



Community Legal Awareness of Ownership of Land Title Certificates in Kanagarian Siguntur Muda, Koto XI Tarusan District, South Coast Regency

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Abstract

This research is backgrounded first to find out how the community's legal awareness of the importance of registering property rights to land, and secondly to find out the factors that prevent people from registering property rights to land. The type of research used is qualitative research, which is to describe the situation as it is. Data collection techniques use interview, observation and documentation techniques. The data analysis techniques used are data reduction, data presentation as well as verification and conclusions. The results showed that the inhibiting factors of the community in managing land title certificates: a) Economic factors, costs are certainly an obstacle in making land rights certificates, especially for communities that are lacking in economic terms. b) Low level of education, lack of public awareness of the law stemming from the lack of public education coupled with lack of socialization by the local government. c) The lack of interest of the community to certify the land, the lack of desire of the community is also a factor inhibiting the community itself from registering its land.

Keywords: Legal Awareness, Certificate Ownership, Land Ownership



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INTRODUCTION

As a resource that is very supportive of human life, each society has certain rules or norms in the use, control, ownership and use of land for its life. With the development of the population and the way of thinking of humans, it encourages the formation of a rule in the field of land that can be accepted together as a legal basis, especially in land ownership. It is very important that everyone must have a certificate as juridical proof of a person's ownership of a land that he owns so as not to cause various problems in society. Because ownership of a land is a human right of every person or citizen which has been regulated in the 1945 Constitution of the Republic of Indonesia in article 28 H paragraph 4 which reads "Everyone has the right to have property rights and such property rights must not be arbitrarily taken over by anyone."

Such is the importance of this land certificate So that every legal landowner is encouraged to immediately register his or her parcel of land with the local land office. Nevertheless in reality it is not uncommon for people who do not care about the registration of their land. Many things have resulted in people being reluctant to take care of proof of ownership rights to their land.

That the community factors themselves and from elements of the local government, especially the Kanagarian Siguntur Muda community of Koto XI Tarusan District, so that there are still many local communities who are not aware of the importance of proof of ownership of land rights. Thus causing various kinds of perceptions from people who have legal awareness to register their land. In addition, there is a perception that witnesses who know the boundaries of the land are sufficient to corroborate evidence of ownership of the land.



Table 1. Data on the Number of People Who Have Registered Land in Koto XI Tarusan District, South Coast 2017.

No.	Nagari	Who Already Registered Land	Population	Listed land area
1.	Siguntur Muda	25	3.400	29 hektar
2.	Sungai Lundang	33	1.200	31 hektar
3.	Sungai Pinang	35	2.100	28 hektar

Source: Koto XI Tarusan District, South Coast, 2018.

Looking at the phenomena that occur in reality above, it is known that the registration of property rights to land and the legal awareness of the community to register land in Kanagarian Siguntur Muda, Koto XI Tarusan District is still very minimal. Land registration has a positive purpose in providing guarantees of legal certainty regarding land rights for everyone regardless of status, namely by providing a proof letter commonly referred to as a valid land certificate as a strong evidentiary tool against land rights holders. The purpose of the registration will be achieved by the participation and support of the implementation of the land registration both by the government as the implementing officer of the land registration and the awareness of the community as the holder of land rights.

Based on observations in Kanagarian Siguntur Muda has an area of 1,164 hectares. With the northern boundary bordering Solok Regency, south of Sungai Pinang, west of Kota Madya Padang and east of Nagari Siguntur Tua. The vast area and very diverse geographical conditions make the need for land to be cultivated very important in Kanagarian Siguntur Muda to meet the needs of the people. One of the communities as a government official in kanagarian siguntur muda that there is still a lack of legal awareness of the community towards the ownership of property rights certificates over land. Departing from the identification and limitations of the above problems, the author can formulate the problems to be studied, namely: 1) How is the community's legal awareness of the importance of registering property rights to land in Kanagarian Siguntur Muda Kec. Koto XI Tarusan, South Coast District? 2) What are the factors that prevent people from registering property rights to land in Kanagarian Siguntur Muda Kec. Koto XI Tarusan, South Coast District?

