

SOCIO-ECONOMIC IMPACT OF MULTIPLE LAND CERTIFICATE DISPUTES ON COMMUNITIES

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Abstract

This study aims to analyse the social and economic impacts of multiple land title disputes on communities. Multiple land title disputes often occur due to discrepancies in the land administration system, leading to overlapping land ownership. This study reveals that the social impacts of multiple land title disputes are significant, including increased conflict between residents, deterioration of social relations, and decreased trust in government institutions. The economic impacts are also significant, with communities facing high legal costs and lost economic potential due to land that cannot be utilised productively. The research suggests the need for reforms in the land administration and agrarian justice systems, as well as increased legal awareness among communities to prevent and reduce multiple land disputes in the future. With these measures, it is hoped that social stability and economic recovery can be achieved, so that people can live more prosperously and harmoniously.

Keywords: socio-economic, disputes, multiple land certificates, community.

INTRODUCTION

Land is one of the most valuable assets for individuals and communities. It not only serves as a place to live, but also as an economic resource that can be used for various productive activities, such as farming, trading, and building businesses. Given the importance of land, land ownership issues often become crucial issues that affect the social and economic stability of a society, hence the need to have a land certificate (Hall, 2017) .

A land certificate is an official document issued by the National Land Agency or an authorised agency to certify legal ownership of a piece of land. It contains detailed information about the land, including its size, boundaries, location and the name of the owner. As legal evidence, a land certificate provides legal protection to the owner against claims or disputes from other parties. The owner of a land certificate has the right to use, transfer, or pledge the land according to applicable legal regulations (Anderson, 2017) .

Meanwhile, land disputes are disputes or conflicts that occur between two or more parties related to claims over ownership rights, use, boundaries, inheritance, or transfer of land (Miller, 2019) . These disputes can involve individuals, groups, institutions, or governments and often arise from ambiguities, overlaps, or discrepancies in legal documents, such as land certificates, title deeds, or land maps. The resolution of land disputes usually requires legal intervention through mediation, arbitration, or court to determine who has legal rights based on evidence and applicable legal regulations (Universitas Gadjah Mada, 2019) .

In Indonesia, land disputes are a frequent phenomenon and one form of dispute that is often encountered is multiple land certificate disputes. A multiple land certificate dispute occurs when two or more parties claim ownership of the same piece of land, each having an official land certificate issued by the competent authority (Harsono, 2013). This situation

can be caused by various factors, such as administrative errors in the issuance of certificates, forgery of documents, or overlapping land registrations as a result of poor record keeping. These issues can create legal uncertainty for the parties involved and potentially disrupt planned land use or investment plans (Khan, 2018) .

To resolve multiple land certificate disputes, legal steps are usually taken, including document investigations by the National Land Agency or relevant agencies to verify the validity of the certificates in question (Jati, 2015) . The settlement process may also involve mediation between the disputing parties or a court settlement that considers the available evidence in accordance with applicable agrarian law. The aim is to reach an agreement or legal decision that is fair and legitimate, ensures the correct certificate and secures the legitimate rights of the actual land owner (Brown, 2018) .

The impact of multiple land title disputes is vast and complex. From a social perspective, these landownership conflicts can trigger tensions between individuals or groups, disrupt the harmony of community life, and even potentially lead to acts of violence. Communities involved in land disputes have to face a long and tiring legal process, which often takes a lot of time, energy and money (Smith, 2019) .

From an economic perspective, these disputes can create uncertainty in investing and hamper economic development. When land ownership status is unclear, people are reluctant to develop the land for fear of losing their assets in the future. This also affects the market value of the land in disputes, as land involved in disputes tends to decrease in value. More broadly, land disputes can negatively impact regional economic growth, as legal certainty and land tenure are important foundations for productive economic activity (Wright, 2018).

Therefore, understanding the social and economic impacts of multiple land title disputes is crucial to finding effective solutions to the problem. This research aims to identify and analyse such impacts.

