



THE LEGAL CERTIFICATION OF LAND OWNERS IN LAND REGISTRATION IN SENTANG VILLAGE OF ASAHAN DISTRICT

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Abstract

Land is very closely related to human life. Everyone needs land and land, one of the objects regulated by agrarian law. Land means the area (area). Region in terms of terminology, namely area (power, government, and supervision) or regional environment (province, district which consists of sub-districts, villages and villages). The definition of land in this construction is as if the land is closely related to the administrative area, there are those in urban areas or rural areas, which are mostly people who use the land function to match the land. Land also functions as an economic potential, for example in the form of protected forests where all kinds of plants, rivers, mountains, mineral resources and agricultural lands grow. and cultural potential in the form of meeting two or more cultures in a society. So that's when people interact with each other.

Keywords: *Legal certainty, ownership of land rights*



A. Introduction

Land is a primary need that concerns the livelihood of many people and the place and source of people's lives. Through land, people can use and cultivate land as a livelihood, and can also benefit from large profits if they are able to know the procedures for good land management. And land is one of the natural resources which is the main capital for the development and widening of the construction area that can be used as much as possible for the prosperity of the people. In accordance with the mandate contained in article 33 of the 1945 Constitution, it is emphasized that the earth, water and space are controlled by the state and used as much as possible for the prosperity of the people. This is one of the ideals of the Indonesian nation in terms of equal distribution of land ownership in the unitary territory of the Republic of Indonesia. More or less 3.5 centuries the archipelago was colonized by colonialism, many of the inheritance from the land of the archipelago that had been used was the result and was brought to the place of the invaders' country of origin. Such problems are felt by the people of Indonesia in the colonial era as laborers or babu in their own land. Therefore registration through land ownership is one thing that is very fundamental and as strong as its influence and its touch as a driver of people's progress, national development and the ideals of the Indonesian people to realize equitable distribution of land ownership in the Unitary Republic of Indonesia.

In land law the term "land" is used in a juridical sense, as an understanding that has been given an official limit by the LoGA. Land is the layer of the earth or the surface of the earth which above all is funding the word Land in English as explained in the black law Dictionary: "land" May include any estate or interest in lands, either legal or equitable. As well as easements and in corporeal hereditaments. Land as a source of life and one of the important factors of production in addition to being able to ensure the availability of space to build infrastructure and facilities for development needs in accordance with predetermined priorities, fertility and sustainability must also be maintained to create a comfortable living environment.



The issue of land in human life has a very important meaning, because most of human life depends on the soil. Imagine, religion teaches that humans are from the ground. Land is a place to settle for humans as well as a source of livelihood for those who make a living through farming and businesses that are directly related to land, such as mining and energy. Land can also be assessed as a permanent asset, because providing stability is reserved for future lives. In the end it was the land which was the last place of death for someone who had died. Based on the aforementioned facts, land for human life not only has economic value as presumed by parties, but also contains social, political, cultural, and psychological aspects.

"Land is part of people's lives even from honor. That is why land is not only seen in economic relations as one of the factors of production, but more than that land has an emotional relationship with the community, especially an agrarian Indonesian society, of which 60% of the population lives from the agricultural sector and generally lives in the countryside as a farmer small with a narrow area of land with decreasing soil fertility ".

Therefore, in solving various problems relating to land issues today not only have to transfer legal principles, but must show the principle of welfare, the principle of order and security and the principle of humanity so that the land problem does not develop into disturbing unrest community stability. Institutions or bodies that handle Land Registration in accordance with Article 1 of Government Regulation No. 10 of 1961, dated March 23, concerning Land Registration organized by a Bureau called the Land Registration Bureau.

With the issuance of Presidential Decree No. 26 of 1988 dated July 19, 1988, concerning the National Land Agency, specifically regulated in Article 37 paragraph (1), the tasks and functions of Land Registration, which are all within the Ministry of Home Affairs, are carried out by the Directorate General of Agrarian Affairs , since November 21, 1988, namely the date of the Inauguration of the Head of the Land Agency, has switched to the National Land Agency.



