

Implementation of Four Land Order in the Field of Absentee Ownership of Land Rights

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Abstract. *This research aims to find out, explain and discover the obstacles to the implementation of Four Land Order in the field of absentee land ownership. The approach method in this research is a sociological juridical approach. The research specification is the implementation of the Four Land Order in the field of absentee land ownership. The data required includes primary data on the implementation of Four Land Order in the field of absentee land ownership. Data was taken using interviews, observation and literature study methods. The data analysis method uses interactive techniques. Interactive analysis means data is analyzed through three stages, namely reducing data, presenting data and drawing conclusions. Based on the research, it was concluded that the implementation of Four Land Order in the field of absentee land ownership in Kudus Regency is still less than optimal. Many land sales and purchases are carried out under the hands of the Land Administration Order. Ultimately, the goal of land reform to improve the welfare of farmers in particular, and create a just and prosperous society based on Pancasila in general, has not been able to meet the expectations to be achieved. The obstacles that arise in the implementation of the Four Land Order in the field of absentee land ownership can be grouped into 2 (two) groups, namely internal obstacles and external obstacles.*

Keywords: Absentee; Land; Ownership; Reform.

1. Introduction

Republic Indonesia as a unitary state places land in an important position. (Hastarini & Luthfan, 2022) The history of the Indonesian nation which was colonized for 350 years by the Dutch colonialists, shows indications that land as belonging to the Indonesian nation has been regulated by other nations with

attitudes and intentions that are foreign to us. Land as a divine blessing has become a source of unrest and oppression. People are oppressed through politics and unfair land laws, for the sake of the prosperity of other nations. Therefore, after the independence of the Republic of Indonesia on August 17, 1945, the Indonesian people self-regulated the land that we controlled and owned. However, managing land that has been controlled and owned by oneself is not easy, even though it has been expressly stated in the 1945 Constitution of the Unitary State of the Republic of Indonesia Article 33 paragraph (3) which is the ideal basis of National agrarian law which stipulates that:(Syaifulloh, 2021).

On the ideal basis mentioned above, and in accordance with the philosophy of Pancasila, the Indonesian nation views land as a gift from God which has magical-religious properties that must be used according to its function to promote just welfare and prosperity and it is not justified to be used as a means of speculative people or society. because Indonesian independence was not the result of individual or group struggle but the struggle of the entire Indonesian people and nation(Suspurwanto, 2020).

Land has a very strategic meaning because it contains not only physical aspects but also social, economic, cultural, even political as well as defense-security and legal aspects.(Kurniawan et al., 2021). The concept of land ownership in positive law in Indonesia is (1) the government in various policies seeks to regulate the use, allotment and use of land for the benefit of mankind in Indonesia, and (2) it is known that the conception of ownership has religious communalistic elements. The concept of land ownership in customary law is: (1) Ulayat rights are recognized, (2) the subject is the customary law community, and (3) the object is covering all land of the customary law community. Third, the concept of land ownership in Islamic law is: (1) everything belongs to Allah SWT. which is delegated to humans, so that they must use God's law, (2) apply individual and public property rights in a balanced manner, (3) there is no known landlord system.(Rustiana et al., 2021, p. 58)

One of the important legal aspects of the promulgation of the UUPA is the launch of the "Land Reform Program" in Indonesia which aims to increase the income and standard of living of land-working farmers, as a foundation or prerequisite for carrying out economic development towards a just and prosperous society based on Pancasila.(War, 2019, p. 122)

The reciprocal effect of land reform and agriculture is because one of the goals of land reform is to increase productivity. With land ownership that exceeds the capacity to work on, it will eventually result in low productivity. This is especially true if the owners are "absentee landlords", who do not work on the land themselves, but hand over the management to the people who live in the area. The land processing is not carried out intensively, just simply because usually the

owner has another job in the city where he lives.

Until now, the implementation of land ownership restrictions, which are more than 50 years old, has not been implemented properly. This is evident from the large number of absentee land owners, which are often known but difficult to prove for various reasons. Absentee ownership of agricultural land is expressly prohibited by the BAL (Rosmiati & Amiludin, 2020; Sianturi & Lisdiyono, 2020). This prohibition is related to the main provisions of Land Reform which are regulated in Articles 7, 10 and 17 of the UUPA. The purpose of the ban on absentee ownership is so that farmers can be active and effective in working on their agricultural land so that productivity can be high and eliminate land collection in the hands of a handful of landlords. In Article 3 paragraph (1) Government Regulation No. 224 of 1961 concerning Implementation of Land Distribution and Compensation states that "Agricultural landowners who live outside the sub-district where the land is located, within a period of 6 months are obliged to transfer their land rights to other people in the sub-district where the land is located. (Kibiantiningsih & Purnawan, 2021; Ristianti, 2021).

