



District Court Jurisdiction over Identity Changes in Waqf Land Certificates: A Study of Decision Number 288/Pdt.P/2024/PN Gpr

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Abstract

Purpose – This study examines the jurisdiction of the District Court in handling applications for identity changes related to waqf land certificates, with particular reference to Kediri Regency District Court Decision Number 288/Pdt.P/2024/PN Gpr. It aims to analyze the legal basis and *ratio decidendi* of the court and to determine the appropriate legal mechanism for resolving identity discrepancies affecting waqf land administration.

Design/methods/approach – This study employs normative legal research using statute, case, and conceptual approaches. Primary legal materials include relevant legislation, Supreme Court administrative guidelines, and Decision Number 288/Pdt.P/2024/PN Gpr. Secondary sources consist of scholarly works on judicial authority, population administration, land registration, and waqf administration. The materials were analyzed qualitatively through Judicial Authority Theory.

Findings – The study finds that the identity discrepancy involved both population data and juridical data recorded in a land certificate. The District Court declared itself absolutely incompetent because the requested change substantially concerned land-registration data, which falls within the administrative authority of the Land Office. The findings further show that identity correction must be classified according to the legal object concerned: population data are handled through population administration, land-registration data through the National Land Agency, while judicial intervention is required only where legislation expressly provides jurisdiction or where a genuine legal dispute arises.

Research implications/limitations – The study provides a normative framework for distinguishing judicial and administrative authority in waqf land administration, but it is limited to doctrinal analysis of a single court decision.

Originality/value – This study identifies identity correction in waqf land administration as a cross-sectoral jurisdictional issue involving population administration, land registration, waqf administration, and judicial authority.

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INTRODUCTION

Waqf is one of the most important instruments of Islamic philanthropy, serving both religious and social functions while receiving formal legal protection within the Indonesian legal system. Its implementation is primarily regulated by Law Number 41 of 2004 concerning Waqf and Government Regulation Number 42 of 2006 concerning the Implementation of the Waqf Law. One of the essential requirements in the administration of waqf property is that the waqf pledge be made before an Official for Waqf Pledge Deeds (*Pejabat Pembuat Akta Ikrar Wakaf* or PPAIW) and documented in a Waqf Pledge Deed (*Akta Ikrar Wakaf* or AIW). This formal mechanism is intended to provide legal certainty regarding the status, ownership, management, and administration of waqf assets.

Despite this regulatory framework, informal or unregistered waqf practices remain common in Indonesia. Such practices may arise from long-standing local customs, limited legal awareness, or administrative obstacles. Previous studies have shown that uncertified and informally administered waqf assets are vulnerable to legal uncertainty, documentary inconsistency, and future disputes (Munandar and Arwana, 2021; Sudirman et al., 2022). The absence of orderly documentation may also obstruct the registration and certification of waqf land even where the original waqf intention is not disputed. Studies on waqf registration further indicate that formal documentation, institutional coordination, and the role of PPAIW are essential to transforming socially recognized waqf into legally protected waqf property (Jannah et al., 2020; Lahilote and Subeitan, 2024).

A similar problem occurred in Kandangan Village, Kediri Regency. The waqf was initially conducted informally and, during the subsequent administrative process, discrepancies were discovered between the identities recorded in population documents and those appearing in the land ownership certificate. The differences concerned both the names and dates of birth of the waqif. These inconsistencies prevented the waqf administration process from proceeding because the competent authority required certainty that the person identified in the land certificate was the same person who appeared in the current population documents.

The matter was subsequently submitted to the Kediri Regency District Court through an application registered as Case Number 288/Pdt.P/2024/PN Gpr. The applicants requested the court to confirm the identity correspondence and authorize changes to the identity of the registered land-right holders. However, the District Court declared that it lacked absolute jurisdiction to adjudicate the application. In its reasoning, the court referred to the Chief Justice of the Supreme Court Decree Number KMA/032/SK/IV/2007 and considered that changes to physical and juridical data concerning land rights fall within the administrative authority of the Land Office rather than the authority of the District Court in voluntary proceedings.

This determination raises an important legal issue because the problem lies at the intersection of several administrative and judicial regimes. On the one hand, identity data are governed by population and civil registration law. On the other hand, the names recorded as holders of land rights form part of land registration data administered by the National Land Agency (*Badan Pertanahan Nasional* or BPN). At the same time, the land concerned was being processed as waqf property, thereby connecting the issue with waqf administration and the role of PPAIW. The legal difficulty therefore does not arise merely from a spelling error or a

difference in personal data; it concerns which institution is legally authorized to establish, correct, or recognize the relevant information.

The issue of institutional competence is particularly significant in Indonesian land law. Land certificates are intended to provide legal certainty and evidentiary protection to rights holders, yet their administration remains subject to statutory procedures and the authority of designated administrative institutions (Permadi and Herlindah, 2023; Prihatmaka et al., 2025). When disputes or irregularities arise, the distinction between judicial authority and administrative authority becomes crucial. Yuherman et al. (2025), for example, demonstrate that overlapping or fragmented jurisdiction in land matters may lead to legal uncertainty, particularly where the functions of general courts and administrative courts intersect. Wahid and Sulistiyono (2025) likewise identify institutional fragmentation as one of the central challenges in Indonesian land dispute resolution.

