Analysis of Legal Protection for Land Rights Holders in Multiple Certificates Cases in Semarang City

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Abstract

Double certificates are one of the significant agrarian issues in Indonesia, including in Semarang City. This phenomenon gives rise to legal uncertainty, social conflict, and economic losses for holders of legitimate land rights. This study aims to analyze the factors causing double certificates, the forms of legal protection provided, and preventive measures that can be taken. Based on a normative-empirical approach, it was found that weaknesses in the implementation of Standard Operating Procedures (SOP), lack of coordination between agencies, and low legal literacy among the community are the main factors driving this case. Mediation is the main mechanism in resolving double certificate disputes, although it is still constrained by the absence of standard procedures. Meanwhile, the litigation route offers higher legal certainty, but is time-consuming and expensive. Digitization of land administration, such as the implementation of electronic certificates and digital land maps, is a strategic step that needs to be accelerated to prevent overlapping data. In addition, public education on the importance of maintaining land documents and verifying the physical location of land before transactions must be carried out massively and continuously. This study recommends comprehensive administrative reform and strengthening coordination between agencies to create a more transparent and efficient land system. The research contributes to the development of agrarian law in Indonesia, especially in increasing legal certainty and protection of land rights.

I. Introduction

Land plays a crucial role in human life, both as an economic asset and its social function (Xie et al., 2020). As an economic asset, land has a value that continues to increase along with population growth and development (Morris & Lindsay, 1977), making it an important instrument in long-term investment (Barbier, 2021). On the other hand, the social function of land emphasizes that its use must take into account the interests of the wider community (Ali et al., 2022), as stated in Article 6 of the Basic Agrarian Law (UUPA) which emphasizes that all land rights have a social function (Silviana, 2012). However, legal issues in land ownership often become an obstacle to achieving this goal (Agegnehu, 2020).

In the agrarian system in Indonesia (Widyaswara et al., 2022), certainty and legal protection of land is realized through a land registration system that produces a Certificate as strong evidence (Thamrin et al., 2021). This is regulated in Article 19 paragraph (2) letter c of the UUPA and Article 32 paragraph (1) of Government Regulation Number 24 of 1997 concerning Land Registration, which states that a land Certificate is a strong proof of rights as long as the physical and legal data contained therein are in accordance with the data in the land book and measurement letter (Djaja & Mardani, 2020; Isnur, 2012). However, in practice, the phenomenon of double Certificates still often occurs and is the main source of land disputes in Indonesia (Unruh, 2006).

Duplicate certificates, which occur when there is more than one Certificate for the same land, are often triggered by several factors, such as inaccurate land data, administrative errors, overlapping boundaries, document forgery, lack of coordination between agencies, and weak supervision in issuing Certificates (Harsono, 2008). This problem not only causes legal uncertainty, but also economic and social losses for legitimate land owners. Semarang City, as one of the big cities in

Indonesia, is not free from this problem. The high economic value of land in Semarang is the main factor that triggers the emergence of duplicate Certificate cases. Several previous studies have examined this issue. Muntafi'ah & Listyawati, (2021) found that the resolution of dual certificate disputes in Semarang is generally carried out through mediation at the National Land Agency (BPN) or litigation in court if mediation fails. Dyah, (2012) analyzed legal considerations in the case of dual certificates

in Mangunharjo Village, Semarang, which showed the complexity of the factors causing the dispute. Agny et al., (2020) identified that administrative weaknesses and lack of supervision were the main causes. In addition, Skisa, (2021) research revealed that resolution through the judiciary not only takes a long time but also has an impact on the weak maintenance of land registration data at the BPN. Recent cases in Semarang, such as the Sukawi Sutarip land dispute with the BPN involving HGB Certificate number 1079, and the case in Tambakaji Village which reached the Supreme Court with Decision No. 3001 K/Pdt/2010, show that this problem continues to occur. This indicates a gap in the legal protection system for legitimate land rights holders. Although it has been regulated by UUPA and its implementing regulations, implementation in the field still faces various obstacles,
including minimal supervision and coordination between agencies.

