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## Legal Aid Clinic on Land Law in Candipari Village Sidoarjo

Merline Eva Lyanthi <sup>1</sup>, Mega Dewi Ambarwati <sup>2</sup>, Rosalinda Elsina L<sup>3</sup>, Taj Bahy Fardayana <sup>4</sup>,  
Putri Kurnia Anjani <sup>5</sup>

<sup>1,2,3,4,5</sup> Universitas 17 Agustus 1945 Surabaya

e-mail : <sup>1</sup> [megadewi@untag-sby.ac.id](mailto:megadewi@untag-sby.ac.id)

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**Abstract.** Real Work Study Activities (KKN) is a stage that must be taken by every student, especially students majoring in Law, where this mandatory activity must be taken and is a requirement that must be completed before the final stage, namely the thesis. We took the Thematic KKN program which was held for 4 months located in Candipari Village, Porong District, Sidoarjo Regency. The distance between PT and Candipari village is approximately 35 KM. This activity will of course involve Law Faculty students, local village officials, and the Candipari village community. Some of our goals for conducting KKN in Candipari Village include socialization, education and observation (training). The results of this objective are the basis for us to create research which is outlined in service journals, mass media articles, videos and reports which are submitted to the lecturers concerned. Candipari Tourism Village is a tourist village that offers historical heritage in the form of a temple, it is said that this temple is a heritage from the Majapahit kingdom, this temple is known as Candipari. Historical heritage located in Candipari Village, Porong District, Sidoarjo Regency

**Keywords:** *Candipari, Clinic, Law*

### INTRODUCTION

Higher education is the highest institution in education that has guidelines known as the Tri Dharma of Higher Education. As the name implies, Tri Dharma Perguruan Tinggi has three fields that become the main guidelines in the implementation of education in higher education, namely education, research, and community service. One of the efforts to realize the Tri Dharma of Higher Education in the field of community service is through Real Work Lecture (KKN) activities. This year, Universitas 17 Agustus 1945 Surabaya is organizing a Real Work Lecture Program, one of which is the Thematic Real Work Lecture method, which is aimed at developing a spirit of empathy and concern for the problems that occur in society, educating the nation's life, and realizing community welfare. For the concept itself, this Thematic Real Work Lecture focuses on Tourism Village Governance. Candipari Tourism Village is a tourist village that offers historical relics in the form of a temple, it is said that this temple is a relic of the Majapahit kingdom, this temple is known as Candipari. This historical heritage is located in Candipari Village, Porong District, Sidoarjo Regency. This tourist village is located about 20 km from the city center and is south of Sidoarjo Square. The majority of people living in Candipari Village are indigenous. The majority of community livelihoods include farmers, construction workers, entrepreneurs (SMEs in weaving crafts, weaving craftsmen, souvenir craftsmen, culinary programs and trading), as well as professionals such as teachers, health workers, official employees and others. Land law in Indonesia has become a legal imperative in which the needs and demands of the country's economy become the main benchmark in achieving the objectives of national development as referred to in the opening of the fourth Alenia of the 1945

Constitution of the Republic of Indonesia which requires the government of the State of Indonesia to be formed to protect the Indonesian people to advance the welfare of the community, educate the nation's life and participate in implementing world order based on independence, eternal peace and social justice. Land rights become a trigger and cause, shaper and controller of change in the midst of the international national community. According to Syahyuti, land is an agrarian resource that contains 2 (two) main aspects, namely: aspects of ownership and control, and aspects of use and utilization. In essence, the meaning and strategic position of land in the life of the Indonesian people, not only contains physical aspects, but also social, economic, cultural, political, defense-security and legal aspects.

## **RESEARCH METHODS**

Currently residents in Candipari Sidoarjo village lack understanding of legal issues, and some of the residents have several kinds of problems related to the law so they need help or solutions from legal experts or people who understand the law. For this reason, this community service activity takes the title "Legal Aid Clinic on Land Law in Candipari Sidoarjo Village". This activity is carried out in the form of consultation conducted by several lecturers from the Faculty of Law, University of August 17, 1945 Surabaya which lasts for approximately 2 hours and will be followed by the organization of the preparation of village tourism regulations and videographic practices on Friday, May 17, 2024. The target of the Legal Aid Clinic and socialization is the Candipari tourism village community. This Tourism Village is a form of self-funding and self-help from the people of Sidoarjo Regency. The Legal Aid Clinic was conducted because many of the participants did not fully understand the mechanism and system of problem solving in the legal realm.

