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## Judicial Interpretation of Land Registration and Legal Protection in Indonesia Between Administrative Evidence and Substantive Justice

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**Abstract:** Land registration plays a central role in Indonesia's land administration system and is widely regarded as a primary instrument for achieving legal certainty. In judicial practice, however, land registration does not function merely as an administrative record but also as a crucial element in evidentiary assessment during land dispute resolution. Courts are frequently required to interpret the legal status of registered land certificates in relation to substantive land rights that may arise from possession, inheritance, contractual relations, or customary law, placing judicial interpretation at the intersection between administrative certainty and substantive justice. This article examines how Indonesian courts interpret land registration within the broader framework of legal protection for land rights holders. Using a normative juridical research method, the study analyzes statutory regulations governing land registration, legal doctrines concerning declarative and constitutive registration systems, and selected judicial decisions in land dispute cases. The analysis focuses on the manner in which judges balance the evidentiary value of land certificates with proof of substantive land relations. The findings demonstrate that Indonesian courts do not consistently treat land registration as absolute or conclusive proof of rights. While land certificates are generally regarded as strong administrative evidence, judicial reasoning often allows for recognition of substantively valid rights that predate or exist independently of registration. This approach reflects an implicit acknowledgment of the declarative nature of land registration, even when administrative practice tends toward formalism. The article argues that judicial interpretation plays a decisive role in preserving the protective function of land law by preventing administrative formalism from overriding substantive justice. Strengthening this interpretative approach is essential to ensure that land registration supports legal certainty without marginalizing legitimate land rights within Indonesia's pluralistic agrarian legal framework.

**Keyword:** Judicial Interpretation, Land Registration, Legal Protection, Land Certificates, Substantive Justice.

## INTRODUCTION

Land registration occupies a strategic position in contemporary land governance. In principle, it provides an administrative framework through which land rights are recorded, identified, publicized, and recognized by the state. Across jurisdictions, registration systems are commonly justified by the promise of legal certainty: clarity of ownership, predictability of transactions, reduction of disputes, and facilitation of economic activity through secure tenure (De Soto, 2000). In that context, certificates produced by registration processes are often treated as authoritative evidence of rights, strengthening the perception that registered land enjoys stronger legal protection than unregistered land.

In Indonesia, the legal and social function of land registration is inseparable from the architecture of agrarian governance and the broader objective of legal protection. The Indonesian land regime must operate within a pluralistic social reality, where state law coexists with customary tenure arrangements and where historical land relations frequently develop outside formal bureaucratic structures (Fitzpatrick, 2007; Bedner, 2016). This pluralism renders the role of registration more complex than a mere technical exercise of recording. Registration becomes a site where state authority, documentary formalism, and social legitimacy intersect, sometimes reinforcing order, but at other times producing friction and contestation.

Normatively, Indonesia's agrarian legal framework conceptualizes registration as an administrative mechanism aimed at documenting and evidencing existing land relations rather than creating land rights from nothing. In this view, land rights arise through substantive legal events—possession in good faith, transfers, inheritance, allocation under state authority, or recognition within a customary system—while registration records and publicizes those relations to provide administrative certainty. This is commonly associated with a declarative understanding of registration. Under a declarative conception, a certificate is a strong instrument of evidence, but it is not automatically the ontological source of rights. The strength of a certificate lies in its administrative presumption and its function in stabilizing transactions, not in the elimination of substantive proof or social reality.

Nevertheless, legal practice often reveals a drift toward treating registration as the decisive indicator of legal legitimacy. Administrative authorities may operate with an implicit assumption that what is recorded is what is true, and that what is not recorded is either uncertain or irrelevant. This orientation is understandable from a bureaucratic perspective: documentation offers an efficient basis for administrative decision-making and conflict management. Yet, when translated into judicial reasoning without adequate safeguards, this tendency can place administrative documentation above substantive legitimacy, effectively shifting the system toward a quasi-constitutive role of certificates.

