

# Reconstruction of the Negative Publication System for Land Registration to Achieve Legal Certainty and Legal Protection for Rights Holders

Anggiat Tobing\*, Megawati Barthos

Borobudur University, Jakarta, Indonesia, anggiattobing71@gmail.com

Borobudur University, Jakarta, Indonesia, megawati\_barthos@borobudur.ac.id

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\*Correspondence: Anggiat Tobing

Email [anggiattobing71@gmail.com](mailto:anggiattobing71@gmail.com)

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*harmonization of regulations that support the integration of digital land registry systems. A comparative approach to the Torrens system in Australia and continental European registration models provides lessons on the importance of rigorous initial verification, data transparency, and clear assurance mechanisms to increase public trust in the land registration system.*

**Keywords:** Land Registration Publication System, Legal Certainty, Legal Protection, Land Certificates, Reconstruction Of The Publication System.

## Introduction

Land holds a highly strategic position in social, economic, and political life because it is directly related to basic human needs and national development (Sulistio 2020). Land ownership is not only a private matter but also closely linked to public interests such as spatial planning, investment, and social stability (Pramesti 2024). The limited availability of land is inversely proportional to the increasing public demand, thus increasing the potential for conflict. Land disputes often involve various actors, from individuals and legal entities

to the state (Bimantara 2025). This complexity makes the land law system a crucial instrument for maintaining a balance between individual and public interests.

Land registration is designed as a means to provide legal certainty for land rights holders. Article 19 of the Basic Agrarian Law mandates the implementation of land registration to ensure legal certainty and legal protection for rights holders (Ramadhani 2021). Land certificates are expected to serve as strong evidence regarding the physical and legal data of a plot of land. This mechanism provides a sense of security for rights holders in conducting legal activities, such as buying and selling or encumbering mortgages (Khalimi 2025). Certainty of ownership status is also crucial for economic development because it forms the basis of trust in transactions (Sihaloho 2025).

The land registration publication system in Indonesia is known as a negative system with a positive tendency. Its main characteristic lies in recognizing certificates as strong evidence, but still leaving open the possibility of proving otherwise in court (Suhariono 2022). The state records land data and provides administrative legitimacy, but does not fully guarantee the absolute accuracy of the information. This approach is influenced by the history of the formation of national agrarian law and the need to maintain flexibility in resolving rights conflicts. This system structure creates a balance between administrative protection and room for legal correction.

A paradox arises when certificates, which should provide a sense of security, can still be challenged and revoked through the courts. Certificate holders often face uncertainty despite following formal procedures established by the state (Herdarezki 2021). The situation raises questions about the effectiveness of land registration as an instrument of legal certainty. The situation becomes more complicated when other parties claim rights based on outdated evidence or administrative errors. This phenomenon creates tension between the principles of administrative formality and the pursuit of substantive justice.

The high number of land disputes demonstrates that the current system is not yet capable of optimally ensuring legal stability. Many cases show that certificates that have been issued are then revoked due to procedural errors or the existence of rights deemed more legitimate by another party (Ningsih 2025). Lengthy judicial processes often result in economic and social losses for rights holders. Uncertainty also impacts the investment climate and public trust in the land administration system (Judijanto 2025). This situation demands a critical evaluation of the design of the existing publication system.

The imbalance between the protection of certificate holders and the actual owners is a frequently debated issue. The negative publication system attempts to safeguard the rights of parties who may be harmed by administrative errors, but protection for buyers in good faith is often deemed suboptimal (Apriani 2021). Certificate holders who have legally transacted can lose their rights when lawsuits are filed by other parties. This situation raises questions about the distribution of risk between the state, rights holders, and third parties. The debate over legal protection reflects the need to reimagine the concept of state responsibility.

