

The Concept of Good Governance-Based Dispute Resolution of Land Ownership Certificate Overlapping: A Study at the Land Agency of East Kotawaringin Regency, Indonesia

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ABSTRACT

Indonesia, which adheres to a legal state system, has standard regulations regarding land management throughout the whole country. The 1945 Constitution is the foundation of Indonesia's regulations, while the Basic Agrarian Law Number 5 of 1960 is the basic regulation of land management. One of its objectives is to provide legal certainty regarding land rights. Governmental Regulation No. 24 of 1997 on Land Registration states that the legal certainty of land rights can be obtained after that land is registered. However, in reality, there are still many disputes and conflicts caused by overlapping land tenure certificates due to maladministration in the issuance of such certificates. This study focuses on the administrative context in resolving disputes regarding land tenure certificate based on good governance by the National Land Agency of East Kotawaringin Regency, Indonesia. This study used a normative legal paradigm by with the statutory and case approaches to examine agrarian/land laws or regulations. The authors also employed a historical approach to examine the simple concept of land dispute resolution and agrarian law enforcement that has been in effect throughout the history of land law in Indonesia. The National Land Agency has regulated the resolution of disputes regarding the overlapping land ownership certificates. Disputes can be resolved through mediation or deliberation, and through the courts if peaceful means fail. The National Land Agency's concept of good governance-based land ownership certificate dispute resolution must accommodate the aspects of participation, rule of law, transparency, responsiveness, effectiveness, efficiency, and strategic vision.

Keywords: Dispute Resolution, Overlapping, Certificates, Land Ownership Rights, Good Governance.

INTRODUCTION

In Indonesia, the intensity of development that demands the provision of relatively large areas of land for various types of development. This must be balanced with an awareness and understanding of regulations governing land affairs. In addition to the 1945 Constitution, which has the role as the applicable regulatory basis, there is also the Basic Agrarian Law Number 5 of 1960, which has the role as the basic regulation for land management throughout Indonesia. One of the objectives of this law is to provide legal certainty regarding land

rights. Government Regulation No. 24 of 1997 on Land Registration states that legal certainty of land rights can be obtained after the land has been registered.

In a country based on the legal state concept like Indonesia, land tenure certificates serve as strong evidence. This is stated in Article 19 clause (2) letter c of the Basic Agrarian Law and Article 32 clause (1) of Government Regulation No. 10 of 1961 on Land Registration, which has now been revoked and reaffirmed in Government Regulation No. 24 of 1997. Research articles which study the validity of certificates is crucial because, firstly, certificates can provide legal certainty and serve as a means of recognizing legal ownership in Indonesia. The issuing of certificates is expected to prevent land disputes. A person who owns a certificate will obtain a feeling of calmness and peace as his rights are protected by law. He is protected from the arbitrary actions of anyone who wishes to take away his rights. Second, the issuance of certificates is intended to prevent land ownership disputes. Third, with a certificate, the landowner can carry out any legal action as long as it does not conflict with the law or public order. In addition, certificates have an economic value as certified land can be used as collateral for buying and selling mortgage rights.

Even though it has been recognized in the Basic Agrarian Law, the certificate does not fully guarantee legal certainty of ownership. This is because the regulation stipulates that if there is another party who feels they own the land, that other party can sue the certificate owner in the General Court through a civil litigation method. That party can also sue the Head of the National Land Agency before the State Administrative Court. Or, it can file a lawsuit on the technical administration of the certificate's issuance.

At land agencies across Indonesia, land certificate disputes which occur due to the registration process are handled through a negative publicity system. In this case, the state does not provide guarantees for this issue. This negative publicity system often creates legal issues between certificates and other rights that are not yet considered equivalent to certificates, such as *verklaring* evidence, customary land certificates, land declarations, etc. Problems with land ownership often arise from overlapping certificates, which make the community suffer from various losses.

In a negative publication system, the state does not guarantee the truth of what is presented. Land registration using this system is based on Indonesian land law, which is based on customary law. If someone leaves their land unused for a certain period of time, and then someone else takes care of it in good faith, then the original owner loses the right to reclaim the land.