Judicial interpretation thus becomes crucial. Courts are frequently required to resolve land disputes involving competing claims between registered certificate holders and parties asserting substantive rights derived from possession, inheritance, contractual relations, or customary recognition. In such disputes, judges must assess the legal weight of administrative evidence alongside factual and legal circumstances that may not be fully reflected in registration records. The way courts interpret land registration therefore directly influences the scope and effectiveness of legal protection afforded to land rights holders and shapes public trust in the land administration system.

A recurring normative tension emerges between administrative certainty and substantive justice. Administrative certainty emphasizes predictability, standardization, and reliance on state-issued documentation. Substantive justice emphasizes protection of legitimate rights arising from lawful or good-faith land relations, including relations

recognized socially or customarily but not fully documented. Courts that equate legal protection with registration status risk turning land law into an instrument of procedural exclusion. At the same time, courts cannot simply disregard certificates because certificates are essential to stability of transactions and prevention of opportunistic claims. The challenge is not to choose between certainty and justice but to construct a judicial approach that preserves both as mutually reinforcing objectives.

Indonesia's pluralistic land tenure system intensifies this challenge. Customary land relations often rely on communal acknowledgment, historical occupation, and social legitimacy rather than individual documentation. Even outside customary contexts, registration is not always accessible; structural inequalities, bureaucratic complexity, geographic barriers, and informational asymmetry can hinder registration, especially for rural communities and vulnerable groups (McCarthy, 2016; World Bank, 2019). If judicial interpretation treats certificates as conclusive proof, groups facing barriers to registration may be systematically disadvantaged even when their substantive relations are legitimate.

The constitutional dimension adds further weight to the issue. Legal protection is not merely an administrative goal; it is a normative demand connected to fairness, equality before the law, and protection against arbitrary deprivation of rights. A system that allows administrative formality to override legitimate substantive claims risks creating outcomes that appear legally valid but socially unjust, undermining the legitimacy of land governance itself. In contexts of contested land relations, legitimacy often depends on whether law is perceived as protecting rights fairly, not merely as enforcing documents.

Against this background, an examination of judicial interpretation of land registration is necessary to understand how legal protection is constructed in practice. This article analyzes how Indonesian courts interpret land registration in resolving disputes and how such interpretation affects the balance between administrative evidence and substantive justice. The central argument advanced is that judicial interpretation should position land registration as strong but rebuttable evidence rather than as an absolute determinant of rights. Legal protection must extend beyond administrative records to encompass substantively valid land relations supported by factual and legal proof. Through this perspective, the article contributes to a doctrinal understanding of how courts can harmonize administrative certainty with substantive justice in Indonesia's land registration system while preserving the stabilizing function of certificates.

In Indonesia, the promise of registration as a pathway to legal certainty must be understood in the light of structural conditions that shape citizens' access to formal administration. Registration is often assumed to be a neutral instrument, equally available to all. Yet, in practice, the capacity to register land rights is influenced by administrative literacy, cost sensitivity, geographic distance to land offices, documentary availability, and the ability to navigate procedural requirements. Where access is uneven, the protective function of registration may become asymmetrical: the system produces certainty for those who can complete the administrative pathway and uncertainty for those who cannot, even when their substantive relation to the land is legitimate and socially recognized. This asymmetry is important because the judiciary is frequently positioned as the final institutional venue for correcting the gap between administrative formality and the lived reality of land relations.

The evidentiary character of land certificates also raises a deeper doctrinal question: what kind of "certainty" does registration provide? Certainty can mean at least two things. The first is administrative certainty—certainty that the state's records are orderly, public, and capable of being relied upon in transactions. The second is substantive certainty—certainty that legal protection will follow the legitimacy of land relations, not merely the completion of procedure. Administrative certainty is essential for market stability and governance

efficiency; however, when it becomes detached from substantive certainty, it risks producing a formal legality that is internally consistent but externally unjust. In that situation, law may deliver predictability for documents while failing to deliver fairness for rights holders. Judicial interpretation becomes the mechanism through which these two conceptions of certainty can be reconciled.

