

# Legal Certainty of Land Registration as a Form of Protection of Citizens' Constitutional Rights

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## Abstract

**Keywords:**

Constitutional Rights; Legal Certainty; Land Registration; Land Administration; Government Regulation

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This study examines the implementation of land registration services as a mechanism for protecting constitutional rights to legal certainty, focusing on the practice of the National Land Agency (BPN) of Kampar Regency under Government Regulation Number 18 of 2021. Using an empirical juridical approach, this research combines primary data obtained from interviews with BPN officials and land registration applicants with secondary data derived from statutory regulations, legal doctrines, and official documents. The findings reveal that, although land registration has formally functioned as an instrument of legal protection through the issuance of land certificates, its effectiveness in realizing constitutional legal certainty remains limited. Normative constraints arise from regulatory disharmony between the Basic Agrarian Law and Government Regulation Number 18 of 2021, while empirical obstacles include low public legal awareness, limited institutional capacity, and delays in land measurement procedures. These conditions indicate a gap between the normative objectives of land registration reform and its practical implementation at the local level. This study argues that the protection of constitutional rights in land administration cannot be achieved solely through regulatory reform, but requires regulatory harmonization, institutional strengthening, and sustained legal education to ensure the consistent application of legal certainty and substantive justice.

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## Abstrak

*Kata kunci:*  
Hak Konstitusional;  
Kepastian Hukum;  
Pendaftaran Tanah;  
Administrasi  
Pertanahan; Peraturan  
Pemerintah.

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*Studi ini meneliti implementasi layanan pendaftaran tanah sebagai mekanisme perlindungan hak konstitusional atas kepastian hukum, dengan fokus pada praktik Badan Pertanahan Nasional (BPN) Kabupaten Kampar berdasarkan Peraturan Pemerintah Nomor 18 Tahun 2021. Dengan menggunakan pendekatan yuridis empiris, penelitian ini menggabungkan data primer yang diperoleh dari wawancara dengan pejabat BPN dan pemohon pendaftaran tanah dengan data sekunder yang diperoleh dari peraturan perundang-undangan, doktrin hukum, dan dokumen resmi. Temuan menunjukkan bahwa, meskipun pendaftaran tanah secara formal telah berfungsi sebagai instrumen perlindungan hukum melalui penerbitan sertifikat tanah, efektivitasnya dalam mewujudkan kepastian hukum konstitusional masih terbatas. Kendala normatif muncul dari ketidaksesuaian regulasi antara Undang-Undang Agraria Dasar dan Peraturan Pemerintah Nomor 18 Tahun 2021, sedangkan hambatan empiris meliputi kesadaran hukum masyarakat yang rendah, kapasitas kelembagaan yang terbatas, dan keterlambatan dalam prosedur pengukuran tanah. Kondisi ini menunjukkan adanya kesenjangan antara tujuan normatif reformasi pendaftaran tanah dan implementasi praktisnya di tingkat lokal. Studi ini berpendapat bahwa perlindungan hak-hak konstitusional dalam administrasi tanah tidak dapat dicapai hanya melalui reformasi peraturan, tetapi membutuhkan harmonisasi peraturan, penguatan kelembagaan, dan pendidikan hukum yang berkelanjutan untuk memastikan penerapan kepastian hukum dan keadilan substantif yang konsisten.*

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## INTRODUCTION

Land plays a central role in shaping legal certainty, social stability, and economic sustainability in many jurisdictions, particularly in developing countries (Adedeji, 2025; Yu, Zuo, Ding, & Yin, 2024; Zaini, 2025). In Indonesia, land is not merely an economic asset but also a source of social identity, cultural continuity, and livelihood security (Erwiningsih, 2023a; Kalyana & Budidarmo, 2025; Yulia, Putri, & Wati, 2023). Consequently, the protection of land rights constitutes a core constitutional concern. The Indonesian Constitution guarantees private property rights and obliges the state to ensure that such rights are not arbitrarily deprived, positioning legal certainty over land ownership as an essential element of constitutional governance (Miptahuddin, 2024). As a state founded on the rule of law, Indonesia bears the responsibility to translate constitutional guarantees into effective administrative mechanisms that protect citizens' rights in practice. Land registration represents the primary institutional instrument through which constitutional protection of property rights is operationalized. By formally recording land status, rights holders, and spatial boundaries, land registration is expected to provide legal certainty, prevent disputes, and strengthen public trust in state institutions. However, despite extensive regulatory reforms and digitalization initiatives, land tenure insecurity remains a persistent phenomenon in several regions. A significant proportion of land remains unregistered, exposing rights holders to legal uncertainty, boundary disputes, and overlapping claims. This condition reflects a structural gap between constitutional ideals and the realities of administrative implementation, highlighting land registration not merely as a technical procedure but as a constitutional mechanism whose effectiveness directly affects the realization of citizens' fundamental rights.