However, not every problem involving a land certificate constitutes a judicial dispute. Some matters concern administrative correction, maintenance of land registration data, or the implementation of a final court decision by the land administration authority. Cahyadi (2025) shows that even where a court judgment exists, the implementation of changes to land registration documents remains an administrative process carried out by the competent Land Office. Damayanti et al. (2026) similarly distinguish between judicial decisions and the administrative authority responsible for revocation or alteration of land certificates. This distinction is important because courts cannot automatically substitute themselves for administrative bodies whose authority has been specifically established by legislation.

A comparable division of authority also exists in population administration. Certain changes to personal data may require judicial involvement, while others fall within the administrative competence of the Population and Civil Registration Service. Pranada et al. (2026) demonstrate that population-document administration is governed by principles of administrative authority, including *contrarius actus*, under which the institution that issues an administrative document may also possess the authority to correct or revoke it under legally prescribed conditions. Therefore, the presence of an “identity problem” does not necessarily mean that the District Court is the appropriate forum. The legal character of the data being corrected must first be identified.

Within waqf administration, the importance of this distinction becomes even more pronounced. Recent scholarship emphasizes that legal certainty over waqf land depends on harmonization among waqf law, land registration law, and institutional procedures. Mubarak et al. (2025) identify legal harmonization as a major requirement in waqf land certification, while Kusumaningtyas (2025) emphasizes certification as a means of strengthening legal certainty for waqf assets. Similarly, Syiharurrohman et al. (2025) note that informal waqf assets require mechanisms of legal recognition and administrative regularization to prevent future uncertainty. These studies demonstrate that the legal protection of waqf land is not determined solely by the substantive validity of the waqf but also by the accuracy and consistency of the administrative records supporting it.

Previous research has examined waqf certification, uncertified waqf land, land registration, judicial competence, and changes to population data. However, these discussions tend to remain separated according to their respective legal fields. Studies on waqf primarily focus on registration and legal protection; studies on land law emphasize certificates,

disputes, and land administration; while studies on identity changes focus on population administration and judicial procedures. Limited attention has been given to cases in which an identity discrepancy simultaneously affects population data, land registration, and the administration of waqf property, thereby creating uncertainty regarding the proper institutional forum for correction.

This study addresses that gap by analyzing Kediri Regency District Court Determination Number 288/Pdt.P/2024/PN Gpr through the framework of judicial authority. It examines the legal basis and *ratio decidendi* underlying the court's declaration of lack of jurisdiction and evaluates the appropriate legal mechanism for resolving identity discrepancies affecting waqf land certificates. By doing so, the study seeks to clarify the boundaries between judicial authority and administrative authority and to contribute to greater legal certainty in the administration of waqf land in Indonesia.

METHOD

This study employed normative legal research, focusing on the examination of legal norms, statutory regulations, legal doctrines, and judicial decisions related to the object of analysis. The study specifically examined Kediri Regency District Court Determination Number 288/Pdt.P/2024/PN Gpr concerning an application to change the identity of the waqif as recorded in the relevant land certificate. Judicial Authority Theory was used as the main analytical framework to assess the legal basis, scope, and limits of the District Court's competence in handling the application.

The study applied three complementary approaches: a statute approach, a case approach, and a conceptual approach. The statute approach was used to examine the legal framework governing population administration, judicial power, land registration, and waqf administration, including Law Number 24 of 2013 concerning Amendments to Law Number 23 of 2006 on Population Administration, Law Number 48 of 2009 concerning Judicial Power, Law Number 41 of 2004 concerning Waqf, Government Regulation Number 42 of 2006 concerning the Implementation of the Waqf Law, and Government Regulation Number 24 of 1997 concerning Land Registration. The case approach was applied to analyze the legal reasoning and operative part of Determination Number 288/Pdt.P/2024/PN Gpr. The conceptual approach was used to examine the notion of judicial authority, administrative authority, legal certainty, and the division of competence among state institutions.

The legal materials consisted of primary, secondary, and tertiary sources. Primary legal materials included relevant statutes and regulations, the Chief Justice of the Supreme Court Decree Number KMA/032/SK/IV/2007 concerning the Enforcement of Book II of the Guidelines for the Implementation of Judicial Duties and Court Administration, and Kediri Regency District Court Determination Number 288/Pdt.P/2024/PN Gpr. Secondary legal materials consisted of books, journal articles, legal commentaries, and scholarly studies concerning judicial competence, population administration, land registration, waqf administration, and legal certainty. Tertiary legal materials, including legal dictionaries and encyclopedic sources, were used to clarify relevant legal concepts and terminology.

Legal materials were collected through library research by tracing, identifying, classifying, and organizing sources relevant to the research problem. The analysis was conducted qualitatively and normatively by systematically interpreting and connecting

statutory provisions, legal doctrine, administrative regulations, and the court's reasoning. The analysis focused particularly on whether the District Court possessed a sufficient legal basis to grant the requested identity change and on how the disputed matter should be classified within the respective competences of the District Court, the Population and Civil Registration Service, and the National Land Agency.

The analytical process proceeded through four stages. First, the legal character of the requested identity change was identified by distinguishing between population-administration data and land-registration data. Second, the court's *ratio decidendi* was examined in light of the statutory limits of judicial authority. Third, the relevant administrative mechanisms for correcting population and land-registration data were compared with the judicial mechanism requested by the applicants. Fourth, the findings were synthesized to determine the appropriate legal procedure for resolving identity discrepancies that affect the administration and certification of waqf land. The results were then presented descriptively and analytically to explain the boundary between judicial and administrative authority in the case under study.