A related issue concerns the role of registration as “public notice.” Certificates and registration records are not only evidentiary tools used in court; they are also signals to third parties. The expectation is that public notice reduces information asymmetry and discourages opportunism because land status becomes visible. However, the effectiveness of public notice depends on the credibility of administrative procedures and the accuracy of records. Where administrative processes are vulnerable to error, incomplete verification, or contested field realities, public notice may serve as a legal façade rather than a reliable reflection of substantive land relations. Courts therefore face a delicate task: they must protect the transactional reliance interest that public notice supports, while also preventing public notice from being used to legitimize unfairness when registration fails to reflect substantive reality.

In many land disputes, the conflict is not simply between a certificate holder and an unregistered claimant. Rather, it is often a conflict between two forms of legitimacy: documentary legitimacy, arising from administrative registration; and relational legitimacy, arising from possession, inheritance, community recognition, or customary authority. Documentary legitimacy is easier to verify and administer; relational legitimacy is more contextual and requires judicial sensitivity to facts and social structures. If courts systematically privilege documentary legitimacy without meaningful scrutiny, legal protection becomes procedural, potentially excluding those whose legitimacy is relational but no less real. Conversely, if courts disregard certificates too easily, the stability of transactions and trust in public administration may be undermined. The central normative challenge is to construct a judicial approach that treats certificates as powerful evidence while preserving the capacity of substantive proof to rebut documentary presumption.

This challenge becomes more acute in disputes involving long-term possession and good-faith reliance on land relations that developed prior to registration. Possession in land disputes may be accompanied by visible use, economic activity, family histories, or community knowledge. Yet possession alone can also be a source of contested narratives, and courts cannot automatically accept it without careful evaluation. The relevant question is not whether possession exists, but whether possession is tied to a legitimate legal relation—such as inheritance, a lawful transaction, or customary recognition—and whether the conduct of the parties demonstrates good faith. Judicial interpretation must therefore engage not only with documents but with the normative quality of conduct: who acted in good faith, who benefited from procedural advantage, and whether the administrative pathway was used to formalize legitimate relations or to displace them.

The conceptual distinction between declarative and constitutive registration is especially useful at this point. In a declarative system, registration records rights that arise from substantive legal relations. In a constitutive system, registration is treated as the act that creates the right itself. Indonesia’s agrarian framework is frequently described as leaning toward declarative logic, yet practical governance sometimes treats registration as if it were constitutive. This tension is not merely academic. It determines whether legal protection follows substantive legitimacy or merely follows administrative form. Judicial interpretation becomes the arena in which the system’s true character is operationalized: courts can either reinforce a *de facto* constitutive approach by treating certificates as conclusive, or reaffirm declarative logic by treating certificates as strong but rebuttable evidence.

This study therefore focuses on judicial reasoning as the decisive variable. Courts mediate between state administration and social reality by constructing evidentiary thresholds

and by assigning legal consequences to competing forms of proof. When courts adopt a balanced approach—recognizing certificates as strong evidence while allowing substantive proof to rebut them—registration can serve legal certainty without sacrificing substantive justice. When courts adopt a rigid formalistic approach—treating certificates as near-absolute—registration may become a tool of procedural domination. The goal of this article is to clarify these doctrinal stakes and to articulate a coherent interpretative direction that strengthens legal protection while preserving the stability and reliability of the land administration system.