Regarding the Duties and Functions of authority Land Registration can be explained as follows:

- a) If at the Headquarters of the National Land Agency (BPN), Land Registration is handled by the Deputy of Land Measurement and Registration, assisted by the Director of Measurement and Mapping, Director of Land Registration.
- b) While at the Provincial level, it is handled by the Head of Land Measurement and Registration Division within the Provincial National Land Agency Regional Office, assisted by: Head of the Pangukuran Section, Head of Mapping Section, Head of Land Registration Section and Land Information System, and Head of Transitional Rights Section, Exemption of Rights and Acting Land Acting Officer (PPAT).
- c) As for the Regency / Municipality level, Land registration is handled by a Head of Measurement and Mapping Section within the local Regency / Municipality Land Office, with the assistance of: Head of Measurement, Mapping and Conversion Sub-Section, Head of Sub-Registration of Land Rights and Information and Sub-Head Transitional Rights Section, Imposition of Rights and Acting Land Acting Officer (PPAT).

The function of the National Land Agency in the Land Registration field, in accordance with Article 22 of the Decree of the Head of the National Land Agency, Number 1 of 1989, dated January 31, 1989, the Land Measurement and Registration Agency has the following functions:

- 1) Prepare and carry out identification and measurement for the purposes of the Basic Land Registration Framework, Village Registration for Villages, Sporadic Measurement and Equipment Maintenance.
- 2) Prepare and carry out analysis of calculations, depictions and mapping based on the results of measurements of the basic framework of land registration, Village by Village Registration and sporadic measurements and provide guidance on analysis, calculation and mapping.



- 3) Collecting materials for the preparation of the land information system, providing guidance on the implementation of the Registration Procedure and Administration of Land Registration and preparing a Decree to Recognize the Rights to Customary Land.
- 4) Provide guidance in the implementation of the transfer of rights, imposition of rights, instructions for solving land registration problems and prepare suggestions relating to the Registration Task and provide guidance and prepare materials for evaluating the implementation of the Duties of Land Deed Officials (PPAT).

Thus, the Guidance for Land Measurement and Registration, has the coordination task, arranges the program and provides guidance, control and services in the field of land measurement and registration. The purpose of organizing land registration is essentially to provide legal certainty in the land sector, while the publicity system is a negative system with a positive tendency. The method of land registration used is through two approaches, namely Systematic Land Registration and Sporadic Land Leveling.

The definition of systematic land registration and sporadic land registration contained in the general provisions of Article 1 point (10) and point (11) Government Regulation Number 24 of 1997, which reads as follows:

Article 1 point (10): "Systematic land registration is the registration of land for the first time carried out simultaneously which includes all objects of land registration that have not been registered in the area or region of a village / regency."

Article 1 point (11): "Sporadic Land Registration is the first land registration for an object of land registration in an area or part of an individual or mass village / kelurahan."

The purpose of Land Registration as stated in Article 3 of Government Regulation (PP) Number 24 of 1997, is:



- 1) To provide legal certainty and legal protection to the holders of rights to a plot of land, apartment units and other registered rights so that they can easily give themselves as holders of the relevant rights.
- 2) To provide information to interested parties, including the government, so that it can easily obtain the data needed in conducting legal actions regarding registered plots of land and flats.
- 3) For the orderly implementation of the Land Administration.

Based on these thoughts, there are many interesting aspects to be studied or researched and examined about land issues in relation to the implementation of land mapping.

B. Research Method

This study is a type of analytical descriptive research that is describing, describing, analyzing and explaining analytically the problems raised. This research was conducted by means of library research. The research material was obtained through a normative juridical approach, namely the legal approach by looking at regulations, both primary law and secondary law or approaches to problems by looking at the prevailing laws and regulations, literature, scientific works and opinions of experts and so on. Soerjono Soekanto (1995: 13) says that normative legal research is legal research conducted by examining library materials or mere secondary data. Normative legal research includes research on legal systematics, research on the level of vertical and horizontal synchronization, comparison of law and legal history.

C. Research Location

This research was conducted in the range of Sentang Village, Asahan Regency by conducting surpe directly to the people who had carried out land registration activities. Land registration can be done by the community directly through the Office of the Asahan Regency National Land Agency.



D. Research Result and Discussion

The certificate is a letter of proof of rights as referred to in Article 19 paragraph (2) letter c of the Basic Agrarian Law for land rights, management rights, waqf land, ownership rights to apartment units and mortgage rights, each of which has been recorded in the book the land concerned (Government Regulation No. 24 of 1997).

Certificates are given for lands with existing measurement letters or lands that have been measured. Certificate is a strong proof of both the subject and object of land rights. The certificate may only be submitted to the party whose name is listed in the relevant land book as the right holder or other authorized party.