RESEARCH METHODS

This type of research is qualitative research to describe the state of affairs as they are. This study the author directs to reality and analyzes phenomena related to people's legal awareness of the ownership of property rights certificates on land in Kanagarian Siguntur Muda Kec. Koto XI Tarusan, South Coast Regency, so that researchers get descriptive data in the form of words compiled based on oral data from the results of in-depth interviews of authors with informants, and from the observations of the author's participants holistically and contextually on the The actions of informants and documentation are seen as having anything to do with the focus of the research. In this study, the authors used interview data collection techniques, observations, and documentation studies. To analyze the data to be collected in this research, qualitative analysis techniques are used, namely qualitative descriptive analysis. This analysis is intended to perform an analysis of the meaning contained in the problem to be discussed in order to make the data more systematic and accurate. The stages of data analysis consist of the stages of data reduction, data presentation, and verification and conclusion.

RESULTS OF RESEARCH AND DISCUSSION

History of Kanagarian Siguntur Muda

Prior to 1918 nagari Siguntur was ruled by minor kings who were included in the malay/pagaruyuang kingdom government in the dutch/japanese era commanded by penghulu palo: Penghulu palo Maisin, Penghulu palo Ayub, Penghulu palo Gaek. In 1948 Siguntur



included the padang-pariaman reGENCY, Lubuk Begalung district with the boundary of the Renville Monument and in 1950 negotiations were held between the Padang-Pariaman reGENCY government and the PSK (Pesisir Selatan Kerinci) government, so Siguntur was declared an autonomous region because at that time Siguntur was a strong economic area with the results of Gambir and finally merged with the South Coast district with Wali Nagari in 1950 until 2022 as many as 12 people with the current wali nagari namely Mr. Sasriadi was appointed wali nagari Siguntur Muda because of the trust of the people who were able to build Nagari. And Nagari-Nagari was made into five villages in 1980 village head: Siguntur Muda Village, Siguntur Tua Abu Amas Village, Sungai Lundang Adnan Village, Yusuf New Village Village, and Taratak Bakhtiar Village.

Demographics

Regional boundaries, north of Solok ReGENCY, south of Sungai Pinang, west of Madya Padang City, east of Nagari Siguntur Tua. Area 1,164 ha, Residential Land 65 ha, Plantation Land 825 ha, Farmland 2.5 ha, Hills Land - ha, Flat Off - ha. In general, the topological state of Kanagarian Siguntur is a hilly/plain area.

Social Circumstances

Table 2. Total Heads of Households Population with Total Population

No	Village Name	Female	Male	Population	Number of Heads of Households
1.	Jirat	300	700	1.000	249
2.	Koto	1.100	1.300	2.400	540
	Jumlah	1.419	11.808	3.400	789

Source: Profile of Kanagarian Siguntur Muda, 2018.

Based on the table above, it shows that the total population is 3,400. Jirat village is 249 families and koto village is 540 families. Of the number of KK, men were 11,808 while women were 1,419.

Table 3. Level of Community Welfare: (In KK/Soul)

Rich	Keep	Underprivileged
+ 33 soul	+ 232 soul	+ 402 soul

Source: Profile of Kanagarian Siguntur Muda, 2018.

Based on the table above, it shows that the rich are 33 people, the moderate people are 232 people while the population of Siguntur Muda is more majority of the underprivileged numbering 402 people.

Table 4. Level of Community Education

Did Not Finish Elementary School	Elementary School	Junior High School	Senior High School	bachelor
165	850	800	750	375

Source: Profile of Kanagarian Siguntur Muda, 2018.

Based on the table above, it shows that there are 165 people who do not go to school/drop out of school, 850 who graduated from elementary school, 800 who graduated from junior high school, and 750 people who graduated from high school. While the Undergraduate ones numbered 375 people.



Table 5. Community Livelihoods

Age Categories	Total
Productive Age	1.431
Non-Productive Age	1.872

Source: Profile of Kanagarian Siguntur Muda, 2018.

Based on the table above, it shows that the productive age is 1,431 people, and the non-productive age is 1,872 people. Because Kanagarian Siguntur is an Agricultural Nagari, most of the inhabitants are farmers.

Table 6. Land Use Patterns

Wetlands	Dry Land
30,140 tons/year	5 tons/year

Source: Profile of Kanagarian Siguntur Muda, 2018.

Based on the table above, it shows that wetlands are 30,140 tons / year, while dry land is 5 tons/year. The land use in Kanagarian Siguntur is mostly intended for paddy farmland and plantations while the rest is for dry land which is buildings and other facilities. Meanwhile, the community's fertilizer needs: (in tons / year).

Livestock Ownership

The total ownership of farm animals by the residents of Kanagarian Siguntur amounted to 1,021 heads consisting of cows, goats, and poultry.