This study aims to analyze the forms of preventive and repressive legal protection provided to land rights holders in cases of double certificates in Semarang City. In addition, this study also examines the factors causing double certificates and efforts to prevent and resolve them. This study is expected to contribute to the development of agrarian law and become a reference for the government, society, and legal practitioners in handling land disputes more effectively.

2. Research Method

This study uses a statute approach and a conceptual approach. The statute approach is applied by examining various relevant laws and regulations, such as the 1945 Constitution of the Republic of Indonesia, Law Number 5 of 1960 concerning Basic Agrarian Principles (UUPA), and Government Regulation Number 24 of 1997 concerning Land Registration. This approach helps analyze how the existing legal framework provides protection for land rights holders. Meanwhile, the conceptual approach is used to understand and analyze applicable legal norms and their application in legal practice, especially in resolving cases of double certificates in the city of Semarang.

This research is a normative-empirical legal research. Normative legal research is conducted through a literature review to analyze primary legal materials, such as laws and legal doctrines, as well as secondary legal materials, such as legal literature, scientific journals, and articles. This approach aims to understand the legal principles underlying

the protection of land rights holders. In addition, this research also includes empirical research, namely the collection of field data to explore direct information related to the factors causing the occurrence of dual certificates and the forms of legal protection applied in the city of Semarang. The focus of this research is directed at legitimate land rights holders affected by the existence of dual certificates. The analysis is carried out based on applicable laws and regulations, especially the UUPA and the Government Regulation on Land Registration. This research also studies the mechanism for resolving dual certificate disputes through both litigation and non-litigation channels, including the mediation and negotiation processes in the city of Semarang.

The framework used in this study includes normative and empirical legal analysis. The normative approach is used to assess the extent to which legal rules are able to provide protection to land rights holders. This approach is combined with empirical analysis to understand the social context behind the case of double certificates. This study uses sociological legal theory to explore the relationship between society and legal rules, as well as legal protection theory to evaluate the effectiveness of existing policies in providing a sense of security to land owners.

The data sources used in this study include primary, secondary, and tertiary legal materials. Primary legal materials include laws and regulations and the results of interviews with parties involved in the management of dual certificate disputes, such as National Land Agency (BPN) officials and legal practitioners. Secondary legal materials include legal literature, scientific journals, and related articles, while tertiary legal materials are in the form of encyclopedias and legal dictionaries used to complete the analysis. Data collection was carried out through interviews with related parties, direct observation of the dispute resolution process, and documentation studies, such as reviewing legal documents, court decisions, and land registration documents. Data validity is maintained through triangulation, by comparing the results of interviews, observations, and documentation to ensure the accuracy and relevance of the data obtained.

Data analysis was conducted qualitatively by classifying legal materials based on their relevance to the research issue. Furthermore, the relationship between legal rules and their application was analyzed to produce applicable conclusions and

recommendations. This research is expected to provide significant contributions in understanding and developing agrarian law, especially related to legal protection for land rights holders in the case of double certificates in Semarang City.

3. Results and Discussion

a. Research Focus Description

The case of double certificates in Indonesia, especially in Semarang City, is one of the recurring problems in the context of land management. This phenomenon not only threatens legal certainty for land rights holders but also causes significant social conflict. The results of an interview with Dian Puri Wirasto, the Coordinator of the Main Substance of Handling Disputes, Conflicts, and Cases in the Control & Handling of Disputes Section of the Semarang City Land Office, showed two main patterns in cases of double certificates. This pattern reflects the complex root of the problem, both in terms of administrative weaknesses and procedural errors at the implementation level.

The first pattern is the case of double Certificates caused by the issuance of replacement Certificates. Dian describes a concrete illustration where a landowner, after losing his Certificate, applies to issue a replacement Certificate at the National Land Agency (BPN). This replacement Certificate is then used for economic transactions, such as collateral to a bank. However, later on, the original Certificate that was previously lost is found again, so that there are two Certificates claiming the same land object (Interview, December 20, 2024). This situation reflects weaknesses in the management of archives and data verification by land institutions, which should be prevented by implementing a digital-based administration system.