## METHOD

This study employs a normative juridical research method to examine judicial interpretation of land registration and its implications for legal protection in Indonesia. The normative approach is selected because the research focuses on legal norms, doctrinal concepts, and judicial reasoning rather than on empirical measurement or field-based observation. The central concern is how courts interpret the legal function of land registration when resolving disputes involving competing claims between administrative evidence and substantive land rights. A statute approach is applied to examine the legal framework regulating land registration and land rights, including agrarian laws and government regulations that define objectives, legal consequences, and evidentiary status of registration. A conceptual approach is employed to clarify key concepts such as legal protection, legal certainty, declarative and constitutive registration, and substantive justice, drawing from legal theory and scholarly writings in agrarian law and administrative law (Hadjon, 1987; Bedner, 2016). In addition, a jurisprudential approach is used through analysis of selected judicial decisions related to land disputes and land registration, to identify patterns of reasoning used by judges when assessing the evidentiary value of certificates and recognition of unregistered substantive claims. Primary legal materials consist of statutory regulations and judicial decisions; secondary materials consist of academic books and peer-reviewed scholarship; tertiary materials such as legal dictionaries are used to support conceptual clarity where necessary. Data are analyzed qualitatively through systematic interpretation of legal texts and judicial reasoning to identify normative consistencies and tensions between administrative objectives and substantive justice.

## RESULT AND DISCUSSION

Judicial decisions in land dispute cases indicate that Indonesian courts generally recognize land registration as an administrative instrument intended to promote order and legal certainty. Certificates are frequently treated as strong evidence of rights, particularly in disputes involving overlapping claims or competing assertions of ownership. From a functional standpoint, registration assists courts in reconstructing legal relations between parties and provides a structured reference point for adjudication. This reliance on certificates is also consistent with the practical need for adjudicative efficiency: documentary evidence provides a manageable and verifiable basis for deciding cases, especially where land disputes involve multiple parties, overlapping documents, and conflicting narratives.

However, judicial practice also demonstrates that courts do not uniformly regard registration as absolute or conclusive proof of rights. In several decisions, judges have acknowledged that registration primarily serves an evidentiary function rather than constituting the legal source of rights. This judicial orientation reflects the declarative character of registration embedded in the Indonesian agrarian legal framework. Under a declarative understanding, the certificate has high evidentiary value, yet it remains rebuttable by contrary proof showing that the substantive relationship to the land differs from what the administrative record suggests. The practical significance of this approach is substantial: it

keeps open the possibility that the certificate may be flawed due to administrative error, improper procedure, bad faith acquisition, or exclusion of prior rights holders, without dismissing the certificate's stabilizing role in transactions.

The tension becomes most visible when courts confront claims grounded in substantive land relations that are not fully registered. These may include rights derived from long-standing possession, lawful transactions not followed by timely registration, inheritance situations where succession is socially recognized but not fully documented, or customary tenure arrangements that rely on communal acknowledgment rather than formal certificates (Fitzpatrick, 2007; Simarmata, 2018). In such cases, judges are asked to decide whether legal protection should extend to substantively valid claims lacking administrative registration. A number of judicial decisions demonstrate a willingness to recognize such claims when supported by credible and consistent evidence, suggesting that courts may treat registration as an evidentiary presumption rather than an ontological foundation of rights.

Yet the recognition of unregistered rights is uneven. In other decisions, substantively grounded claims are subordinated solely due to the absence of formal registration, even when supported by long-term possession evidence or community recognition. This divergence reveals the absence of a consistently articulated doctrinal standard guiding judicial discretion in balancing administrative documentation and substantive proof. The result is not only unequal outcomes for similarly situated parties but also uncertainty for rights holders who cannot reliably predict how courts will evaluate their claims. Such unpredictability undermines legal certainty itself, because certainty is not simply about documents; it is also about stable expectations of how the legal system will treat competing forms of evidence.