Property rights are the strongest and most fulfilled hereditary rights that can be owned by people on land, keeping in mind the provisions in Article 6 (Law Number 5 Year 1960 Article 20 paragraph (1) concerning the Basic Agrarian Law). Property rights are the strongest and the fullest meaning is that the giving of this nature does not mean that the right is an absolute right, unlimited and inviolable but to distinguish from other rights, namely the right to use the business, the right to use the building, the right to use and others.

Only Indonesian citizens have ownership rights. These property rights can be transferred and transferred, switching means that the ownership rights can be inherited while being transferred means that they can be changed to other rights, such as rental rights, usufructuary rights, business use rights and others. Property rights are deleted if the land falls to the state due to revocation of rights based on Article 18 of Law Number 5 Year 1960.

Land in its essence has a very strategic position in human life and life personally, in community relations and for the State. In his life personally, life and human life are inseparable from land. Throughout his life, humans have always been in touch with the land and on the ground, people carry out activities and make a living. Therefore, the relationship between humans and land is very close. Land is a source of prosperity and happiness, both outwardly and inwardly. For the people and the Indonesian people in general it is believed that the land is a gift of God the Almighty for all the people of Indonesia who unite as the Indonesian



Nation and is a national wealth. Therefore, the highest right of control over land throughout the territory of the Unitary State of the Republic of Indonesia is the right of the Indonesian Nation. The implication in the use and use of land must personally pay attention to the interests of the nation or greater interests in society. Land rights have a social function. In terms of the source of prosperity, the land is national wealth. From the concept of such a relationship, the relationship of the Indonesian people with land throughout the territory of the Republic of Indonesia is eternal. In addition to the State, land in the territorial sense is jurisdiction and various elements of unity and unity of the Nation and the Unitary Republic of Indonesia. From this description it can be understood that land management can be seen from the public and private aspects. From the public aspect, the land is controlled by the State to be used for the greatest prosperity of the people. Based on this, the State has the authority to regulate the land sector. From the private aspect, land rights contain authority for holders of rights to use the land and carry out legal actions. So, the ownership, ownership, use, and utilization of land by the right-holders are limited by legislation. The interests of the community and the interests of this State that cause land disputes cannot be completely resolved through purely mediation institutions.

Land dispute resolution including through mediation by the National Land Agency needs to be based on legitimate authorities based on legislation. This is important as a foundation for BPN to become a mediator in land dispute resolution. Because land is controlled by aspects of public law and private law, not all land disputes can be resolved through mediation institutions. Only land disputes that are within the full authority of the rights holders can be resolved through mediation institutions. Therefore, agreements in the context of dispute resolution through mediation are imposed restrictions. This is so that the mediation decision is not illegal and can be implemented effectively in the field. If there is a definite solution by itself there are problems that must be resolved, the case comes from civil disputes relating to land issues, and in the dispute involving parties namely the plaintiff and the defendant.

In the case of land disputes as with other civil dispute problems, generally there is an individual who feels that his rights are harmed or violated by another individual. In general, the procedure for resolving land disputes



through the institution of mediation is carried out by both parties to the dispute, namely by appointing BPN as a mediator and witnessed by witnesses. In disputes faced by parties, dispute resolution does not always have to be done in court but can be done alone among them according to the basis of deliberation and consensus, and the most important thing is the sense of kinship, because this method does not damage the kinship relationship including. But if in the deliberation to reach the consensus it fails, then usually they bring the matter to the kelurahan or to the land office, in this case the village head or the Head of the Land Office who assists the settlement, in this case they only act as mediators or often referred to as a mediator.

Basically the registration of land rights is an obligation and responsibility for the community who have / control the land rights of a land parcel, procedurally that the party concerned submits an application for registration of land rights it controls to the Land Office. Every legal action on land rights that make changes both physical and juridical data, changes to the data must be registered at the Land Office in order to obtain legal certainty. Therefore, it is recommended that the community must experience changes in physical data and juridical data so that it can be registered with the Land Office, so that it can be used, used and controlled according to its designation. From the things above, any changes resulting from changes in physical data or legal juridical data that have been certified, then the Land Office has carried out data updating for each good change caused by changes in physical data and juridical data. This can be seen from the land register at the Land Office.

Regarding the implementation of the latest principles on land that has been certified, the Land Office has changed the use of analog data which has been formed in the form of land book bundles and measuring letters into electronic data which can be accessed at any time without opening the archive warehouse, but sufficient done by a combination of fingers and mouse. The use of information technology is further developed in the form of land services to the community. Other services being prepared by the Land Office are PPAT services for checking certificates and for registration of services online and online services are also being prepared for the community, namely by preparing e-form services as a means of filling out the land registration form online.



