

Public Legal Literacy and Ownership Certainty in Land Transactions in Yogyakarta: A Socio-Legal Case Study

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ABSTRACT

This study aims to analyze the level of public understanding regarding the legality of land sale transactions and its impact on the legal certainty of ownership. The focus is directed toward examining the extent to which low legal literacy contributes to the continuation of such practices and how it affects social and economic stability. The study employs a qualitative case study design conducted in Yogyakarta. Data were collected through in-depth interviews with community members, Land Deed Officials (PPAT)/Notaries, and local Land Office authorities, supported by documentation analysis of sale deeds, land certificates, and court decisions. Data analysis involved reduction, descriptive presentation, and conclusion drawing, while validity was ensured through source and theoretical triangulation. The results indicate that informal land sale practices significantly weaken legal certainty, reduce the economic value of land, and potentially trigger social conflicts. Low legal awareness emerged as the main factor driving communities to avoid formal procedures, often perceived as costly, complicated, and time-consuming. The role of PPAT and Land Offices is therefore crucial, not only in administrative functions but also as agents of legal and social education. The findings highlight the importance of a socio-legal approach that integrates law enforcement with community education to enhance legal awareness. Recommendations include establishing community-based land law clinics, utilizing digital platforms for legal outreach, and reforming land registration bureaucracy. However, the study is limited to a specific regional context, which restricts the generalizability of findings to other areas with different socio-cultural conditions, thus requiring further research.

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Introduction

Land ownership in Indonesia carries complex dimensions, not only as an economic asset but also as an integral part of the community's social and cultural identity. Consequently, land sale and purchase transactions constitute one of the most critical legal activities that require guarantees of certainty and legal protection for all parties. The state has provided a strong legal framework, such as the Basic Agrarian Law (UUPA) No. 5 of 1960 and Government Regulation No. 24 of 1997 on Land Registration, to ensure that every transfer of rights is carried out lawfully. This procedure involves the vital role of Land Deed Officials (PPAT) or Notaries in issuing authentic deeds that serve as strong evidence in the eyes of the law (Gaurifa, 2022). Nevertheless, field practices demonstrate that problems related to land transactions frequently occur, leading to prolonged disputes and uncertainty for society (Hamid et al., 2025; Ramli et al., 2024; Thalia et al., 2025).

Taolin et al. (2024) point out that such problems often stem from the low level of public understanding of the importance of legality in every land transaction process. Many land sales and purchases are still conducted informally, based only on verbal agreements or simple receipts, without the involvement of authorized officials (Palenewen et al., 2024; Saragih, 2023; A. T. Setiawan et al., 2021). This informal practice is frequently driven by the assumption that formal legal procedures are complicated, time-consuming, and costly. As a result, ownership documents often lack legal validity and become vulnerable to forgery or overlapping claims. This condition directly weakens legal protection for both buyers and sellers, while simultaneously creating opportunities for future land disputes.

The lack of public understanding directly undermines the core objective of Indonesia's land law, namely to ensure legal certainty of ownership (Wijoyo et al., 2025). Legal certainty is intended to guarantee that every landowner holds indisputable evidence of ownership. However, when transactions are conducted without fulfilling formal procedures, the resulting documents are weak and lack conclusive evidentiary power. This situation creates ambiguity regarding the legal status of land and renders it prone to conflict, which in turn threatens social and economic stability at the community level. Without legal certainty, landowners cannot fully utilize their assets, such as for bank loans or investment purposes.

Previous studies have examined land sale and purchase issues from various perspectives, particularly in terms of normative and administrative law (Hawiwie et al., 2021; F. P. N. Setiawan et al., 2023; Sinurat & Silviana, 2025). Most of these studies focus on analyzing statutory provisions and land registration procedures. They also highlight the strategic role of the National Land Agency (BPN) and PPAT in carrying out administrative functions to prevent disputes. These works have successfully identified several legal factors that contribute to uncertainty, such as overlapping certificates or

weak regulatory oversight (Family & Nandari, 2024; Karim et al., 2023). However, many of these studies tend to overlook the root of the problem from a social perspective, namely the public's understanding and behavior.

Nonetheless, earlier studies provide an important foundation for recognizing that land-related problems are not only technical-administrative but also deeply social. For example, research by Setiani and Kholishayatuddin (2022) on informal land sale practices shows that community behavior often diverges from existing regulations. Yet, few studies have specifically examined the extent to which legal literacy influences people's choices in land transactions. The persistence of informal practices indicates a gap in knowledge and trust between government regulations and field realities that requires further investigation. Therefore, a new research approach is needed, one that emphasizes the social dimension, particularly how public understanding affects the legal certainty of ownership.

