



Type: Research Article

Beyond the Limitation Period: Legal Protection of Freehold Land Titles and the Tug-of-War Between Certainty and Substantive Justice in Indonesia

Restu Adi Putra 

Faculty of Law, University of Kadiri, Indonesia

E-mail: restuadiputra@unik-kediri.ac.id

Irham Rahman 

Faculty of Law, University of Kadiri, Indonesia

E-mail: irhamrahman@unik-kediri.ac.id

Divi Kusumaningrum 

Faculty of Law, University of Kadiri, Indonesia

E-mail: divikusuma@unik-kediri.ac.id

ABSTRACT

A Freehold Title (*Sertifikat Hak Milik*) serves as the primary instrument in the land registration system, designed to provide legal certainty and protection for land rights holders. Nevertheless, the legal protection afforded to certificate holders following the expiration of the limitation period—as stipulated in Article 32, paragraph (2) of Government Regulation Number 24 of 1997—remains a subject of debate. This issue becomes particularly contentious when the legal certainty inherent in the certificate clashes with demands for substantive justice, often arising from alleged legal defects in its issuance. This study aims to analyze the legal protection of Freehold Title holders after the limitation period expires, viewed through the lens of balancing legal certainty and substantive justice within Indonesian agrarian law. Employing a normative legal research methodology, this study utilizes both statutory and conceptual approaches. Primary, secondary, and tertiary legal materials are analyzed prescriptively using qualitative techniques. The findings indicate that legal protection for Freehold Title holders post-limitation period cannot be granted absolutely based solely on the possession of the certificate and the passage of the five-year timeframe. Instead, protection must be administered proportionally. This requires a thorough examination of the certificate's issuance legality, the rights holder's good faith, the actual physical possession of the land, and the strict absence of fraud, abuse of authority, or fundamental legal defects. Ultimately, this research proposes a legal protection model grounded in the equilibrium between legal certainty and substantive justice, serving as a framework to protect certificate holders without compromising the imperatives of justice within Indonesian land law.

KEYWORDS

Legal Protection; Substantive Justice; Legal Certainty



Copyright ©2026 by Author(s); This work is licensed under a Creative Commons Attribution-ShareAlike 4.0 International License. All writings published in this journal are the personal views of the authors and do not represent the views of this journal or the authors' affiliated institutions.



INTRODUCTION

Land is a type of resource that is closely linked to human life, as it not only serves as a means of meeting economic needs but also has social, cultural, and legal dimensions.¹ In the context of land law, one issue of particular concern is ensuring legal certainty regarding control, ownership, use, and utilization of land.² Therefore, the government has implemented a land registration program aimed at providing legal certainty and protection to land rights holders. According to Boedi Harsono, land registration is an instrument designed to ensure legal certainty regarding land rights so that every rights holder can easily prove their rights.³

The outcome of the land registration process is the issuance of a land title certificate, which serves as strong evidence of the physical and legal data contained therein.⁴ The land registration system in use employs a negative publication system with positive elements, whereby a certificate serves not only as proof of title but also as a means of legal protection for right holders who have lawfully acquired and taken possession of the land. Therefore, the existence of a certificate plays a crucial role in ensuring legal certainty in land matters while reducing the potential for land ownership disputes.⁵

Measures to provide legal protection for holders of land title certificates are outlined in Article 32(2) of Government Regulation No. 24 of 1997 on Land Registration, which states: "If a certificate has been lawfully issued for a parcel of land in the name of a person or legal entity who acquired the land in good faith and is in actual possession of it, then any other party claiming rights to that land may no longer assert such rights if, within 5 (five) years from the issuance of the certificate, they have not filed a written objection with the certificate holder and the Head of the relevant Land Office, or have not filed a lawsuit in court regarding the possession of the land or the issuance of the certificate." Based on the explanation of this article, it is clear that a party claiming rights to the land can no longer assert those rights if, within five years of the certificate's issuance, they have not filed a written objection with the certificate holder or the National Land Agency, nor have they filed a lawsuit in court. This rule applies if the certificate that has been issued was obtained legally and in good faith, and the land is actually in the possession of the rights holder. This rule is a form of *rechtsverweking* intended to create stability in legal relationships and provide legal certainty for certificate holders acting in good faith.⁶