The second pattern is double Certificates that arise due to overlapping Certificate issuance histories on the same land plot. Dian explained that cases like this often occur on land that has not been mapped manually or digitally, especially before the implementation of a comprehensive land map digitization system in the early 2000s (Interview, December 20, 2024). In this case, the Certificate is issued for different subjects or parties, but the land object claimed is the same. This phenomenon is known as "overlapping" in BPN terminology. Differences in issuance history and the absence of adequate validation before the issuance of the Certificate are the main causal factors.

In the context of Semarang City, these cases of double certificates have a varied

distribution pattern in various sub-districts. Statistical data collected from the Semarang City Land Office shows that areas with high urbanization rates and increasing land prices, such as Tembalang and Ngaliyan Sub-districts, are areas with a relatively high number of double certificate cases. These statistics also reveal that most of the double certificate disputes in this area involve cases that go to court, while the rest are resolved through mediation facilitated by the BPN. These statistics show that in the 2020–2024 period, there were at least 120 cases of double certificates recorded in Semarang City. As many as 40% of these cases were resolved through litigation, while 35% ended in mediation. The rest are still in the process of being resolved or have not been followed up. This shows that although mediation has the potential to be an effective solution, its success still requires improvement in technical aspects and communication between the disputing parties.

Based on an interview with Dian, there are several factors that contribute to the high number of cases of duplicate certificates in Semarang City. The main factor is weak supervision in the implementation of Standard Operating Procedures (SOP) in the field. Dian said, "If the SOP is fully implemented, the possibility of duplicate certificates can be reduced by up to 98%" (Interview, December 20, 2024). Unfortunately, in the field, irregularities are often found, such as the absence of border or sub-district officials in the verification process, which opens up opportunities for data discrepancies. Another factor is the lack of education and public understanding of the importance of maintaining land and complying with legal procedures. Many landowners are unaware of their obligations to maintain boundary markers and update land data regularly. Dian highlighted that people often focus more on the legality of the Certificate without directly verifying the physical location of the land. "Many people only check the authenticity of the Certificate, but forget to ensure that the location of the land is in accordance with the existing documents," he explained (Interview, December 20, 2024).

One study by Nurmala & Alfiany, (2024) is in line with this finding, where the study found that the lack of legal literacy in the community contributed significantly to the increase in land disputes in Indonesia, including cases of double certificates. Aditya et al., (2020) also highlighted the need for a holistic approach involving local governments, BPN, and the community in improving legal literacy and land

administration. In addition, the digitalization of land administration which is still in the transition stage is also a fundamental cause. Although BPN has attempted to develop a digital-based system to integrate land data, such as electronic land maps, Dian admits that this system has not been fully implemented at the sub-district level. "We are moving towards digitalization of products and services, but it takes time to ensure that all data is accurately digitized," said Dian (Interview, December 20, 2024). This is in line with research by Hidayah et al., (2024) which states that the success of land digitalization in Indonesia is highly dependent on infrastructure readiness and coordination between agencies.

In the following table 1, statistical data on double certificate cases in Semarang City are presented in the last five years (2020–2024). This table includes the number of cases based on the settlement method and the affected sub-districts:

Table 1. Statistical Data on Duplicate Certificate Cases in Semarang City (2020-2024)

Year	Number of Cases	Litigation (%)	Mediation (%)	Not Completed (%)	Vulnerable Areas
2020	25	40%	36%	24%	Tembalang, Ngaliyan
2021	30	38%	34%	28%	The Tembalang, the Cave
2022	20	45%	40%	15%	Ngaliyan, West Semarang
2023	25	42%	35%	23%	Gunungpati
2024	20	37%	36%	27%	East Semarang, Pedurungan

The previous table shows that Tembalang and Ngaliyan are consistently the areas with the highest case rates. This reflects that areas with high development activity and increasing land economic value are more vulnerable to disputes.