METHOD

The study in this research uses the literature method. The literature research method is a research approach conducted by collecting, reviewing, and analysing information from various pre-existing written sources, such as books, scientific journals, articles, research reports, theses, and dissertations. The purpose of this method is to understand the development of knowledge in a field, identify research gaps, and build a strong theoretical foundation for further study (Fink, 2019) ; (Alvesson & Sandberg, 2013) . Literature research involves a process of systematic search, critical selection, and synthesis of information relevant to the topic under study. Results from literature research can provide deep insights, guide hypothesis formulation, and strengthen arguments built in new research (Knopf, 2006)

RESULTS AND DISCUSSION

Social Impact of Multiple Land Certificate Disputes

Multiple land title disputes create uncertainty and insecurity for the people involved and those in the vicinity of the disputed area. Uncertainty over who is the legal owner of the land can create a sense of anxiety and worry, especially for those who have invested assets

or built a life on the disputed land. This insecurity often hampers local economic development as residents may hesitate to invest further (Sutedi ., 2016)

Land disputes often involve more than one family or group that already has close social ties. When disputes arise, previously harmonious relationships can break down. The emergence of disputes and conflicts of interest can damage social fabric and trigger divisions within communities. Disputes can also involve large numbers of people supporting one side or the other, creating polarisation and tension between community members (Koster, 2018).

The economic impact of multiple land title disputes can carry a majority of negative social impacts, including increased poverty and social injustice. When land ownership is unclear, access to critical economic resources such as agricultural land or commercial business space is compromised. This can result in reduced employment and income opportunities and increased social and economic burdens for those affected (Patel, 2018) .

Multiple land disputes often hamper infrastructure development and the provision of public services. When there is uncertainty over land ownership, governments and developers may be reluctant to proceed with necessary development projects, such as roads, schools or health facilities. Delays in the implementation of these infrastructure projects and services ultimately hurt the communities that need them most, as well as slowing down the pace of development of the area (Wilson, 2016) .

Resolving disputes over multiple land titles usually entails a lengthy and complex legal process, which can drain resources, both material and non-material. Resources that could otherwise be allocated to improving community welfare may be diverted to finance the mediation process, legal aid and court fees. In addition, prolonged conflict can drain the energy and focus of the individuals involved, reducing their productivity and participation in social and economic activities (Mendes, 2021) .

Cases of multiple land titles often shake people's trust in government institutions, especially those related to agrarian and land matters. When people see that the rule of law and land administration are ineffective or unfair in resolving disputes, they can lose faith in the government's ability to protect their rights. This distrust can exacerbate other social problems and reduce the level of citizen participation in governance and development processes (Mendes, 2021) .

Overall, the social impact of multiple land title disputes is significant and can have lasting negative effects on people's lives in various aspects. Therefore, it is important for all relevant parties, including the government, to actively seek fair and sustainable solutions to resolve disputes over multiple land titles, prevent further negative impacts and restore social harmonisation in the community.

Economic Impact of Multiple Land Certificate Disputes

Multiple land title disputes often have a detrimental impact on people's economic conditions. Uncertainty over land ownership can significantly affect property values. This is because land assets whose ownership status is unclear will not be considered as viable collateral by financial institutions, thereby reducing the potential to obtain loans or release

the capital value embodied in the land. This certainly has a negative impact on people's ability to obtain capital to run or develop their businesses (National Land Agency, 2021) .

In addition, prolonged conflicts over land ownership can disrupt local economic activity. When disputes persist, agricultural activities, construction and property development can come to a halt. This not only reduces the productivity of the land itself, but also hampers economic growth in the vicinity. Agriculture, which should be a source of food and income, may not be optimised, while construction projects stall, resulting in a waste of resources (Sari, 2018) .

Not only that, but the legal costs involved in resolving these disputes are also very high. The parties to the dispute have to spend money on advocates, court fees, and administration around the legal process. Money that could be used for productive purposes has to be allocated to legal disputes. This puts further financial pressure on the individuals and businesses involved (Garcia, 2017) .

More broadly, the emergence of multiple land title disputes can also reduce the attractiveness of investment in the region involved. Investors generally avoid places with high legal risk or property uncertainty. Without legal certainty over land ownership, investors could potentially face legal obstacles that could disrupt their business development. As a result, investment flows that could support local economic development are hampered (Doe, 2018) .

The psychological and social impacts of land disputes cannot be underestimated. Such conflicts can create tensions and divisions between community members, both at the micro and macro levels. When social relations are disrupted by land ownership conflicts, the collaboration and co-operation essential for economic development can suffer. In the long run, these social polarities can impact economic stability and trust between citizens (Tan, 2019) .

