

Agrarian Reform and the Challenges of Legal Enforcement in the Globalization Era: An Economic Democracy and Constitutionalism Perspective

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Abstract

This study examines agrarian reform and the challenges of agrarian law enforcement in Indonesia in the era of globalization, using the perspectives of economic democracy and constitutionalism. The main issues identified include unequal land ownership, overlapping regulations, weak land administration, and the marginalization of vulnerable groups, including smallholder farmers and indigenous communities. The research employs a normative legal approach combined with conceptual analysis, drawing data from legislation, court decisions, academic literature, and government policy documents. Qualitative analysis is conducted to evaluate the alignment of legal regulations and practices with the principles of economic democracy and constitutional mandates. The findings indicate that agrarian reform, as a constitutional mandate, still faces significant obstacles in its implementation, both legally and administratively, resulting in uneven access to land and persistent agrarian conflicts. The integration of economic democracy and constitutionalism provides an effective framework for formulating policies and practices that promote fair, transparent, and people-centered agrarian law enforcement. This study contributes to the understanding of Indonesian agrarian law by offering a normative and practical framework to strengthen agrarian reform and social justice amid the pressures of globalization.

Keywords: Agrarian Reform, Law Enforcement, Economic Democracy, Constitutionalism, Social Justice, Indonesia

1. Introduction

For the Indonesian people, land is not merely a physical space but a source of life, social identity, and the fundamental foundation of public welfare [1]. Historically, the relationship between communities and land has been deeply rooted, as land has provided livelihoods, housing, and the means to preserve long-standing cultural traditions [2]. However, the current agrarian reality in Indonesia remains far from ideal. Land ownership inequality is still very high, placing small communities, farmers, and indigenous groups in vulnerable positions [3]. Many of them lose their living spaces due to large-scale land control and policies that do not always favor the interests of the people [4].

Over time, agrarian conflicts have emerged across various regions [5]. Clashes between local residents and corporations, disputes between indigenous communities and the state, and overlapping land claims among ministries and local governments illustrate that agrarian issues are not merely about land ownership, but about justice, legal certainty, and the

protection of community rights [6]. As access to land becomes increasingly restricted, the lives of local communities are disrupted [7]. Farmers lose their farmland, residents lose their homes, and indigenous communities lose cultural spaces that are integral to their identity [8].

In this context, agrarian reform exists as a constitutional mandate. Article 33 of the 1945 Constitution affirms that the earth, water, and natural resources are controlled by the state and must be used for the greatest possible prosperity of the people [9]. This principle was later translated into the 1960 Basic Agrarian Law, which aims to eliminate structural inequalities and create a more just agrarian order [9]. From the perspective of economic democracy, land should not merely be treated as a commercial commodity, but as a means to achieve equitable distribution and social welfare [10].

However, with the advent of globalization, agrarian policy in Indonesia has undergone significant changes. The inflow of global investment, demands for infrastructure development, and the expansion of national strategic projects have created new pressures on land governance [11]. Land is increasingly treated as an economic commodity that must support growth and global competitiveness. Many large-scale projects requiring extensive land areas often conflict with the rights of local communities [12]. In this context, there is a growing concern that development priorities may lean more toward global market interests rather than the constitutional mandate to promote the welfare of the people [13].

Amid these intersecting interests, law enforcement in the agrarian sector appears to be suboptimal [14]. Overlapping regulations, lack of coordination between central and regional authorities, weak land administration, and the imbalance of power between communities and corporations constitute significant obstacles [15]. Prolonged conflicts often remain unresolved due to cumbersome legal processes and insufficient protection for vulnerable groups. Law enforcement, which should deliver a sense of justice, often remains inaccessible to the very people it is meant to protect [16].

The perspectives of economic democracy and constitutionalism are crucial for analyzing these issues. Economic democracy emphasizes that the primary goal of resource management is equitable distribution and protection for all citizens [17]. Meanwhile, constitutionalism reminds the state to adhere to principles of justice, limitations of power, and the guarantee of fundamental rights. Together, these perspectives provide a framework to evaluate whether ongoing agrarian reforms align with constitutional objectives or are overshadowed by dominant global interests [18].

From this understanding, research on agrarian reform and the challenges of law enforcement in the era of globalization becomes highly relevant. This study examines land not merely as a legal issue, but as a site of tension between justice, economic interests, and state authority in protecting its citizens. Ultimately, the discussion aims to provide insights into how agrarian reform can be implemented in a manner that better serves the people while remaining consistent with constitutional mandates amid the rapid currents of globalization.

2. Method

This study employs a normative legal approach combined with conceptual analysis. The normative legal approach was chosen because the research emphasizes the examination of legislation, legal doctrines, and court decisions as the basis for understanding and evaluating agrarian issues and law enforcement in Indonesia [19]. Conceptual analysis is used to integrate the perspectives of economic democracy and constitutionalism, providing a more comprehensive analytical framework for assessing the relationship between agrarian law, its implementation, and the impacts of globalization.