The divergence can be explained by differing judicial priorities. Some decisions prioritize administrative certainty: reliance on certificates is seen as a means to prevent opportunistic claims and to preserve stability of transactions. In this model, the certificate-centered approach functions as a protective mechanism for the registration system. However, the certificate-centered approach carries risk: if courts treat certificates as decisive without adequate scrutiny of acquisition circumstances, the system may inadvertently protect rights obtained through procedural manipulation, unequal access to administrative processes, or documentation that does not reflect social reality. In contexts where administrative capacity is uneven or where registration processes may be influenced by informational asymmetry, such protection can become normatively problematic.

Other decisions demonstrate a context-sensitive approach: courts evaluate certificates together with evidence of possession, historical use, inheritance, and customary acknowledgment. This approach does not deny the evidentiary value of certificates; rather, it insists that certificates must be interpreted within a broader evidentiary field. Context-sensitive reasoning is more compatible with legal pluralism and with the declarative conception of registration. It also aligns with the idea that legal protection should not become merely procedural, but must remain connected to legitimate substantive relations.

A third pattern appears in corrective reasoning, where courts intervene to prevent perceived injustice arising from rigid administrative formalism. Corrective reasoning occurs when judges perceive that exclusive reliance on certificates would produce unfair outcomes, particularly where registration was obtained through questionable procedures or where the certificate holder's claim conflicts with evidence of prior possession or customary recognition. Corrective reasoning reflects an attempt to restore balance between formal legality and substantive legitimacy. In legal protection terms, this reasoning can be seen as a judicial safeguard against administrative overreach or documentary domination.

These patterns show that judicial interpretation is not merely mechanical application of statutes. Courts construct the meaning of registration through evidentiary assessment and normative priorities. The absence of consistently articulated doctrinal criteria allows

discretion to operate widely, producing varied outcomes. This variability suggests the need for doctrinal consolidation: courts should be guided by clear principles regarding when certificates should prevail and when they should be rebutted by substantive proof.

The issue can also be analyzed through the lens of evidentiary hierarchy. In practice, certificates often occupy the highest rank in evidentiary assessment. This hierarchy is not always explicitly commanded by statutory provisions; rather, it emerges from administrative convention and the perceived reliability of state-issued documents. The problem arises when hierarchy becomes rigid—when documentary form eclipses substantive legitimacy. Over-certification occurs when courts treat registration as the exclusive or near-exclusive form of proof, marginalizing other evidentiary forms such as long-term possession, witness testimony, community acknowledgment, historical land use, or customary processes. If over-certification is permitted to dominate, legal protection becomes disproportionately tied to the possession of formal documents rather than to the legitimacy of land relations. This is normatively concerning in a society where access to registration is uneven and where legitimate land relations often develop outside formal systems (McCarthy, 2016; World Bank, 2019).

From legal protection theory, the role of law is to prevent abuse of power and ensure that rights holders are not deprived without due justification (Hadjon, 1987). Administrative mechanisms are instruments serving normative objectives, not autonomous sources of legitimacy. Applied to land disputes, this means that certificates should support protection, but should not become a tool to exclude legitimate claims solely due to procedural deficiency. When courts treat registration as conclusive proof, legal protection becomes a privilege for those who successfully navigate bureaucratic processes. Conversely, when courts recognize that rights may exist independently of registration and allow substantive evidence to rebut the certificate's presumption, legal protection becomes more inclusive and aligned with the underlying objectives of agrarian law.

Legal pluralism adds another layer. Customary land tenure systems often rely on communal recognition and long-standing practice. Judicial engagement with customary claims varies, reflecting broader challenges in integrating customary tenure into a registration-centered framework (Simarmata, 2018; Bedner, 2016). When courts privilege certificates without adequate contextual assessment, customary claims may be marginalized. This risks undermining social legitimacy, intensifying conflict, and weakening the stabilizing function of land governance. A coherent judicial approach must therefore acknowledge that the evidentiary form of customary rights may differ from statutory documentation, and that protection of such rights requires a sensitive evidentiary evaluation rather than automatic dismissal.