The principle of negative publication has been made into jurisprudence, i.e., the Supreme Court Decision No. 459/K/Sip/1975 dated 18 September 1975. It states, "Considering that the negative system of land registration applies in Indonesia, the registration of a person's name in the register does not mean that he absolutely becomes the owner of the land if its invalidity can be proven by another party. This means that if a land certificate is obtained illegally or with the violation of the law, it has no legal force.

Many potential land disputes are inextricably linked to the impact of development. Recently, cases of land mafia have emerged. There are cases where certain parties try to illegally seize other people's land plots through various means. Such cases are perpetrated by a combination of government officials and notaries, ranging from document forgery (for rights), seeking legality in court, legal/unlawful residents (*wilde occupatie*), case manipulation, collusion with officials to obtain legality, corporate crimes such as embezzlement and fraud, forgery of attorney's power for land rights, and the loss of land certificates. From these cases, it can be seen that Law No. 5 of 1960 on Basic Agrarian Principles, which is the basis for land management throughout Indonesia, has not been able to provide legal certainty regarding land rights.

On the other hand, the National Land Agency frequently faces land disputes arising from overlapping Land Ownership Certificates. This agency frequently mediates and facilitates preventative resolutions between the parties involved. However, the National Land Agency faces a dilemma in resolving these land dispute cases because it has not yet found an appropriate method for resolving them. Many land dispute resolutions are often met with dissatisfaction and uncertainty, leading to the need for referral to judicial institutions, including state administrative courts and district courts. This has resulted in a growing backlog of land disputes in these courts. Meanwhile, despite reports indicating dispute resolutions each year, the National Land Agency has yet to find its own method for resolving these cases.

According to the author's observations, over the past five years, cases of duplicate land certificates and/or overlapping land certificates have been identified, as shown in the following table:

Table 1. Cases of Overlapping Land Certificates

No	Lawsuit Case	Plaintiff	Defendant
1	First-Level Civil Case Decision Number 42/Pdt.G/2020/P N Plk	H. Sabrah	Dian Restu Rini, hereinafter referred to as the Defendant; Head of the Palangka Raya City Land Agency, located at 10 D1. Panjaitan Street, Palangka, Jekan Raya District, Palangka Raya City, Central Kalimantan Province, hereinafter referred to as the Co-Defendant.
2	Civil Case Number 29/G/2016/PTU N-BNA	Rusli Usman, citizenship: Indonesian, occupation: entrepreneur; Residence: Paya Bujuk Seuleumak Village, Langsa Baro District, Langsa City, as Plaintiff, authorized by Mr. Muslim A. Gani, S. H. from Aceh Legal Consultant Agency.	Head of the Langsa City Land Office as Defendant and Ms. Nuraini as Defendant-II Intervention, by granting Special Power of Attorney to the Law Office/Lawyer's Office of Dr. Darwis Anatami, S. H., M. H. and Partners.
3	First-Level Civil Case Decision Number 18/Pdt.G/2018/P N Nab	Silvia Anggriani	Ratna, hereinafter referred to as Defendant I; Suwanto, hereinafter referred to as Defendant II;
4	Civil Case in the Appellate Court Number 8/PDT/2018/PT. PLG	Sumiati as Plaintiff 1; Hasyumi Amd., as Plaintiff 2; Patra Jaya Laksamana, S.T. as Plaintiff 3; Zulfiker Fattah, S.E. as Plaintiff 4; Muhammad Isa, S.E. as Plaintiff 5; Mita Suryani, S.E. as Plaintiff 6; Mira Handayani, S.E. as Plaintiff 7; Mimi Rizki, S.E. as Plaintiff 8. Plaintiffs 1 to 8, in this case grant the Power of Attorney to: 1. Andrie Defriansyah, S.H., 2. Suryadi, S.H., 3. Purwata Adi Nugraha, S.H., 4. Deli Afriyanto, S.H., 5. Sukri Akhkap, S.H. They are the Advocacy Team from the Az Zahra Legal House Legal Aid Organization, located at 959 Bambang Utoyo Street, Rama Kasih I, Hamlet 009/003, Duku Subdistrict.	Azizah as Defendant 1; Haidar as Defendant 2; Suad as Defendant 3; Ubaidillah as Defendant 4; Robiah as Defendant 5; Zainal Abidin as Defendant 6; and M. Bagir as Defendant 7. Head of the Palembang City Land Office, hereinafter referred to as Co-Appellant I, originally Co-Defendant I and Head of the Banyuasin Regency Land Office, hereinafter referred to as Co-Appellant II, originally Co-Defendant II;