Previous studies on land registration predominantly emphasize its administrative, economic, and governance-related functions (Emiru, 2025; Fernandes & Reydon, 2024; Sun & Ge, 2022). Legal scholars have long associated land registration with the principle of legal certainty as a foundational element of the rule of law, while empirical research demonstrates its contribution to dispute prevention, investment security, and access to credit (Erwiningsih, 2023b; Hutahayan, Fadli, Amimakmur, & Dewantara, 2024). In the Indonesian context, existing literature has examined agrarian reform policies, systematic land registration programs, and the introduction of electronic land services, often focusing on efficiency, transparency, and service delivery outcomes. Nevertheless, much of the existing research remains fragmented (Mazwane, Makhura, & Senyolo, 2022; Sommer & de Vries, 2023). Normative studies frequently analyze statutory frameworks without engaging with empirical realities, while empirical studies tend to assess implementation outcomes without grounding their analysis in constitutional theory (Ackerly et al., 2024; Dixon, 2024; Shiba et al., 2025). Research addressing Government Regulation No. 18 of 2021 largely concentrates on its technical innovations, such as electronic registration and administrative simplification, rather than its implications for constitutional rights protection (Djuraev et al., 2025; Setiawan,

Handayani, Hamzah, & Tegnan, 2024). Moreover, local land administration offices are commonly treated as operational units rather than constitutional actors entrusted with safeguarding legal certainty (Mariani, 2025). As a result, limited scholarly attention has been paid to the extent to which land registration practices effectively fulfill the state's constitutional obligation to protect property rights. This gap underscores the need for an integrated approach that situates land registration within a constitutional framework while examining its practical implementation.

In response to these gaps, this study aims to examine land registration as an instrument of constitutional protection for legal certainty, with particular attention to its local-level implementation. The research seeks to analyze how land registration services are carried out under Government Regulation No. 18 of 2021 and to what extent they contribute to the realization of constitutional rights to legal certainty. Rather than conceptualizing land registration solely as an administrative function, this study positions it as a constitutional mechanism that mediates between legal norms and citizens' lived experiences. Specifically, the objectives of this research are threefold. First, it aims to assess the effectiveness of land registration practices in providing legal certainty for rights holders. Second, it seeks to identify normative and empirical constraints that hinder the realization of constitutional protection, including regulatory inconsistencies, institutional capacity limitations, and societal factors such as legal awareness. Third, the study evaluates whether land registration services reflect principles of substantive justice, transparency, and accountability as required by constitutional governance. By employing an empirical juridical approach, this research integrates doctrinal analysis with field-based data, enabling a comprehensive understanding of how constitutional guarantees are implemented within land administration systems.

This study argues that the protection of constitutional rights through land registration cannot be adequately measured by procedural compliance or quantitative outputs alone. While Government Regulation No. 18 of 2021 represents a significant regulatory advancement aimed at strengthening legal certainty, its implementation reveals persistent discrepancies between normative objectives and administrative practice. Legal certainty, as a constitutional principle, requires not only formal regulation but also effective institutional capacity, coherent legal frameworks, and meaningful public access to justice. The principal research gap addressed in this study lies in the limited integration of constitutional analysis within empirical assessments of land registration practices. Existing scholarship rarely examines local land administration as a site where constitutional obligations are either fulfilled or undermined. By focusing on the implementation of land registration at the local level, this study bridges constitutional theory and administrative reality. It contributes to the literature by demonstrating that land registration functions as a constitutional safeguard only when regulatory coherence, institutional effectiveness, and substantive justice operate in tandem. This research thus advances a more nuanced understanding of legal

certainty in land administration and reinforces the importance of constitutional accountability in everyday governance.

## METHOD

This study employs a normative juridical method supported by an empirical approach to comprehensively examine the protection of constitutional rights to legal certainty in land registration services (Abduh, Anto, & Abdulghani, 2025; Colorafi & Evans, 2016). The normative juridical approach is applied to analyze the relevant legal framework governing land registration, particularly Government Regulation Number 18 of 2021, Law Number 5 of 1960 on Basic Agrarian Principles, and the 1945 Constitution of the Republic of Indonesia. This approach focuses on examining the coherence, hierarchy, and normative substance of these legal instruments in relation to constitutional guarantees of legal certainty.