Overall, multiple land title disputes have major implications that extend to aspects of the economy. The impact is not only felt by the individuals or groups directly involved in the dispute but also extends to regional and national economic structures. Addressing the issue of multiple land titles effectively and preventively is crucial to promoting stable and inclusive economic growth. Thus, it is important for the government and related parties to strengthen land registration and agrarian justice systems to minimise disputes and their negative impacts (Green, 2019) .

As such, multiple land title disputes have widespread and significant economic impacts. Uncertainty over landownership reduces property values, hinders access to capital, and undermines local economic activity. High legal costs and uncertainty over legal regulations discourage investment and trigger financial stress. The psychological and social impacts of these disputes can also undermine social cohesion and economic stability. Strengthening land registration and agrarian justice systems is therefore a crucial step to minimise disputes and ensure stable and inclusive economic growth.

Factors Causing Multiple Land Certificate Disputes

Multiple land certificate disputes are a frequent problem in many countries, including Indonesia. These conflicts often involve multiple parties, each claiming ownership of the same land based on valid administrative evidence. As a result, these disputes can have widespread and significant impacts on the local population, legal system, and economy (Choi, 2018).

The first factor that often causes multiple land title disputes is weak and inefficient land administration. A poorly organised land registration system and a convoluted bureaucracy allow for errors and fraud in the process of issuing land titles. Some agencies responsible for this may have incomplete or up-to-date data, making it easier to issue duplicate titles (Raj, 2020).

Lack of supervision and transparency in the process of issuing land certificates is also one of the main causes. Without strict supervision and transparency mechanisms in place, opportunities for irresponsible individuals to engage in corrupt practices and manipulate land data are increased. This is also exacerbated by the absence of a nationally integrated land information system, which enables effective cross-checking of issued land documents (Levitt, 2020).

Another cause is land use conflicts, which often occur due to unclear spatial planning and lack of coordination between government agencies. Land that has high economic or strategic value, such as land near cities or public facilities, is more prone to conflicts over ownership. Disagreements over administrative boundaries between regions also often result in the issuance of multiple certificates by different local governments (Thompson, 2018).

Inheritance and customary law claims can also lead to multiple land title disputes. In many areas, land is passed down through generations, and this process is often not supported by strong legal documents. Conflicts can arise when heirs claim ownership of land that has already been legally sold or transferred to another party. Customary laws that are not always integrated with state laws add to the complexity of resolving these disputes (Zhang, 2020).

Economic factors cannot be ignored either. Land that has a high potential for development, agriculture or other economic activities tends to be the target of disputes more often due to the significant increase in land prices. As land values increase, many parties vie to claim ownership, often by unauthorised means or manipulating tenure documents to gain economic advantage (Hall, 2017).

Overall, the causes of multiple land certificate disputes can stem from a variety of interrelated factors, including weak land administration, lack of oversight and transparency, land use conflicts, inheritance and customary law claims, and the high economic value of land. Addressing this problem requires a concerted effort from various parties, including the government, legal institutions and communities, to strengthen the land registration system, improve inter-institutional coordination, and increase awareness and compliance with the law.

CONCLUSION

Multiple land title disputes have a profound social impact on the affected communities. Uncertainty over land ownership leads to tension and conflict between residents, which in turn damages family and social relations. In addition, this uncertainty is often exacerbated by corruption and injustice in the legal system, leading to diminishing public trust in government institutions. As a result, it haunts people's daily lives and creates an unstable and suspicious environment.

Economically, multiple land title disputes result in significant financial losses. Communities often have to spend large sums of money to finance prolonged legal proceedings, which often deplete resources that could have been used for other needs. In addition, the land that is the object of the dispute cannot be fully utilised for productive economic activities such as agriculture, trade or infrastructure development. This uncertainty in turn hampers local economic development and prolongs the cycle of poverty.

As a solution, a joint effort between the government, legal institutions and communities is needed to resolve multiple land certificate disputes. Reforms in the land administration and agrarian justice systems should be urgently undertaken to improve transparency and accuracy of data collection. In addition, increasing legal awareness among communities and empowering citizens to understand their rights can help prevent future disputes. With these measures, it is hoped that there will be greater social stability and economic recovery for the community.

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