These civil lawsuit cases were related to overlapping recognition of land rights between certificates with other rights, such as land ownership statements, land certificates or customary land certificates. One example of an overlapping land certificate issue happened in West Pelita Street, Mentawa Baru Hilir Village, Mentawa Baru Ketapang District, East Kotawaringin Regency, Central Kalimantan Province. There was an overlapping recognition of land rights between Land Ownership Certificate Number: 3577 / Mentawa Baru Hilir in the name

of DJAUW HOI MIN a.k.a. HENDRA, with 4 Land Tenure Certificates, including Land Ownership Certificate Number: 5253/Mentawa Baru Hilir under the name of NINA ARIYANTI;

1. Certificate of Ownership Number: 5254/Mentawa Baru Hilir under the name of ARI YUSTIRIKA;
2. Certificate of Ownership Number: 5255/Mentawa Baru Hilir under the name of PRAMONO;
3. Certificate of Ownership Number: 5256/Mentawa Baru Hilir under the name of MELISA AGUSTINA

Based on data from the Land Office, many certificates issued before 2015 were still categorized as pending due to a lack of coordination. This potential problem will lead to an increase in land disputes in the future.

Regarding the overlapping land tenure certificates mentioned above, a resolution was sought through the Palangka Raya State Administrative Court, with Case Register Number 39/G/2017/PTUN/PLK. With the Jakarta High Court, the court annulled these certificates, under Case Register Number 142/B/2018/PT.TUNJKT. The appeal also conducted a hearing for itself, with a ruling that differed from that of the Palangka Raya State Administrative Court.

Based on the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 21 of 2020 on the Handling and Settlement of Land Cases, Article 34 clause (1), in principle, only one land tenure certificate can be issued for one plot of land unless otherwise stipulated by statutory regulations.

Based on the regulations regarding the resolution of overlapping land tenure certificates, as mentioned above, in case of overlapping land tenure certificates, in principle, one of these certificates must be revoked.

Often, the Agrarian and Spatial Planning Agency/National Land Agency cannot independently determine or resolve land tenure disputes. Many cases are referred to courts for resolution. Another issue is the lack of technical guidelines for resolving overlapping land tenure certificates. Therefore, land tenure disputes are resolved through judicial proceedings/litigation based on the applicable procedural law, including Law No. 51 of 2009 on the Second Amendment to Law No. 5 of 1986 on State Administrative Courts.

The most important point in this research is that all disputes related to overlapping land tenure certificates can be resolved independently by the Spatial Planning Agency/National Land Agency. This demonstrates institutional accountability for the issuance of legal land tenure certificates by the National Land Agency, and this effort can help reduce the backlog of cases in court. Thus, this research will provide accountable enlightenment in developing an ideal concept by the Spatial Planning Agency/National Land Agency institution in resolving land ownership certificate disputes based on good governance.

RESEARCH METHOD

This research used a normative legal method that examines law as a set of rules or regulations with normative characteristics. So, in examining findings and conducting case analysis, it was based on primary legal materials (the 1945 Constitution), secondary legal materials (statutes, scientific works, and research results), and tertiary legal materials (bibliographies, dictionaries), in order to take inventory of various applicable rules, norms, and positive laws. Normative legal research was used to obtain or discover law in concreto and obtain evidence of both vertical and horizontal legal synchronization. This research applied the statute, case approach, and historical approaches. Relevant research was analyzed in a descriptive, interpretive, and exploratory manner.