The empirical approach is utilized to assess how these legal norms are implemented in practice at the local level. Empirical data were collected through direct observation and semi-structured interviews conducted with officials of the National Land Agency (BPN) of Kampar Regency and members of the public involved in land registration processes. This approach enables the study to capture discrepancies between normative provisions (das sollen) and actual administrative practices (das sein) (Engelking, 2025).

Data sources in this research consist of primary data, obtained from field observations and interviews, and secondary data, comprising statutory regulations, scholarly literature, legal doctrines, and official institutional documents (Creswell, Hanson, Clark Plano, & Morales, 2007). Data collection techniques include systematic literature review and in-depth interviews, conducted using purposive sampling to ensure relevance and reliability of information.

Data analysis is carried out using qualitative descriptive analysis, emphasizing normative interpretation and empirical validation (Yin, 1992). The analysis is structured by comparing legal norms with their implementation to evaluate the effectiveness of Government Regulation Number 18 of 2021 in ensuring constitutional legal certainty. This analytical process is guided by Philipus M. Hadjon's theory of legal protection and Jimly Asshiddiqie's concept of constitutional justice, which serve as the theoretical framework to assess whether land registration policies implemented by BPN Kampar substantively fulfill the principles of legal certainty, justice, and constitutional accountability.

## RESEARCH RESULTS AND DISCUSSION

### Results

#### 1. Forms of Protection of Constitutional Rights in Land Registration Services in Kampar Regency

Based on field research, the protection of the community's constitutional rights to legal certainty in land registration services in Kampar Regency is implemented

through a land registration mechanism administered by the National Land Agency (BPN) of Kampar Regency, pursuant to Government Regulation No. 18 of 2021. Land registration services are provided through two main channels: Complete Systematic Land Registration (PTSL) and sporadic land registration. PTSL is implemented simultaneously and en masse as a national program, while sporadic registration is conducted based on individual requests from the community.

The study's findings are supported by direct interviews and field observations conducted at the Kampar Regency Land Office. An officer in the Land Registration Section stated that land registration administrative procedures have been adjusted to comply with Government Regulation No. 18 of 2021. According to the respondent,

*"the registration process now follows a standardized sequence, starting with the collection and verification of physical and legal data, field measurements, public announcements, and finally the issuance of land certificates, as mandated by Government Regulation No. 18 of 2021."*

Furthermore, the interviews confirmed the implementation of digital-based transparency mechanisms. A land administration officer explained that applicants can monitor the progress of their applications through a digital platform, noting that *"the Sentuh Tanahku application allows applicants to check the status of their files without having to visit the office repeatedly."* This statement was corroborated by field observations, which showed that digital service counters and information boards were actively used to assist applicants.

From the perspective of service users, several applicants acknowledged improved access to information. One respondent commented that *"although the process still takes time, information regarding application status is now clearer and more accessible than in previous years."* This finding indicates that transparency and accessibility of information have become integral components of land registration services at the Kampar Regency Land Office.

Furthermore, legal protection is also realized through a public announcement and objection period before certificates are issued. During this stage, the physical and legal data of the land are announced to provide an opportunity for other parties with objections. This mechanism is implemented to prevent overlapping rights and duplicate certificates. In substance, land certificates issued by the Kampar Regency Land Agency serve as valid proof of title and have strong evidentiary force, although they can still be challenged through certain legal mechanisms.

Empirically, data from the Kampar Regency Land Office in 2024 shows that of the total 234,217 land plots, 152,840 (65.2%) have been registered, while the remaining 34.8% are uncertified. This figure represents an increase compared to previous years, but also indicates that a significant portion of community land still lacks legal certainty.

## 2. Normative and Empirical Constraints in the Implementation of Constitutional Rights Protection

The research also shows that the Kampar Regency Land Agency (BPN) faces various obstacles in implementing land registration. These normative obstacles primarily relate to the inconsistency between Government Regulation No. 18 of 2021 and other technical regulations, including ministerial regulations and the old provisions of Government Regulation No. 24 of 1997. This situation leads to differing interpretations at the implementing level, particularly regarding measurement procedures, legal data validation, and land parcel announcements.

Interviews with officials at the Kampar Regency Land Office revealed that Government Regulation No. 18 of 2021 does not yet provide a detailed technical mechanism for providing compensation or restoring rights to applicants harmed by administrative errors. One land registration officer stated that

*"if an error occurs in legal or physical data, the correction process usually requires a formal application and supporting evidence, and in certain cases must be resolved through the courts."*

According to respondents, the land office's authority is limited to administrative corrections and does not include providing compensation for losses suffered by applicants.