Government Regulation no. 224 of 1961 has been amended and supplemented by Government Regulation Number 41 of 1964 concerning Amendments and Supplements to Government Regulation Number 224 of 1961 concerning Implementation of Land Distribution and Provision of Compensation. It is stated in Article 3a paragraphs (1) and (2) that absentee land is land that is located outside the area where the owner lives. Owners of agricultural land who move or leave their place of residence outside the sub-district where the land is located for two consecutive years, while reporting it to the authorized local official, within one year from the end of the two-year period mentioned above, they are obliged to transfer ownership rights to the land to another person who resides in the sub-district where the land is located. (Rosmiati & Amiludin, 2020; Suwardi & Atmoko, 2019; Tristanto, 2019). This principle is known as land for farmers. Therefore, provisions were made to abolish absentee ownership of agricultural land.

Departing from the two government regulations above, it can be obtained the understanding that what is meant by absentee agricultural land ownership is land ownership whose ownership and land are in different sub-districts. In addition to being prohibited from owning land absentee, the community is also prohibited from carrying out all forms of activities to transfer new rights to agricultural land which result in the land owner concerned owning parcels of land outside the district where he resides or owning agricultural land absentee. Purchases and other legal actions that result in absentee ownership of agricultural land are still prohibited, including for new owners who are Civil Servants (PNS). This study aims to identify and explain as well as find the obstacles to the implementation of

Four Land Order in the field of absentee land ownership.

2. Research Methods

The approach method in this research is a sociological juridical approach¹ (Akbar et al., 2023). Thus the flow of events chronologically, assessing causation within the scope of the local people's minds and obtaining many and useful explanations.² Implementation in action is expected to take place perfectly if the formulation of normative legal provisions is clear, firm and complete.³ The research specification is the implementation of Four Land Order in the field of absentee land ownership. The data required includes primary data on the implementation of Four Land Order in the field of absentee land ownership. Data was taken using interviews, observation and literature study methods. The data analysis method uses interactive techniques. Interactive analysis means data is analyzed through three stages, namely reducing data, presenting data and drawing conclusions.

3. Results and Discussion

3.1 Implementation of Four Land Order in the Field of Absentee Land Ownership in Kudus Regency

Kudus Regency as one of the regencies in Central Java, is located between 4 (four) regencies, namely in the north it is bordered by Jepara Regency and Pati Regency, in the east it is bordered by Pati Regency, in the south it is with Grobogan and Pati Regency and in the west it is bordered by Kabupaten Demak and Japan.

The total area of Kudus Regency is recorded at 42,516 hectares or around 1.31 percent of the area of Central Java Province. The widest sub-district is Dawe sub-district, which is 8,584 ha (20.19 percent), while the smallest is Kota sub-district, which is 1,047 ha (2.46 percent) of the area of Kudus Regency. The total area consists of 20,687 Ha (48.66 percent) of agricultural land and 7,563 Ha (17.79 percent) of non-paddy agricultural land, while the remaining 14,266 Ha (33.55 percent) is non-agricultural land.

Based on the land data in Kudus Regency mentioned above, it can be concluded that of all the land in Kudus Regency, which is 42,516 hectares, more than half or 66.45% to be exact is agricultural land. This shows that there are still many people in Kudus Regency who rely on agriculture as a livelihood. Responding to the above conditions, of course, makes policies in the field of agricultural land

¹ Bambang Waluyo, 'Legal Research in Practice', Sinar Graphic Publishers, 2002.

² Burhan Ashofa, Legal Research Methods (Jakarta: Rineka Cipta, 2019), p. 20.

³ Abdulkadir Muhammad, Law and Legal Research (Bandung: Citra Aditya Bakti, 2004).

management very important for the people of Kudus Regency, including the implementation of the Four Land Order in the field of land ownership in absentee.

Before discussing the implementation of the Four Land Order in the field of absentee land ownership in Kudus Regency, it will first be conveyed regarding absentee land ownership in Kudus Regency.