RESULTS AND DISCUSSION

To achieve legal certainty over land rights, there is a need for a breakthrough to create an orderly and optimal land administration. To create a healthy and accountable land spatial planning, the government must promote efforts based on the principles of good governance. The National Land Agency is an institution tasked with carrying out the function of implementing land registration, which aims to achieve legal certainty for the people of Indonesia. Forms of legal certainty include the issuance of land certificates as proof of land ownership that have permanent legal force. The National Land Agency also has the principle of strengthening land institutions in accordance with the spirit, values, principles, and regulations contained in the Basic Agrarian Law and the aspirations of the people at large. Development is oriented towards private interests, including the interests of developing residential/housing areas, offices, shops, etc. These developments are used for both public and private interests. In Indonesia, the management of these utilized lands is carried out under the authority of the National Land Agency.

Certainty over land ownership is a right of every citizen, which is obtained through land registration. Land registration is both a right and an obligation of all Indonesian citizens. Providing legal certainty for land certificate holders contributes to the advancement of the national economy. Because land certificates have a certain commercial value, they can be used as collateral for bank loans. Furthermore, they can increase state revenue

through the issuance of land transfer administration documents, which generate revenue from land transfer fees resulting from land registration.

Citizens have the right to receive quality public services from the state (bureaucracy). Citizens also have the right to have their rights protected, their voices heard, and their values and preferences respected. Therefore, citizens have the right to assess, reject, and sue anyone politically responsible for the provision of public services. This concept, known as the New Public Service, was developed by Janet V. Denhardt and Robert B. Denhardt.

Public service performance can be improved through the establishment of exit and voice mechanisms. An exit mechanism means that if public services are of poor quality, consumers should have the opportunity to choose another service provider they prefer. A voice mechanism, on the other hand, provides an opportunity to express dissatisfaction with the service provider. This New Public Service approach aligns with the "Exit" and "Voice" Theory, previously developed by Albert Hirschman.

Since 2009, Indonesia has issued its own laws and regulations on standards for public services. Therefore, on July 18th, 2009, Indonesia passed Law No. 25 of 2009 on Public Services, which regulates that public service is an activity or series of activities aimed at fulfilling the service needs of every citizen and resident, in accordance with statutory regulations, for goods, services, and/or administrative services provided by public service providers.

The public consistently demands quality public services from bureaucrats, although these demands often fall short of expectations. Empirically, public services are characterized by complexity, slowness, cost, and exhaustion. This tendency arises because the public is still positioned as the party serving, not the one being served. Public service reform restores and re-establishes the terms "servant" and "served" to their true meaning. Services intended for the general public are sometimes misrepresented as public services to the state. Although the state is founded on the interests of the people who founded it, bureaucrats must truly provide the best possible service to the public.

The concept of Good Governance emphasizes that in the administration of government, there are different and complementary behavioral patterns. From an administrative law perspective, this concept aligns with Montesquieu's *trias politica* principle, namely the separation of state power into three main functions. First, the House of Representatives, which carries out its legislative function by drafting and enacting laws as the legal basis for the state. Second, the Government—as the executive branch—which is tasked with administering and managing the day-to-day running of government, including executing policies passed by the legislature. Third, the Court, which carries out its judicial function by testing and interpreting government policies and actions, ensures that all executive and legislative decisions stay within the legal framework. Based on this, the application of the good governance principle can be achieved when these three institutions function according to their roles—the legislature sets rules, the executive implements them, and the judiciary supervises them—thus creating a transparent, accountable, and just government.

The principle of good governance serves as a framework of values and operational standards that differentiate how a country formulates, implements, and evaluates public policy at the national, regional, or international levels. At this level, good governance stands alongside the principles of the rule of law and democracy, as it fundamentally upholds core values, such as transparency, accountability, participation, and efficiency.

In resolving land tenure disputes, good governance can serve as a foundation for managing and resolving disputes in a fair, efficient, and acceptable manner for all parties involved. This can be achieved, among other things, by applying the principles of good governance to the dispute resolution process. This, in turn, can foster good governance in the land administration sector.