Based on the results of the study that the constraints faced in the implementation of measurements on the ground, namely in carrying out the work of land registration officers also need facilities and tools supporting work, including facilities requiring officers who work in the field of public relations, namely to conduct information, disseminate land information and receive and answer questions and complaints coming from the community about the problem of implementing land measurements. When viewed from the available staff, it seems that the administrative staff and extension staff feel very less so as to serve the community in accepting applications for good land registration and disseminating all new regulations on sustainable land registration.

Besides the limitations of the implementing staff, there are also limited facilities needed in the implementation of data updating, especially those relating to technology and information technology activities where such activities require skilled workers and also require not a small amount of money. This is a separate obstacle so that in terms of implementing the latest principles it cannot be implemented optimally. Costs that will be incurred to carry out one land registration activity will be large, while from the government the available funds are still insufficient, so that officers in the field who are tasked with land registration experience difficulties with these costs including the cost of measuring / returning limits if it is desired by the applicant, which requires adequate personnel and transportation facilities, this results in the addition of the accommodation budget and so on.

In practice these additional costs, charged by land registration officers in the field to people who carry out sustainable land registration, are naturally many costs without clear details that must be spent by the community during the process. Plus a considerable amount of time and complex bureaucracy and lack of services and still differentiate the level of the economy of the community in providing services. Still inadequate data updating costs that are considered by the public to be costly in terms of updating data are still considered expensive. So that the community cannot update the data by registering the land that has the certificate they have. Although the costs in terms of updating the data have been regulated in laws and regulations as in paragraph 4 Article 19 of the Basic



Agrarian Law with provisions for people who are not able to be released from payment of these costs.

This means that the implementation of the latest principles on land that has been certified as a guarantee of legal certainty is truly in favor of a sense of justice and humanity, especially a weak economic community. This is found in Article 11 paragraph 2 of the Basic Agrarian Law which outlines the guarantee of protection of the interests of the weak economic group. This provision is further added by Article 61 paragraph 2 of Government Regulation Number 24 of 1997, which states that at the request concerned, the Minister or appointed Official can free the applicant from part or all of the costs as referred to in paragraph 1, if the applicant can prove unable to pay these costs. Article 19 of the Agrarian Basic Law Jo. Government Regulation Number 24 of 1997 Article 2, concerning principles that are affordable, does not work as determined. Resulting in the community's opinion that to carry out measurements on land which is difficult and still has the presumption that the costs in terms of updating the land data are still considered less affordable.

To guarantee legal certainty over land ownership and ownership, the certainty of land parcels cannot be ignored. From past experience many disputes arose as a result of the location of land that was not right. Therefore the problem of measuring and mapping and providing large-scale land for the purposes of carrying out land registration is something that should not be ignored and needs serious attention, not only in the context of data collection but also very important in presenting data on land ownership and data storage. that is.

Maintenance of sustainable land registration data as referred to in Article 36 of Government Regulation Number 24 of 1997 above is an activity of land registration to adjust physical data and juridical data in registration maps, land registers, rosters, measuring letters, land books and certificates with changes that happened later. These changes are for example the transfer, assignment or change of name of the rights holders that have been registered, the abolition or renewal of the term of the expired rights, the resolution, separation and incorporation of land parcels whose rights have been registered. Changes in physical data occur if the area of land changes, that is if there is separation, resolution or also the



incorporation of the relevant land area into new units. The change is followed by recording it on the registration map and making a new measuring letter.

Changes in juridical data can be related to their rights, namely the expiration of the validity period, revoked or burdened with other rights. Changes can also be about the right-holders, ie if inheritance, transfer of rights or renaming occurs. In the registration system, the right to change is recorded in the relevant land book based on the data published for the changes that occur.

If there is a change in physical data or juridical data found in the parcels of land, the right holder concerned must register these changes to the Land Office. Maintenance of land registration data is carried out by registering changes in physical data and juridical data on the object of registration of land that has been registered by registering it in the public register.

Explanation of Article 2 of Government Regulation Number 24 of 1997 states that the latest principle is that it is sufficient in its implementation and continuous in maintaining the data. Data available at the Land Office must show the most up-to-date conditions. For this reason, the obligation to register and record changes that occur in the future is followed.

The current principle requires that land registration data be maintained continuously and continuously so that the data stored at the Land Office is always in accordance with the real conditions in the field and the community can obtain information about the correct data at any time.