¹ Suwardi & Arief Dwi Atmoko, "Esensi Peralihan Hak Kepemilikan Melalui Jual Beli atas Tanah Sesuai Undang-Undang Pokok Agraria Nomor 5 Tahun 1960" (2020) 4:2 Lex J Kaji Huk dan Keadilan 339-360, daring: <<https://ejournal.unitomo.ac.id/index.php/hukum/article/view/3378>>.

² Riska Sri Agustin, "Pertanggungjawaban Pidana Pemalsuan Akta Otentik yang Digunakan sebagai Dasar Pengajuan Sertifikat Hak Milik Atas Tanah" (2020) 4:2 Lex J Kaji Huk dan Keadilan 404-421, daring: <<https://ejournal.unitomo.ac.id/index.php/hukum/article/view/3382>>.

³ Boedi Harsono, *Hukum Agraria Indonesia: Sejarah Pembentukan UUPA, Isi dan Pelaksanaannya* (Jakarta: Djambatan, 2008).

⁴ Atindriya Hastungkara, "Perlindungan Hukum Atas Perbedaan Luas Faktual dengan Surat Ukur Pada Sertifikat Hak Atas Tanah" (2017) 1:2 Lex J Kaji Huk dan Keadilan 177-200, daring: <<https://ejournal.unitomo.ac.id/index.php/hukum/article/view/551>>.

⁵ Urip Santoso, *Hukum Agraria dan Hak-Hak Atas Tanah* (Jakarta: Djambatan, 2008).

⁶ Andi Abdi Islam, Syahrudin Nawawi & Andi Risma, "Penerapan Pasal 32 Ayat (2) PP Nomor 24 Tahun 1997 tentang Pendaftaran Tanah Mengenai Asas *Rechtsverwerking*" (2024) 5:2 J Lex Philos, daring: <<https://pasca>>.



Although in theory, Article 32(2) of Government Regulation No. 24 of 1997 provides strong legal protection for certificate holders, judicial practice still reveals conditions that are inconsistent with that objective. This is evident from the large number of land disputes still being adjudicated by the courts, even though the certificates in question are five years old or older. Such annulments are generally based on administrative defects, document forgery, misuse of certificates, non-compliance with issuance procedures, and other similar grounds.⁷ Based on the foregoing, it is worth examining that the legal protection provided by Article 32(2) of Government Regulation No. 24 of 1997 is not strictly absolute but may still be subject to the judge's assessment and consideration of the facts revealed during the trial.⁸

Furthermore, upon closer examination, this raises a fundamental issue regarding the relationship between legal certainty and substantive justice in Indonesian land law. This is because Article 32(2) of Government Regulation No. 24 of 1997 is intended to provide legal certainty regarding the rights held by the landowner. On the other hand, substantive justice demands that the law not grant legitimacy or justification to certificates obtained through processes or means that violate the law and may harm the party that materially holds rights to the land in question. This presents a dilemma for judges: whether to uphold the legal certainty embodied in the certificate in accordance with its original intent, or to prioritize substantive justice to protect the aggrieved party. Therefore, the conflict between these two legal values has become a central issue worthy of examination in the development of Indonesian land law.⁹

This topic is of interest because, in the author's view, previous research and academic studies have generally focused on the existence of *rechtsverweking*, the effectiveness of the enforcement of Article 32(2) of Government Regulation No. 1997, and the probative value of certificates. However, there are still relatively few studies that specifically or exclusively address the topic of "Legal Protection for Holders of Land Ownership Certificates After the Expiration of the Statute of Limitations: Between Legal Certainty and Substantive Justice in Indonesian Land Law." Based on these circumstances, the research question examined in this study is: What form does legal protection for holders of land title certificates take after the expiration of the statute of limitations, viewed from the perspectives of legal certainty and substantive justice in Indonesian land law?