The aim of implementing good governance in the land sector, particularly the resolution of land tenure certificate disputes, can also be achieved by guaranteeing the following points:

1. Improving the land information system: There needs to be development and improvement of a transparent and publicly accessible land information system to avoid potential future disputes. This includes the use of technologies, such as the Electronic Land Registration System, which allows for real-time monitoring of certificate status.
2. Bureaucratic reform in the dispute resolution process: It needs to be ensured that all procedures related to land dispute resolution are carried out efficiently and fairly. This includes increasing the capacity of relevant institutions, such as the National Land Agency, to respond to land disputes quickly and transparently.
3. Community participation in the decision-making process: Community members need to be involved in every decision-making stage regarding their land rights, through mediation forums or public consultations, before court decisions are made.
4. Improving accountability in land dispute resolution: There needs to be the implementation of a strong monitoring and evaluation system for institutions involved in land dispute resolution to ensure that decisions taken are in accordance with applicable legal principles and can be accounted for.

Good governance plays a crucial role in resolving land tenure disputes. Implementing good governance principles such as transparency, accountability, participation, responsiveness, and the rule of law can optimize land

dispute resolution in Indonesia. By actively involving the public, improving the land administration system, and ensuring fair application of the law, land tenure dispute resolution will be more efficient, transparent, and accountable, which in turn will increase public trust in the Indonesian land system.

In resolving land title disputes, it is crucial to uphold the principles of good governance, which include checks and balances between institutions involved in land administration. This can be achieved by establishing a clear governance framework, for example, through the establishment of independent supervisory units at both the central and regional levels that routinely review and evaluate every decision to issue, suspend, or cancel land tenure certificates.

Meanwhile, the National Land Agency and other technical agencies must actively improve the capabilities of their officers through professional certification, digital mapping training, and the implementation of electronic systems such as e-TANAH (e-Land application), so that all dispute resolution procedures, including mediation and document verification, can be carried out consistently and efficiently. In the judicial sphere, district court judges and state administrative court judges need to gain in-depth knowledge of agrarian law and field evidence assessment techniques through specialized clerkship courses, while judicial institutions can establish councils of ethics or internal appeal commissions to review land dispute decisions before they are executed.

As a manifestation of good governance, land programs are the responsibility of the government, as it is the organization with authority over land affairs. Another form of government responsibility in the land sector is providing services to the public who come directly to the land office to process their land tenure certificates. For example, the government (land office) provides services in the implementation of the Complete Systematic Land Registration program, considering that this phenomenon indicates that the majority of people process land tenure certificates by visiting the land office in person, rather than through the various programs mentioned above.

Public bureaucracy must be able to provide public services that are more professional, effective, simple, transparent, open, timely, responsive, and adaptive. It must simultaneously build human quality in the sense of increasing the capacity of individuals and society to actively determine their own future.

According to Thoha in Widodo, theoretically, there are at least three main functions that must be carried out by the government regardless of its level: public service function, development function, and protection function. In carrying out all of these functions, the government does not have to act as a monopolist. Parts of these functions can be delegated to the private sector or through a partnership model between the government and the private sector. This pattern of cooperation between the government and the private sector in providing various services to the community is in line with the idea of reinventing the government developed by Osborne and Gaebler.

The government is the only party obligated to provide pure public goods in relation to the nature of private goods and pure public goods, especially public goods in the form of rules or regulations (public policies). Pure public goods in the form of these rules have never been and should not be handed over to the private sector. Giving the private sector the authority to create policies gives rise to private interests that create the rules, making the regulations full of vested interests and unfair (unfair rules). The role of the government that will remain inherent throughout its existence is as a provider of pure public goods called rules. The book "Delivering Quality Services by Zeithaml" by Valarie et al. discusses how customers respond to and expect the services they receive, whether in the form of goods or services. According to Valarie, the following points need to be considered:

- a. Determining the types of public services provided;
- b. Treating service users as customers;
- c. Striving to satisfy service users according to their desires;
- d. Finding the best and highest quality service delivery methods; and
- e. Providing solutions when service users have no other options.

Assessment of service quality cannot be separated from employees' ability to provide services and the provision of physical facilities. This is in accordance with the theory of "The Triangle of Balance in Service Quality" by Morgan and Murgatroyd, that it is necessary to maintain a balance between the three components (interpersonal component, procedural/process component, and technical/professional component) in order to produce quality services.

In fact, in seeing the high or low quality of public services according to Morgan and Murgatroyd, there are three basic provisions. This means that the high or low quality of public services needs to pay attention to the balance between:

- a. The interpersonal component;
- b. The Process and Environment Component; and
- c. The Professional and Technical Component.

