanding of PTSL, eliminate misunderstandings, and encourage active participation of the people of Ciparagejaya Village in participating in the PTSL Program. The supporting factor is carried out by the Village Head, who explains the legal events about the land that comes from the inheritance by providing a legal understanding of the inheritance to several land heirs (Abubakari, 2020). Then the next factor is that the Head of Ciparagejaya Village is very selective in legalizing PTSL requirements

documents, such as signatures and stamps. The Village Head must not be mistaken when legalizing any form of document; precision and caution are required when legalization is carried out (Ayano, 2018). Furthermore, the supporting factors for the success of PTSL are inseparable from coordination and communication, open and transparent communication with the community is also important to build trust and active participation of the community. The people of Ciparagejaya Village are very participatory in registering their land, so the success rate of agrarian reform that is to be achieved is one of the achievements of the Village Apparatus through the PTSL program in order to transform the agrarian structure into a healthier and more equitable through the PTSL Program in Ciparagejaya Village. The Ciparagejaya Village Apparatus hopes that through this complete systematic land registration, the collection of land data that has not been certified will continue to run periodically and optimally in order to make Ciparagejaya Village a village that has succeeded in becoming a complete Land Registration village.

CONCLUSION

The role of the Ciparagejaya Village Apparatus holds the key to the success of Agrarian Reform through the PTSL program for the community in Ciparagejaya Village. With the active involvement of the role of the Village Apparatus in identifying and registering land, providing legal counseling to the community, supervising the implementation of the PTSL program that has taken place, protecting traditional rights, managing fishery resources, and empowering the economy of the pond farmer and fishermen community, the Village Apparatus has become an effective partner to improve the welfare and economic sustainability of the pond farmer and fisherman community and provide guarantee of legal certainty for land rights owned by every community.

Furthermore, in relation to the role of the Village Apparatus that has succeeded in realizing land certification to improve community welfare, this certainly cannot be separated from supporting factors such as Effective education that the Village Apparatus always intensifies to the community about the importance of the PTSL program, then the legalization of correct documents, as well as open and transparent coordination and communication in order to, succeed in building trust and active participation of the community

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