The urgency of reconstructing the land registration publication system stems from the need to balance legal certainty and substantive justice. Reformulation does not necessarily mean completely replacing the system, but can instead involve strengthening positive elements within the existing framework. A hybrid model is often considered as an

alternative because it allows for increased legal guarantees without eliminating correction mechanisms. System reform can also include improving data quality, administrative transparency, and institutional accountability. This approach extends space for the development of a system that is more responsive to societal developments.

Legal certainty provides a conceptual basis for analyzing the effectiveness of land registration. Gustav Radbruch's thinking emphasizes the importance of a balance between legal certainty, justice, and utility (Firdaus 2025). Lon Fuller highlights the internal principles of law that demand consistency and clarity of norms for compliance (Ammade 2023). Land registration, as a legal institution, must meet these principles to provide predictability for the community. When land certificates fail to provide the expected certainty, the legitimacy of the legal system can be compromised (Nayoltama 2025).

Legal protection serves as the basis for assessing the extent to which the land system protects individual rights (Jamil 2025). Legal protection is not only related to formal procedures but also includes guarantees against risks arising from state administrative errors (Tenripadang 2025). This principle requires a balance between the interests of rights holders and the interests of other parties with claims. Effective protection requires a fair and expeditious dispute resolution mechanism (Yansen 2025). Analysis of this theory allows us to formulate a more justice-oriented reconstruction model.

The concepts of reliance and good faith purchaser provide important perspectives on the protection of buyers in good faith. Modern land registration systems often provide stronger protection to parties who trust official registration data (Amin 2023). Reliance theory places trust in the administrative system as a key element in maintaining transaction stability. Buyers who have verified their rights according to procedures ideally receive stronger legal guarantees. This approach requires an evaluation of the distribution of responsibility between individuals and the state (Middin 2021).

State liability in public administration becomes a relevant aspect when errors in land data cause harm to the public. The concept of state responsibility embodies the idea that public institutions must provide compensation or protection in the event of administrative errors (Resmadiktia 2023). The model has been developed in various countries as a way to strengthen public trust in the registration system. Integrating the principle of state responsibility can improve the quality of legal protection without sacrificing system flexibility. Analysis of this aspect opens opportunities for more progressive reconstruction.

## Methodology

The research method used is normative juridical with a conceptual, legislative, and comparative legal approach to analyze the design of the land registration publication system and its implications for legal certainty. The research focuses on the study of primary legal materials in the form of land regulations and related policies, secondary legal materials such as academic literature, scientific journals, and expert doctrines, as well as tertiary legal materials that support the understanding of terminology and the development of legal practices. The conceptual approach is used to dissect the theory of legal certainty, legal protection, and the principle of publication in land rights registration, while the comparative legal approach is carried out by examining registration models from several countries to find alternative reconstructions that are relevant to the national system. The

analysis technique is carried out qualitatively through systematic interpretation and logical legal argumentation to formulate recommendations for updating the publication system that is more adaptive, responsive to digitalization, and able to increase protection for good faith rights holders.

## **Result and Discussion**

### **Concept and Construction of the Land Registration Publication System**

Theoretically, the land registration publication system is divided into two main models: the positive publication system and the negative publication system. The positive publication system is known through the concept of title by registration, where land rights are born and fully legitimized through the registration process. The state guarantees the accuracy of the data recorded in the register, so that parties acting in good faith can rely on the information without fear of future lawsuits. This model is widely applied in the Torrens system, which has developed in common law countries such as Australia and New Zealand. The main characteristic of the positive publication system lies in high legal certainty because the registration data has conclusive force.

The negative publication system has different characteristics because registration does not create absolute rights but only records pre-existing rights. The issued certificate is considered strong evidence, but not indisputable. The state does not provide absolute guarantees regarding the material accuracy of the data contained in the register. Aggrieved parties still have the opportunity to sue and prove their rights in court. This model provides room for correction of administrative errors or factual errors that may occur during the registration process.