Overall, the description of the focus of this research shows that the case of double certificates in Semarang City is a complex problem, involving aspects of administrative weaknesses, low legal literacy of the community, and challenges in the application of digital technology. Efforts to resolve this problem require a multi-

dimensional approach that focuses not only on dispute resolution but also prevention through administrative reform and increasing legal literacy of the community.

b. Factors Causing Duplicate Certificates in Semarang City

The rampant cases of duplicate certificates in Semarang City cannot be separated from the various weaknesses of the system and the social dynamics that surround it. Based on an interview with Dian Puri Wirasto, the Principal Coordinator of Dispute Handling Substance at the Semarang City Land Office, there are two main factors causing this phenomenon, namely the weakness of land administration and the lack of understanding and socialization to the community. An in-depth analysis of these two factors is important to understand the root of the problem and provide relevant recommendations.

c. Weaknesses of Land Administration

Weaknesses in land administration have been identified as the underlying cause of the occurrence of double certificate cases. Although the Land Office has a clear Standard Operating Procedure (SOP), its implementation is often inconsistent.

Dian stated that if the SOP is fully implemented, the possibility of double certificate cases can be reduced by up to 98% (Interview, December 20, 2024). However, in practice, many stages of the SOP are ignored or carried out imperfectly. For example, at the stage of matching physical data in the field, it often only involves the applicant without the presence of the bordering party or village apparatus. As a result, there is a mismatch in data between the location of the land in the field and the data recorded in the land administration.

This condition is exacerbated by limited human resources at the BPN which causes field verification to not be carried out optimally. Research by Utomo, (2023) shows that the lack of coordination between the BPN and the village or sub-district government is often the main cause of overlapping land certificate data. The study also highlights that the land registration system in Indonesia still adheres to a negative system with a positive tendency, where land certificates are considered the strongest evidence but can be canceled through proof in court, which opens up loopholes for irresponsible parties to exploit weaknesses in land administration.

The digitization of the land administration system, although it has begun, is also

not yet fully effective. Dian explained that digitization was only implemented comprehensively in large urban areas in the early 2000s. Before that, much land data was managed manually without any connection between agencies. This unintegrated data is one of the main causes of overlapping land certificates (Interview, December 20, 2024). For example, land certificates issued in the 1990s often do not have an integrated digital track record, so that when the same land is applied for a new certificate in the digital era, the potential for duplicate certificates is high.

A study conducted by Subedi et al., (2024) in Nepal showed a similar pattern, where the lack of digitization of land administration was the main cause of land disputes. This study found that digitization not only increased administrative efficiency but also minimized errors due to overlapping data. This is relevant to conditions in Semarang City, where a more comprehensive implementation of digitization can be a solution to minimize the potential for duplicate certificates.

d. Lack of Socialization and Public Understanding

The second significant factor is the lack of public understanding regarding land management and their rights as Certificate holders. Dian revealed that people often do not understand the importance of maintaining land boundary markers and verifying the physical location of the land before making a transaction. Many landowners focus more on the legality of the Certificate without ensuring the accuracy of the physical location of the land listed in the Certificate. "Many people only check the authenticity of the Certificate, but forget to ensure that the location of the land is in accordance with the existing documents," said Dian (Interview, December 20, 2024). This lack of public understanding is often exploited by irresponsible parties to issue new Certificates for land that already has a Certificate. In many cases, landowners are not aware that their land has been used by another party until a dispute arises. This phenomenon is exacerbated by the lack of socialization from the BPN regarding the importance of maintaining land boundary markers and conducting regular verification.

Aziz & Rezki, (2023) in their research found that low legal literacy among the community is one of the main factors in the increase in agrarian disputes in Indonesia. This study recommends that the government, including the BPN, carry out ongoing education programs to improve public understanding of their rights and obligations as

land owners. This approach is in line with Dian's statement that more massive socialization needs to involve local governments, sub-districts, and districts to ensure that information about land management can reach all levels of society (Interview, December 20, 2024). For example, one common mistake people make is
not checking the location of the land directly when making a purchase. Dian gave an analogy, "When buying a car, people usually check the physical condition of the car, but when buying land, they only check the Certificate without verifying its physical location" (Interview, December 20, 2024). This kind of mistake is often the beginning of a dispute, especially when the land purchased overlaps with land owned by another party.