The goal of public service is essentially to satisfy the public. Achieving this satisfaction requires excellent service quality, which is reflected in:

- a. Transparency, namely, services that are open, easy, and accessible to all parties in need. These services must be provided adequately and easily understood.

- b. Accountability, namely, services that can be held accountable in accordance with statutory provisions.
- c. Conditional, namely, services that are appropriate to the conditions and capabilities of service providers and recipients, while adhering to the principles of efficiency and effectiveness.
- d. Participatory, namely, services that encourage community participation in the provision of public services by taking into account the aspirations, needs, and expectations of the community.
- e. Equal rights, namely, services that do not discriminate based on any aspect, especially ethnicity, race, religion, social class, or other factors.
- f. The balance of rights and obligations, namely services that consider the aspect of justice between providers and recipients of public services. When related to public administration, it refers to the quality of bureaucratic service that is delivered to the public.

In the development of the paradigm of the public service concept the land sector, theoretically, there has been a shift in views on the model of public service delivery, from the traditional public management model (old public administration) to the new public management model (new public management). Ultimately, this development will lead to a new form of public services, with a service concept that differs from the previous one. The paradigm shift in the model of public service delivery from the traditional to the new public service model can be seen in the table of shifts in the public service model below:

Table 2. Shifting Public Service Models

Aspect	Traditional Public Management	New Public Management	New Public Services
The Concept of Public Interest	Public interest is defined politically and enshrined in the rules.	Public interest represents the aggregation of individual interests	Public interest is the result of a dialogue of various values.
To whom is the public bureaucracy accountable?	Clients and voters	Customers	Citizens
Role of Government	Paddler (rowing)	Director (steering)	Negotiating and elaborating citizen interests
Accountability	According to the administrative hierarchy	Market demand is the result of customer demand.	Multi-aspect: Accountable to law, community values, political norms, professional standards, and citizen interests.

The implementation of good governance in the Agrarian and Spatial Planning Agency/National Land Agency environment is an activity carried out by government institutions based on the interests of the people and applicable norms to realize the state's ideals. Well-implemented good governance will certainly support the effectiveness of the National Land Agency of East Kotawaringin Regency's performance and achievement of its visions and missions. The benchmark for the implementation of good governance is the implementation of three basic elements of a governmental institution's performance: productivity, responsiveness, and accountability, which are described below:

1. The productivity of the Agrarian and Spatial Planning Agency/National Land Agency of East Kotawaringin Regency can be seen from several work programs that have been developed, including excellent service, adequate infrastructure, and supporting convenience in land services based on service information. The Agrarian and Spatial Planning Agency/National Land Agency is located in the public service mall of East Kotawaringin Regency.
2. The responsiveness of the Agrarian and Spatial Planning Agency/National Land Agency of East Kotawaringin Regency is a form of sensitivity from government institutions in providing good services to the community. Public services by the Agrarian and Spatial Planning Agency/National Land Agency of East Kotawaringin Regency have indeed followed technological developments. It upholds the principle of information transparency by providing a telephone number of this office's hotline center, in addition to its website and various social media accounts, including Instagram, Facebook and YouTube. The public is made comfortable with service counters, waiting rooms, and waiting rooms for priority service applicants that they

provide, which are clean and tidy. There are also service ambassadors who are ready to serve applicants and direct them to resolve their interests at the Land Agency of East Kotawaringin Regency. Such elements have been displayed in an important chart that serves as a reference for the Land Agency of East Kotawaringin Regency in responding to complaints in a quick and accurate manner. The flow can be seen in the figure below:

