



Resolution Efforts Land Dispute Through Mediation in Tanah Tengnga Village Subdistrict Palakka Bone Regency

¹⁾ Alwi Jaya, ²⁾ Tarmizi, ³⁾ Gustika Sandra

¹ Master Of Law Sekolah Tinggi Ilmu Hukum Pengayoman Watampone.

^{2,3} Sekolah Tinggi Ilmu Hukum Pengayoman Watampone.

*E- mail : ¹⁾ dralwijayashmh@gmail.com, ²⁾ tarmizi88sep@gmail.com, ³⁾ gustikasandra84@gmail.com

*Correspondence: ¹⁾ Alwi Jaya

DOI :

ABSTRACT

Counseling law as one form devotion to community at college tall own objective For educate and solve problem in society. In case This is counseling law implemented by the Pengayoman College of La Watampone related with problem dispute land frequently happened. Therefore that 's devotion This aim For add outlook public related effort solution dispute land through mediation as alternative solution dispute land in Tanah Tengnga Village Subdistrict Palakka Bone Regency. Method used in activity devotion This is counseling with give material technique mediation and simulation solution case dispute land, and ask answer. The result of activity This show that the people of Tanah Tengnga Village Subdistrict Palakka Bone Regency has more knowledge Good about mediation and methods solution dispute land through mediation. Activity This give significant and helpful benefits public in finish dispute land in a way deliberative and effective through mediation

Keywords : *Settlement, Land Dispute, Mediation*

INTRODUCTION

Land in the juridical sense is the surface of the earth. Meanwhile, what is meant by land rights is the right to a certain portion of the earth's surface, which is limited, has two dimensions with length and width (Ramadhani, 2021) (Moniung & Natakharisma, 2020) (Juliadi & Surata, 2015) (Hulu, 2021) (Rosmidah, 2013) . In social life, land disputes are a very sensitive topic. So the general goal will result in a very confusing vertical and flat fight. Practically in every space there are land debates, the meetings in question and dealing with these issues are resolved in different ways. Courts (litigation) and out-of-court dispute resolution (non-litigation) have become current dispute resolution methods (Hamid et al., 2023) .

Land is a very important sector in people's lives, especially in Indonesia which has very abundant natural resources. However, on the other hand, the land sector is also a source of conflict that often occurs in society. Land conflicts can be caused by various factors, such as unclear land boundaries, injustice in granting land rights, and disputes between parties who claim to have the same land rights (Halim, 2023) . Land disputes can also occur due to unfair distribution of inherited assets so that those involved in the conflict are fellow heirs. (Tarmizi, 2020) .

Dispute problems are usually caused by several factors, including a lack of clarity in the land certification process and a lack of attention to the administrative process so that it is easy for other people to claim it. Dispute resolution can be done through court or outside court (peacefully through

mediation). However, resolving land disputes through court can cost a lot of money. In fact, court costs can be greater than the land object being contested (Marsitingsih et al., 2023) . To handle land conflicts, one alternative resolution is through mediation.

Mediation is a dispute resolution process carried out by means of deliberation between the disputing parties. In the mediation process, the disputing parties will be placed under the direction of a mediator whose task is to help the parties to reach a mutually beneficial agreement. Therefore, it is very important for the public to have sufficient knowledge regarding resolving land disputes outside of court because settlement through court is the last step if settlement through mediation outside of court does not produce results considering that settlement through court is expensive and takes a long time (Marsitingsih, Widodo, & Susanti, 2023:262). One of the appropriate activities to educate the public in resolving land disputes through mediation is legal education which is carried out in a programmed and planned manner.

Legal counseling is the flagship program of the Watampone Protection College of Law in the field of community service which is carried out regularly every year. In an effort to help the community in resolving land disputes, it is necessary to provide legal education regarding resolving land disputes through mediation. This activity was carried out in Tanah Tengnga Village, Palakka District, Bone Regency after initial observations were carried out and it was found that land disputes were still frequently occurring. The aim of this activity is to provide understanding to the community about the importance of mediation in resolving land disputes, as well as providing skills and knowledge for the community in carrying out mediation.