This study's findings are expected to significantly enrich the concept of 'Legal Certainty' by advancing a socio-legal interpretation. Specifically, the results will contribute to the theoretical understanding that legal certainty in ownership is not merely the product of formal statutory rules (*lex scripta*) but is also fundamentally dependent on the level of public legal literacy and compliance behavior (*lex vivens*). This analysis of the public's active role thus deepens the established concepts in Indonesian agrarian law.

Based on the foregoing discussion, this study aims to conduct an in-depth analysis of the public's level of understanding regarding the legality of land sale and purchase, and to identify its direct implications for ownership legal certainty in Indonesia. The study will test the hypothesis that limited legal understanding is a primary factor behind the prevalence of informal transactions that lead to disputes. Accordingly, the findings of this study are expected to make a meaningful contribution to legal and social scholarship by offering recommendations that focus on raising public legal awareness. Ultimately, the study's outcomes are anticipated to serve as a foundation for relevant institutions in formulating more effective policies to ensure legal certainty for every landowner.

Methods

This study employs a qualitative approach with a case study design. This design was selected to conduct an in-depth analysis of the social phenomena related to public understanding of the legality of land sale and purchase and its implications. A qualitative approach enables the researcher to comprehend the social context holistically and to capture the meanings underlying participants' behaviors (Achjar et al., 2023). Accordingly, the researcher's presence is crucial as the primary instrument in both data collection and interpretation. The research was conducted in Yogyakarta, with participants consisting of community members who have been or are currently involved in land sale and purchase transactions. In addition, key informants such as Land Deed Officials (PPAT) or Notaries,

as well as relevant personnel from the local Land Office, were involved to provide comprehensive perspectives.

Data were collected through in-depth interviews and document analysis. In-depth interviews were conducted with research participants and key informants to explore their experiences, perceptions, and understanding regarding the legality of land transactions. The interview questions were developed based on the theoretical framework and issues that emerged from the preliminary study. Furthermore, document analysis was undertaken to review related materials, including sale and purchase deeds, land certificates, and, where applicable, court rulings. These techniques were employed to obtain rich and diverse primary and secondary data.

All collected data, whether from interviews or documentation, were analyzed using qualitative data analysis techniques. The analysis process began with data reduction, which involved filtering and summarizing essential information from interviews and documents. Subsequently, the data were presented in descriptive narratives to construct patterns and interrelationships. The final step was drawing conclusions supported by the analyzed data (Milles & Huberman, 1993). The validity of the findings was ensured through source triangulation, which involved cross-checking data from participants, key informants, and relevant documents (Susanto & Jailani, 2023).

Results dan Discussion

1. The Impact of Informal Land Sale Practices on Legal Certainty

Legal certainty constitutes a fundamental pillar of the national land law system, serving to safeguard individual ownership rights over land (Widiyono & Khan, 2023). Ideally, this guarantee is realized through written and measurable land registration procedures that produce certificates with conclusive evidentiary value. However, empirical evidence shows that land sale and purchase practices within society are frequently carried out informally, without compliance with statutory procedures. Such transactions, which rely solely on verbal agreements or unofficial receipts, substantially undermine the legal certainty that should serve as the principal protection for all parties (A. T. Setiawan et al., 2021). This reality creates a gap between ideal regulations and actual practices on the ground, leading to detrimental legal consequences.

The absence of authentic deeds prepared by Land Deed Officials (PPAT) or Notaries is one of the most significant consequences of these informal practices. As emphasized by Notary Sri Purwatiningsih, SH, M.Kn, transactions that do not involve authorized officials carry substantial legal risks because they are not officially recognized. Consequently, documents such as receipts lack conclusive evidentiary strength in court. This places landowners in a vulnerable position, as their ownership can easily be contested or disputed by others. Ultimately, such conditions create wide opportunities for future disputes and contested ownership claims (Turrodiyah, 2024).

Beyond administrative issues, these informal practices directly trigger protracted social conflicts. When land is transferred without official registration, ownership boundaries become ambiguous and susceptible to multiple claims (Jaya & Widystuti, 2022). Disputes that emerge are often difficult to resolve amicably due to the absence of strong legal evidence. This situation not only destabilizes the legal system but also erodes social cohesion at the community level. Tanggela et al. (2025) note that disputes over land ownership can strain kinship and neighborhood relations, and in some cases, provoke irreparable divisions.

The negative consequences of informal transactions also extend to broader economic and social domains. Land lacking legally recognized ownership documents loses its economic value and cannot serve as collateral for bank credit (Aikaeli & Markussen, 2022; Pochanasomboon et al., 2020). This inability to fully utilize land as an asset constrains community economic potential, particularly in the agricultural and housing sectors. Furthermore, such practices deprive the state of tax revenues and administrative records, as unregistered transfers are excluded from the national land registration system (Suhaila et al., 2025). Thus, informal land transactions not only jeopardize individual legal certainty but also hinder structured economic development.