There is also an important constitutional and normative dimension. Land disputes do not operate in a vacuum; they intersect with commitments to legal protection, fairness, and equality before the law. While land registration is regulated primarily through statutory and administrative instruments, judicial decisions inevitably reflect constitutional values when determining whether individuals should be deprived of land-related interests due to procedural deficiencies alone. If judicial interpretation equates legality exclusively with registration status, it risks producing outcomes perceived as arbitrary or disproportionate, particularly where barriers to registration are structural. Courts that allow substantive proof to rebut certificates implicitly affirm that administrative evidence must be evaluated in light of broader normative commitments to fairness and protection. This strengthens the legitimacy of judicial decisions and reinforces public trust.

Policy implications flow from judicial interpretation even when not expressed as a separate policy section. Effective governance requires not only efficient administration but legitimacy. When judicial outcomes are perceived as excessively formalistic, public trust

diminishes and conflicts may intensify. Aligning judicial interpretation with substantive justice can enhance legal protection and governance outcomes simultaneously: a registration system interpreted as accommodating diverse land relations contributes to conflict prevention rather than escalation. This does not require abandoning registration; it requires doctrinal clarity that positions registration as a flexible administrative instrument documenting existing rights and supporting evidentiary assessment rather than as a rigid determinant of legality. Judicial coherence can be strengthened through clearer doctrinal guidance and judicial capacity-building so that judges understand the declarative nature of registration and the evidentiary role of certificates, allowing consistent balancing between administrative certainty and substantive proof.

In sum, the analysis demonstrates that judicial interpretation is decisive in determining whether registration functions as evidence supporting legal protection or as a gatekeeping mechanism producing procedural exclusion. Inconsistent approaches weaken certainty and erode trust. A coherent interpretative approach that treats certificates as strong yet rebuttable evidence, and that systematically evaluates substantive proof, offers a more inclusive and predictable model of legal protection within Indonesia's land registration regime. Such an approach preserves the stabilizing function of certificates while ensuring that substantive justice is not sacrificed to documentary formalism.

An important dimension of judicial interpretation concerns the treatment of good faith and transactional reliance. In disputes where certificates are involved, courts often face the question of whether a party relied on the administrative record in good faith or whether the certificate is linked to conduct that should not be protected. Good faith is not merely a moral concept; it functions as a legal filter that helps distinguish between legitimate reliance and opportunistic formalism. Where a party acquires or uses a certificate with knowledge of prior possession, customary claims, or unresolved land relations, the normative case for strong protection becomes weaker. Conversely, where a party's reliance is genuinely innocent and supported by reasonable administrative expectations, the stability interest becomes stronger. The challenge for courts is to treat certificates as a basis for reliance while ensuring that good faith is assessed contextually, rather than presumed automatically from the existence of a document.

Closely connected to good faith is the issue of procedural integrity in the registration process. Certificates may reflect a correct administrative process, but they may also result from incomplete verification, conflicting base maps, inaccurate boundary descriptions, or inadequate notice to affected parties. In such circumstances, treating certificates as conclusive proof risks protecting the product of procedural weakness rather than protecting substantive rights. Judicial interpretation becomes a mechanism for administrative accountability: when courts scrutinize procedural integrity and the factual foundation of registration, they indirectly reinforce the quality and legitimacy of land administration. This does not mean courts should routinely invalidate certificates; rather, it means that courts should maintain a principled openness to rebuttal where procedural integrity is credibly challenged and where substantive proof points to a different legal reality.

The interaction between evidentiary assessment and administrative accountability also reveals a broader institutional question: should the burden of administrative failure be borne by substantive rights holders? If administrative processes are imperfect, and if certain groups face systematic barriers to registration, a rigid certificate-centered approach effectively shifts the cost of administrative imperfection onto vulnerable rights holders. This shift is normatively difficult to justify under a legal protection framework. A more balanced judicial approach would distribute risks more fairly: certificates remain strong evidence, but the system does not treat administrative formality as an unchallengeable shield against substantive proof.