METHOD

Method used in devotion public This with method do counseling law as material input and insight knowledge knowledge about effort solution dispute land through mediation carried out in Tanah Tengnga Village Subdistrict Palakka Bone Regency. Activity This held through a number of stages that is, do observation early on location devotion to public with dig problem the ground that occurred in society. After get input from community and government of Tanah Tengnga Village Subdistrict Palakka Bone Regency, next planned For do counseling law about solution dispute land through mediation. The material presented regarding procedures mediation and simulation solution case dispute land. After giving material next with discussion ask answer with inhabitant For finish problem land that emerged in Tanah Tengnga Village Subdistrict Palakka Bone Regency.

RESULTS AND DISCUSSION

Activity This held form counseling law about “ effort solution dispute land through mediation ” which was carried out in Tanah Tengnga Village Subdistrict Palakka Bone Regency on March 31 2022. Results and discussion devotion public as following :

1. Implementation Results Activity

Activity counseling law about effort solution dispute land through mediation carried out in Tanah Tengnga Village Subdistrict Palakka Bone Regency was implemented with good. Activity This done for 1 day which was attended by 30 participants consisting of from public local, figure society and authorities government village. During the activity, participants given material about technique mediation, simulation solution case dispute land, and continued with session ask answer For deepen understanding the people who follow counseling law.

Activity This followed with enthusiastic by the public and some big participant state Very useful and enriching activity knowledge they about technique mediation in solution dispute land. Mostly_ participants also stated that they will apply technique mediation dispute land that has been studied in life daily For finish dispute land in a way deliberation.

2. Discussion of Results

Implementation activity counseling law about effort solution dispute land through mediation in Tanah Tenggara Village Subdistrict Palakka Bone Regency has significant benefits_ for society and government village. This thing seen from response participants who received addition insight and skills new in finish dispute land.

Application technique mediation as one_ form solution dispute land can give sustainable benefits_ for society. Through mediation, society can finish dispute in a way peace without must through track consuming formal justice more time and cost_ big. Apart from that, mediation also provides chance for public For reach mutual agreement_ profitable and possible accountable.

There are advantages to the non- litigation process in matter This mediation according to (Hamid et al., 2023) namely :

- a. Fast time or relatively more short or not confiscate Lots time.
- b. Through mediation, non- litigation can resolved in a number of meetings and agreements sometimes can achieved in One meeting.
- c. Costs incurred_ No too tall in meaning cheap and available reachable.
- d. Best time For mediation is also more flexible Because sometimes happen outside time Work like on the day Saturday and Sunday and it's very simple.

Mediation is method a very hopeful solution For can finish dispute in a way fair. This thing caused because of the mediation process is discussion between the parties to the dispute, so If mediation produce result, result is a win-win solution, so that the parties satisfied with results deliberation. Apparatus land Good center nor in the area sued in a way active For finish disputes and conflicts land through mediation as priority main with put forward neutrality government as a mediator (Irawansah, 2023) . No effort lost important done is avoid happen conflict especially related seizure of land rights remember problem dispute land is complicated thing_ For resolved (Tarmizi et al., 2020) .

Besides, it is necessary understood that dispute land can happen Because a number of cause. Like exists known the term broker (intermediary) in do sell buy land However not enough pay attention to details about physical data and juridical data the land will for sale buy. Then There is elements sell buy land that has not been paved with faith well, like example One land that owns a number of ownership letter land on Name some people land, so There is overlapping overlapping the rights of others who are different in One land. The next factor, when Already buy land, because Already emit lots of money for buy land so For look after letter certificate need costs are not A little like must pay tax sellers and taxes buyer as well as PPAT and /or fees Notary. Other factors namely Not yet understood with Good that agreement sell buy land That must fulfil elements in article 1320 of the Civil Code, namely Agree, Agree, Agree matter certain, a lawful reasons and article 1338 paragraph (3) that implementation agreement must held with faith Good (Wahyuni & Ramanda, 2023) . Things like this is the basis importance give education to public in identify reason happen dispute land and form the solution.