This limitation was also acknowledged by service users. One applicant who experienced delays due to data discrepancies explained that

*"when there are errors in land boundary data, I am advised to resolve them through mediation or legal channels, which is time-consuming and costly."* Another respondent noted that *"there is no clear procedure for compensation when delays or errors occur, so applicants must bear the consequences themselves."*

These interview findings indicate that, although procedures in accordance with Government Regulation No. 18 of 2021 have been followed, the lack of a clear remedial framework places a disproportionate burden on the public. This situation undermines effective access to justice and underscores the need for more explicit regulatory safeguards to ensure substantive protection of constitutional rights in land registration services.

Empirically, limited human resources are a major obstacle. In 2024, the Kampar Regency Land Agency (BPN) only had 83 active employees to serve more than 234,000 plots of land. This situation impacts the lengthy validation and certificate issuance processes. Other empirical obstacles include low public legal awareness, the continued strong belief that a village certificate is sufficient as proof of ownership, and the high rate of land boundary disputes due to unclear spatial data and weak coordination between agencies.

## Discussion

This research is based on the paradigm of the rule of law (rechtsstaat) which places the protection of human rights and legal certainty as fundamental elements in the administration of government. (Jamilah, Listiani, Adhaini, & Syamsiah, 2025; Jannah &

Kartiko, 2025). In the Indonesian context, the principle of the rule of law is explicitly stated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which requires that every government action, including in the land sector, must be based on law and guarantee the protection of citizens' constitutional rights (Anggraini, Ichlas, & Asnani, 2025). Therefore, land registration cannot be understood solely as an administrative activity, but rather as a legal instrument to realize legal certainty and constitutional justice.

The main analytical framework of this research uses the theory of legal protection put forward by Philipus M. Hadjon, which differentiates legal protection into two forms, namely preventive protection and repressive protection (AlQodsi, Jadalhaq, & Maknouzi, 2024; Malau, Nurlaily, & Disemadi, 2025). Preventive protection aims to prevent disputes or violations of rights through transparent and participatory administrative mechanisms, while repressive protection functions to provide restoration of rights through corrective or judicial mechanisms when violations have occurred (Rahayu, Mahadewi, Sutrisni, & Nandari, 2025; Yulianingsih, 2024). This theory is relevant to assess the extent to which the land registration mechanism based on Government Regulation Number 18 of 2021 is able to provide legal protection guarantees before and after the issuance of land certificates.

In addition, this research also uses a constitutional justice approach as developed by Jimly Asshiddiqie (Asshiddiqie, 2022). This concept emphasizes that the protection of constitutional rights is not sufficiently measured by the existence of legal norms, but must be seen from the state's ability to provide substantive justice and equal access to the law for all citizens (Nasoha, Atqiyah, Khoiroh, Putri, & Surakarta, 2025). In the context of land, constitutional justice requires that every citizen, without social or geographical discrimination, has an equal opportunity to obtain legal certainty regarding the land they control.

Using these two theoretical frameworks, this study analyzes the implementation of land registration by the Kampar Regency National Land Agency (BPN) as an arena for the intersection of legal norms (das sollen) and state administrative practices (das sein). This framework allows for a comprehensive assessment of the effectiveness of Government Regulation No. 18 of 2021 in guaranteeing the protection of the community's constitutional rights, while also identifying structural obstacles that hinder the realization of legal certainty and substantive justice at the local level.

## **1. Protection of Constitutional Rights and the Principle of Legal Certainty**

The results of this study confirm that the implementation of land registration by the Kampar Regency National Land Agency (BPN) is a concrete manifestation of the principle of the rule of law (rechtsstaat) as stipulated in Article 1 paragraph (3) of the 1945 Constitution, as well as the implementation of the constitutional right to legal certainty as stipulated in Article 28D paragraph (1) of the 1945 Constitution. Within this framework, land registration cannot be reduced to a mere administrative activity, but must be understood as a constitutional instrument that functions to link legal norms

with the realization of the protection of citizens' rights. Land certificates issued by the state are not merely bureaucratic products, but rather a symbol of state recognition of the legal relationship between subjects, objects, and land rights, which has direct implications for legal security, social stability, and distributive justice.

Normatively, Government Regulation Number 18 of 2021 represents a progressive step in land law reform in Indonesia. This regulation not only introduces technical innovations through the digitization of services and the simplification of procedures but also affirms the principles of transparency and accountability in public administration. The public announcement and objection mechanism prior to certificate issuance, for example, reflects the implementation of preventative legal protection as proposed by Philipus M. Hadjon. Through this mechanism, the state provides space for public participation to correct potential administrative errors and prevent disputes early on, ensuring that legal certainty is not established unilaterally, but rather through an inclusive and open process.