From the results of data collection conducted by the Land Office of Kudus Regency, it can be seen that the total absentee land in Kudus Regency is 815,505 Ha, or 2.9% of the total area of agricultural land in Kudus Regency. The complete details regarding absentee land ownership are presented in the following table:⁴

Table 1.

Absentee Land Ownership Data in Kudus Regency in 2016

No	Subdistrict	Area (Ha)
1	City	21,749
2	Undo	489,452
3	Mejobo	18,634
4	Bae	2,852
5	Teak	6,406
6	Kaliwungu	3,086
7	Gebog	72,157
8	Jekulo	26,058

⁴LRA Kudus which has been processed

9	Dawe	175,111
AMOUNT		815,505

Source: LRA Kudus which has been processed

As for the causes of absentee land ownership in Kudus Regency, from the results of research that has been conducted it is known that there are 2 (two) reasons underlying absentee land ownership, namely due to a change of residence and due to buying and selling. This is as conveyed by Bambang Gunawan S.PD as the Head of the Land Office of Kudus Regency, that generally absentee land ownership in Kudus Regency is caused by 2 (two) things, namely moving the land owner's residence and buying and selling between landowners with buyers who come from outside the area where the land is located. Unfortunately, data collection on the existence of land in absenteeism in Kudus Regency is still not valid or does not match the truth.⁵

The statement above was confirmed by Agus Susanto, Zaenuri, and Satria Agus Himawan, respectively, Head of Jekulo Sub-District, Mejobo Sub-District, and Kaliwungu Sub-District Head of Kudus Regency, that indeed until now there is no valid data regarding absentee land ownership in Kudus Regency. This is because not all transfers of land rights that are carried out underhand are reported to the District.⁶

From the village side, represented in this case by Syamsul Hidayat, Aris Subkhan, and Nurhadi, respectively, the Head of Jojo Village, the Head of Gulang Village, and the Head of Payaman Village, Mejobo District, Kudus Regency stated that absentee land ownership is difficult to record. This is because the sale and purchase of land that occurs still uses underhand methods. In addition, in the event that the buyer is found to be from outside the area, the village government is also reluctant to prohibit or reprimand, considering that the seller is his own citizen who generally needs money, which is expected to be obtained from the sale his land or rice fields.⁷

In order to understand the process of absentee land ownership, the following are the results of interviews conducted with absentee land owners in Kudus Regency.

⁵Interview with Bambang Gunawan S.PD, Head of Kudus Regency Land Office, July 2023

⁶Interview with Agus Susanto, Zaenuri, and Satria Agus Himawan, Jekulo, Mejobo, and Kaliwungu sub-districts, Kudus Regency, July 2023

⁷Interview with Syamsul Hidayat, Aris Subkhan, and Nurhadi, Head of Jojo Village, Gulang Village Head, and Payaman Village Head, Mejobo District, Kudus Regency, July 2023

It was conveyed by Rifa'i and Suhardi, respectively absentee land owners in Gulang Village and Payaman Village, Mejobo District, Kudus Regency, that initial ownership of the land was obtained from private buying and selling with the owner. He chose to buy and sell privately with considerations other than being more practical and economical, the main thing is because he already knows the seller and the relationship with the seller continues, namely as cultivator of the rice field he bought, so that if in the future he wants to change the name of the process not hard.⁸

This was also stated by Suharto and Kasmian, respectively absentee land owners in Hadipolo Village and Bulungkulon Village, Jekulo District, Kudus Regency, that they obtained the land from buying and selling with local residents and the buying and selling was carried out privately with the knowledge of the Head. Local village. The difference is, the land they bought was not cultivated or was left idle because the plan was to build it as a residence.⁹

In contrast to the opinion above, Suherman and Hardjo, each absentee land owner in Gondoharum Village, Jekulo District and Garunglor Village, Kaliwungu District, Kudus Regency, say that their land ownership is outside the district where they live, obtained from inheritance and is currently rented out to other people.¹⁰

Furthermore, another opinion was conveyed by Hartono, Mursidi, and Rahmad, each absentee land owner in Jojo Village, Mejobo subdistrict, Setrokalangan Village and Kaliwungu Village, Kaliwungu subdistrict, Kudus Regency, that the land they owned outside the subdistrict where they lived had always been their own. However, due to certain reasons, they had to move house, and they had no intention of selling it, so the land is still theirs.¹¹