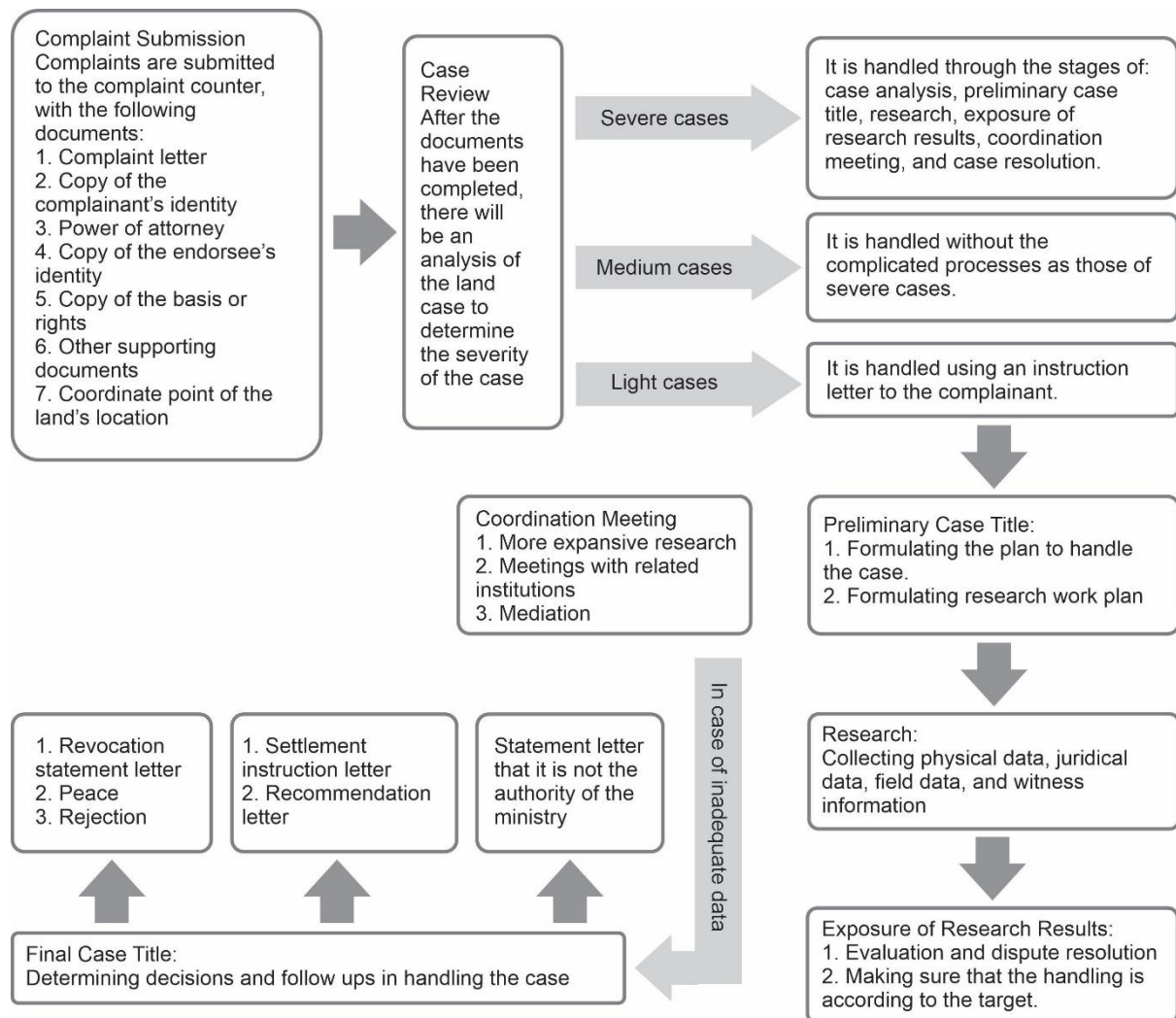


Figure 1. How the Land Agency of East Kotawaringin Regency Accepts and Handles Cases

3. The accountability of the Agrarian and Spatial Planning Agency/National Land Agency of East Kotawaringin Regency has been strengthened by involving leaders to increase its performance. During the planning and performance determination, work units within the Agrarian and Spatial Planning Agency/National Land Agency of East Kotawaringin Regency have been directly involved by leaders. Leaders have also periodically monitored performance achievements. The performance accountability management carried out by the National Land Agency of East Kotawaringin Regency has also been implemented well using the following methods:

- a. Work units have documents for their planning;
- b. Planning documents are result-oriented;
- c. Performance indicators have specific, measurable, achievable, and time-bound (SMART) criteria;
- d. Work units have prepared performance reports in a timely manner;
- e. Performance reporting has provided information on performance; and
- f. Work units have strived to improve the capacity of human resources handling performance accountability.