METHOD

This study employs a doctrinal (normative) legal research approach, specifically a literature-based study, which focuses on the analysis of primary and secondary legal sources.¹⁰ This normative study is used to analyze the principles, norms, and standards related to the legal protection of holders of land title certificates after the

umi.ac.id/index.php/jlp/article/view/1956?_cf_chl_f_tk=mazLyvabB82lKF2a6mQW12g3iH.xdB ycUZ.3bGP6rrs-1782987085-1.0.1.1-y3p2vSXeKUTtb2JXQCOfU7XUrXTKbj2Jg491pd_wU7o>.

⁷ Eduard Awang Maha Putra, *Peraturan Kebijakan (Beleidsregel) dalam Hukum Positif Indonesia* (Yogyakarta: Samudra Biru, 2024).

⁸ Adrian Sutedi, *Peralihan Hak Atas Tanah dan Pendaftarannya* (Jakarta: Sinar Grafika, 2023).

⁹ John Rawls, *A Theory of Justice* (Cambridge: Harvard University Press, 1995).

¹⁰ Dyah Ochtorina Susanti, *Penelitian Hukum (Legal Research)* (2014).



expiration of the statute of limitations.¹¹ The approach used is a legal approach, analyzing Law No. 5 of 1960 on the Basic Agrarian Law, Government Regulation No. 24 of 1997, and other relevant regulations, as well as a conceptual approach to examine theories relevant to the topic under discussion. The theories used are the theory of legal certainty and the theory of justice.

The types and sources of legal materials consist of primary legal materials (laws and regulations), secondary legal materials (books, academic journals, and official reports), and tertiary legal materials (legal dictionaries and legal encyclopedias). Legal materials are collected through literature reviews and searches of accredited online sources. The analysis of legal materials is conducted using qualitative descriptive and interpretive methods, which involve analyzing and interpreting applicable legal norms to construct a systematic argument.

RESULT & DISCUSSION

I. Legal Protection for Holders of Land Title Certificates After the Expiration of the Statute of Limitations

The fundamental purpose of the law in ensuring the recognition, respect, and fulfillment of the rights of legal subjects is to provide legal protection.¹² According to Plipus M. Hadjon, legal protection refers to the protection of human rights and dignity, as well as the recognition of the rights held by legal subjects in accordance with applicable legal provisions. Legal protection can generally be divided into two forms: preventive protection and repressive protection. Preventive protection aims to prevent disputes by establishing legal norms that provide legal certainty regarding the rights and obligations of the parties, while repressive protection is provided through dispute resolution mechanisms in the event of a violation of an individual's rights.¹³

Upon closer examination, legal protection under land law is realized through the administration of land registration, which aims to provide legal certainty as a form of legal protection. This is implicitly stipulated in Article 19 of Law No. 5 of 1960 on Basic Agrarian Principles (hereinafter referred to as UUPA).¹⁴ Land registration plays a strategic and important role in ensuring orderly land administration while providing legal certainty regarding the status of land rights. According to Boedi Harsono, land registration is an instrument that enables rights holders to obtain certainty regarding their legal standing so that those rights can be protected from interference by other parties.¹⁵

This indicates that the land registration system in use does not provide absolute assurance regarding the data listed in the certificate; however, the system adopted by Indonesia still allows other parties to file objections or lawsuits when legal defects are found in the certificate registration process. The most obvious

¹¹ Peter Mahmud Marzuki, *Metode Penelitian Hukum* (Jakarta: Kencana Prenada Media Group, 2014).

¹² Putra, *supra* note 7.

¹³ Philipus M Hadjon, *Perlindungan Hukum Bagi Rakyat di Indonesia* (Surabaya: Bina Ilmu, 1987).