State of the Economy

The economic situation of Kanagarian Siguntur, the people of Siguntur generally strive in agriculture and plantations, as a source of daily livelihood such as: Gambir plantations, and sideways with paddy farming with annual rice plants and in addition to supporting durian plants in the boundaries of gambir gardens and supplemented with kakau plants, brown, jengkol and petai. Some residents try to plant crops and some residents open businesses in animal husbandry, community fisheries and a small number of trading businesses, civil servants, and household industries. This is a concise narrative about the economic situation of the residents of Siguntur, who still need assistance, guidance, training from the government and related agencies.

Public legal awareness of the importance of ownership of title registration certificates for land in Kanagarian Siguntur Muda Kec. Koto XI Tarusan, South Coast District.

Based on the results of research in the field, it can be an indicator of interviews of legal awareness informants consisting of legal knowledge, legal attitudes and legal understanding of the community towards the importance of land registration. The overall categorization of informant responses was examined in accordance with interview guidelines consisting of six question items. The results of interviews with informants start from the first indicator, which are as follows:

Legal Knowledge

The legal knowledge of the community is known from the answers of the informant who is the guardian of Nagari Siguntur Muda according to the results of an interview conducted by the author on June 29, 2022. It can be seen from the description of the informant from the interview at the Office of the Guardian of Nagari Siguntur Muda that the legal awareness of the



community is still very minimal. As the informant stated the following: "I as the Wali Nagari have urged the people to register the land, but the community is still indifferent. Many of our people still do not understand and the constraints are expensive because the eyes of many people become farming, besides that educational and economic factors also prevent people from registering land. Indeed we State Law Act which governs the process of owning a piece of land yes.. the legal basis to strengthen them, must be the awareness of the community itself for the land certificate to be strong in the legal basis, so we must obey the law" (Interview with Sasriadi, S.Pd., I.MA, Wali Nagari Siguntur Muda, June 29, 2022).

Wali Nagari said that Indonesia is a country of law where we stand on existing rules, so we are very obliged to have a certificate as a form of our compliance with the law, not regarding compliance with the law, but the certificate can also be a strong handle for the owner in accordance with government regulation Number 24 of 1997 Chapter 1 General Provisions Article 1 paragraph (20), Certificate is a letter of proof of rights as referred to in Article 19 paragraph (2) letter c of the UUPA for land rights, management rights, waqf land, property rights to units of flats and dependent rights, each of which has recorded in the land book in question. As revealed by the informant Tilla Putri, she said that: "I think yes.. We are obliged to have a certificate as a form of our compliance with the law because we live in a legal State. So we have to be obedient to." (Interview with Tilla Putri, Koto Village Community, June 28, 2022). The above opinion is not much different from the informant Fatma Wati, who said: "After I registered the land to become a certificate so that the legality was stronger, at that time the land registration was difficult to take care of many processes. continued the cost was a bit of a drain on the pocket. The granting of a certificate of property rights from defense will be a guarantee for the owner," (Interview with Fatma Wati, Koto Village Community, June 28, 2022).

That every citizen must indeed have a certificate in order to have legality, and as an authentic guarantee for the owner, A certificate is a sign of a person's ownership of land and cannot be contested by anyone. The certificate as proof of rights is given for the benefit of the rights holder concerned, and is based on the physical data contained in the measuring documents as well as the legal data recorded in the land book. The right of the holder of the land hakatan to obtain a certificate is reserved. This is as revealed by Erni's informant, he said that: "As far as I am registering the land to be a certificate, the conditions are yes.., KK, KTP, Marriage certificate, Moreover, yes.. a letter of approval from the nagari trustee's office. Continuing the sale and purchase deed, only the one that tethers me takes care of the convoluted letters and the long process and also the consultation with my mother. (Interview with Erni, The People of Koto Village, June 28, 2022)

Legal Attitude

The legal attitude of the community is known from the answers of informants who are Siguntur people according to the results of interviews in Koto Village. The above opinion is also almost the same expressed by the informant Yenti, he said that: "If my response is actually that as citizens we must even follow the process of there is a government program because basically not only for the benefit of the State in this case for example in the payment of taxes, land and building taxes or taxes but also including the interests of the subjects of the land tax, the purpose is to make the status of the land ownership clear so I think it is very wrong if the people of Kampung Koto do not understand the importance of the land to be certified because it is normal for the community if it is needed later, it will be contacted by the local government or the community has been pressed to go to the guardian's office. but if the name of the certificate is actually mandatory, we must follow it for the actual good of the tax subject or the landowner himself." (Interview with Yenti, The People of Koto Village, June 28, 2022).