The role of PPAT as public officials authorized to issue authentic deeds is therefore crucial in guaranteeing legal certainty (Hidayat & Yunanto, 2025). According to Notary Sri Purwatiningsih, legal procedures must always be accompanied by comprehensive verification of all documents. When these procedures are disregarded, the supervisory and verification functions of PPAT are nullified, creating openings for forged or invalid documents. This illustrates that legal certainty is not merely derived from regulations but also from compliance with established mechanisms (Husain et al., 2022). The involvement of PPAT is an absolute prerequisite for ensuring that land transfers are conducted transparently and legitimately.

A lack of public understanding further poses significant challenges for comprehensive land registration processes (Khair & Assyahri, 2024). Even when parties later seek to legalize an informal transaction, the process becomes highly complex and time-consuming. Unauthenticated deeds require lengthy validation procedures and often demand additional evidence that is difficult to obtain. This situation may result in frustration and unexpected costs for communities attempting to rectify the legal status of their land. Hence, legal education is essential to shift community perceptions from pursuing quick and inexpensive transactions toward secure and legally valid practices.

Overall, informal land sale practices represent a tangible manifestation of low legal literacy within society, directly contributing to the erosion of ownership legal certainty (Imron, 2022). This reality highlights that land-related issues are not solely legal-formal in nature but also sociological, rooted in public behavior and understanding. The lack of

awareness regarding the importance of authentic deeds and official registration not only increases the risk of individual disputes but also threatens collective social and economic stability. Therefore, addressing this problem requires a comprehensive solution that combines strict legal enforcement with sustained social education initiatives.

2. The Role of Legal Institutions and Social Recommendations for Enhancing Legal Literacy

The function of Land Deed Officials (PPAT) and the Land Office extends beyond administrative duties of recording transactions, positioning them instead as vital agents of social change within society (Mubarok & Nurlaela, 2025). They serve on the front lines in bridging the gap between formal law and field practices. Notary Sri Purwatiningsih, S.H., M.Kn., emphasized that their role also includes educating the public on the importance of authentic deeds and the legal consequences of informal transactions. This underscores the need for legal institutions to act proactively, not merely waiting for the public to seek assistance, but actively reaching out with information that is accessible and easily understood (Dewi et al., 2024).

Given the low level of legal literacy within communities, structured and large-scale educational programs are necessary to transform behavior. Such programs should not be limited to formal outreach in village halls but should instead adopt more interactive approaches tailored to local social contexts. Collaboration among the Land Office, PPAT, and local governments is essential in designing appropriate curricula. The goal is to instill the understanding that legal procedures are not obstacles but long-term investments to safeguard assets and ensure peace of mind by preventing disputes.

Based on the study's findings, one practical recommendation is the establishment of land law clinics at the village or sub-district level (Pujiriyani, 2022). These clinics could function as free consultation centers where community members obtain preliminary information about procedures and requirements. In addition, social media and digital platforms can be leveraged to disseminate legal information in formats that are more appealing and accessible, particularly for younger generations (Zuhri & Fadil, 2024). Such initiatives would help bring legal institutions closer to the public, foster trust, and reduce apprehension toward bureaucracy.

Another equally important aspect is improving administrative systems to become more streamlined and transparent. Interviews with Notary Sri Purwatiningsih highlighted that technological advancements, such as digital systems for land registration, have greatly enhanced efficiency (Maulana et al., 2024). This recommendation could be further expanded to include integrated data systems among relevant agencies, thereby expediting and ensuring the accuracy of document verification. System improvements not only minimize errors and fraudulent practices but also foster a perception among the public that the processes are no longer overly complicated or burdensome.

Beyond the roles of government and legal institutions, the involvement of non-governmental organizations (NGOs) and universities can also strengthen efforts to improve legal literacy (Lanang et al., 2022; Rahmah et al., 2024). These groups may conduct follow-up research, organize workshops, and publish their findings to stimulate public debate on land-related issues. In doing so, the problem can be addressed from multiple perspectives, leading to more innovative and sustainable solutions. Such synergy among stakeholders will help create an ecosystem that supports legal certainty in society.

Ultimately, the role of legal institutions must extend beyond enforcing regulations to also serving as sources of enlightenment for communities (Glazyrin, 2022). The recommendations derived from this study point to a paradigm shift from a purely legal-normative approach to a more humanistic socio-legal framework. The expectation is that by building collective awareness of the importance of legality, land sale and purchase practices can proceed more transparently, fairly, and free of disputes. This constitutes a crucial step toward realizing the true objectives of national land law: to provide legal certainty and protection for all citizens.