¹⁴ Maria SW Sumardjono, *Kebijakan Pertanahan Antara Regulasi dan Implementasi* (Jakarta: Kompas, 2000).

¹⁵ Harsono, *supra* note 3.



consequence is that while a certificate does possess strong evidentiary weight, it is not entirely impervious to scrutiny in court. This situation indicates that the mere existence of a certificate is not sufficient to guarantee optimal legal certainty. In this context, legal protection for certificate holders still requires additional instruments capable of limiting the possibility of protracted disputes with no clear end in sight.¹⁶

Furthermore, the outcome of this land registration process is the issuance of a land title certificate, which is expected to provide legal certainty for landowners. Additional provisions outlined in Article 32 of Government Regulation No. 24 of 1997 provide tangible protection to holders of land title certificates, provided that the land was acquired lawfully, in good faith, or is under their actual control. Consequently, any party claiming rights to the land can no longer file an objection or lawsuit if more than five years have elapsed. This provision implies that legal protection in the field of land matters is not merely based on the formal requirement of holding a certificate, but also on the fulfillment of substantive requirements demonstrating that the right was acquired and exercised in accordance with proper legal procedures.¹⁷

The provision regarding the time limit for filing such a lawsuit reflects the implementation of the concept of "*rechtsverwerking*." This concept is based on the idea that a person who has not exercised or maintained their rights for a sufficiently long period should not be continuously allowed to disrupt the legal standing of another party who has lawfully acquired rights. In the field of land law, the application of *rechtsverwerking* serves a strategic function in providing legal protection to certificate holders who have actually taken possession of the land in good faith. Furthermore, these rules are also intended to prevent legal uncertainty that would arise if every certificate remained subject to challenge without a clear time limit.¹⁸

In the author's view, the legal protection afforded to holders of land title certificates after the expiration of the statute of limitations is, in essence, an effort to strike a balance between the interests of individuals and broader legal interests. This is because, on the one hand, the mandate of the Basic Agrarian Law (UUPA) is that the state ensures legal certainty for certificate holders who have obtained their rights lawfully and in good faith, so that they may enjoy those rights without interference from any party and without any time limit. However, on the other hand, this protection cannot be interpreted as absolute or unconditional, as the expiration of the five years does not, by itself, legally preclude the right to assess the legality of the certificate issuance process. Therefore, legal protection for certificate holders after the expiration of the statute of limitations is not merely related to the formal aspect of certificate ownership but also concerns the substantive aspect regarding the validity of the acquisition of land rights. This issue gives rise to differing viewpoints regarding the boundary between the legal certainty that the state is obligated to provide to certificate holders and the substantive justice demanded by parties who believe they have an equal claim to the land in question.

¹⁶ Santoso, *supra* note 5.

¹⁷ Yance Arizona, *Tanah Adat dan Reforma Agraria* (Bogor: Sajogyo Institute, 2018).

¹⁸ Muhammad Irfan & Nia Kurniati, "Kepastian Hukum Hak Atas Tanah dan Eksistensi Lembaga *Rechtsverwerking* dalam Perspektif PP Nomor 24 Tahun 1997 tentang Pendaftaran Tanah" (2018) 1:1 *Acta Diurnal J Ilmu Huk* 15–29.



II. Legal Certainty and Substantive Justice in the Protection of Holders of Land Title Certificates

Legal protection for holders of Certificates of Ownership of land cannot be separated from the two fundamental values that constitute the objectives of law: legal certainty and justice. Both values hold equal importance in the legal system, yet in practice they often create tension when applied to specific cases. In land disputes, legal certainty requires that rights that have been registered and proven by a certificate receive adequate protection, while justice demands that the law still provide room for correction of rights obtained through processes that violate the law. Therefore, legal protection for holders of Certificates of Ownership after the expiration of the statute of limitations must be understood not only from the perspective of legal formalities but also in light of the legal objectives to be achieved.¹⁹

In modern legal theory, legal certainty is regarded as one of the key factors determining the success of the law in regulating society. Gustav Radbruch identified legal certainty as one of the fundamental values of law, alongside justice and utility. According to him, the law must be able to provide clear guidelines regarding rights and obligations so that members of society can foresee the legal consequences of their actions.²⁰ In line with this view, Achmad Ali explained that legal certainty is a state in which the law can be applied consistently, thereby protecting against arbitrary actions.²¹ Thus, legal certainty serves to create stability and order in legal relationships among legal subjects.