As a law-abiding citizen, Indeed, it should follow all existing procedures, not only regarding certificates but also how to comply with the payment of land and building taxes because it is also in the interest of the landowner, it is very wrong if until now there are still those who do not realize the importance of the certificate as a strong evidence for the landowner. This was also revealed by Rani's informant, he said that: "As far as I am concerned, we are obliged to fulfill the so-called certificate because we as a society must follow the existing procedures." But for now I just need a Deed of Sale and Purchase to take care of my papers, there is no cost. (Interview with Rani, The People of Koto Village, June 28, 2022).

Similarly, with the opinion expressed by the informant of the Union of Wet, he said that: "Firstly the certificate of land is very important to the community because the certificate is an obligation to have as a letter of proof of example of rice fields, because we as a small community no one demands that if a certificate is already in possession it is the first, the second is if we want to borrow money, for example in the bank, especially when it is usually asked for is a certificate, thirdly if the minsal in a community that has a certificate is automatic that it is private property and cannot interfere with our land." (Interview with Yenti, Koto Village Community, July 1, 2022).

Understanding the Law

The understanding of the law possessed by the community can be known from informants who are the people of Siguntur. As a small community, it is very important that the name is a certificate because it becomes a strong handle, not only that, the certificate can also be used as a guarantee at the bank if you want to take money and the benefits if you have a certificate, you can borrow more money than those who only have sttp, That's why certificates are so important to society as a firm grip. Another informant also expressed her opinion Eri Irwan, she said that: "I do not know and do not understand the matter of land registration." (Interview with Eri irwan, Jirat Village Community, July 10, 2022).

Education is very important for everyone, by growing and developing each individual can have a broader knowledge, as well as become a responsible person. This can also make every individual understand and aware of their obligations to the ownership of certificates so that people no longer become individuals who are indifferent to the laws in force in Indonesia. The same thing was revealed by several informants below. The above opinion is the same as that of Informant Yeni Marlina, he said that: "I don't know what to say. I don't understand what certificates are called." (Interview with Yeni Marlina, Jirat Village Community, July 10, 2022).

Education in this case is indeed very necessary because of the lack of public knowledge about the obligation to have a certificate as legal compliance and legal understanding. Furthermore, the informant Erni Marlina also expressed her opinion, saying that: "I do not know and do not understand how to deposition land. People used to have no one to use land certificates" (Interview with Erni Marlina, Jirat Village Community, July 10, 2022). From the responses in the informants above, it can be known that the public still does not understand the obligation to have a certificate as a form of compliance with applicable laws as the results of interviews that have been obtained by researchers on site.

Then the informant Ros Nita also expressed her opinion, he said that: "I don't understand what a certificate is, I don't understand what the purpose of the certificate is, Because I see our plantation here is limited by betel nut plants only. But for those who don't have barriers, then there are also those that people take." (Interview with Ros Nita, Jirat Village Community, July 10, 2022). From the informant above, it can be seen that the informant above does not understand what a certificate is and the obligation to have a certificate as a strong proof in the eyes of the law. Based on the results of the interview above, it can be known that there are still



people who still do not understand and do not even know their obligation to have a certificate of property rights to land as Indonesian citizens, where the results of the interview above show 8 informants who do not know their obligations to have a certificate as a form of legal compliance, There are 3 informants who understand the obligation to have a certificate.

Factors that prevent the community from registering property rights to land in Kanagarian Siguntur Muda Kec. Koto XI Tarusan South Coast District.

The legal awareness of the community to register property rights to their land in Kanagarian Siguntur Muda Kec. Koto XI Tarusan Kab. Pantai Selatan certainly has several inhibiting factors. Then the informant Rini Muliani also expressed his opinion which was one of the staff working in the office of Wali Nagari Siguntur Muda. Rini Muliani's answer to what prevents people from registering their land, namely: "I think most people are still unfamiliar with land registration, because some think that the most important thing is that basic needs are met. Because the economy is now yes. Declining Pandemic Impact, Expensive Basic Goods. Apart from this, the community is also hindered by the problem of costs in the process of managing land certificates." (Interview with Rini Muliani, Wali Nagari Staff, July 10, 2022).

Meanwhile, Rina Wati's answer to what prevents people from registering their land, namely: "I also think that if there is no letter, no one will disturb the land because of the gift or inheritance from their parents and many also do not make their land certified due to economic factors. Where the tax is it has to be paid every year and I feel that it can just add to the burden. Continue to be usually expensive, lazy to take care of this it." (Interview with Rina wati, Jirat Village Community, July 10, 2022). Based on the results of interviews with informants, it can be known that the main obstacles for the community in managing their certificates are high fees, taxes that must be paid every year, and also being lazy to megurus because of the many requirements.