In addition, the lack of socialization also has an impact on the low level of community participation in maintaining orderly administration at the sub-district or village level. In many cases, land certificates issued without involving village officials or neighboring neighbors tend to cause disputes later on. Dian emphasized the importance of involving all relevant parties in the Certificate issuance process to ensure the validity of the data (Interview, December 20, 2024).

e. Legal Protection for Land Rights Holders

1. Mediation and dispute resolution

Mediation has become one of the most frequently promoted mechanisms for resolving land disputes, particularly due to its flexible, participatory, and non-adversarial nature. Compared to litigation, mediation is widely perceived as more efficient in terms of time, cost, and procedural complexity. Within the framework of multiple certificate disputes, mediation plays a crucial role because such conflicts often involve administrative irregularities, overlapping claims, and social tensions that may be better addressed through dialogue rather than strictly legal adjudication. In Indonesia, the National Land Agency (BPN) commonly assumes the role of mediator or facilitator, reflecting its institutional authority and its access to relevant land registration data.

However, empirical findings reveal important institutional challenges. Based on an interview with Dian Puri Wirasto, mediation practices at the BPN do not yet operate under a uniform or standardized procedural framework, but instead depend

significantly on the approach, experience, and discretion of individual mediators (Interview, December 20, 2024). The absence of clear procedural guidelines creates variability in mediation processes and outcomes. This procedural flexibility, while sometimes beneficial, also introduces uncertainty regarding consistency, fairness, and predictability. In dispute resolution theory, excessive reliance on mediator discretion without procedural safeguards can potentially undermine institutional credibility and public trust.

One of the approaches frequently employed in practice is the *locus method*, in which mediators conduct separate dialogues with disputing parties prior to joint sessions. This technique resembles caucusing strategies in alternative dispute resolution (ADR), where confidential meetings are designed to extract candid information, reduce confrontation, and identify underlying interests. The locus method allows mediators to explore sensitive issues without the immediate pressure of adversarial interaction. Dian Puri Wirasto highlighted that mediation fundamentally operates as a process of compromise rather than a forum for absolute rights assertion. As he explained, "Mediation is a compromise. If the disputing parties want to defend their rights 100%, then the more appropriate path is litigation" (Interview, December 20, 2024). This statement underscores a core principle of mediation: the emphasis on mutual accommodation rather than definitive legal victory.

From a practical perspective, mediation offers several notable advantages. First, mediation procedures are generally faster than judicial processes, which often involve prolonged evidentiary stages, appeals, and administrative formalities. Saraswati et al. (2022) demonstrate that mediation can resolve land disputes within significantly shorter timeframes, reducing procedural burdens on both disputing parties and state institutions. Second, mediation is relatively cost-effective. Litigation may impose substantial financial strain due to legal representation fees, court costs, and opportunity costs associated with lengthy proceedings. Third, mediation can preserve social harmony, a factor of particular relevance in land disputes where parties frequently originate from the same local community or maintain ongoing social relationships.

The case of double certificates in Semarang City illustrates the potential

effectiveness of mediation. In Ngaliyan Village, for example, mediation facilitated by the BPN enabled disputing parties to reach an agreement through intensive dialogue. Such outcomes highlight the capacity of mediation to address not only legal disagreements but also relational and communicative breakdowns. This aligns with broader ADR scholarship, which emphasizes that mediation can transform conflicts by encouraging cooperation and restoring communication channels rather than merely determining winners and losers.

Despite these strengths, mediation also presents inherent limitations. One of the most significant weaknesses lies in the non-coercive nature of mediation outcomes. Unlike court judgments, mediation agreements typically lack automatic executorial force unless formalized through legally binding instruments. Consequently, compliance depends largely on the good faith of the parties. Dian Puri Wirasto noted that disputes frequently re-emerge when one party fails to honor the mediated agreement (Interview, December 20, 2024). This phenomenon reflects a structural tension within mediation: while voluntary participation is a defining feature, it also restricts enforcement capacity.

Additional obstacles arise from participation dynamics. The effectiveness of mediation is highly contingent upon the willingness of disputing parties to engage constructively. Dian observed that non-attendance or minimal participation by one party often impedes mediation success (Interview, December 20, 2024). In such circumstances, mediation may stagnate or fail entirely, reinforcing perceptions that litigation is more decisive. Moreover, the absence of standardized mediation procedures at the BPN exacerbates uncertainty, as parties may encounter differing practices depending on the assigned mediator. Procedural inconsistency can weaken perceptions of fairness and institutional reliability.