RESULTS AND DISCUSSION

Case Facts and Main Findings

The central issue in Case Number 288/Pdt.P/2024/PN Gpr concerns discrepancies between the identities of the registered land-right holders and the identities used by the waqif in their current population documents. The land concerned was being processed for formal waqf administration through the Official for Waqf Pledge Deeds (*Pejabat Pembuat Akta Ikrar Wakaf* or PPAIW). However, the process could not proceed because the identity information recorded in Freehold Title Certificate Number 1317 of Kandangan Village was inconsistent with the applicants' current identity documents.

According to the case documents, the disputed administrative data concerned a parcel of agricultural land measuring 3,320 m². The certificate recorded the holders of rights as Siti Arofah, born on 7 October 1971, and Rasit, born on 1 January 1964. In contrast, the applicants currently identified themselves as Siti Arpah, born on 18 January 1970, and Raset, born on 17 August 1960. The discrepancies therefore involved not only variations in spelling but also different dates of birth. Such inconsistencies created uncertainty as to whether the persons named in the certificate and those currently undertaking the waqf administration were legally identical persons.

The applicants subsequently submitted an application to the Kediri Regency District Court. The application was registered on 26 August 2024. In substance, the applicants requested the court to declare that Raset was the same person as Rasit and that Siti Arpah was the same person as Siti Arofah. They also requested authorization to change the identity information attached to the holders of rights in Freehold Title Certificate Number 1317 of Kandangan Village so that it corresponded with their current identities.

The land had previously been transferred for waqf purposes on 7 July 2022, with Yayasan Persyada Al-Haromain acting as the nazhir. The transfer was recorded in Waqf Pledge Deed Number 32.020/DPP-PDH/SK/VII/2022. Nevertheless, when the parties sought to continue the certification or transfer of the land into formally registered waqf property, the

discrepancy between the identities contained in the land certificate and those appearing in the current population records created an administrative obstacle.

This case illustrates that problems in waqf administration are not always related to disputes over the existence or validity of the waqf itself. In some cases, the substantive intention to establish waqf may be clear, but administrative inconsistencies prevent the legal formalization of the property. Sudirman et al. (2022) describe such problems as part of the broader disorganization of waqf land management in Indonesia, where weak documentation and incomplete formalization may undermine legal certainty. Jannah et al. (2020) likewise emphasize that registration is crucial for transforming waqf property from a socially recognized religious asset into a legally protected asset. Munandar and Arwana (2021) further demonstrate that uncertified waqf land remains vulnerable to uncertainty and future legal disputes.

The findings of the present case therefore reveal an intersection between three legal-administrative domains. The first is population administration, which determines the legally recognized personal identity of citizens. The second is land administration, which records the juridical identity of holders of land rights. The third is waqf administration, which requires certainty concerning the identity of the waqif, the status of the property, and the relevant documentation before the waqf can be fully formalized. The difficulty arises when information contained in these administrative systems is inconsistent and each institution operates under a distinct legal mandate.

This problem is increasingly significant in an era in which public administration is moving toward integrated and digital data systems. Maghfiroh et al. (2026) argue that the digitalization of waqf certification can strengthen transparency and public trust, while Harry et al. (2025) show that electronic registration of waqf land under land-registration programs has the potential to simplify administrative processes. However, digitalization also increases the importance of consistent underlying data. A system cannot generate legal certainty if the personal identity, land ownership, and waqf documentation entered into it remain contradictory. Thus, the case under study demonstrates that data consistency constitutes a substantive element of legal certainty rather than merely a technical administrative issue.

The Court's Determination and Judicial Reasoning

The Kediri Regency District Court declared that it lacked absolute jurisdiction to examine and determine the application. The court also ordered the applicants to pay court costs amounting to IDR 150,000. The significant point in the determination is that the court did not begin by examining whether the applicants had successfully proven the substantive equivalence between Siti Arpah and Siti Arofah or between Raset and Rasit. Instead, the court first examined whether it had legal authority to grant the relief requested.

The court relied on Chief Justice of the Supreme Court Decree Number KMA/032/SK/IV/2007 concerning the Enforcement of Book II of the Guidelines for the Implementation of Judicial Duties and Court Administration. Under those guidelines, not every matter submitted in the form of a voluntary application may automatically be examined by a District Court. The court may issue a determination only where the legal system provides an adequate basis for such jurisdiction.

After examining Freehold Title Certificate Number 1317 of Kandangan Village and Survey Letter Number 7721 of 1983, the court concluded that the applicants were effectively

requesting an amendment to the juridical data contained in the land certificate. The requested determination therefore concerned more than proof of personal identity. Its legal consequence would affect the identity of the registered holders of land rights. Because maintenance and correction of juridical land-registration data fall within the administrative functions of the Land Office, the court considered the application to be outside its absolute competence.

This reasoning reflects a fundamental principle of public law: every state institution may exercise only the authority granted to it by law. Susanto (2020) explains that authority must have a lawful source and is necessarily limited by the legal framework from which it originates. Muklis (2026) similarly emphasizes that legal authority is not merely the practical ability of an institution to act but the juridical legitimacy that permits the institution to perform a particular legal function.