Such methods were implemented to create an excellent atmosphere of land office service, as a form of a responsible and accountable control mechanism. According to Absori, the ideal good government must implement good governance principles to the concept of resolving land tenure certificate disputes by applying the criteria of three government performance indicators. These indicators serve as the basis for accountability to achieve good government, which can be seen from the following figure:

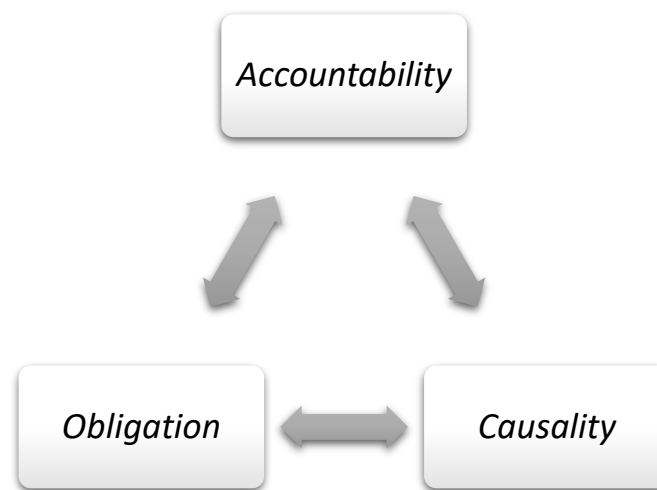


Figure 2. The Implementation of Good Governance Principles

- a. Accountability, which is the application of responsibility based on the Land Agency civil servants' capability in being accountable for their work methods in carrying out their assigned tasks. This is especially crucial in case of problems arising from human error or system errors, which affect the institution's performance.
- b. Obligation, which is the application of a form of responsibility based on the obligation to carry out certain tasks based on predetermined regulations. Organizations that have governmental responsibility in the land sector comply with procedures according to applicable laws and regulations.
- c. Causality, namely the application of responsibility, which is based on the cause and effect of the actions taken. All policies, actions, or discretionary decisions must be implemented fairly and wisely. Public trust in government institutions, including land offices, is based on their responsibility and authority, as well as the services that they provide.

The quality of public service demonstrates a strategic and integral management system that involves all managers and employees. It uses qualitative and quantitative methods to continuously improve organizational processes in order to meet and exceed customer needs, desires, and expectations. The assessment of public service quality can be analyzed using Lovelock's theory, which consists of five dimensions:

1. Tangibility, namely physical evidence including owned infrastructure facilities.
2. Reliability, i.e., the ability of officers to provide services in accordance with established rules.
3. Responsiveness, namely officers' ability to provide services quickly and accurately.
4. Assurance, namely the guarantee to make services run well and build public trust.
5. Empathy, namely sincere attention from officers to the community.

CONCLUSION

The concept of land ownership certificate dispute resolution carried out by the National Land Agency that is based on good governance must be able to accommodate various aspects. First, participation, because in this case, all people in East Kotawaringin Regency who are legally competent are given the right and freedom to determine and submit registration to the settlement of land disputes to this regency's National Land Agency without discrimination. Second, the rule of law, which is one of the references for the implementation of good government principles. The East Kotawaringin Regency National Land Agency actively ensures that its performance is in accordance with applicable legal regulations. Third, transparency, which is carried out by openly providing information through the official website of the East Kotawaringin Regency National Land Agency, as well as conducting education programs to the community through its website and various social media, such as Facebook, Instagram, YouTube, and Twitter. Fourth comprehension, which is related to the competency possessed the agency's employees. Fifth, effectiveness and efficiency, which are directed to fulfill the people's needs through the best possible utilization of various available resources. The National Land Agency of East Kotawaringin Regency has implemented a clear service flow, starting from taking a queue number to service by friendly officers based on the standard operating procedures. Sixth, strategic vision, which means that leaders and the community have a broad and long-term perspective on good governance and human development, along with the perceived need for such development. The quality of public service shows a strategic and integrative management system that involves all managers and employees, and uses qualitative and quantitative methods to continuously improve organizational processes in order to meet and exceed customer needs, desires, and expectations.

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