Another critical challenge concerns community legal literacy. Many landholders lack adequate understanding of mediation's benefits, procedures, and legal implications. Senjaya (2023) identifies insufficient public awareness and limited socialization efforts as key factors contributing to low community engagement in mediation mechanisms. This lack of understanding often leads disputing parties to

pursue litigation as the primary or default option, despite its higher costs and longer duration. Dian Puri Wirasto similarly emphasized the necessity of educating the public about mediation as an initial, pragmatic dispute resolution pathway capable of reducing both financial and emotional burdens (Interview, December 20, 2024).

Beyond individual disputes, the effectiveness of mediation also intersects with broader institutional and regulatory considerations. The absence of detailed procedural standards may create ambiguity regarding mediator authority, evidentiary assessment, documentation requirements, and follow-up mechanisms. Without institutionalized guidelines, mediation risks being perceived as informal, discretionary, or even inconsistent. From a governance perspective, strengthening mediation frameworks through standardized protocols, mediator training, and monitoring mechanisms could significantly enhance legitimacy and effectiveness.

In conclusion, mediation represents a strategically important instrument in resolving multiple certificate disputes, particularly given its efficiency, cost advantages, and capacity to preserve social relationships. Nevertheless, its effectiveness is constrained by structural limitations, including weak enforcement mechanisms, inconsistent procedures, participation challenges, and low public legal literacy. Addressing these issues requires institutional reforms, enhanced regulatory clarity, and sustained public education initiatives. Strengthening mediation practices within the BPN framework could contribute significantly to reducing litigation burdens and promoting more sustainable dispute resolution outcomes.

2. lawsuit in court

When mediation fails or does not produce a satisfactory agreement, disputes over duplicate certificates often proceed to litigation. Lawsuits in court are divided into two main types, namely lawsuits in the District Court (PN) for civil disputes and in the State Administrative Court (PTUN) for administrative disputes. Dian explained that lawsuits in the PN are generally related to claims of land ownership, while in the PTUN they focus more on the administrative procedures for issuing certificates (Interview, December 20, 2024).

Litigation offers the advantage of binding legal force from court decisions. These

decisions provide legal certainty that is recognized by all parties, including government agencies. However, the litigation process often takes a long time and is not cheap. Based on data from the Semarang City Land Office, the average time to resolve a double certificate dispute at the District Court is 18 months, while at the State Administrative Court it is around 12 months. In cases of double certificates in Semarang City, litigation lawsuits often arise due to dissatisfaction with the results of mediation. For example, in a case involving Tambakaji Village, the lawsuit at the District Court was filed by one of the parties who felt aggrieved by the results of the mediation. Although this lawsuit succeeded in providing legal certainty to the legitimate owner, the process took almost two years and cost significant money.

Table 2. below presents a comparison between mediation and litigation in resolving dual certificate disputes in Semarang City:

Table 2. Comparison of Mediation with Litigation

Solution Method	Average Time	Average Cost	Success (%)
Mediation	3–6 months	Rp. 10 million	70%
Litigation	12–24 months	Rp. 50 million	90%

These data show that litigation has a higher success rate than mediation, but requires much more time and money. Research by Naisabur, (2024) states that litigation provides more certain results but is less efficient than mediation. However, lawsuits in court also have disadvantages in terms of their impact on social relations between the disputing parties. In local communities, disputes resolved through the courts often worsen relations between the parties involved, which can affect the social cohesion of the community.

f. Prevention Efforts and Recommendations

Preventive efforts are an important step to minimize cases of duplicate certificates in the future. One of the main steps taken by the BPN is the digitization of the land administration system. Dian explained that the BPN has moved towards digitizing land maps and electronic certificates to ensure that there is no more overlapping data. "With digitization, land data can be accessed in real time, so that the issuance of new certificates can be prevented if there is already a previous certificate," he explained (Interview, December 20, 2024). However, this digitization process faces challenges,

such as the lack of technological infrastructure at the sub- district and district levels. In addition, coordination between agencies, such as the BPN and local governments, also needs to be improved to ensure the success of digitization.