Based on the results of interviews with absentee land owners in Kudus Regency mentioned above, it can be concluded that absentee land ownership in Kudus Regency begins with buying and selling, inheritance and house moving. Furthermore, regarding the status of the land itself, most of it is still agricultural land and is still managed, either by renting it out or by profit sharing. There is only a small amount of absentee land in Kudus Regency that is not being

⁸Interview with Rifa'i and Suhardi, Absentee land owners respectively in Gulang Village and Payaman Village, Mejobo District, Kudus Regency, July 2023

⁹Interviews with Suharto and Kasmin, absentee landowners respectively in Hadipolo Village and Bulungkulon Village, Jekulo District, Kudus Regency, July 2023

¹⁰Interviews with Suherman and Hardjo, absentee landowners in Gondoharum Village, Jekulo District and Garunglor Village, Kaliwungu District, Kudus Regency, July 2023

¹¹Interview with Hartono, Mursidi, and Rahmad, each absentee land owner in Jojo Village, Mejobo District, Setrokalangan Village and Kaliwungu Village, Kaiwungu District, Kaliwungu Regency, Kudus Regency, July 2023.

managed, with the excuse that it will be built as a residence.

With the existence of absentee land ownership in Kudus Regency, this should be prohibited by the provisions of Articles 7, 10 and Article 17 of the UUPA along with Article 3 of Government Regulation Number 41 of 1964, then the Kudus Regency Land Office as the institution with authority in the land sector in Kudus Regency is being sued to be able to prevent and reduce absentee land ownership in Kudus Regency through the implementation of Four Land Order.

To find out the efforts of the Kudus Regency Land Office in implementing Four Land Order in the field of land ownership in absentee, the following results of the research that has been carried out are presented;¹²

1. Orderly Land Law

In an effort to implement orderly land laws, the Kudus Regency Land Office has carried out the following activities:

a. Increasing the level of public legal awareness.

This effort is carried out by providing education to Village Government officials regarding land registration and the prohibition of absentee land ownership. It is hoped that from this activity the Village Government officials will socialize it directly to the community. This is due to limited personnel at the Kudus Regency Land Office so it is not possible to carry out direct outreach. The second hope for providing counseling to Village Government officials is because they are the parties directly involved in the management of agricultural land in their respective areas.

b. Increase supervision and coordination in the implementation of agrarian law. Supervision activities are carried out by ensuring the implementation of land registration, both individual and collective. In this case, emphasis is also given to the Village Head to always recommend direct land registration in every land rights transfer transaction. Coordination activities in implementing agrarian law are carried out by re-registering absentee land ownership and carrying out redistribution activities on absentee lands. Redistribution activities are carried out by reporting the existence of absentee land to the Regional Office for further socialization to absentee land owners and ending with the handing over of compensation to absentee land owners.

At this stage of orderly land law, the activities or efforts of the Kudus Regency Land Office only include the two activities mentioned above, namely increasing

¹²Interview with Bambang Gunawan S.Pd, Head of Kudus Regency Land Office, July 2023

the level of public legal awareness and increasing supervision and coordination in the implementation of agrarian law.

There are other activities listed in the Four Land Order, namely completing legal regulations in the land sector and imposing strict sanctions for violations that occur that have not yet been implemented. The failure to carry out activities to complete legal regulations in the land sector is because this is not the authority of the Kudus Regency Land Office, but rather the authority of the Head Office or the National Land Agency. Furthermore, activities to impose strict sanctions on violations that occur have not been implemented because there are no regulations or instructions for their implementation.

2. Order of Land Administration

At this stage, the activities carried out by the Kudus Regency Land Office include:

- a. Speed up the process of services related to land affairs. This activity is carried out by improving and completing data collection and service facilities. One way is through computerization activities, so that the presentation of the required data can be done quickly and practically.
- b. Providing maps and data on land use, socio-economic conditions of the community as material in preparing land use planning for development activities. Compilation of data and lists of landowners, lands exceeding the maximum limit, absentee lands and state lands.
- c. Completing activity lists both at the Kudus Regency Land Office and at the PPAT office.
- d. Undertaking land measurement in the context of certifying land rights.

3. Orderly Land Use

This stage is carried out by the Kudus Regency Land Office through the following activities:

- a. Fostering an understanding of the importance of planning land use and in accordance with the capabilities of the land. This activity is carried out by involving the village government through outreach activities held in each village on a rotating basis.
- b. Prepare a land use plan by adapting to the spatial and regional planning determined by the Kudus Regency Regional Government.

c. Conduct surveys as material for making land use maps, capability maps and maps of critical areas.