In the field of land administration, legal certainty is achieved through the implementation of land registration, which produces certificates as strong evidence of the physical and legal characteristics of a parcel of land. Land registration aims to provide legal certainty and protection to rights holders so that they can easily prove their rights in the event of a dispute. Boedi Harsono states that a certificate is a document evidencing rights that carries strong probative value as long as the physical and legal data contained therein correspond to the data found in the land registry and survey documents.²² Therefore, certificates serve as the primary instrument for ensuring legal certainty regarding land rights in Indonesia.

This legal certainty is further reinforced by Article 32(2) of Government Regulation No. 24 of 1997 on Land Registration. This provision protects certificate holders who have acquired their rights lawfully, in good faith, and who have actual possession of the land by limiting the possibility of filing a lawsuit after a period of five years from the date the certificate was issued. This regulation constitutes an application of the legal doctrine of "*rechtsverwerking*," intended to create stability in legal relationships regarding land. According to Muhammad Irfan and Nia Kurniati, the concept of "*rechtsverwerking*" serves as an instrument used to strengthen legal certainty regarding land rights within Indonesia's land registration system.²³

¹⁹ Gustav Radbruch, *Legal Philosophy* (England: Oxford University Press, 2006).

²⁰ Achmad Ali, *Menguak Teori Hukum (Legal Theory) & Teori Peradilan (Judicialprudence) Termasuk Undang-Undang (Legisprudence) Volume I Pemahaman Awal* (Jakarta: Kencana Prenada Media Group, 2010).

²¹ Harsono, *supra* note 3.

²² *Ibid.*

²³ Irfan & Kurniati, *supra* note 18.



Nevertheless, legal certainty is not the only goal that the law must achieve. The law is also required to promote justice. From John Rawls's perspective, justice is the primary virtue of social institutions; therefore, every legal rule must ensure fair treatment for everyone affected by it.²⁴ Therefore, the application of the law cannot be oriented solely toward formal certainty, but must also take into account the actual circumstances underlying the origin of a right. In the context of land matters, this approach is particularly important because land disputes often involve not only the existence of formal documents, but also the history of land possession, the intentions of the parties, and the legality of the process by which rights were acquired.

Substantive justice stems from the idea that the law should not be limited to formal truth alone, but must be able to capture the truth as it actually exists in society. Satjipto Rahardjo explains that the law must serve people, not the other way around; therefore, the application of the law must always be directed toward achieving genuine justice.²⁵ In the context of land disputes, substantive justice requires that legal protection not be granted to parties who obtained certificates through document forgery, abuse of authority, manipulation of legal data, or other forms of legal violations, even if they formally hold land title certificates.

In the author's view, the relationship between legal certainty and substantive justice in land disputes demonstrates that these two values cannot be pitted against one another in absolute terms. Legal certainty is necessary to preserve the function of certificates as instruments for the protection of rights and the stability of legal relationships regarding land. Conversely, substantive justice is necessary to prevent the law from becoming a tool for legitimizing rights obtained through processes that violate the law. Therefore, legal protection for holders of Certificates of Ownership after the expiration of the statute of limitations must be understood as conditional protection—that is, it is granted only if the certificate was lawfully issued, acquired in good faith, and free from fundamental legal defects. This understanding serves as a crucial foundation for striking a balance between legal certainty and substantive justice in Indonesian land law.