The court's reasoning can also be placed within the broader literature on judicial reasoning in land cases. Darussalam et al. (2025), in their analysis of judicial considerations in land disputes, show that judges must assess procedural competence, ownership evidence, legal standing, and the legal relevance of the relief requested before entering the merits of a case. Sutjiadi and Rahayu (2025) likewise demonstrate that judicial reasoning significantly affects legal certainty because different approaches to formal documents, factual circumstances, and procedural issues may generate different legal outcomes. Although these studies concern contentious land disputes, their findings are relevant to the present case because they confirm that judicial reasoning begins not only with the factual merits but also with the legal structure governing the court's authority.

The present determination therefore cannot be interpreted as a finding that the applicants were not the same persons named in the certificate. The court did not reach that substantive conclusion. Instead, the decisive issue was whether a District Court, through a voluntary proceeding, could order changes to identity information that formed part of land-registration data. The answer given by the court was negative.

This distinction is important for understanding the *ratio decidendi*. The court's determination does not resolve the factual identity discrepancy; it identifies the institution that, in the court's view, should address the administrative consequences of that discrepancy. In this respect, the decision represents a jurisdictional ruling rather than an adjudication of the underlying identity facts.

Juridical Analysis of the Judge's Reasoning

The applicants' decision to approach the District Court was understandable from a practical perspective. They needed an authoritative document capable of establishing that two differently recorded identities referred to the same persons. Without such certainty, the PPAIW and land administration authorities could not comfortably continue the waqf process. Nevertheless, the legal characterization of their request is more complex than the practical objective suggests.

The essential distinction lies between correction of personal identity and correction of land-registration data. Personal identity recorded in civil-registration documents is governed primarily by population-administration law. By contrast, the identity attached to the holder of a land right constitutes part of the juridical data recorded within the land-registration system. Although both concern the same individual, the legal object being corrected is different.

This distinction is reinforced by the function of land certificates in the Indonesian legal system. Prihatmaka et al. (2025) explain that a land certificate provides legal certainty because it identifies a particular legal subject in relation to a particular parcel of land. Permadi and Herlindah (2023) similarly emphasize that the evidentiary role of a certificate depends on the integrity of the registration system. The accuracy of the identity recorded as the rights holder therefore forms part of the legal reliability of the certificate itself.

Miptahudin and Suriaatmadja (2026) further show that the evidentiary strength of land registration cannot be reduced to the formal existence of a certificate. It also depends on the legality of the registration process, the validity of the underlying rights, factual circumstances, and good faith. Their analysis confirms that juridical data in a certificate have substantive legal consequences. Therefore, changes to the identity of a registered rights holder cannot be treated in exactly the same way as correction of an ordinary administrative typo.

At the same time, the administrative character of land-registration data does not mean that courts have no role in land matters. Courts remain essential where a genuine dispute exists concerning ownership, validity of rights, unlawful acts, or the legality of administrative decisions. The relevant issue is the type of judicial forum and the nature of the dispute.

Yuherman et al. (2025) demonstrate that Indonesian land disputes frequently involve tension between District Court jurisdiction over civil ownership and State Administrative Court jurisdiction over the legality of administrative land decisions. T and Rafianti (2023) similarly identify legal uncertainty arising from overlapping certificates and divergent judicial processes. Nurbaedah and Hayeemaming (2025) further show that divergent interpretations by courts can create uncertainty in land dispute resolution. These studies confirm that the mere presence of a land certificate does not determine a single judicial forum; the legal character of the contested act remains decisive.

The present case, however, differs from those contentious disputes because the applicants did not allege that another party unlawfully claimed the land, that the certificate was issued through an unlawful administrative decision, or that there was competing ownership. Rather, the applicants sought administrative alignment of identity data in order to continue waqf formalization. This absence of an adversarial legal dispute strongly supports the court's conclusion that the problem should first be addressed through administrative mechanisms.

Cahyadi (2025) provides a useful comparison by demonstrating that even when a final court judgment requires consequences for a land certificate, implementation of certificate revocation or amendment remains an administrative process undertaken by the Land Office. Damayanti et al. (2026) similarly distinguish the judicial determination of legal disputes from the administrative authority responsible for implementing changes to certificates. Blezinzky et al. (2025), in analyzing the relationship between a National Land Agency decree and a Supreme Court decision, likewise highlight the continuing importance of coordination between judicial outcomes and administrative land action.

Accordingly, the appropriate legal analysis cannot be based simply on whether an "identity change" is generally associated with a court. The decisive consideration is the legal nature of the identity data concerned, the official document in which those data are recorded, the institution responsible for issuing and maintaining that document, whether the applicable legislation expressly requires a judicial determination, and whether the matter contains a

genuine dispute that calls for adjudication. These elements must be considered together because a change of name in a population document, a correction of the holder's identity in a land certificate, and a judicial determination concerning a disputed civil status may all involve "identity" while belonging to different legal regimes. A proper jurisdictional assessment therefore requires identification of the legal object before the competent forum can be determined.

The court's approach is consequently defensible because it avoids treating all identity-related problems as judicial matters. Such an approach protects the division of governmental functions and prevents courts from performing routine administrative functions that legislation assigns to specialized agencies.