However, the empirical findings of this study indicate that the existence of a progressive regulatory framework does not automatically guarantee the effectiveness of constitutional rights protection. The high number of unregistered land parcels in Kampar Regency indicates that legal certainty over land remains partial and is not enjoyed equally by all levels of society. This situation demonstrates a structural gap between legal norms (das sollen) and administrative practices (das sein), a classic problem in public policy implementation in developing countries. In this context, land registration as a constitutional instrument faces serious challenges when institutional capacity, human resources, and public legal awareness do not develop in line with regulatory changes.

Furthermore, this gap demonstrates that constitutional protection cannot be measured solely by procedural compliance or the formal success of certificate issuance. From a constitutional justice perspective, the effectiveness of land registration should be assessed by the extent to which the state is able to ensure equal access to legal certainty for all citizens, without social, economic, or geographic discrimination. When the majority of the population remains outside the formal registration system, land registration's function as an instrument for protecting constitutional rights is diminished and has the potential to give rise to structural injustices that contradict the spirit of the 1945 Constitution.

Thus, the findings of this study strengthen the argument that land registration reform cannot stop at regulatory updates and modernizing administrative procedures. Protecting the constitutional right to legal certainty requires a more comprehensive approach, encompassing regulatory harmonization, strengthening institutional capacity, and increasing public legal literacy. Without these prerequisites, land registration risks becoming merely a formal legal instrument that fails to fully realize its constitutional purpose of ensuring legal certainty and substantive justice for all citizens.

## 2. Implementation Constraints and Their Implications for Constitutional Justice

The findings regarding normative and empirical obstacles in this study indicate that the protection of the public's constitutional rights to legal certainty in land registration still faces systemic structural challenges, not merely administrative technicalities. Regulatory disharmony between Government Regulation No. 18 of 2021 and various technical regulations under it has created uncertainty in the application of the law at the implementing level. This disharmony not only results in procedural inconsistencies but also has the potential to diminish the function of the law as an instrument for rights protection. From the perspective of constitutional justice, as argued by Jimly Asshiddiqie, this condition reflects the state's suboptimal role in ensuring substantive justice, as incoherent laws place citizens vulnerable to uncertainty and unequal treatment.

Furthermore, empirical findings related to limited human resources, low public legal literacy, and high land boundary disputes confirm that the protection of constitutional rights cannot be achieved solely through a rule-based approach. Land law reform that focuses on norm formation without being balanced by strengthening institutional capacity risks creating what the literature calls formal legal certainty without substantive justice. When land officials face a disproportionate workload and the public does not have adequate understanding of the procedures and benefits of land registration, access to legal certainty becomes unequal and tends to be exclusive.

In this context, constitutional protection of land rights must be understood as a multidimensional process. Integration of GIS-based spatial data, improving the quality and quantity of civil servants, and ongoing legal education are structural prerequisites for the law to function effectively. Without the support of such institutional and social infrastructure, land registration has the potential to become an administrative instrument that only benefits certain groups, while vulnerable communities remain outside the formal legal protection system.

Efforts undertaken by the Kampar Regency Land Agency (BPN), such as staff training, service digitization, and land data integration, deserve appreciation as progressive steps toward modernizing land administration. However, the findings of this study indicate that the long-term success of protecting constitutional rights requires a sustained synergy between harmonious regulations, professional and virtuous civil servants, and active public participation. Without such synergy, technological innovation and procedural reforms risk remaining partial solutions that fail to fully address the root causes of legal uncertainty.

Based on the research findings and discussion, it can be affirmed that protection of the community's constitutional rights to legal certainty in land registration services in Kampar Regency is normatively available, but not yet fully effective in implementation. Government Regulation No. 18 of 2021 does provide a progressive legal framework through service digitization, procedural transparency, and a public objection mechanism. However, its implementation remains constrained by structural and institutional constraints. This situation emphasizes that the effectiveness of

constitutional protection is determined not only by the quality of regulations but also by the state's ability to translate legal norms into fair and inclusive administrative practices.

Research on land registration mechanisms, service transparency, and the evidentiary power of land certificates confirms that land registration conceptually functions as an instrument of constitutional protection. However, low land registration rates, limited human resources, regulatory disharmony, and low public legal awareness indicate a significant gap between normative objectives and administrative reality. This gap indicates that the legal certainty envisioned by the constitution has not been fully realized in daily practice.