The importance of communication transparency in the land registration system becomes particularly significant within Indonesia's negative publication system, where land certificates constitute strong evidence but do not provide absolute guarantees of ownership. Because registered rights may still be challenged by parties claiming superior rights, government institutions have a responsibility to ensure that land registration information is disseminated openly, accurately, and accessibly to the public. Transparent communication regarding registration procedures, ownership records, boundary determinations, and opportunities for objections enables citizens to verify information before rights are formally recorded, thereby reducing the risk of overlapping claims and future disputes. Furthermore, transparency promotes procedural fairness by allowing affected parties to participate in the registration process and raise objections when inaccuracies are identified. In this context, effective communication functions not merely as an administrative tool but as a mechanism for legal certainty and dispute prevention. Public trust in land administration institutions is strengthened when citizens perceive that information is accessible, decisions are made openly, and correction mechanisms are available to address potential errors. Therefore, communication transparency between government institutions and citizens is essential for reducing land disputes, enhancing accountability in land administration, and increasing public confidence in the land registration system.

The comparison between the positive and negative publication systems is often understood through the approach of balancing legal certainty and substantive justice. The positive system provides transaction stability and strong protection for buyers in good faith, but potentially disregards the rights of unregistered parties. The negative system provides flexibility for the search for material truth, but poses the risk of uncertainty for certificate holders. These differing characteristics reflect differing legal policy choices regarding the distribution of risk between the state and individuals. The theoretical debate regarding the two systems continues to evolve with changing societal needs and advances in land administration technology.

Indonesian land law adopts a negative publication system with a positive tendency, often referred to as a negative system with a positive tendency. This concept is rooted in Law Number 5 of 1960 concerning Basic Agrarian Regulations (UUPA), specifically Article 19 paragraph (1), which stipulates that the government organizes land registration to ensure legal certainty. Article 19, paragraph (2), letter c of the UUPA regulates the issuance of certificates of title, which serve as strong evidence. Its technical implementation is further regulated through Government Regulation Number 24 of 1997 concerning Land Registration. This system seeks to combine flexibility in the provision of evidence with administrative protection for rights holders.

Government Regulation No. 24 of 1997 provides the operational framework for the implementation of national land registration. Article 3 of Government Regulation No. 24 of 1997 establishes the purpose of land registration to provide legal certainty and legal protection to land rights holders. Article 32, paragraph (1) states that a certificate is a valid proof of title, valid as strong evidence of physical and legal data, as long as it aligns with the data contained in the land register and measurement certificate. This regulation provides significant administrative legitimacy to certificates. This structure demonstrates positive elements that strengthen the position of certificate holders, even though the underlying system remains negative.

This concept of negative with positive tendencies is reflected in Article 32 paragraph (2) of Government Regulation No. 24 of 1997, which protects certificate holders who acquire rights in good faith. This provision states that if a land plot has been legally certified in the name of a person or legal entity that acquired the land in good faith and actually controls the land, then other parties who feel they have rights cannot demand the implementation of their rights after five years from the issuance of the certificate, as long as they do not submit a written objection to the certificate holder or the Land Office. The norm reflects an effort to strengthen legal certainty without eliminating the possibility of correction at a certain time and to balance the interests of legal stability and substantive justice.

The position of land certificates in the Indonesian legal system plays a central role as written evidence. Certificates serve as administrative representations of physical and legal data verified through the registration process. Courts often use certificates as the starting point for evidence in land disputes. This position benefits certificate holders because the burden of proof tends to shift to the party challenging the claim. Certificates can still be

challenged if there is stronger evidence, such as administrative defects or the existence of prior rights.

The principle of *presumptio iustae causa* serves as the philosophical basis for the evidentiary force of land certificates. This principle assumes that a state administrative action is considered valid and correct until a court decision states otherwise. Certificates issued by land officials are presumed to have been issued through legal procedures. This presumption of legality provides initial legitimacy for rights holders. The burden of proving any error or legal defect rests with the party filing the objection.