Analysis Based on Judicial Authority Theory

Judicial Authority Theory provides a framework for explaining why institutional competence became the decisive issue in the case. Authority concerns the legal source, basis, scope, and limits of institutional power. In a state governed by law, an institution does not acquire competence merely because its involvement appears practically useful. Its legal authority must be traceable to legislation or another valid legal source.

Administrative-law doctrine commonly distinguishes authority acquired through attribution, delegation, and mandate. Although these concepts operate primarily in administrative governance, they express a broader legality principle applicable to state institutions: an organ may not exercise powers that have not been legally conferred upon it.

In the present case, the applicants required a legally authoritative resolution, but the practical need for such resolution could not itself generate jurisdiction. The District Court first had to determine whether legislation authorized it to issue a determination whose consequence would be alteration of juridical information in a land certificate.

This reasoning reflects what might be described as a formal principle of jurisdiction. However, formal jurisdiction must also be evaluated in relation to substantive access to justice. Hutabarat et al. (2026) warn that formalism of authority in agrarian matters can sometimes distance procedural resolution from substantive justice. Wahid and Sulistiyono (2025), in proposing a specialized land court, similarly identify institutional fragmentation as a factor that complicates the resolution of land problems. Yuherman et al. (2025) propose greater integration between judicial competencies because rigid institutional separation can produce inefficiency and contradictory legal outcomes.

These critiques are relevant to the present case even though it involves an administrative application rather than an ownership dispute. The court may have correctly respected the legal boundary of its authority, yet the applicants remained confronted with the original administrative obstacle. The determination clarified which forum was not competent, but it did not by itself synchronize the applicants' population records, land certificate, and waqf documentation.

Consequently, a legally correct decision on jurisdiction does not necessarily amount to a complete resolution of the underlying administrative problem. The case demonstrates the need for coordination among institutions whose functions are legally separate but operationally interconnected. Dukcapil is responsible for establishing and correcting population identity data according to population-administration law. The National Land Agency, through the Land Office, administers land-registration data and is responsible for

maintenance and correction of juridical information contained in land certificates. The PPAIW performs the formal administrative function associated with the declaration and documentation of waqf. The courts exercise judicial authority only where legislation assigns them competence or where a dispute requiring adjudication falls within their jurisdiction. These institutional functions are complementary rather than interchangeable. Therefore, the correct legal route must follow the nature of the particular data and legal act at issue instead of being determined solely by the applicant's desire to obtain a judicial document.

This division also reflects the principle of administrative specialization. Specialized administrative bodies possess institutional competence, technical procedures, records, and verification mechanisms that courts generally do not possess. The Land Office is institutionally equipped to examine land-registration records, while Dukcapil possesses the relevant population database and authority to validate civil-registration data. Judicial intervention becomes appropriate where there is a legal dispute concerning rights, where administrative action is challenged, or where legislation expressly conditions an administrative change on a court determination.

Susanti et al. (2026), in discussing legal protection against adverse administrative decisions, underscore the distinction between administrative decision-making and judicial review of administrative acts. The judiciary provides protection when administrative authority is challenged, but judicial review does not transform courts into substitute administrative agencies. This conceptual distinction is important for the present case because no challenged adverse land-administration decision was yet at the center of the application. The applicants sought a judicial determination before exhausting or completing the administrative mechanisms appropriate to the data being corrected.

The decision can therefore be understood as an application of legality and institutional restraint. Judicial restraint in this context is not passivity; it is recognition that legal certainty depends on each institution acting within its designated sphere.

Administrative Correction of Population and Land Data

The identity discrepancy in this case requires separate examination of population data and land-registration data because each is governed by a different institutional regime. Where the error or inconsistency concerns population identity, the first inquiry must be directed to Dukcapil. Law Number 24 of 2013 concerning Population Administration provides the framework for correction and alteration of population data, although certain types of changes may require supporting judicial documentation depending on their legal character.

Pranada et al. (2026) analyze the application of the *contrarius actus* principle in population-document administration and emphasize that the administrative institution responsible for issuing a document may also possess authority to amend or revoke it within the statutory framework. This principle does not imply unlimited administrative discretion, but it confirms that many identity-related issues remain primarily administrative.

Once the legally valid population identity has been established, the question becomes whether the corresponding land-registration information can be corrected through the Land Office. Government Regulation Number 24 of 1997 establishes mechanisms for maintaining land-registration data. The legal significance of this mechanism lies in the fact that land registration is not static. The system anticipates changes, corrections, transfers, and maintenance of physical and juridical information.

This administrative route is consistent with the general function of the National Land Agency. Sadono (2023) emphasizes that contemporary land-problem resolution mechanisms assign significant administrative responsibility to the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency. The Land Office is therefore not merely an institution issuing certificates; it also performs continuing administrative maintenance of the land-registration system.

The importance of such maintenance becomes particularly clear when identity data are inconsistent. If a certificate continues to identify a rights holder under data that no longer correspond with valid population records, subsequent legal acts may become obstructed. This is precisely what occurred in the present case: the waqf could not be fully processed because the administrative system could not confidently link the waqif with the registered rights holder.

The proper resolution therefore requires an integrated but sequential administrative process. The applicants should first establish the legally valid identity through the population-administration system so that there is a definitive documentary basis regarding their names and dates of birth. Those valid population records can then be used as supporting documents before the Land Office in seeking correction or maintenance of the juridical data contained in the land certificate. Once the land-registration information has been brought into conformity with legally verified identity documents, the PPAIW and other relevant waqf institutions can proceed with formalization, registration, and certification of the waqf. Judicial involvement would become necessary only if the applicable law expressly requires a court determination, if the relevant administrative authority refuses to act in a manner that becomes legally challengeable, or if a genuine dispute arises concerning the identity, ownership, or validity of the underlying rights.