III. Forms of Legal Protection for Holders of Land Title Certificates After the Expiration of the Statute of Limitations, Based on a Balance Between Legal Certainty and Substantive Justice

Legal protection for holders of Certificates of Ownership of land after the expiration of the statute of limitations cannot, in essence, be based on a single legal principle. Legal certainty is indeed the primary objective of land registration, as affirmed in Article 3 of Government Regulation No. 24 of 1997 on Land Registration. However, legal protection that relies solely on legal certainty risks overlooking the fact that a certificate may have been issued through a process that violates the law. Conversely, if legal protection is based solely on substantive justice without considering legal certainty, then the function of the certificate as an instrument for the protection of

²⁴ Audrey Adyuta Putri & Elisatris Gultom, "John Rawls' Theory of Justice in the Perspective of Shareholder Rights Protection" (2025) 4:1 *Inov J Sos Hum dan Pendidik* 289–303.

²⁵ Satjipto Rahardjo, *Hukum Progresif: Sebuah Sintesa Hukum Indonesia* (Yogyakarta: Genta Publishing, 2009).



rights will lose its meaning. Therefore, legal protection for holders of Certificates of Ownership after the expiration of the statute of limitations must be situated within a framework that balances legal certainty and substantive justice.

From the perspective of legal certainty, Article 32(2) of Government Regulation No. 24 of 1997 serves as an instrument designed to provide stability to legal relationships concerning land. This provision offers protection to certificate holders who have acquired their rights lawfully, in good faith, and who have actual possession of the land. Such protection is necessary to ensure that certificates are not constantly under the threat of disputes that could undermine the certainty of land rights status. According to Boedi Harsono, the primary purpose of land registration is to provide legal certainty and legal protection to land rights holders so that they can easily prove their rights and obtain guarantees regarding the rights they hold. Therefore, legal certainty must remain the starting point in providing protection to certificate holders.

Nevertheless, legal certainty cannot be understood as an absolute form of protection. Satjipto Rahardjo points out that the law must not be limited to the formalities of regulations, but must be capable of realizing justice that is alive in society.²⁶ In the context of land matters, this view suggests that the existence of a certificate and the expiration of the statute of limitations do not automatically eliminate the need to assess whether the right was obtained through a lawful process. Legal protection afforded to certificates resulting from document forgery, abuse of authority, manipulation of legal data, or other forms of legal violations actually has the potential to undermine the very purpose of the law itself. Therefore, substantive justice must be positioned as a corrective instrument against the potential misuse of the legal protection provided by the land registration system.

Based on a synthesis of the provisions of Article 32(2) of Government Regulation No. 24 of 1997, the theory of legal certainty, the theory of substantive justice, and the general principles of land law, the author argues that legal protection for holders of Certificates of Ownership after the expiration of the statute of limitations should be granted based on five main parameters. The first parameter is the legality of the certificate's issuance. A certificate issued through procedures that comply with statutory regulations is, in principle, entitled to legal protection. The second parameter is the good faith of the rights holder. Legal protection should be granted to a party who acquired the rights without knowing of any legal defects or disputes regarding the land in question.²⁷ The third parameter is actual control over the land. Continuous physical control indicates the existence of a genuine legal relationship between the rights holder and the land under their control.²⁸

The fourth parameter is the absence of fraud, forgery, or abuse of authority in the certificate issuance process. Legal protection granted to certificates resulting from a process involving fraud has the potential to create injustice and runs counter to the purpose of the law. The fifth parameter is the absence of fundamental legal defects in the process of acquiring rights. Fundamental legal defects must be distinguished from minor administrative errors, as not every administrative error can serve as a basis for revoking legal protection for certificate holders. Thus, legal

²⁶ *Ibid.*

²⁷ Santoso, *supra* note 5.