Analysis using Philipus M. Hadjon's legal protection theory shows that although preventive and repressive protection mechanisms are in place, they have not been functioning optimally due to weak institutional capacity and minimal public participation. Meanwhile, Jimly Asshiddiqie's constitutional justice approach asserts that this condition reflects the unfulfilled substantive justice, as access to legal certainty remains unequal. Therefore, this study emphasizes that the protection of constitutional rights in land registration can only be effectively realized if the principles of justice, certainty, and legal benefit are implemented consistently and integratedly by all stakeholders, at the regulatory, institutional, and community levels.

This study presents novelty at the conceptual and analytical levels by positioning land registration as an implementing mechanism for protecting constitutional rights to legal certainty, rather than merely as a land administration procedure. Unlike previous studies that generally focus on technical aspects, program effectiveness, or quantitative certification outcomes, this study integrates normative-constitutional analysis with empirical findings at the local level to critically examine the gap between normative regulatory objectives and administrative practices. Through a synthesis of Philipus M. Hadjon's theory of legal protection and Jimly Asshiddiqie's concept of constitutional justice, this study offers an analytical framework that assesses the effectiveness of land registration based on its ability to achieve legal certainty and substantive justice equally. Thus, this study contributes to the enrichment of land law literature with a constitutional-empirical approach that can serve as a reference for the development of land administration policies and practices in the context of a state based on the rule of law.

## CONCLUSION

Based on the research results and discussion, it can be concluded that the implementation of land registration by the Kampar Regency National Land Agency (BPN) based on Government Regulation Number 18 of 2021 normatively reflects efforts to protect the community's constitutional rights to legal certainty. This regulation provides a clear legal basis, introduces a digital-based land registration mechanism, and strengthens the principles of transparency and accountability in public land services. However, empirically, the protection of these constitutional rights has not been optimally realized. The still high number of unregistered land plots, the disharmony

between Government Regulation No. 18 of 2021 and other technical regulations, limited human resources, and low public legal awareness indicate a gap between das sollen and das sein. This condition has a direct impact on the failure to fulfill legal certainty and substantive justice for all members of society. Therefore, this study confirms that the success of protecting constitutional rights in land registration is determined not only by the existence of regulations, but also by the extent to which these regulations are implemented consistently, fairly, and responsive to the social conditions of the community.

This study contributes theoretically by conceptualizing land registration not merely as an administrative procedure but as a constitutional instrument for ensuring legal certainty and substantive justice. By integrating Philipus M. Hadjon's theory of legal protection with Jimly Asshiddiqie's concept of constitutional justice, this research bridges doctrinal constitutional analysis and empirical land administration practices. It advances the understanding that the effectiveness of land registration should be assessed based on its capacity to realize constitutional rights, rather than solely on procedural compliance or quantitative outputs. Practically, this study provides evidence-based insights for improving land registration governance at the local level. Its findings highlight the need for regulatory harmonization, institutional capacity strengthening, digital service optimization, and enhanced public legal awareness in implementing Government Regulation No. 18 of 2021. These recommendations offer actionable guidance for land administration authorities and policymakers in enhancing legal certainty, service accountability, and public trust, thereby reinforcing land registration as a core mechanism of constitutional protection in practice.

This study is subject to several limitations. First, the empirical scope is geographically confined to the Kampar Regency Land Office, which limits the generalizability of the findings to other regions with different administrative capacities and socio-legal contexts. Second, the empirical data rely primarily on qualitative interviews and institutional reports, which may reflect subjective perceptions and administrative perspectives rather than fully capturing unreported community experiences. Third, this research focuses on the implementation of Government Regulation No. 18 of 2021 during its early enforcement phase, meaning that regulatory practices and institutional adjustments are still evolving and may change over time. Finally, the study does not quantitatively measure service performance indicators, such as processing time efficiency or cost-effectiveness, which could provide a more comprehensive evaluation of land registration outcomes.