This procedural sequence avoids unnecessary institutional overlap while still preserving access to judicial protection where administrative procedures become disputed. It also minimizes the risk that different institutions issue documents containing conflicting legal conclusions.

Implications for Waqf Land Administration

The case has broader implications for waqf land administration because it demonstrates that legal certainty over waqf property depends on more than the religious validity of the waqf declaration. Waqf operates simultaneously as an Islamic legal institution and as an object of state property administration. Once land is involved, the validity and protection of waqf assets depend upon interaction between waqf law and the national land-registration system. Lahilote and Subaitan (2024) show that PPAIW plays an essential role in translating a religious waqf act into administratively recognized legal documentation. Their study highlights the institutional importance of the Waqf Pledge Deed as a bridge between religious intention and formal legal protection. Mubarak et al. (2025) likewise identify legal harmonization as essential in waqf land certification because fragmented procedural requirements can hinder the legal protection of waqf assets. Kusumaningtyas (2025) emphasizes that certification strengthens legal certainty by ensuring that waqf land is recognized within the state land-registration system. Sulistiani et al. (2019) also identify legalization of waqf land as an important instrument for safeguarding waqf property from future claims and administrative uncertainty. These studies demonstrate that certification is

not simply bureaucratic formality but part of the preventive legal protection of religious assets.

The present case adds another dimension to this literature. It shows that certification may be obstructed even where the community, waqif, and nazhir do not dispute the waqf. Administrative identity inconsistencies alone may prevent formal registration. In other words, the vulnerability of waqf property may emerge from data fragmentation rather than substantive conflict. Syiharurrohman et al. (2025) address the legal vulnerability of informal or *siri* waqf and emphasize the urgency of mechanisms that allow such assets to obtain formal legal protection. Their findings are particularly relevant because many waqf practices historically occurred through informal community recognition before being brought into the formal administrative system. When these historical practices are later formalized, inconsistencies in names, land records, family documentation, or historical evidence can become legally significant. Fahmi et al. (2024) similarly discuss the complexity of waqf land in relation to customary-law contexts. Their study reinforces the idea that Indonesian waqf administration operates within a plural legal environment in which religious norms, social recognition, land law, and formal state documentation intersect. Priyono et al. (2026) further demonstrate that the legal treatment of waqf land transfers may require simultaneous consideration of civil law and Islamic law. Together, these studies indicate that the protection of waqf property cannot be achieved through a single legal regime.

The case under study therefore illustrates a form of practical legal pluralism. The religious act of waqf derives normative meaning from Islamic law, its formal deed is processed through the PPAIW, its underlying land title is governed by agrarian law, and the identity of the waqif is verified through population administration. The law provides different institutions for each of these functions, but the effectiveness of waqf protection depends on their successful coordination. Tamanaha (2021) notes that legal pluralism often generates both flexibility and institutional complexity because multiple normative and legal systems may govern related social relations. Although his analysis is broader than Indonesian waqf, the concept helps explain why an apparently simple identity discrepancy can become legally complex once it affects several interconnected administrative systems.

This complexity also supports the importance of integrated data governance. If population, land, and waqf records could be reliably cross-verified, administrative inconsistencies might be detected and corrected before they obstruct certification. Digitalization provides an opportunity for such integration but also creates new demands for data accuracy. Maghfiroh et al. (2026) emphasize that digitalization and transparency can enhance public trust in waqf certification. Harry et al. (2025), discussing electronic waqf registration within PTSL, likewise show how technological systems may strengthen administrative efficiency. Nevertheless, technology cannot itself resolve inconsistent legal identities. Digital systems can accelerate verification only if the source data have already been legally validated (Amali et al., 2025; Hadziq et al., 2026; Hafiz & Harry, 2026). Therefore, the case should also be understood as a warning that administrative modernization must be accompanied by mechanisms for correcting historical inconsistencies in analog records. Otherwise, digitalization may merely reproduce previous errors in a more technologically sophisticated form.

Legal Certainty and Institutional Coordination

Legal certainty constitutes one of the central objectives of both land registration and waqf administration. The land-registration system seeks to identify legal subjects, objects, and rights with sufficient clarity to support transactions and prevent disputes. Waqf administration similarly seeks to establish certainty concerning the waqif, nazhir, waqf property, purpose, and legal status of the asset. When the same person is identified differently across state documents, both systems are weakened. The inconsistency creates uncertainty concerning legal subjecthood and prevents administrative officials from confidently connecting the person performing a legal act with the individual registered in the existing document.

Prihatmaka et al. (2025) emphasize that preventive legal protection depends upon orderly and transparent administrative procedures. This perspective is highly relevant because legal certainty should ideally be created before a dispute reaches the courts. Accurate land registration, consistent identity documentation, and coordinated administrative verification reduce the need for later litigation. Karjoko et al. (2026), although examining corporate land acquisition, highlight the tension between formal land records and factual claims to land. Their findings demonstrate that formal legality remains important, but legal protection becomes problematic when documented legal status and factual reality diverge. The present case reflects a different form of the same structural tension: factual personal identity and documentary identity have become misaligned.