The current principle is a principle that adheres to a more up-to-date recording of land data, whenever there is a change in physical data and juridical data, it must be registered by the right holder to the Land Office, in order to obtain data that is always current and also to ensure legal certainty.

So the current principle in the registration of sustainable land aims in addition to updating physical data and juridical data at the Land Office in accordance with existing data on rights holders also aims to facilitate



services to interested communities, so that the process of land registration and land registration is sustainable (continuous recording) can be serviced as simply as possible quickly, precisely, effectively and efficiently.

To accelerate the measurement and mapping of land parcels that must be registered using modern technology other than using GPS, computerized processing and data storage is also needed. If the use of GPS and computerization in the registration of land has been carried out properly, the current principles in land registration have been fulfilled.

The development of measurement and mapping technology, such as how to determine points through the Global Positioning System (GPS) and computerize the processing, presentation and storage of data, the implementation of measurements and mapping can be used in land registration.

Legal Certainty

The legal certainty of the object of land rights includes certainty regarding the technical field which covers physical aspects, namely certainty regarding the location, extent and boundary of the land concerned. The location and area of land is one of the elements that determine legal certainty. To get a definite location and area, cadestral measurements of the field in the field are carried out. Before being mapped, the results of measurements and land boundaries are shown to the landowners who have borders to get certainty of the location of the land boundary. If it is agreed upon, then the owner of the land is bound to sign an agreement termed *contardictoire delimitatie*.

To guarantee the legal certainty of land rights, land registration is carried out in the entire territory of the Republic of Indonesia which includes:

1. Measurement, mapping, and bookkeeping
2. Registration of land rights and acquisition of these rights,
3. Provision of a certificate of proof of rights (certificate) that applies as a strong evidence tool.

Indonesian State Substance is a follower of the European continental legal system derived from colonial countries in the colonial era. Written law is typical of European continental with groundnorm. Violations or crimes can be punished if there are laws or written laws in



advance. So with land cases related to civilization in the land the term other people's rights that have been determined by law is an act against the law. Unlike the Anglo Saxon legal system that uses legal supremacy comes from the judge by digging in court, the European Continental is very thick with elements of legal certainty. Efforts provided by Indonesian positive law to provide guarantees to victims or suspects delegated by the constitution through legislation. The role of the judge in the continental European legal system looks passive compared to the more active Anglo Saxon legal system, even though in its development in Indonesia the judge cannot refuse the case that comes with the reason that there is no law, but still refers to the written law. As well as in civil cases related to land ownership the judge is more passive with the parties required to be active to be able to reveal forms of violation of land rights. According to Ade Saptomo, the principles for judges in judging concrete legal cases include the following three approaches:

The Legalistic (Formal) Approach The legalistic approach is a model used by judges in resolving concrete legal cases in which the law has been clearly regulated so that the judge seeks, sorts, and chooses legal elements in the said legal case and then meets the relevant articles. in the said law. Cases of unlawful acts in the form of acts that conflict and take the validity of a predetermined limit based on the certificate of ownership of a right.

The Interpretative Approach of Law in reality is possible that normative rules are incomplete or vague. In an effort to uphold the law with justice and truth, the judge must be able to do legal discovery (*rechtsvinding*). If at the time the judge finds a form of case relating to ownership of land rights that still does not use the legality of a letter contained in Law No. 24 of 1997 concerning Land Registration. Then the judge must be able to explore the laws that live in the community related to land. Customary land is one of the activities of ownership of land rights in Indonesia which is still recognized by the Indonesian government in accordance with Law No. 5 of 1960 concerning Agrarian Principles.

Anthropological Approach With regard to concrete legal cases that have not been regulated by law, the judge must find the law by exploring,



following and living the legal values that live in society. The existence of these three approaches is very relevant to the European continental legal system, the Anglo Saxon legal system and customary law or customary law. The legalistic approach is an element inherent in the continental European legal system, while the interpretative approach is that of the Anglo Saxon legal system and the anthropological approach is the identification of customary law or customary law. In this context the approach to be discussed is the legalistic approach while the others will still be included. With formal elements, legal certainty is an interpretation of written law. As in forest management, legal subjects may exploit when they have permission from the authorities. The authority holder is of course based on the principle of legal certainty to pay attention to the rules that apply so that in the implementation there are no anomalies either from individuals or corporate or government officials. It cannot be denied, that the role of the forest serves as a necessity of life for all components of living things. Indriyanto explained, studying forest ecology is a comprehensive human activity with the aim of directing or maintaining forest ecosystems in conditions that allow it to always be a source of fulfillment of human needs of all time.