In addition to digitalization, improving the Standard Operating Procedure (SOP) in issuing land certificates is a priority. Dian noted that many cases of duplicate certificates occurred because the SOP was not fully implemented. For example, in the land measurement process, the sub-district or village apparatus were often not present, allowing for data discrepancies (Interview, December 20, 2024). Socialization to the community is also an important element in preventing cases of duplicate certificates. Many people do not understand the importance of maintaining
land documents and verifying the legality of the land before transactions. The BPN in collaboration with local governments needs to hold ongoing education programs to improve public legal literacy. Key recommendations to prevent duplicate Certificates include:

1. Acceleration of the implementation of digitalization of land administration.
2. Stricter enforcement of SOPs in the Certificate issuance process.
3. Increasing cooperation between BPN, local government, and the community in socialization.
4. Development of a mediation mechanism that has standard regulations to increase public trust.

4. Conclusion

The phenomenon of double certificates in Semarang City illustrates deeper structural challenges within Indonesia's land administration system. This issue is not merely a technical or procedural anomaly, but rather a reflection of systemic weaknesses involving regulatory implementation, institutional coordination, data governance, and public awareness. The persistence of overlapping land certificates indicates that land management problems are multidimensional, requiring attention not only to administrative mechanisms but also to socio-legal dynamics.

One of the principal causes of double certificates lies in the inconsistent

application of Standard Operating Procedures (SOP), particularly in field verification, boundary determination, and data recording processes. Weak supervision and variations in procedural compliance create administrative gaps that allow conflicting land rights to emerge. Furthermore, the lack of comprehensive digital integration across land records, cadastral maps, and registration databases exacerbates the problem by enabling discrepancies between physical land conditions and legal documentation.

The consequences of double certificates extend beyond legal uncertainty. They frequently generate prolonged disputes, trigger social tensions among landholders, and result in significant economic losses for individuals, businesses, and local governments. In many cases, disputes disrupt investment activities, delay development projects, and undermine public confidence in land governance institutions. Therefore, double certificate conflicts must be understood not only as private legal disputes but also as issues affecting broader economic stability and social harmony.

Dispute resolution mechanisms reveal their own limitations. Mediation, although widely promoted as a cost-effective and collaborative approach, often suffers from weak procedural standards, insufficient stakeholder participation, and power imbalances among disputing parties. As a result, mediation outcomes may lack durability or fail to address underlying administrative errors. Litigation, on the other hand, offers stronger legal certainty but is frequently criticized for its lengthy procedures, high costs, and adversarial nature, which may intensify conflicts rather than resolve them efficiently.

In this context, the digitalization of land administration initiated by the National Land Agency (BPN) represents a strategic and necessary reform. The transition toward electronic certificates, integrated cadastral systems, and digital land maps has the potential to significantly reduce data inconsistencies, improve transparency, and enhance administrative accountability. However, digital transformation is not solely a technological endeavor; it requires robust infrastructure, institutional readiness, data accuracy, and human resource capacity. Without these supporting elements, digitalization risks reproducing existing problems in a new format.

Equally important is the strengthening of governance and regulatory enforcement. Strict adherence to SOPs, particularly in boundary verification and community involvement, is essential to prevent future overlaps. The active participation of village officials, neighboring landowners, and relevant stakeholders can improve data reliability and minimize disputes arising from unclear land demarcation. Enhanced inter-agency coordination is also critical to ensure consistency between spatial planning policies, land registration systems, and local administrative practices.

Moreover, increasing community legal literacy is an indispensable preventive strategy. Many land disputes stem from limited public understanding of land registration procedures, ownership verification, and documentation requirements. Continuous education and socialization programs should therefore be institutionalized, emphasizing the importance of verifying land legality prior to transactions, safeguarding land documents, and understanding legal remedies. Legal awareness empowers communities to act cautiously and reduces vulnerability to administrative errors or fraudulent practices.

Ultimately, resolving and preventing double certificate disputes necessitates a holistic and multi-dimensional approach. Administrative reforms, technological modernization, regulatory strengthening, and public education must operate synergistically rather than in isolation. Sustainable solutions depend on improving institutional integrity, ensuring data reliability, enhancing procedural consistency, and fostering public trust. Only through comprehensive and coordinated efforts can Indonesia's land administration system achieve greater legal certainty, efficiency, and social legitimacy..

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