Another recurring issue is the evidentiary translation of customary land relations into judicial proceedings. Customary tenure often rests on communal acknowledgment, historical boundaries, local authority, and collective memory. These forms of legitimacy do not always translate neatly into written documents. Courts may be tempted to treat the lack of formal documentation as a lack of legality. Yet, in a pluralistic legal environment, the judiciary must interpret legality through a wider lens than paperwork alone. This requires an evidentiary sensibility that treats witness testimony, community acknowledgment, historical use, and local governance practices as relevant proof—subject to careful evaluation—rather than dismissing them as inherently inferior. When courts adopt such sensibility, they preserve the inclusivity of legal protection and reduce the risk of legal protection becoming structurally biased against customary holders.

The certificate's evidentiary power also interacts with the broader concept of authority in property relations. Property is not merely a private relation between individuals; it is also a public relation mediated by authority, recognition, and enforcement (Sikor & Lund, 2009). A certificate expresses state recognition and therefore carries the symbolic and practical force of public authority. This is why certificates have such weight in court. However, if state recognition through certificates is treated as automatically overriding other forms of authority—such as customary authority or socially legitimate possession—then the system risks collapsing pluralistic legitimacy into a single administrative channel. Judicial interpretation has a corrective role here: it can acknowledge that state recognition is powerful while still admitting that the legitimacy of rights can be grounded in other legally meaningful relations. Such recognition helps preserve the balance between authority and legitimacy and prevents administrative recognition from becoming an instrument of displacement.

In many disputes, the core judicial task is to calibrate evidentiary presumptions. A presumption that certificates are correct supports administrative certainty and transaction stability. A possibility of rebuttal supports substantive justice and legal protection for those whose rights are not fully captured by the administrative record. The legal value of a rebuttable presumption is that it does not destroy certainty; it qualifies certainty. The certificate remains the starting point, but not the end point. Courts can require credible and coherent substantive proof to rebut the presumption, thereby preventing opportunistic claims while still protecting legitimate relations. This calibration is where judicial craft and doctrinal clarity matter: too strict a presumption collapses into conclusive formalism; too weak a presumption erodes administrative reliability.

Finally, judicial consistency is not merely a technical ideal; it is part of legal protection itself. When outcomes vary drastically across similar fact patterns, rights holders cannot predict how their evidence will be evaluated, and uncertainty becomes structural. This uncertainty may incentivize strategic behavior, prolong conflict, and reduce trust in land governance. A coherent interpretative approach that consistently treats certificates as strong but rebuttable evidence—while articulating clear indicators of good faith, procedural integrity, and substantive legitimacy—would strengthen both certainty and justice. It would also offer guidance to administrative institutions and to the public, reinforcing the stabilizing objectives of registration while maintaining the protective function of agrarian law.

## CONCLUSION

This article demonstrates that judicial interpretation occupies a central position in shaping legal protection for land rights holders within Indonesia's land registration system. Although land registration is normatively designed as an administrative mechanism intended to provide evidentiary support and promote legal certainty, judicial practice reveals inconsistent application. Courts oscillate between treating land registration as strong

administrative evidence and elevating it to a quasi-constitutive determinant of rights, creating uncertainty in the scope, predictability, and effectiveness of legal protection.

The analysis confirms that substantive land rights in Indonesia may arise independently of formal registration through lawful relations such as possession, inheritance, contractual transactions, and customary recognition. Judicial interpretation that positions land certificates as strong but rebuttable evidence is more consistent with the declarative nature of land registration and the protective objectives of agrarian law. By systematically balancing administrative documentation with substantive proof, courts can harmonize legal certainty with substantive justice. Strengthening this interpretative approach is essential to ensure that land registration functions as a supporting instrument of legal protection rather than as a mechanism of procedural exclusion, thereby enhancing the legitimacy and fairness of land governance in Indonesia.

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