²⁸ Irfan & Kurniati, *supra* note 18.



protection depends not only on formal aspects—such as the existence of a certificate and the expiration of the statute of limitations—but also on the legal quality of the process that gave rise to the right.²⁹

In the author's view, this five-parameter model of legal protection is better suited to the nature of Indonesia's land registration system, which adopts a negative publication system with a positive bias. This model continues to prioritize legal certainty as the primary principle in protecting certificate holders, while at the same time allowing for substantive justice to correct certificates obtained through unlawful processes. Thus, legal protection for holders of Certificates of Ownership after the expiration of the statute of limitations is not granted absolutely, but is provided proportionally based on a balance between legal certainty and substantive justice. This approach is expected to preserve the function of the certificate as an instrument of legal certainty without neglecting the demands for justice that are evolving within society.

Based on this interpretation, it can be understood that the ideal legal protection for holders of Certificates of Ownership after the expiration of the statute of limitations is not protection based solely on the passage of five years, as stipulated in Article 32(2) of Government Regulation No. 24 of 1997. Ideal legal protection must be established through an examination of the legality of the certificate's issuance, the holder's good faith, actual possession of the land, the absence of fraud, and the absence of fundamental legal defects. Through this approach, legal certainty can still be achieved without sacrificing substantive justice as the primary objective of the law.³⁰

CONCLUSION

Legal protection for holders of Certificates of Ownership of land after the expiration of the statute of limitations is a form of protection provided by Indonesian land law to ensure certainty regarding the status of land rights through the land registration system and the application of Article 32(2) of Government Regulation No. 24 of 1997. This provision reinforces the status of the certificate as strong evidence and provides protection to right holders who have acquired the land lawfully, in good faith, and have actual control over the land. However, such legal protection cannot be interpreted as absolute. Legal certainty, which is the primary objective of land registration, must be balanced with substantive justice so that legal protection is not granted to certificates issued through processes that violate the law. Therefore, legal protection for holders of Certificates of Ownership after the expiration of the statute of limitations should be based on a balance between legal certainty and substantive justice through an examination of the legality of the certificate's issuance, the good faith of the rights holder, actual possession of the land, the absence of fraud or abuse of authority, and the absence of fundamental legal defects. Through this approach, legal protection not only ensures certainty of land rights but also upholds justice within Indonesia's land law system. Thus, a model of legal protection grounded in the balance between legal certainty and substantive justice can serve as a conceptual

²⁹ Beni Amal, "Pembaharuan Hukum Tanah Nasional dalam Memberikan Perlindungan Pemegang Sertifikat Hak Milik" (2024) 6:2 *Crepidus* 1–16.

³⁰ Fathul Hamdani et al, "Persoalan Lingkungan Hidup dalam UU Cipta Kerja dan Arah Perbaikannya Pasca Putusan MK Nomor 91/PUU-XVIII/2020" (2022) 3:4 *J Indones Berdaya* 977–986.



foundation for resolving land disputes after the statute of limitations has expired, while also guiding the future development of land law policy.

DECLARATION OF CONFLICTING INTERESTS

The authors state that there is no conflict of interest regarding this publication.

FUNDING INFORMATION

None.

ACKNOWLEDGMENT

None.

REFERENCES

BOOK

- Ali, Achmad, *Menguak Teori Hukum (Legal Theory) & Teori Peradilan (Judicial Prudence) Termasuk Undang-Undang (Legisprudence) Volume I Pemahaman Awal* (Jakarta: Kencana Prenada Media Group, 2010).
- Arizona, Yance, *Tanah Adat dan Reforma Agraria* (Bogor: Sajogyo Institute, 2018).
- Hadjon, Philipus M, *Perlindungan Hukum Bagi Rakyat di Indonesia* (Surabaya: Bina Ilmu, 1987).
- Harsono, Boedi, *Hukum Agraria Indonesia: Sejarah Pembentukan UUPA, Isi dan Pelaksanaannya* (Jakarta: Djambatan, 2008).
- Marzuki, Peter Mahmud, *Metode Penelitian Hukum* (Jakarta: Kencana Prenada Media Group, 2014).
- Putra, Eduard Awang Maha, *Peraturan Kebijakan (Beleidsregel) dalam Hukum Positif Indonesia* (Yogyakarta: Samudra Biru, 2024).
- Radbruch, Gustav, *Legal Philosophy* (England: Oxford University Press, 2006).
- Rahardjo, Satjipto, *Hukum Progresif: Sebuah Sintesa Hukum Indonesia* (Yogyakarta: Genta Publishing, 2009).
- Rawls, John, *A Theory of Justice* (Cambridge: Harvard University Press, 1995).
- Santoso, Urip, *Hukum Agraria dan Hak-Hak Atas Tanah* (Jakarta: Djambatan, 2008).
- Sumardjono, Maria S.W., *Kebijakan Pertanahan Antara Regulasi dan Implementasi* (Jakarta: Kompas, 2000).
- Susanti, Dyah Ochtorina, *Penelitian Hukum (Legal Research)* (2014).
- Sutedi, Adrian, *Peralihan Hak Atas Tanah dan Pendaftarannya* (Jakarta: Sinar Grafika, 2023).