4. Orderly Maintenance of Land and the Environment

At this stage, the Kudus Regency Land Office has held several activities, namely:

a. Make the public aware that land maintenance is the obligation of every land rights holder. Convey to the general public that the obligation to maintain land is not only borne by the owner or holder of the relevant rights, but is also borne by every person, legal entity or agency that has a relationship with the land.

b. Provide an explanation of land use in every application for land rights and changes in land use.

Based on the results of the research above, it can be understood that the implementation of Orderly Land Management in the field of land ownership absentee in Kudus Regency is carried out by the Land Office of Kudus Regency by carrying out several activities which include orderly land law, orderly land administration, orderly land use, and orderly maintenance land and environment. From some of these activities, the orderly activities of land administration are still not running optimally. This is partly due to the invalidity of absentee land ownership data and the large number of land buying and selling activities that are carried out under the guise without the knowledge of the local village government.

The implementation of the Four Land Order in the field of absentee land ownership in Kudus Regency which was carried out by the Land Office of Kudus Regency mentioned above was basically carried out to increase the usability of the land. With the existence of absentee land in Kudus Regency, of course, the management of the land is not optimal and has not met the expectations of the agricultural land management program which is primarily aimed at improving the welfare of farmers.

This is in accordance with the opinion of Effendi Wargain who stated that the absentee ownership of agricultural land causes inefficient cultivation, for example regarding its management, supervision, transportation of produce, can also lead to systems of exploitation. This means that the cultivators of land belonging to other people with all their strength, responsibility and all the risks, but only receive a portion of the results they manage. On the other hand, landowners who are far from the location of the land and do not work their land without taking all the risk and without sweating it will get a bigger share of the results of their land.

With the existence of several activities that are less than optimal as mentioned above, of course the implementation of Four Land Order in Kudus Regency is also less than optimal. Moreover, data collection is the main thing so that subsequent activities can be carried out. Due to the still weak or invalid data collection on absentee land ownership as described above, it is possible that the policies taken regarding absentee land ownership will also be less effective.

Based on the results of the research and discussion on the implementation of Catur Orderly Land in the field of absentee land ownership in Kudus Regency, it can be concluded that the implementation of Catur Orderly Land in the field of absentee land ownership in Kudus Regency is still less than optimal, especially in terms of data collection and the number of private sale and purchase of land which is included in the scope of Orderly Land Administration. This ultimately means that the goal of land reform in Kudus Regency has not been able to fulfill the hopes to be achieved, namely improving the welfare of farmers in particular, and realizing a just and prosperous society based on Pancasila in general.

3.2 Obstacles that arise in the implementation of Catur Land Order in the Field of Absentee Land Ownership in Kudus Regency

If based on the results of the research and discussion of the previous sub-chapters, it can be seen that the obstacles that arise in the implementation of Four Land Order in the field of absentee land ownership in Kudus Regency are the invalidity of data collection on absentee land ownership and there are still many underground buying and selling of land.

In response to the above, Bambang Gunawan S.Pd as the Head of the Kudus Regency Land Office stated that with many practices of underground buying and selling of land that were not reported to the village government, data collection on the status of agricultural land could not be valid or accurate. This is because the reference for land data collection conducted by the Land Office of Kudus Regency still relies on data from each village.¹³

He further added that apart from the fact that there are still many practices of buying and selling land illegally, there are still many land ownerships that have not been registered, which also makes the land data at the Kudus Regency Land Office less accurate. So far, the data entered at the Kudus Regency Land Office is only data regarding land that has been registered as regulated in Government Regulation Number 24 of 1997, while the data for land that has not been registered is in each village.¹⁴

¹³Interview with Bambang Gunawan S.Pd, Head of Kudus Regency Land Office, July 2023.

¹⁴Interview with Bambang Gunawan S.Pd, Head of Kudus Regency Land Office, July 2023.