The revocation of certificates in judicial practice demonstrates the dynamic between legal certainty and the pursuit of material truth. The State Administrative Court can annul administrative decisions, such as the issuance of certificates, if procedural flaws or legal violations are found, in accordance with the provisions of Law Number 5 of 1986 concerning State Administrative Courts, as most recently amended by Law Number 51 of 2009. The Supreme Court, through various decisions, has also recognized the possibility of certificate cancellation if stronger evidence of rights is available. This practice demonstrates that certificates are not absolute proof. This situation has created space for discussion regarding the need to strengthen legal guarantees for certificate holders.

The construction of the land registration publication system in Indonesia demonstrates an effort to maintain a balance between legal flexibility and ownership stability. Certificates hold a strong administrative position, but do not eliminate the possibility of correction through legal mechanisms. The negative system with positive tendencies reflects a compromise between individual protection and state responsibility. The evolving needs of society and the complexity of land transactions encourage an evaluation of the effectiveness of the existing system design. Analysis of the concept and construction of the publication system is the first step in formulating a reconstruction that is more responsive to demands for legal certainty and rights protection.

### **Problems of the Negative Publication System Regarding Legal Certainty and Protection**

The negative publicity system in land registration presents a paradox that continues to be debated in Indonesian land law. Land certificates are recognized as strong evidence, as stipulated in Article 19 paragraph (2) letter c of Law Number 5 of 1960 concerning Basic Agrarian Regulations and Article 32 paragraph (1) of Government Regulation Number 24 of 1997 concerning Land Registration. This status grants formal legitimacy to certificate holders over the physical and legal data recorded. In reality, certificates can still be challenged through the courts if a stronger claim is made or if administrative defects are found. This situation creates tension between the legal certainty promised by the registration system and the reality that recorded rights are not necessarily final.

The paradox of legal certainty also relates to the conflict between administrative formality and substantive justice. The negative publicity system allows aggrieved parties to demand the cancellation of certificates even after they have been officially issued. Judges often face the dilemma of maintaining the stability of land administration or prioritizing material truth as established through evidence presented in court. The choice of one approach over another can impact the public's sense of justice and the legitimacy of land

institutions. This discourse demonstrates that legal certainty does not always align with substantive justice in practice.

Conflicts of legal principles are a key part of the problematic negative publicity system, particularly regarding the principle of *nemo plus juris*. This principle states that a person cannot transfer rights beyond those they themselves possess. In land disputes, this principle is often used to cancel transactions if the seller is found to lack legitimate rights. The application of this principle can result in buyers in good faith losing their rights even if they have followed the registration procedures correctly. This raises questions about the balance between protecting the original owner and protecting third parties who rely on registration data.

The concept of a good-faith purchaser is highly relevant in the modern land registration system. Buyers in good faith are expected to receive legal protection because they have acted in accordance with prudent standards and trusted official state data. The negative publicity system in Indonesia does not fully provide strong guarantees for those who purchase land based on valid certificates. Disputes that result in certificate cancellations often place buyers in a vulnerable position. Discussions regarding the protection of buyers in good faith are crucial for maintaining transaction stability and public trust in the land administration system.

The reliance on registry theory places trust in registration data as the primary foundation of legal certainty in land transactions. Individuals and legal entities require a reliable system to avoid being burdened by hidden risks beyond the recorded data. The negative publication system creates room for doubt because the information contained in the certificate is not fully conclusive. Reliance on the register is limited because the possibility of lawsuits remains open. This situation impacts transaction certainty and the efficiency of the land market.

The weakness of state guarantees is one of the main criticisms of the negative publication system. The state only provides administrative recording and verification mechanisms without providing guarantees of the material accuracy of the data. Certificates issued by the National Land Agency do not provide full protection if later declared invalid by a court decision. This position differs from the positive publication system, which places the state as the primary guarantor of the validity of rights. Certificate holders often bear risks that could be minimized through a more robust system.