The research data consist of several complementary sources. First, data were obtained from legislation, including the 1960 Basic Agrarian Law, government regulations, and sectoral regulations related to land, forestry, plantations, and mining. Second, the study utilized court decisions, particularly agrarian dispute cases adjudicated by the Supreme Court and district courts in Indonesia. Third, academic literature and international journals were reviewed to examine previous studies on agrarian issues, legal reform, economic democracy, and the influence of globalization. Fourth, policy documents and reports from governmental and non-governmental institutions, including reports from the National Land Agency and the Ministry of Agrarian Affairs, were used to complement the analysis and strengthen the empirical data. All sources were selected based on academic relevance and credibility and were verified to ensure the accuracy of the information [20].

The data collection procedure was conducted systematically. First, legal issues were identified by gathering data related to land ownership inequality, agrarian conflicts, and obstacles to law enforcement from official documents, literature, and case reports. Next, the documents were classified according to the type of regulation, the institutions involved, and the type of dispute to facilitate analysis. Subsequently, the content of the documents was analyzed in depth by extracting information relevant to the theoretical frameworks of economic democracy and constitutionalism. The final stage involved evaluating gaps and challenges in law enforcement practices to assess the extent to which regulations and legal practices can achieve justice, equitable access to land, and protection of community rights amid the pressures of globalization [21].

Data analysis was conducted qualitatively. First, doctrinal legal analysis was used to assess the relevance and consistency of regulations with constitutional objectives and the principles of economic democracy. Next, comparative analysis was conducted by comparing agrarian law practices in Indonesia with those in other countries or with recommendations from international literature. Finally, conceptual analysis was carried out to integrate the findings from legal documents with the frameworks of economic democracy and constitutionalism, enabling the identification of gaps, challenges, and relevant reform opportunities [22].

This research methodology is designed to be replicable by other researchers who wish to examine agrarian law from a similar perspective. All procedures for data collection and analysis are described in detail, allowing the research findings to be verified and adapted for other legal studies. Although this study is normative and conceptual in nature and does not involve laboratory experiments or field surveys, the integration of official documents, court decisions, and academic literature ensures that the resulting analysis remains comprehensive, systematic, and capable of providing an in-depth understanding of the challenges of agrarian law enforcement in Indonesia within the context of globalization.

3. Result and Discussion

3.1. Agrarian Reform as a Constitutional Mandate and the Foundation of Economic Democracy

Agrarian reform is essentially a constitutional mandate embedded in Indonesia's state structure since the early days of independence. Article 33(3) of the 1945 Constitution explicitly states that the earth, water, and natural resources contained therein are controlled by the state

and must be used for the greatest possible prosperity of the people. This provision positions agrarian resources not merely as economic objects but as primary instruments for achieving social welfare. In this context, state control does not imply absolute ownership; rather, it confers public authority to regulate, manage, and protect agrarian resources to prevent their domination by certain groups [23].

This doctrine was later codified through the 1960 Basic Agrarian Law, which provides a concrete form of state control through the concept of the Right of State Control. According to Boedi Harsono and Maria S.W. Sumardjono, the Right to Control by the State is not a form of state ownership but a public authority that must be exercised with the primary objective of ensuring people's access to land and promoting justice in its utilization. Consequently, the substance of the Basic Agrarian Law emphasizes that Indonesia's agrarian policy must favor the people, especially vulnerable groups such as smallholder farmers, agricultural laborers, and indigenous communities [24].

This constitutional mandate is reinforced by the principle of the social function of land, which holds that all land rights must be exercised for the common welfare, not solely for the benefit of individual owners. The doctrine of social function, as developed in national agrarian law, implies that land should not be treated purely as a commodity subject to market logic. Satjipto Rahardjo, through his concept of progressive law, emphasizes that law must side with humanity and substantive justice, ensuring that agrarian policies prevent land from being monopolized by a small elite [25]. From John Rawls' perspective of distributive justice, resource distribution must prioritize the least advantaged groups. When inequalities in land ownership exacerbate social disparities, the state has a duty to implement structural corrections through land redistribution and the reorganization of agrarian structures. Thus, agrarian reform is not merely a technical program but also an implementation of moral and philosophical values enshrined in the constitution [26].

The strategic position of agrarian reform becomes increasingly important when linked to the concept of economic democracy, a system in which humans are the primary subjects rather than the market. Economic democracy, as outlined in the explanations of the 1945 Constitution, rejects both capitalist and statist domination. The national economic system must ensure that production is carried out by all and for all under state control to guarantee equitable distribution of development outcomes. Within the framework of people-centered economic theory developed by Mubyarto, economic democracy can only be realized if the population has fair access to the means of production, particularly land. Land is a fundamental asset for economic, social, and cultural activities, and disparities in land ownership lead to broader economic inequalities [27].