## REFERENCE

Abduh, A., Anto, I. R., & Abdulghani, N. A. (2025). Ultimum Remedium And The Legal Politics Of Tax Criminal Prosecution In Indonesia. *Jurnal Kajian Ilmu Hukum*, 4(2), 320–332. <https://doi.org/10.55583/jkih.v4i2.1700>

Ackerly, B., Cabrera, L., Forman, F., Johnson, G. F., Tenove, C., & Wiener, A. (2024). Unearthing grounded normative theory: Practices and commitments of empirical

research in political theory. *Critical Review of International Social and Political Philosophy*, 27(2), 156–182. <https://doi.org/10.1080/13698230.2021.1894020>

Adedeji, Z. (2025, January 28). *Role of Law in Economic Development* [SSRN Scholarly Paper]. Rochester, NY: Social Science Research Network. <https://doi.org/10.2139/ssrn.5161007>

AlQodsi, E. M., Jadalhaq, I. M., & Maknouzi, M. E. H. E. (2024). Comparative legal perspectives on voluntary restraints: Analyzing the adaptation of preventive conditions on property rights. *Heliyon*, 10(9). <https://doi.org/10.1016/j.heliyon.2024.e30509>

Anggraini, N., Ichlas, R. I., & Asnani, M. S. (2025). Kepastian Hukum Sertipikat Hak Atas Tanah di Atas Laut. *SENTRI: Jurnal Riset Ilmiah*, 4(12), 4478–4487. <https://doi.org/10.55681/sentri.v4i12.5203>

Asshiddiqie, J. (2022). *Peradilan Etik dan Etika Konstitusi: Perspektif Baru tentang Rule of Law and Rule of Ethics & Constitutional Law and Constitutional Ethics (Edisi Revisi)*. Sinar Grafika.

Colorafi, K. J., & Evans, B. (2016). Qualitative Descriptive Methods in Health Science Research. *HERD: Health Environments Research & Design Journal*, 9(4), 16–25. <https://doi.org/10.1177/1937586715614171>

Creswell, J. W., Hanson, W. E., Clark Plano, V. L., & Morales, A. (2007). Qualitative Research Designs: Selection and Implementation. *The Counseling Psychologist*, 35(2), 236–264. <https://doi.org/10.1177/0011000006287390>

Dixon, R. (2024). *Comparative constitutional modalities: Towards a rigorous but realistic comparative constitutional studies*. <https://doi.org/10.4337/ccs.2024.01.04>

Djuraev, I., Baratov, A., Khujayev, S., Yakubova, I., Rakhmonova, M., Mukumov, B., & Abdurakhmanova, N. (2025). The Impact of Digitization on Legal Systems in Developing Countries. *Qubahan Academic Journal*, 5(1), 81–117. <https://doi.org/10.48161/qaj.v5n1a1246>

Emiru, M. A. (2025). Towards Sustainable Urban Land Governance in Ethiopia: A Cross-Regional Analysis of Institutional Capacity and Best Practices. *Urban-Regional Ecology*, 1(1), 5–15. <https://doi.org/10.65773/ure.1.1.20>

Engelking, W. (2025). The juridical aspects of Kafka's The Castle: Sein, Sollen and land from a normativist and Talmudic perspective. *Law and Humanities*, 0(0), 1–24. <https://doi.org/10.1080/17521483.2025.2463160>

Erwiningsih, W. (2023a). Enhancing Legal Certainty in Land Collateral: Bridging Regulatory Gaps, Mitigating Vulnerabilities, and Promoting Credit Access in Indonesia. *Croatian International Relations Review*, 29(93), 26–49.

Erwiningsih, W. (2023b). Enhancing Legal Certainty in Land Collateral: Bridging Regulatory Gaps, Mitigating Vulnerabilities, and Promoting Credit Access in Indonesia. *Croatian International Relations Review*, 29(93), 26–49.

Fernandes, V. B., & Reydon, B. P. (2024). An exploration of the relationship between land governance and development through a systematic review of interventions. *Land Use Policy*, 138, 107032. <https://doi.org/10.1016/j.landusepol.2023.107032>

Hutahayan, B., Fadli, M., Amimakmur, S. A., & Dewantara, R. (2024). Investment decision, legal certainty and its determinant factors: Evidence from the Indonesia Stock Exchange. *Cogent Business & Management*, 11(1), 2332950. <https://doi.org/10.1080/23311975.2024.2332950>

Jamilah, J., Listiani, M., Adhaini, D., & Syamsiah, S. (2025). Negara Hukum dan Hak Asasi Manusia di Indonesia. *AKSIOMA : Jurnal Sains Ekonomi Dan Edukasi*, 2(5), 898–912. <https://doi.org/10.62335/aksioma.v2i5.1198>

Jannah, N., & Kartiko, A. (2025). Etika dan Legalitas Pemanfaatan Tanah Jaminan dalam Hukum Islam saat Terjadi Wanprestasi. *Santara: Journal of Islamic Law and Humanity*, 1(1), 12–24. <https://doi.org/10.59373/santara.v1i1.127>

Kalyana, L., & Budidarmo, W. (2025). *Dynamics of Land Ownership Rights in the Perspective of Indonesian Agrarian Law in the Perspective of Legal Certainty and Social Justice | JOSH: Journal of Sharia*. Retrieved from <https://ejournal.unsuda.ac.id/index.php/josh/article/view/2021>