The transfer of legal risks to rights holders creates uncertainty for the public. Individuals who have obtained certificates through legal procedures may lose their rights because of future disputes. State compensation mechanisms for losses resulting from administrative errors are still limited and not comprehensively structured. Article 1365 of the Civil Code, concerning unlawful acts, is often used as the basis for claims for compensation, but the process of proving this is not straightforward. This situation raises questions about the state's responsibility to protect citizens from systemic risks.

Analysis of state responsibility in public administration can be linked to the principles of good governance and citizen protection. Administrative decisions, such as land certification, are actions by state administrative officials that have far-reaching legal

consequences. Law Number 30 of 2014 concerning State Administration provides a framework for public officials' accountability for decisions made, including the obligation to act based on general principles of good governance. This framework opens up discussion about the need to strengthen state accountability mechanisms for errors in land administration. The application of the principle of state liability can be a crucial element in system reconstruction.

Regulatory fragmentation also complicates the land registration publication system. The Basic Agrarian Law (UUPA), Government Regulation Number 24 of 1997, and various implementing regulations often give rise to differing interpretations of the validity of certificates. Judicial practice also demonstrates varying approaches between judges who emphasize formal administrative aspects and judges who prioritize material evidence. This inconsistency affects the predictability of legal decisions for the parties. The lack of uniform interpretation of norms is one factor that undermines legal certainty.

Inconsistencies in court decisions are evident in certificate cancellation cases decided through both state administrative courts and general courts. Law Number 5 of 1986 concerning State Administrative Courts, as amended by Law Number 9 of 2004 and Law Number 51 of 2009, grants the State Administrative Court (PTUN) the authority to review the validity of state administrative decisions. The same cases can also overlap with civil disputes regarding land ownership. This duality of resolution pathways often results in conflicting decisions. This lack of synchronization creates complications for rights holders seeking certainty.

The challenges of the digital era have brought a new dimension to the land registration system. The Ministry of Agrarian Affairs and Spatial Planning/National Land Agency has introduced electronic certificates through Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 1 of 2021 concerning Electronic Certificates. Digitization aims to increase efficiency, data security, and administrative transparency. This change requires adjustments to the legal paradigm regarding evidence and data protection. The negative publication system faces new challenges as digitalization increases expectations for the accuracy of registration data.

Land data integration and the potential use of technologies such as blockchain are increasingly relevant topics. Blockchain offers a transparent and tamper-proof recording mechanism, thus enhancing trust in the registration system. Implementing this technology requires regulatory adjustments and institutional preparedness. The negative publication system needs to be evaluated to adapt to the new paradigm that emphasizes data security and the reliability of digital registration. This transformation opens up opportunities for the reconstruction of a publication system that is more responsive to technological developments and the need for modern legal certainty.

### **Reconstruction of the Publication System to Strengthen Legal Certainty**

The current land registration publication system faces structural challenges that can no longer be resolved through normative interpretation alone. The main problem lies not merely in technical implementation, but in its conceptual design, which from the outset contains ambiguity between administrative protection and legal correction. The negative

publication system, with its positive tendencies, attempts to maintain this balance, but the dynamics of practice show that this balance often shifts into uncertainty. Certificate holders gain formal legitimacy, but this legitimacy remains fragile when confronted with claims from other rights. This situation raises the need for conceptual system reconstruction, not just procedural reform.

The weaknesses of the current system design are evident in the disproportionate distribution of risk. The state acts as a registrar and administrative facilitator, while the risk of data errors or historical conflicts is often shifted to individuals. Certificate holders who have followed formal procedures can still lose their rights due to future disputes. This situation raises questions about the extent to which the state is fulfilling its protective function for citizens who rely on the registration system. An ideal system should be able to reduce uncertainty through a stronger protection structure, rather than simply providing a recording mechanism.

Theoretical arguments for the need for reformulation can be drawn from the idea of legal certainty as a fundamental requirement for social stability. The land registration system serves as a legal infrastructure that supports economic transactions and public trust. When registration fails to provide sufficient certainty, this function is compromised. The reliance theory approach emphasizes the importance of trust in registration data as the basis for transaction legitimacy. Without a high level of trust, the land administration system will continue to face a recurring cycle of disputes.