Sutjiadi and Rahayu (2025) similarly stress that inconsistency in judicial reasoning can weaken predictability and legal certainty. In the context of administrative identity correction, predictability requires not only consistent judicial reasoning but also clear rules specifying when the courts, Dukcapil, and BPN possess competence. The absence of procedural clarity may create what can be described as an institutional referral problem. Applicants may approach a court because an administrative office requests a judicial determination, only for the court to declare that the issue belongs to the administrative authority. If the parties are then returned to the administrative office without a clearly recognized mechanism, they may become trapped between institutions.

For this reason, the significance of the present case extends beyond the correctness of the District Court's jurisdictional conclusion. It exposes the need for clearer interinstitutional procedures governing cases in which population identity and land-registration data differ. Such procedures should identify what evidence is sufficient to establish identity equivalence, when an administrative correction can be made without a court order, and under what circumstances judicial determination is legally required. This approach is consistent with the broader concern expressed by Wahid and Sulistiyono (2025) regarding fragmentation in land dispute resolution. Although creating a specialized land court may address contentious disputes, administrative inconsistencies such as those found in the present case require improved coordination even before litigation arises.

The findings of this study have a close relationship with the research of Utomo and Samhudi (2024), who examine the process of changing an individual's name through the courts as part of the legal recognition of personal identity. Both studies demonstrate that identities recorded in official state documents generate legal consequences and therefore cannot be changed merely through informal declarations. Nevertheless, the two studies differ

substantially in the legal object under examination. Utomo and Samhudi focus primarily on changes to personal names within population administration. The present study examines an identity discrepancy that has become embedded in land-registration data and subsequently affects waqf administration. The difference is important because the existence of a judicial role in changing personal names does not imply that courts automatically possess competence to change all documents in which a person's identity appears.

The present findings also complement Yugo (2025), who examines manipulation and data inconsistencies in waqf documentation. Yugo demonstrates that inconsistent waqf records may produce disharmony in waqf management. The present study extends that insight by showing that data inconsistency can also create a jurisdictional problem where several administrative authorities become involved. Similarly, existing studies on waqf certification predominantly focus on the importance of registration and legal protection. Jannah et al. (2020) examine legalization and registration procedures; Munandar and Arwana (2021) focus on the legal protection of uncertified waqf land; Lahilote and Subaitan (2024) discuss the role of PPAIW; Mubarak et al. (2025) analyze legal harmonization; and Kusumaningtyas (2025) emphasizes certification as a mechanism of legal certainty. These studies collectively explain why formalization matters, but they pay relatively limited attention to identity discrepancies that prevent the certification process from progressing. This study also differs from the literature on conventional land disputes. Yuherman et al. (2025), Wahid and Sulistiyono (2025), T and Rafianti (2023), and Nurbaedah and Hayeemaming (2025) focus on jurisdictional overlap and inconsistent judgments in contested land cases. In contrast, the present case demonstrates that jurisdictional uncertainty can arise even in the absence of opposing litigants. A voluntary administrative request may itself expose uncertainty about the boundary between the judiciary and administrative agencies (Usmany et al., 2025).

The contribution is therefore not merely to add another analysis of court jurisdiction. The study demonstrates that institutional competence must be determined by the legal object being altered rather than by the general terminology used by applicants. An “identity change” may belong to population administration when it concerns population documents, to land administration when it concerns juridical data in a land certificate, or to judicial determination when legislation expressly assigns the relevant matter to the courts or when a genuine legal dispute requires adjudication.

Research Contribution and Normative Implications

The primary contribution of this study lies in identifying identity correction in waqf land administration as a cross-sectoral jurisdictional issue. Existing scholarship often treats population administration, land registration, and waqf administration as separate areas of law. In practice, however, the legal formalization of waqf land requires all three systems to interact. Population administration establishes the legally recognized identity of the individual. Land administration establishes the juridical identity of the holder of rights over a specific land parcel. Waqf administration establishes that the property has been dedicated for religious or social purposes and identifies the waqif and nazhir. Judicial authority, meanwhile, functions as a mechanism of adjudication only when the law assigns jurisdiction or when disputes require legal determination.

This case demonstrates that legal certainty will not be achieved merely by strengthening one of these institutions independently. What is required is a coordinated

framework in which each institution respects the boundaries of its authority while recognizing the documentary needs of the others. The decision in Case Number 288/Pdt.P/2024/PN Gpr may therefore be interpreted as legally significant beyond its immediate procedural result. By refusing to exercise authority over an administrative land-data matter, the court reaffirmed the principle that judicial power is legally limited. At the same time, the case exposes a practical gap in the administrative system because citizens still require a clear mechanism to synchronize identity data before waqf registration can continue.

Accordingly, a more effective legal framework should not only define what the District Court cannot do but also provide citizens with a clear administrative pathway after a jurisdictional refusal. Dukcapil, BPN, PPAIW, and related waqf institutions should develop coordinated verification procedures for identity discrepancies affecting land rights and waqf documentation. Such mechanisms would reduce unnecessary litigation, prevent applicants from moving repeatedly between institutions, and strengthen preventive legal certainty. The normative implication is that legal certainty in waqf administration should be understood as a product of institutional coordination, accurate data, and clearly delimited authority. Certification alone cannot guarantee legal protection if the data underlying the certificate are inconsistent. Judicial decisions alone cannot solve problems that legally belong to administrative correction. Administrative agencies, conversely, cannot adjudicate substantive disputes that require judicial determination.