Activity socialization mediation as alternative solution dispute land in Tanah Tenggara Village Subdistrict Palakka Bone Regency also became good example_ For dissemination results to public

wide. Activity This expected can give more benefits_ wide for society and being reference for the party who wishes do activity similar in the future.

CONCLUSION

Counseling laws carried out in Tanah Tengnga Village Subdistrict Palakka Bone Regency aims For give knowledge about procedures_ solution dispute land through mediation. Activity socialization mediation as alternative solution dispute in the field land in Tanah Tengnga Village Subdistrict Palakka Bone Regency provides significant benefits_ for society. Activity This help public For understand technique mediate and provide Skills new in finish dispute land in a way deliberative and effective. In term length, technique mediation can become more alternatives_ effective and economical cost compared to with track formal justice. Expected that activity sort of This can Keep going done and continued improved To use give more benefits_ big for public wide.

BIBLIOGRAPHY

- Halim, A. (2023). Socialization of Mediation as an Alternative for Dispute Resolution in the Land Sector at Stis Darul Falah Bondowoso Student Ppl Activities. *Integrity Pulpit: Journal of Service*, 2 (1), 204–210.
- Hamid, AH, Alyoha, JG, & Saputri, SCR (2023). Efforts to Settle Land Disputes Non-Litigation in the Legal Area of Gowa Regency. *EMPOWERMENT: Journal of Community Service*, 1 (1), 41–46.
- Hulu, K.I. (2021). The strength of the proof of land ownership certificate as proof of ownership rights. *Arrow of Justice Journal*, 1 (1), 27–31.
- Irawansah, D. (2023). Use of Mediation to Settle Civil Land Disputes by the Village Government. *SEWAGATI: Journal of Community Service*, 2 (2), 75–89.
- Juliadi, KR, & Surata, IG (2015). The Position of Foreign Citizens Regarding Land Ownership Rights at the Buleleng Regency Land Office. *Kertha Widya*, 3 (2).
- Marsitningsih, M., Widodo, S., & Susanti, R. (2023). Training on Ownership Management and Land Dispute Resolution in Gandatapa–Sumbang Village, Banyumas Regency. *Proceedings of the LPPM UMP National Seminar*, 4, 258–263.
- Moniung, ES, & Nataharisma, K. (2020). The Role of Criminal Law in Resolving Disputes on Cancellation of Land Rights Certificates by the Head of the Regional Office of the National Land Agency. *Raad Kertha Scientific Journal*, 3 (1), 120–135.
- Ramadhani, R. (2021). Juridical Analysis of Control of Cultivated Land Ex-Utilization Rights of PT. Perkebunan Nusantara II by Cultivators. *National Seminar on Social and Humanities Educational Technology*, 1 (1), 860–867.
- Rosmidah, R. (2013). Ownership of Land Rights in Indonesia. *INNOVATIVE| Journal of Legal Studies*, 6 (2).
- Tarmizi, T. (2020). Inheritance System of Bugis Community in Tellu Siattinge Bone District, South Sulawesi (Perspective of Islamic law). *Samarah: Journal of Family Law and Islamic Law*, 4 (1), 179–208.
- Tarmizi, T., Supardin, S., & Kurniati, K. (2020). Rules for Distributing Community Inheritance in Tellu
-

1) **Alwi Jaya**, 2) **Tarmizi**, 3) **Gustika Sandra**

Resolution Efforts Land Dispute Through Mediation in Tanah Tengnga Village Subdistrict Palakka Bone Regency

Siattinge District, Bone Regency from the View of Islamic Law. *Al-Qadau Journal: Islamic Family Justice and Law*, 7 (2), 12–29.

Wahyuni, S., & Ramanda, GP (2023). Application of Good Faith of the Parties in Settlement of Land Disputes in Segara Makmur Village. *J-Abdi: Journal of Community Service*, 2 (9), 6461–6468.



© 2022 by the authors. Submitted for possible open access publication under the terms and conditions of the Creative Commons Attribution (CC BY SA) license (<https://creativecommons.org/licenses/by-sa/4.0/>).