The first reconstruction model that can be considered is a hybrid system, which integrates the characteristics of positive and negative systems in a more balanced way. This model does not eliminate the scope for legal correction, but rather strengthens protection for rights holders who have met due care standards. A hybrid system seeks to create an additional layer of protection through stricter data verification and a strengthened presumption of certificate legality. This approach allows for increased certainty without sacrificing access to substantive justice. This design tends to be more realistic because it does not require radical changes to the existing legal framework.

The second option is a negative system with stronger positive elements, which strengthens the positive elements without abandoning the basic structure of the negative system. The primary focus is on increasing the evidentiary standard for parties challenging certificates. Certificates can be given a higher presumptive weight, making them less easily revoked unless there is very strong evidence. The method shifts the balance toward legal certainty without precluding the possibility of correction. Such reforms can be implemented gradually through changes in administrative policies and judicial guidelines.

The state-backed guarantee model offers a more progressive approach by positioning the state as the guarantor of the reliability of the registration system. This concept assumes that individuals who have followed official procedures should not bear systemic risks alone. The state provides a compensation mechanism in the event of administrative errors that cause losses. This approach can increase public trust in the land registration system. The challenge lies in institutional readiness and fiscal risk management.

Strengthening the protection of good-faith rights holders is a crucial element in any reconstruction model. The principle of good faith reflects the value of justice that recognizes individual efforts to comply with legal procedures. A system that too easily revokes the rights of good-faith buyers can create transaction instability. Stronger protection for parties who act honestly and prudently will increase certainty in the land market. Objective criteria for good faith need to be formulated more clearly to avoid overly broad interpretations.

Compensation mechanisms serve as instruments that balance legal certainty and the protection of the rights of others. While the system provides stronger guarantees for certificates, the state should provide a redress pathway for parties harmed by administrative errors. This scheme can mitigate the conflict between administrative certainty and substantive justice. Compensation also serves as a form of institutional accountability. A credible registration system requires clear accountability mechanisms.

Risk distribution, or risk allocation, is a key issue in the reconstruction of the publication system. The existing system tends to place the primary risk on individuals, while the state serves only as an administrator. Reconstruction can shift some of the risk to public institutions through improved data verification and assurance mechanisms. This approach reflects a paradigm shift from administrative recording to trust-based registration. A more balanced risk distribution has the potential to increase the system's legitimacy in the eyes of the public.

Harmonization of land regulations is necessary to address norm fragmentation and differing interpretations. Differences in approaches between regulations and judicial practice often create uncertainty for rights holders. Synchronization of norms can be achieved through clearer interpretation guidelines and policy integration between institutions. Harmonization is not only normative but also concerns the consistency of legal application. This effort aims to create a more predictable and stable system.

Standardization of judicial practice is a crucial factor in strengthening legal certainty. Differences in approaches among judges in assessing the strength of certificates often result in unpredictable decisions. Consistent jurisprudential guidelines can help create more uniform standards of interpretation. Stable decisions will increase public trust in the land legal system. Strengthening the capacity of judges to understand the characteristics of the publication system is also part of the reform.

Digital transformation through digital land registries brings both new opportunities and challenges for the reconstruction of publication systems. Digitization raises expectations for data accuracy and transparency in the registration process. Reconstructed publication systems need to be compatible with digital technology to capitalize on the advantages of data integration. Cybersecurity and data protection are key issues in the development of electronic registration. System reconstruction must consider technological aspects as part of its future design.

An international comparative approach provides a more concrete perspective when linked to practices in several countries that have long implemented modern land registration systems. The Torrens system, for example, was first developed in South Australia through the Real Property Act of 1858 and was later widely adopted in Australia,

New Zealand, Canada (several provinces such as British Columbia and Ontario), and Singapore. This system emphasizes the principle of indefeasibility of title, meaning that registered land rights enjoy strong protection, allowing third parties to rely on registered data without needing to trace prior ownership history. These countries also provide a state guarantee mechanism through an assurance fund as a form of compensation in the event of administrative errors in registration.