Therefore, the most appropriate model is neither excessive judicialization nor purely bureaucratic resolution. It is a differentiated and coordinated model in which administrative matters are resolved administratively, disputes are adjudicated judicially, and the transition between those mechanisms is governed by clear legal procedures. In this sense, the case provides a broader lesson for Indonesian waqf governance. The protection of waqf assets requires not only compliance with Law Number 41 of 2004 but also consistency with population-administration law, land-registration law, and the principles governing judicial authority. The effectiveness of waqf law therefore depends on its interaction with the wider administrative legal system.

Ultimately, Determination Number 288/Pdt.P/2024/PN Gpr demonstrates that the court's declaration of lack of jurisdiction should not be understood merely as a procedural refusal. It reflects the principle that each state institution must act within legally conferred powers. At the same time, the case reveals that strict institutional boundaries must be accompanied by effective coordination so that citizens are not left without a practical legal remedy. The legal certainty of waqf land is achieved not by expanding judicial power beyond its limits, but by ensuring that population identity, land-registration data, waqf documentation, and judicial competence operate coherently within a coordinated legal framework.

CONCLUSION

This study concludes that the application examined in Case Number 288/Pdt.P/2024/PN Gpr primarily concerns a discrepancy between identity data contained in population documents and the identity of the registered holders of rights recorded in Freehold Title Certificate Number 1317 of Kandangan Village. Although the discrepancy directly affected the formalization and certification of waqf land, the legal problem could not be treated solely as

a matter of waqf law. It also involved population administration, land registration, and the limits of judicial authority.

The Kediri Regency District Court's decision to declare itself absolutely incompetent can be understood as an application of the principle that judicial authority must be based on an explicit legal foundation. The court did not determine that Siti Arpah and Siti Arofah, or Raset and Rasit, were legally different persons. Rather, it concluded that the requested relief would effectively alter juridical data contained in a land certificate and that such administrative correction falls within the competence of the relevant land administration authority. Accordingly, the determination was jurisdictional in nature and did not resolve the underlying factual identity discrepancy.

The findings further demonstrate that identity-related problems must be classified according to the legal object and the document concerned. Corrections to population data fall within the framework of population administration and are generally handled by the Population and Civil Registration Service in accordance with the applicable legal procedures. Corrections or maintenance of juridical data contained in land certificates fall within the administrative authority of the National Land Agency through the Land Office. The PPAIW performs a different function by formalizing and documenting waqf transactions, while courts exercise judicial power only where legislation assigns jurisdiction or where a genuine legal dispute requires adjudication.

In the context of waqf land, this division of authority is important because substantive validity of the waqf does not automatically guarantee administrative legal certainty. Inconsistent identity data may prevent the completion of waqf registration even when the waqif, nazhir, and waqf purpose are not disputed. Therefore, the resolution of such cases requires coordinated administrative procedures capable of synchronizing population identity, land-registration data, and waqf documentation before formal certification can proceed.

This study also shows that legal certainty in waqf administration depends not only on the existence of regulations and institutional authority but also on effective coordination among Dukcapil, the Land Office, PPAIW, and the judiciary. A legally correct declaration of lack of jurisdiction does not by itself eliminate the administrative obstacle experienced by the parties. For this reason, clearer interinstitutional procedures are required to determine the evidentiary requirements, correction mechanisms, and circumstances under which a judicial determination is genuinely necessary.

The broader contribution of this study lies in identifying identity correction in waqf land administration as a cross-sectoral jurisdictional issue. The case demonstrates that the protection of waqf assets requires coherent interaction between population-administration law, land-registration law, waqf law, and judicial authority. Legal certainty is therefore best achieved not through an expansion of judicial competence, but through accurate administrative data, clearly delimited institutional authority, and an integrated mechanism for resolving discrepancies across different legal-administrative systems.

Because this study is based on normative legal analysis of a single court determination, its findings are limited to the legal structure and reasoning reflected in the case examined. Future research may compare similar determinations from other District Courts, analyze administrative practices at different Land Offices and Dukcapil agencies, or conduct empirical studies on how identity discrepancies are resolved in the certification of waqf land in practice.

DECLARATION OF AI AND AI ASSISTED TECHNOLOGIES IN THE WRITING PROCESS

In the preparation of this manuscript, the author utilized ChatGPT (OpenAI) to assist with language editing, improving academic clarity, refining the organization of arguments, and enhancing the presentation of the manuscript. All AI-assisted outputs were subsequently reviewed, verified, and revised by the author, who assumes full responsibility for the accuracy, integrity, analysis, and final content of the publication.

AUTHOR CONTRIBUTION STATEMENT

Rizki Mifatahul Huda: Conceptualization, methodology, investigation, legal analysis, data curation, writing – original draft, writing – review and editing, and final approval of the manuscript.

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No new empirical dataset was generated or analyzed in this study. The legal materials supporting the findings, including statutory regulations, judicial decisions, and scholarly references, are publicly available or accessible through the sources cited in the manuscript.

DECLARATION OF INTERESTS

The author declares no known financial, personal, professional, or other competing interests that could have influenced the research reported in this manuscript.

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