The practice of buying and selling land under the hand was also confirmed by sample respondents from the Camat group. It was conveyed by Agus Susanto, Zaenuri, and Satria Agus Himawan, respectively, the Head of Jekulo Sub-District, Mejobo Sub-District, and Kaliwungu Sub-District Head of Kudus Regency, that it is undeniable that the practice of buying and selling land at this time is still being carried out underhandedly. This is of course caused by many factors, both in terms of cost, practice, and the lack of public understanding of the importance of land registration itself.¹⁵

The opinion of the sub-district heads above is confirmed by a sample of a group of village heads, in this case represented by Mursidi, Martoyo, and Sugimin, each village head in Setrokalangan Village, Kaliwungu Village, and Garunglor Village, Kaliwungu District, Kudus Regency, who stated that the high costs Land registration and the length of the processing process make people prefer to carry out land buying and selling transactions privately. By buying and selling land privately, people only need to provide one receipt and a stamp, and after that the land ownership rights will pass into the hands of the buyer.¹⁶

In line with the above opinion, Masrukan, Sdan Suwono, each Village Head in Gondoharum Village, Hadipolo Village, and Bulungkulon Village, Jekulo District, Kudus Regency stated that apart from cost and practicality issues, many people also do not understand the importance of land registration. . Many people think that certificates are only for credit applications, so those who do not want or do not plan to take credit at a bank will not register their land. For them, a stamped receipt is strong proof of ownership of the land they purchased.¹⁷

The opinions mentioned above are confirmed by statements from absentee land owners, in this case represented by Hartono, Mursidi, and Rahmad, each absentee land owner in Jojo Village, Mejobo District, Setrokalangan Village and Kaliwungu Village, Kaliwungu District, Kudus Regency, that the reasons for the cost and length of the process are the main factors for them to postpone their intention to carry out land registration. Apart from that, we still don't feel the need to have a certificate, because we don't have any intention of taking out credit at the bank.¹⁸

¹⁵Interview with Agus Susanto, Zaenuri, and Satria Agus Himawan, respectively Head of Jekulo District, Mejobo District Head, and Kaliwungu District Head, Kudus Regency, July 2023

¹⁶Interviews with Mursidi, Martoyo, and Sugimin, respective Village Heads in Setrokalangan Village, Kaliwungu Village, and Garunglor Village, Kaliwungu District, Kudus Regency, July 2023.

¹⁷Interview with Masrukan, Sdan Suwono, Each Village Head in Gondoharum Village, Hadipolo Village, and Bulungkulon Village, Jekulo District, Kudus Regency, July 2023

¹⁸Interviews with Hartono, Mursidi, and Rahmad, each absentee land owner in Jojo Village, Mejobo District, Setrokalangan Village and Kaliwungu Village, Kaliwungu District, Kudus Regency, July 2023.

Apart from the obstacles mentioned above, there are several obstacles that come from internally at the Kudus Regency Land Office, namely as conveyed by Bambang Gunawan S.Pd, as Head of the Kudus Regency Land Office that there are several obstacles within the Land Office environment in implementing the Four Land Order in absentee land ownership in Kudus Regency, namely among others:¹⁹

1. Personnel Limitations

Please note that up to now the Kudus Regency Land Office only has 8 (eight) personnel on duty in the field, the remaining 79 (seventy nine) personnel are administrative staff. This condition certainly makes the implementation of Four Land Order less than optimal. As is known, if you pay attention to the contents of the Four Land Order itself, it can be seen that the Four Land Order demands more implementation in the field. For example, in terms of orderly administration which includes the implementation of absentee data collection on land ownership, relying on only 8 (eight) personnel to carry out data collection in 9 (nine) sub-districts which are still divided into 123 villages and 6 sub-districts certainly makes data collection difficult.

2. Limited facilities and infrastructure

In terms of facilities and infrastructure, especially those related to the implementation of the duties of the Kudus Regency Land Office, they are still not able to fully support it. For example, due to the existence of a computer unit which is the main means of creating a land database, until now the existence of computers is only in the office of the Section Head and above, while for administrative staff who are directly related to data collection there are no or no computers available.

3. Limited human resources in the field of informatics

With the existence of a computerized system in processing land data, it certainly requires operators or those who have mastered informatics techniques to carry out data processing. However, until now the human resources at the Kudus Regency Land Office are more dominant in the land sector, both technical and administrative.

Based on the results of research on the obstacles that arise in the implementation of Four Land Order in the field of absentee land ownership in Kudus Regency mentioned above, it can be concluded that the obstacles that arise in the implementation of Four Land Order in the field of absentee land

¹⁹Interview with Bambang Gunawan S.Pd, Head of Kudus Regency Land Office, July 2023.

ownership in Kudus Regency can be grouped into 2 (two), namely internal constraints and external constraints.