The continental European model presents a different approach, particularly evident in practices in Germany, the Netherlands, and Switzerland. The German Grundbuch system emphasizes rigorous initial verification through the involvement of notaries and land courts before any changes in rights are recorded in the land register. The Netherlands uses a cadastral system integrated with notarial supervision, so that every transaction undergoes a formal authentication process before registration. This approach seeks to minimize post-registration disputes by ensuring material validity from the outset, although the process is relatively more complex than the Torrens system.

The lesson to be learned from this comparison lies in maintaining a balance between legal certainty, administrative efficiency, and protection of good faith parties. Common law countries tend to prioritize register finality and protecting public trust, while civil law traditions emphasize initial inspection to mitigate potential legal flaws. Indonesia has room to adopt certain elements, such as strengthening initial verification or a state compensation scheme, without abandoning the characteristics of its national system, which is based on the concept of negative publicity with a positive tendency. This selective approach allows for the development of a system that is adaptive to national needs while simultaneously learning from international experience.

The reconstruction of the publicity system ultimately aims to create a new balance between legal certainty, rights protection, and flexibility for correction. An ideal system not only reduces disputes but also increases public security in transactions. Changing the system's design requires a combination of normative reform, institutional paradigm shifts, and technological adaptation. These efforts open up opportunities for the development of a more credible land registration system that is responsive to future needs.

Beyond the legal structure of registration, the effectiveness of the Torrens system is supported by strong communication governance and transparency practices. Land administration authorities in these jurisdictions generally maintain accessible land information systems, clear procedures for registration and transfer of rights, public notification mechanisms, and opportunities for objections before registration becomes final. The availability of digital land records and online verification services enables citizens, investors, and other stakeholders to obtain accurate information regarding land status and ownership. Such transparency reduces information asymmetry between government institutions and citizens, minimizes the risk of overlapping claims, and strengthens legal certainty in land transactions.

Similarly, several continental European countries, particularly those adopting title registration systems, place significant emphasis on administrative transparency and public accessibility of land information. The publication of land data, procedural openness, and

effective communication between land authorities and the public contribute to a high level of public trust in land administration institutions. These practices demonstrate that legal certainty is not solely determined by the choice between positive and negative publication systems but is also influenced by the quality of communication governance accompanying the registration process.

## Conclusion

The structure of the land registration publication system reflects an effort to balance legal certainty with protection against possible administrative errors and ownership disputes. A positive publication system provides strong guarantees regarding the recorded data, whereas a negative system allows room for correction if legal defects are found in the process of acquiring rights. Indonesia adopts a negative system with positive tendencies, in which land certificates function as strong evidence while still allowing counterproof through judicial mechanisms. This model reflects the complex socio-historical conditions of land affairs in Indonesia, including the existence of customary land rights and the diversity of ownership evidence that developed before the establishment of a modern registration system. The evidentiary strength of land certificates is based on the principle of public trust in registration data, although the stability of land rights still depends on the quality of administrative verification and the integrity of the registration process from the outset.

Strengthening the system in the future requires improving the quality of preliminary examinations of both physical and juridical data so that the potential for disputes can be minimized before certificates are issued. International practices demonstrate that state guarantees, compensation mechanisms, and the integration of information technology can enhance public confidence in registration systems. Reformulating registration procedures to become more transparent and accountable can reduce opportunities for manipulation and overlapping land claims. The development of land administration officials' capacity and the harmonization of policies among institutions are also important factors to ensure that the principle of legal certainty is not merely normative but is genuinely realized in practice. An adaptive approach that incorporates the best elements of international models without abandoning the characteristics of the national legal system has the potential to strengthen the land publication system in a sustainable manner.

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