Tania Murray Li's agrarian structure theory emphasizes that injustice within agrarian structures triggers marginalization, impoverishment, and disruption of the local community's economic sovereignty. Therefore, land redistribution as part of agrarian reform is crucial for strengthening economic democracy and reducing the dominance of agrarian oligarchies that have long controlled extensive land areas through plantation, mining, and forestry concessions [28].

However, the agrarian reality in Indonesia shows that this constitutional mandate has not been consistently implemented. Land ownership inequality remains high, evidenced by the vast corporate land-use rights, the commercialization of forest areas, and limited recognition of indigenous territories. Several studies indicate that these agrarian inequalities are a colonial legacy that has not been fully dismantled, further exacerbated by economic

globalization, which encourages the state to open greater space for private investment. The process of agrarian neoliberalization, as explained by David Harvey and Saskia Sassen, shifts the state from a protective role to that of a market facilitator. Investment-oriented development policies, such as national strategic projects, often disregard the principles of the social function of land and the protection of community rights. Consequently, a contradiction arises between the people-centered mandate of Article 33 and pro-capital, pro-investor land liberalization policies. This situation illustrates the tension between the constitutional mandate and market-driven land governance.

In the context of constitutionalism, this situation represents a deviation from the principle of the rule of law, which requires the state to act in accordance with constitutional objectives rather than yielding to global economic interests. Constitutionalism, as understood in legal-political theory, obliges the state to manage agrarian resources in line with the values of social justice, protect the fundamental rights of citizens, and ensure the limitation of power. Without agrarian reform, the state fails to fulfill its obligation to guarantee the socio-economic rights of the population, as highlighted by Amartya Sen in his capability theory. Sen emphasizes that access to productive resources, such as land, enhances an individual's capabilities to live a dignified life. Therefore, land is not merely an economic asset but also an instrument for realizing human rights.

Thus, agrarian reform, as a constitutional mandate and the foundation of economic democracy, is an imperative that must continuously be pursued. It is not merely a technocratic program but a structural transformation agenda aimed at restoring historical justice, strengthening the economic position of the people, upholding the principle of the social function of land, and realigning national development with the constitutional vision. Agrarian reform becomes central to realizing an Indonesian rule-of-law state characterized by social justice, democracy, and independence from domination by global economic interests. Consequently, the success of agrarian reform serves as an indicator of the extent to which the state fulfills its constitutional mandate in building an economic system that positions the people as sovereign owners and primary beneficiaries of agrarian resource management.

3.2. Integration of Economic Democracy and Constitutionalism Perspectives as a Framework for Agrarian Reform

In the context of Indonesia's agrarian law development, integrating the perspectives of economic democracy and constitutionalism provides a crucial analytical framework for formulating solutions to the stagnation of agrarian reform and the issue of land ownership inequality. Economic democracy, as outlined in the explanations of the 1945 Constitution, rejects both liberal capitalist domination and excessive statism. The national economic system must incorporate principles of participatory governance, equitable access to economic resources, and preferential treatment for economically disadvantaged groups. In Mubyarto's framework, economic democracy represents an economy oriented toward the needs of the people rather than the interests of large capital. From this perspective, land is regarded as a primary means of production for farmers, indigenous communities, and vulnerable groups who rely on their living spaces to maintain economic and social sustainability. Accordingly, economic democracy requires the state to implement substantive agrarian reform to redistribute land rights, ensure secure access for smallholders, and restore community sovereignty over agrarian resources that have long been eroded by market mechanisms and capital expansion.

Meanwhile, constitutionalism introduces a legal-philosophical dimension, emphasizing that all state actions and policies must adhere to constitutional principles, including the protection of fundamental rights, the limitation of state power, and the supremacy of law. In the agrarian context, constitutionalism demands that the state translate Article 33 of the 1945 Constitution into policies oriented toward the welfare of the people rather than toward land commercialization that primarily serves global market interests. According to Jimly Asshiddiqie, constitutionalism not only structures state power but also directs the core values that must be realized in public policy, including social justice and general welfare. Therefore, all land policies, such as granting large-scale corporate land-use rights, mining concessions, or forest area designations, must be evaluated against the fundamental principles of the constitution. Policies that harm small communities, undermine the social function of land, or concentrate economic resources in the hands of a few elites are inherently inconsistent with the spirit of constitutionalism.