Malau, H., Nurlailly, N., & Disemadi, H. S. (2025). Legal Protection for Creditors in Commercial Property Disputes (Case Study of Batam District Court Decision No. 158/Pdt.G/Plw/Gs/2022/Pn Btm). *Journal of Law, Politic and Humanities*, 5(4), 3173–3184. <https://doi.org/10.38035/jlph.v5i4.1743>

Mariani, M. (2025). *From ownership to governance: Legal pathways in land and procurement : updated to include the ICJ Advisory Opinion of 23 July 2025, No. 2025/36*. 1–439.

Mazwane, S., Makhura, M. N., & Senyolo, M. P. (2022). Important Policy Parameters for the Development of Inclusive Digital Agriculture: Implications for the Redistributive Land Reform Program in South Africa. *Agriculture*, 12(12), 2129. <https://doi.org/10.3390/agriculture12122129>

Miptahuddin, C. (2024). The Problem of Ownership of Land Rights is Reviewed Based on the Law and Government Regulations. *Advances In Social Humanities Research*, 2(5), 784–803. <https://doi.org/10.46799/adv.v2i5.250>

Nasoha, A. M. M., Atqiya, A. N., Khoiroh, Z. J., Putri, R. D. A., & Surakarta, U. R. M. S. (2025). Relevansi Konstitusionalisme dalam Pembentukan Undang-Undang di Indonesia. *Harmoni Pendidikan : Jurnal Ilmu Pendidikan*, 2(3), 202–215. <https://doi.org/10.62383/hardik.v2i3.1812>

Rahayu, L. P. N., Mahadewi, K. J., Sutrisni, K. E., & Nandari, N. P. S. (2025). Perlindungan Konsumen Atas Kerugian Ekonomi Akibat Pertamax Oplosan Dalam Perspektif Undang-Undang Perlindungan Konsumen. *Al-Zayn : Jurnal Ilmu Sosial & Hukum*, 3(5), 6124–6135. <https://doi.org/10.61104/alz.v3i5.2231>

Setiawan, H., Handayani, I. G. A. K. R., Hamzah, M. G., & Tegnan, H. (2024). Digitalization of Legal Transformation on Judicial Review in the Constitutional Court. *Journal of Human Rights, Culture and Legal System*, 4(2), 263–298. <https://doi.org/10.53955/jhcls.v4i2.263>

Shiba, W., Lungwana, M., Abutaleb, K., Mamabolo, M., Mboweni, T. J., Zantsi, S., ... Kubeka, P. (2025). How Has South Africa's Land Reform Policy Performed from

1994 to 2024? Insights from a Review of Literature. *Land*, 14(12), 2443. <https://doi.org/10.3390/land14122443>

Sommer, F., & de Vries, W. T. (2023). Values and representations in land registers and their legal, technical, social effects on land rights as an administrative artefact. *Land Use Policy*, 135, 106946. <https://doi.org/10.1016/j.landusepol.2023.106946>

Sun, D., & Ge, D. (2022). The interaction mechanism of rural housing land transition and rural development: A spatial governance perspective. *Growth and Change*, 53(3), 1190–1209. <https://doi.org/10.1111/grow.12575>

Yin, R. K. (1992). The Case Study Method as a Tool for Doing Evaluation. *Current Sociology*, 40(1), 121–137. <https://doi.org/10.1177/001139292040001009>

Yu, Q., Zuo, X., Ding, H., & Yin, X. (2024). Resource rent, economic stability and the legal landscape of China's green growth. *Resources Policy*, 89, 104704. <https://doi.org/10.1016/j.resourpol.2024.104704>

Yulia, A., Putri, F. A. J., & Wati, E. (2023). Land Use Policies and Tenure in Economic Liberalization Regime: Land Law in Agro-Industrial Context. *Lex Publica*, 10(1), 14–27. <https://doi.org/10.58829/lp.10.1.2023.14-27>

Yulianingsih, W. (2024). Perlindungan Represif dalam Awig-Awig di Bali pada Penyelesaian Sengketa Adat. *UNES Law Review*, 6(4), 9889–9897. <https://doi.org/10.31933/unesrev.v6i4.1939>

Zaini, M. (2025). Penguatan Hukum Perbankan Syariah Dalam Sistem Hukum Indonesia. *Jurnal Kajian Ilmu Hukum*, 4(1), 65–77. <https://doi.org/10.55583/jkih.v4i1.1395>