3. Driving and Inhibiting Factors in the Implementation of Legal Procedures

3.1. Driving Factors

a. Awareness of the Importance of Legal Protection

Public awareness regarding the necessity of legal protection serves as a key driving factor in choosing formal legal pathways for land transactions (Taolin et al., 2024). Negative experiences, whether personal or experienced by close relatives, often provide valuable lessons that strengthen this awareness. Communities realize that unofficial documents do not guarantee secure ownership and remain highly vulnerable to future disputes. This understanding encourages them to proactively seek information and comply with government-prescribed procedures. Authentic deeds issued by PPAT, which carry conclusive evidentiary value, ultimately become the goal to achieve security and peace of mind in asset ownership.

b. High Economic Value of Land

The increasing economic value of land, particularly in urban areas and their surroundings, also serves as a strong motivation for individuals to legalize their ownership (Mardiana et al., 2016). They understand that officially certified land holds significantly higher market value and can be more readily used as collateral for bank loans. With a certificate, land assets may serve as guarantees for business capital or other investments. This awareness discourages people from underestimating formal procedures, as they view legalization as a means of maximizing the financial potential of their assets.

3.2. Inhibiting Factors

a. Perceived High Costs

One of the main obstacles frequently cited by the public is the perception of high costs associated with legally formalized land sale and purchase processes (Nurmiati et al., 2020). These expenses include not only PPAT service fees but also related taxes such as BPHTB and income tax (PPh), which can be considerable. Many people, particularly those from lower-income groups, perceive such costs as unaffordable. This perception leads them to believe that the easiest solution is to conduct informal transactions, disregarding the legal risks they may face in the future.

b. Complex and Time-Consuming Bureaucracy

Cumbersome and time-intensive bureaucratic processes also serve as a major deterrent for individuals seeking formal pathways (Utomo et al., 2025). People are often confronted with lengthy procedures, extensive documentary requirements, and unclear workflows within related offices. Such circumstances foster frustration and compel them to opt for alternatives perceived as more practical and efficient, albeit legally risky. Inefficient bureaucracy thus creates a gap between the government's intent to guarantee legal certainty and the public's lived reality.

c. Influence of Customary Law and Local Beliefs

In certain regions, customary law and local beliefs continue to exert strong influence over land sale and purchase practices (Simanjuntak, 2025). Communities place greater trust in longstanding traditions and oral agreements witnessed by customary elders or community leaders. They consider social bonds and interpersonal trust sufficient to guarantee ownership, without requiring state intervention. This belief leads them to perceive formal legal procedures as irrelevant or even conflicting with the values they uphold.

Conclusion

This study finds that informal land sale practices significantly erode legal certainty in land ownership despite the presence of a strong regulatory framework. The problem lies not only in administrative gaps but also in the low level of public legal literacy, which results in reliance on informal agreements and documents without binding legal force. Such practices generate disputes, weaken land's economic value, and undermine social stability. To address these issues, legal institutions such as PPAT and land offices must move beyond administrative roles and act as proactive social agents. Practical steps include establishing community-based legal clinics, expanding digital legal education, and reforming administrative systems to simplify land registration procedures.

Empirically, this study unequivocally demonstrates that the prevalent practice of informal land sales in Yogyakarta is directly correlated with a low level of public legal literacy, which in turn significantly erodes the legal certainty of ownership. The field

evidence highlights that the problem transcends mere administrative hurdles, being rooted instead in the social behavior of communities who deliberately bypass formal procedures due to the perception that they are complicated and costly. The documented consequences—the generation of disputes, the weakening of land's economic value, and the threat to social stability—provide concrete data on the sociological impact of legal non-compliance.

The theoretical contribution of this research lies in enriching the concept of 'Legal Certainty' (Kepastian Hukum) by advancing a socio-legal interpretation. The findings affirm that legal certainty in ownership is not solely the product of formal statutory rules (*lex scripta*), but is fundamentally dependent on the level of public legal literacy and compliance behavior (*lex vivens*). This analysis of the public's active role thus deepens the established concepts within Indonesian agrarian law.

Regarding practical implications, the study recommends a socio-legal framework that shifts the role of legal institutions, such as Land Deed Officials (PPAT) and Land Offices, from purely administrative functions to proactive social agents. Practical implementation involves establishing community-based legal clinics, expanding digital legal education, and reforming administrative systems to streamline land registration procedures. This framework can be applied by policymakers, legal practitioners, and civil society groups to foster transparent, secure, and sustainable land transactions, ultimately ensuring legal protection for every landowner in Indonesia.

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