JOURNAL

- Agustin, Riska Sri, "Pertanggungjawaban Pidana Pemalsuan Akta Otentik yang Digunakan sebagai Dasar Pengajuan Sertifikat Hak Milik Atas Tanah" (2020) 4:2 Lex J Kaji Huk dan Keadilan 404-421, daring: <<https://ejournal.unitomo.ac.id/index.php/hukum/article/view/3382>>.
- Amal, Beni, "Pembaharuan Hukum Tanah Nasional dalam Memberikan Perlindungan Pemegang Sertifikat Hak Milik" (2024) 6:2 Credo 1-16.
- Hamdani, Fathul et al., "Persoalan Lingkungan Hidup dalam UU Cipta Kerja dan Arah Perbaikannya Pasca Putusan MK Nomor 91/PUU-XVIII/2020" (2022) 3:4 J



LEX JOURNAL
KAJIAN HUKUM DAN KEADILAN JOURNAL

- Indones Berdaya 977–986.
- Hastungkara, Atindriya, “Perlindungan Hukum Atas Perbedaan Luas Faktual dengan Surat Ukur Pada Sertifikat Hak Atas Tanah” (2017) 1:2 Lex J Kaji Huk dan Keadilan 177–200, daring: <<https://ejournal.unitomo.ac.id/index.php/hukum/article/view/551>>.
- Irfan, Muhammad & Nia Kurniati, “Kepastian Hukum Hak Atas Tanah dan Eksistensi Lembaga Rechtsverwerking dalam Perspektif PP Nomor 24 Tahun 1997 tentang Pendaftaran Tanah” (2018) 1:1 Acta Diurnal J Ilmu Huk 15–29.
- Islam, Andi Abdi, Syahrudin Nawi & Andi Risma, “Penerapan Pasal 32 Ayat (2) PP Nomor 24 Tahun 1997 tentang Pendaftaran Tanah Mengenai Asas Rechtsverwerking” (2024) 5:2 J Lex Philos, daring: <https://pasca-umi.ac.id/index.php/jlp/article/view/1956?_cf_chl_f_tk=mazLyvabB82lKF2a6mQW12g3iH.xdBycUZ.3bGP6rrs-1782987085-1.0.1.1-y3p2vSXeKUTtb2jXQCOFU7XUrXTKbj2Jg491pd_wU7o>.
- Putri, Audrey Adyuta & Elisatris Gultom, “John Rawls’ Theory of Justice in the Perspective of Shareholder Rights Protection” (2025) 4:1 Inov J Sos Hum dan Pendidik 289–303.
- Suardi & Arief Dwi Atmoko, “Esensi Peralihan Hak Kepemilikan Melalui Jual Beli atas Tanah Sesuai Undang-Undang Pokok Agraria Nomor 5 Tahun 1960” (2020) 4:2 Lex J Kaji Huk dan Keadilan 339–360, daring: <<https://ejournal.unitomo.ac.id/index.php/hukum/article/view/3378>>.