Land Rights

Land is a primary need that concerns the lives of many people. And land is one of the natural resources which is the main capital for development. In land law the term "land" is used in a juridical sense, as an understanding that has been given an official limit by the LoGA. In Article 4, it is stated that on the basis of the controlling rights of the state, there are various types of rights on the surface of the earth, called land which can be given to and owned by people. 1). While land rights are rights to certain parts of the earth's surface, which are bounded, dimensionless, 2 in length and width

Land tenure rights can also be interpreted as legal institutions, if they have not been connected with certain land and certain subjects as their rights holders. However, land tenure is a concrete legal relationship



(subjective) if it has already been linked to a certain land and certain subject as the right holder.

The term land rights that have been formulated in article 4 of the LoGA are as follows:

1. Based on the right of control of the state as meant in Article 2, there are various kinds of rights to the earth surface, which are called land, which can be given to and owned by other people and legal entities.
2. Rights to land referred to in paragraph (1) of this article give the authority to use the land in question as well as the land and water as well as the space above it, only needed for interests directly related to the use of the land within the limits. boundaries according to this law and other higher legal regulations.
3. In addition to land rights as referred to in paragraph (1) this article shall also determine rights to water and space.

Definition of land rights stated by Maria S.W. Sumardjono was summarized with the provisions contained in article 4 of the LoGA, with elements of land rights including:

- a) The existence of legal subjects;
- b) Authority;
- c) The existence of objects;
- d) Must pay attention to the applicable laws and regulations;

Although holders of land rights are given the authority to use land rights, rights holders are also limited by law. Based on the conclusion that land tenure rights as a legal institution and as a legal relationship are concrete, the discussion of the law on the regulation of land rights can be carried out systematically.

Land Registration

This land registration is known as the recht cadastre. Land registration is a series of activities carried out by the government



continuously, continuously and regularly, covering the collection, processing, accounting and presentation and maintenance of physical and legal data, in the form of maps and lists of plots of land and units of flats, including awarding certificates as proof of their rights to land parcels which have their rights and ownership rights to apartment units and certain rights that burden them. Thus the definition of land registration in the general provisions of article 1 of government regulation No. 24 of 1997.

Land registration is held to ensure legal certainty, land registration is held to meet the needs of the community and the government. In meeting these needs the government carried out data on land tenure, especially those involving landowners. Initial land registration was carried out for fiscal purposes (fiscal cadastre) and in terms of guaranteeing legal certainty as described above, land registration became a cadastral recht. Therefore, the cadastre in the land registration is a type of land information system that will record parts of the land.

As stated above, land registration is a series of administrative activities carried out by government agencies to issue proof of their rights and maintain records. this activity is realized in fostering the status of the land from the land. Thus, land registration with a negative publication system does not provide legal certainty to people registered as rights holders, because the state does not guarantee the correctness of the data presented.

Legal Certification Of Land Rights In Land Registration

The history of land ownership in Indonesia is different from the history of ownership known as royal countries such as Britain and Malaysia. Although the Netherlands later treated the land ownership model as its country, it was only the Dutch desire to make it easier to control land in this country. In connection with his trade mission, the Dutch treated that the king was the owner of the land known as the theory, "everything that is under the sky belongs to the king" so that when he would need land in this country they simply contacted the king or



asked the king for permission to control for the benefit of his business in this country.

But for Indonesia, the king is not the owner of the land. On behalf of his people the king has the power to supervise and give the land to support the lives of his people so that his people are truly protected by the king's power at that time.

E. Conclusion

Land as a source of life and one of the important factors of production in addition to being able to ensure the availability of space to build infrastructure and facilities for development needs in accordance with predetermined priorities, fertility and sustainability must also be maintained to create a comfortable living environment. In Indonesia, the king is not the owner of the land. On behalf of his people the king has the power to supervise and give the land to support the lives of his people so that his people are truly protected by the king's power at that time. The law of our land is based on customary law. Customary law only recognizes the principle of horizontal separation. To guarantee the legal certainty of land rights, land registration is carried out in the entire territory of the Republic of Indonesia.

F. Suggestions

To all Indonesian people to register their land to ensure legal certainty over land rights. Especially the community in the area, Desa Sentang, Asahan Regency, to immediately register the ownership of land currently under control. If there are still lands with prior ownership status that are still in the long run, please check the office of the National Land Agency around Asahan.



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