## **RESULTS AND DISCUSSION**

The guarantee of legal certainty regarding the control or transfer of land rights by a person, obtained from inheritance is the transfer of a land right to another person. What is meant by the researcher here is the ownership of land rights obtained from the testator to the heirs. So the transfer of rights means that the subject of rights, namely the heirs and heirs, needs to be carried out registration of the transfer of rights to obtain a guarantee of legal certainty of ownership of land rights. To ensure the legal certainty of ownership of inherited land rights, especially on the transfer of inherited land rights, it is necessary to regulate in a legislation, especially regulated in the Basic Agrarian Law (UUPA). In simple terms, it can be stated that the issue of property rights in a legal system is the main joint that will determine the entire legal system. The color of the legal system concerned depends to a large extent on how its property rights are regulated. This is in line with the opinion of Satjipto Raharjo, who calls ownership and contracts as the joints of civil law. And he also says that the structure of ownership in society is the basis of the structure of the life of a society, and therefore in his opinion the regulation of the structure of ownership will also determine how the structure of the life of a society will ultimately be. By looking at the provisions of Article 19 of the Basic Agrarian Law, the registration of land rights is very important, because land that has been registered will get a Land Ownership Evidence Letter called a certificate. This certificate is a land right that has permanent legal force and certainty. One of the services provided by the Sidoarjo District Land Office to the community in the land sector is the recording of transfer of rights continuously trying to provide information so that the stages of implementation of activities both concerning the technical, administrative and juridical aspects can run well, smoothly and satisfactorily. However, in reality there are still many residents of Sidoarjo Regency who in transferring land rights have not registered the transfer to the registration service for the transfer of inheritance land rights at the Sidoarjo Regency Land Office. In principle, all land rights can be transferred. Transfer is the movement of land rights by law, by itself, there is no deliberate legal action to

transfer the right to another party, the movement of land rights occurs due to inheritance. Meanwhile, transferred means that the transfer of property rights to land to another party due to a deliberate legal action so that the land rights move to another party. So the transfer of land rights is the movement of land rights from one party to another, either due to intentional legal actions or not due to intentional legal actions.

The transfer of rights to land is closely related to the transfer of land rights, which legally has a different meaning between the transfer and the transfer of rights to land. "In the transfer of land rights there are two elements, namely:

1. The landowner intentionally transfers it to another party, for example in the sale and purchase of land, grants, exchanges, auctions, and others. In the case of the landowner intentionally this is what is called the transfer of property rights to land.
2. The land is transferred from another person legally/unintentionally, for example if the landowner dies, the right by law automatically passes to his heirs.

As the population grows, the need for land for development purposes is increasing, while the land area is relatively fixed. In addition, land is currently an object of investment and as a result, the value of land prices will soar. This often triggers land disputes. For this reason, the problem of inheritance of land rights always arises. By itself, according to Article 834 of the Civil Code, "the recipient of the inheritance is entitled to control the wealth of the testator (boedel) based on his rights as heirs of the testator. The division of inheritance or property through two ways, namely the existence of voluntary and forced ways. Apart from the elements of Article 1321 of the Civil Code "there is no valid agreement if the agreement is given due to oversight, or obtained by force or fraud". Apart from being found in the study of civil law, this inheritance law is sufficiently studied in agrarian law as a benchmark for the transfer of a land right. Inheritance is contained in legislation relating to land, namely: Law No. 5 of 1960 on the Basic Regulation of Agrarian Principles (UUPA) ".



**Figure 1 Clinic Activities**

## **CONCLUSION**

Through the implementation of the Legal Aid Clinic program in Candipari Tourism Village Sidoarjo, the Real Work Lecture team has contributed to the development of community knowledge of the law. Based on the legal aid clinic activities regarding inheritance law, Candipari Tourism Village residents managed to understand related land law issues in the realm of law. In this discussion, it has a positive impact on Candipari villagers to better understand legal issues that can occur at any time. Legal aid clinic consultations on land law help residents understand and control, and manage inheritance effectively and in accordance with applicable law. The Legal Aid Clinic is an important institution to provide access to legal justice for the underprivileged. Despite some challenges, the Legal Aid Clinic continues to strive to provide the best service to the community. The impact of holding legal aid clinic activities regarding

inheritance law for people living in Candipari Village is to increase people's understanding of land law. This helps them understand the process of dividing inheritance property fairly and in accordance with applicable law, helping people access legal aid. This helps them get their rights to the maximum and avoid exploitation by irresponsible parties..

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