Discussion

Based on research results what the researchers did was dilapagan, then for the results of the discussion, namely the legal awareness of the Siguntur Muda kanagarian community on the importance of registering their property rights land can be categorized as very low. This can be seen from the results of observations which show that of the total population, it is 3,400 people. Less than 12% of the population has a certificate of title to land, which is only 25 people and as many as 3,375 people do not have a certificate of title to land. This is because society is still very lacking in several aspects, namely lack of legal knowledge, legal attitudes and understanding of law.

Looking at the indicators of legal awareness, namely in terms of legal knowledge in accordance with the indicators of legal awareness according to Soekanto (2002), namely: "Legal knowledge, that is, a person who knows that certain behaviors have been regulated by law. The legal regulations referred to herein are written or unspecified laws. Such conduct concerns both conduct prohibited by law and conduct permitted by law." Meanwhile, legal knowledge in Kanagarian Siguntur Muda can be categorized as very lacking, this is because there are still many people who do not know how the requirements and procedures for making land certificates, which are regulated in PP Number 24 of 1997 concerning land registration. In terms of legal attitudes in accordance with the indicators of legal awareness according to Soekanto (2002), namely "Legal attitude, that is, a person has the ability to hold a certain assessment of the law."

Regarding the legal attitude of the people in Kanagarian Siguntur Muda, it shows that the legal attitudes of the people are categorized as good because many of them give positive



answers to the questions that have been given. For the understanding of community law, in accordance with the indicators of legal awareness according to Soekanto (2002), namely "Legal understanding, that is, someone who has knowledge and understanding of certain rules, especially the existence of knowledge and correct understanding of a person who has the correct knowledge and understanding of a student about the nature and importance of school rules." Meanwhile, the understanding of community law shows that people's understanding tends to be lacking even though they respond positively that having a certificate will avoid disputes, but they also feel that there is no need to register their land because their level of trust between each other is also very high judging from their answers. So based on the community's answers based on interview questions regarding legal knowledge answered by research informants, it can be seen that The pattern of behavior of informants' legal knowledge is severely lacking.

Based on the results of the study, it can be explained that the factors that prevent people from registering land are the lack of knowledge of the law of the community. This is in accordance with the theory of indicators of legal awareness proposed by Soekanto (2002), legal knowledge, legal understanding, legal attitudes, and legal behavior. The lack of legal awareness of the community in Kanagarian Siguntur Muda regarding the importance of land registration is not without reason this is due to factors that prevent people from registering property rights to their land, namely:

1. Economic Factors. Costs can certainly be an obstacle in making land rights certificates, especially for communities that are economically deficient. This is because in the administrative process, it definitely requires costs and taxes that must be paid every year, so people who are weak in terms of economy will definitely think twice if they want to certify their land. So this economic factor is also the cause of people's lack of legal awareness.
2. Low Level of Education. This lack of understanding of community law is caused by the low level of education coupled with the absence of legal socialization activities carried out by the local government. This also results in the community not understanding the importance of certifying their title land and causes the community to not know the ways needed if they want to register their title land.
3. Lack of desire of the community to certify their land. Lack of Desire is also a factor that prevents the community itself from registering its land. This causes people to become ignorant of how to register their land and also causes people to not know how important it is to have a certificate of title to land. The lack of desire of the people to certify their land because they tend to think that if they are in the village even though they do not have a land certificate is not a problem as long as they have witnesses who know that the land belongs to them.

Based on this, it is not in line with the purpose and objectives of the principle of land registration determined by Law Number 5 of 1996 for community protection and legal certainty. Where the most independent rights can be enforced as customary property rights/ rights.

CONCLUSION

People's Legal Awareness The ownership of title certificates over land in Kanagarian Siguntur Muda Kec. Koto XI Tarusan South Coast District can be said to be very low. Factors Inhibiting the community in certifying land are the high costs incurred to certify land and their ignorance of the steps or procedures for certifying land for the first time because people are



still unfamiliar with their knowledge in terms of land registration, so the level of education is also one of the factors.

When viewed from the indicators of people's legal awareness, namely legal knowledge; understanding of the law; legal attitude; and legal behavior can be said that the people of Siguntur Muda have not been fully aware of the legal behavior of the importance of certificates of title to land in order to protect their rights, and for the sustainability of the land they own for their children and grandchildren and to reduce the possibility of conflict between residents and residents, residents with the government caused by the vagueness of land boundaries and land disputes and others.

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