

ABSTRAK

Penelitian ini bertujuan menganalisis kedudukan hukum pemegang alas hak lama seperti girik, petuk, dan verponding setelah berlakunya PP 18 Tahun 2021, serta dampaknya terhadap kepastian hukum dan perlindungan hak masyarakat. Penelitian menggunakan pendekatan kualitatif dengan desain studi kasus, menggabungkan analisis yuridis normatif dan data empiris melalui wawancara mendalam, observasi, dan dokumentasi. Partisipan utama adalah seorang ahli waris pemegang girik yang menghadapi hambatan administratif dan biaya dalam proses pendaftaran tanah. Hasil penelitian menunjukkan bahwa PP 18/2021 menurunkan kedudukan alas hak lama dari alat bukti kepemilikan menjadi sekadar petunjuk pendaftaran setelah batas lima tahun, meskipun hak masyarakat tetap diakui selama penguasaan fisik dapat dibuktikan. Secara empiris, muncul tema penting berupa mispersepsi terhadap aturan baru, kekhawatiran kehilangan tanah, kendala pembiayaan sertifikasi, serta lemahnya posisi hukum pemilik girik dalam menghadapi potensi sengketa. Penelitian menyimpulkan bahwa implementasi PP 18/2021 hanya efektif apabila diikuti edukasi publik dan dukungan kebijakan berupa subsidi biaya pendaftaran tanah. Temuan ini memberikan kontribusi bagi penguatan regulasi pertanahan yang lebih inklusif dan perlindungan masyarakat, serta membuka ruang bagi penelitian lanjutan mengenai efektivitas kebijakan di tingkat lokal.

Kata Kunci: Kepastian hukum, pendaftaran tanah, hukum agraria.

ABSTRACT

This study aims to analyze the legal status of holders of existing land titles (girik, petuk, and verponding) following the enactment of Government Regulation (PP) 18 of 2021, and its impact on legal certainty and the protection of community rights. The study employed a qualitative approach with a case study design, combining normative legal analysis and empirical data through in-depth interviews, observation, and documentation. The primary participant was an heir of a girik holder who faced administrative and costly obstacles in the land registration process. The results show that PP 18/2021 downgrades the status of existing land titles from proof of ownership to merely instructions for registration after the five-year limit, although community rights remain recognized as long as physical possession can be proven. Empirically, key themes emerged, including misperceptions of the new regulation, concerns about land loss, obstacles to certification restrictions, and the weak legal standing of girik owners facing potential legal action. The study concludes that the implementation of PP 18/2021 is only effective if accompanied by public education and policy support in the form of subsidies for land registration fees. These findings contribute to strengthening more inclusive agricultural regulations and community protection, and open up space for further research on the effectiveness of local-level policies.

Keywords: Legal certainty, land registration, agrarian law.