The internal constraints that arose in the implementation of the Four Land Order in absentee land ownership in Kudus Regency were the limited personnel, the limited facilities and infrastructure support, and the limited human resources. The external obstacle that arose in the implementation of the Four Land Order in absentee land ownership in Kudus Regency was that there were still many registered agricultural land parcels and the public's low understanding of the importance of land registration.

Responding to the obstacles that arose in the implementation of Orderly Land Logging in the field of absentee land ownership in the Kudus district mentioned above, the Kudus District Land Office has attempted to overcome them with the following activities:²⁰

1. Internal constraints

a. To overcome the problem of limited personnel, the Kudus Regency Land Office has attempted to propose additional personnel and attempted to involve village government officials in carrying out land data collection, especially regarding absentee land.

b. To overcome the constraints on limited facilities and infrastructure, the Kudus Regency Land Office submitted an application to the Regional Office. Meanwhile, while waiting for the realization of additional facilities and infrastructure support, the Kudus Regency Land Office has attempted to make temporary additions to facilities and infrastructure by encouraging employees as much as possible to bring their own computers (laptops).

c. To overcome the problem of limited human resources in the field of informatics, the Kudus Regency Land Office held 2 (two) activities, namely involving its personnel in training in the field of informatics, and involving third parties in creating a database. Generally, the third parties involved in making the database are obtained from service bureaus specifically involved in creating the database.

2. External constraints

To overcome these external obstacles, the Kudus Regency Land Office has organized several activities, including:

²⁰Interview with Bambang Gunawan S.Pd, Head of Kudus Regency Land Office, July 2023.

- a. Implementation of mass land registration through the PRONAS program. In this activity the community is freed from any fees at all and the services provided will be accelerated.
- b. Counseling about the importance of land registration activities, this activity is carried out periodically and in rotation from one village to another, involving village government officials.

If you look closely at the efforts made by the Kudus Regency Land Office mentioned above, it can be understood that the activities or efforts of the Kudus Regency Land Office are more directed towards carrying out land data collection through land registration.

Land registration is specifically regulated in Government Regulation Number 24 of 1997 concerning Land Registration. It is stated in Article 1 number (1) of Government Regulation Number 24 of 1997 that what is meant by land registration is a series of activities carried out by the Government continuously, continuously and regularly, including collection, processing, bookkeeping, and presentation and maintenance of physical data and data juridical, in the form of maps and lists, regarding land parcels and apartment units, including the issuance of certificates of proof of title for land parcels for which there are already rights and ownership rights to apartment units and certain rights that burden them.

The purpose of land registration based on Article 3 of Government Regulation Number 24 of 1997 is:

- a. To provide legal certainty and protection to rights holders over a parcel of land, apartment units and other registered rights so that they can easily prove themselves as the holder of the rights in question.
- b. To provide information to interested parties, including the Government, so that they can easily obtain the data needed to carry out legal actions regarding registered land plots and apartment units.
- c. For the orderly implementation of land administration.

From the article above, it is clear that the purpose of holding land registration is to provide legal certainty to land rights holders. This is based on the fact that land rights have a very important role in human life.

In principle, land registration is carried out for the benefit of the community, but in essence the government also benefits from the collection of data on land tenure/ownership that is useful for government administration purposes,

effective planning in the development sector and the interests of fostering agrarian affairs themselves. Thus it can be understood that the efforts of the Kudus District Land Office which are more oriented towards the implementation of land registration are in accordance with the direction of national policy in the land sector, including those relating to absentee land ownership in Kudus Regency.

4. Conclusion

Based on the research, it was concluded that the implementation of Four Land Order in the field of absentee land ownership in Kudus Regency is still less than optimal. Many land sales and purchases are carried out under the hands of the Land Administration Order. Ultimately, the goal of land reform to improve the welfare of farmers in particular, and create a just and prosperous society based on Pancasila in general, has not been able to meet the expectations to be achieved. The obstacles that arise in the implementation of the Four Land Order in the field of absentee land ownership can be grouped into 2 (two) groups, namely internal obstacles and external obstacles. Based on the conclusions above, several suggestions can be made, 1) To the Kudus Regency Land Office, it should continue to strive for accurate and valid absentee land ownership data collection, so that in the future it can be used as a basis for determining policies in the land sector; 2) People who own land in absentee in Kudus Regency should immediately release ownership of the land so that it can be utilized optimally by the local farming community.

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