The integration of economic democracy and constitutionalism becomes particularly relevant when examining Indonesia's agrarian challenges in the era of globalization. Globalization has transformed land into a strategic commodity, valuable not only for national development but also for international investment. The process of agrarian neoliberalization, as explained by David Harvey and Saskia Sassen, encourages the state to open extensive spaces for investment through deregulation, licensing liberalization, and simplification of land acquisition mechanisms to serve macroeconomic interests. This situation places the state in a dilemma between adopting pro-investor policies or upholding its constitutional mandate. In many cases, the dominance of global economic interests has resulted in the marginalization of indigenous communities, conflicts over living space, and the weakening of farmers' bargaining positions in land ownership. Here, the integration of economic democracy and constitutionalism becomes crucial as a counterbalance to free-market tendencies that potentially erode the constitutional rights of the people.

The integration of these two perspectives provides a more comprehensive framework for agrarian reform. Economic democracy emphasizes the importance of equitable access to land as a means of production, while constitutionalism ensures that policies have legal legitimacy and align with the principles of social justice. This combination forms the basis for designing agrarian reform schemes that are responsive to the needs of the population while correcting agrarian policies that have historically favored investment and large-scale development projects. For example, in the context of resolving agrarian conflicts, economic democracy advocates that disputed land should be prioritized for the communities that depend on it for their livelihoods. Constitutionalism then ensures that all conflict resolution procedures adhere to the principles of due process, respect for human rights, and the enforcement of the rule of law.

Moreover, the integration of these two perspectives also provides guidance for harmonizing land regulations, which have long overlapped across forestry, plantation, mining, and spatial planning sectors. From the economic democracy perspective, such regulations must ensure that community rights are not subordinated to large-scale concession interests. From the constitutionalism perspective, regulatory harmonization must ensure that the 1960 Basic Agrarian Law (BAL) as the national agrarian law remains the overarching framework binding all sectoral policies. In this way, the integration of economic democracy and constitutionalism functions as an evaluative tool to ensure that all land-use policies,

business permits, or area designations truly reflect constitutional values and guarantee equitable access to agrarian resources.

Furthermore, this integration also drives institutional transformation in land governance. Economic democracy demands a land administration system that is transparent, participatory, and inclusive, allowing communities to play an active role in determining land management in their regions. Constitutionalism then stipulates that land institutions, such as the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency or local governments, act as enforcers of constitutional mandates rather than merely operators of technical policies. Aligning land governance institutions with these two perspectives has the potential to strengthen legal certainty, reduce land conflicts, and enhance accountability in the management of land resources.

Ultimately, the integration of economic democracy and constitutionalism provides both normative and theoretical direction for the reform of Indonesia's agrarian law. It not only serves as a moral foundation for agrarian reform but also provides a standard for evaluating all state-issued agrarian policies. When consistently implemented, these perspectives ensure that agrarian reform is no longer perceived as a sectoral project but as a national agenda impacting the livelihoods of the broader population. The ultimate outcome is a just, inclusive agrarian order consistent with constitutional mandates, where land is repositioned as a source of collective welfare rather than an exploitable commodity subject to capital interests and the pressures of globalization.

3.3. Challenges of Agrarian Law Enforcement from a Constitutionalism Perspective

Agrarian law enforcement in Indonesia faces complex and multidimensional challenges, particularly when examined from a constitutionalism perspective, which requires the supremacy of the constitution, the limitation of state power, and the protection of fundamental citizens' rights. Constitutionalism demands that all state actions in the agrarian sector adhere to the principles of the rule of law, substantive justice, and respect for human rights. However, in practice, these principles are often not fully realized.

One of the main challenges is the fragmentation of agrarian regulations, which generates legal uncertainty and overlapping authorities. Since the enactment of the 1960 Basic Agrarian Law (BAL) as the national agrarian law, various sectoral laws, including the Forestry Law, Plantation Law, Mineral and Coal Law, and Spatial Planning Law, have produced differing land tenure regimes, resulting in disharmony between the overarching law and sectoral regulations. From a constitutionalism perspective, this normative disharmony constitutes a violation of Hans Kelsen's principle of the hierarchy of norms, which requires consistency within a unified legal system. This situation makes it difficult for communities to obtain legal certainty because the status of land may vary depending on which legal regime is applied, while state officials often rely on sectoral regulations that provide significant leeway for large-scale concessions.

In addition to regulatory fragmentation, challenges also arise from the practices of land bureaucracy, which remain centralized, technocratic, and insufficiently transparent. Weak land administration has led to various forms of maladministration, such as overlapping land certificates, issuance of permits without cross-sectoral coordination, and errors in delineating forest areas and indigenous territories. From a constitutionalism perspective, such

maladministration constitutes a violation of the principles of accountability and due process of law, which require the state to act according to fair and accountable procedures. According to Jimly Asshiddiqie, a modern rule-of-law state demands public services that are clean, effective, and transparent as a prerequisite for the fair enforcement of law. In reality, many agrarian conflicts stem from the very lack of clarity in land administration created by the state itself, leaving smallholder communities as the most disadvantaged because they lack access to information, legal assistance, and effective oversight mechanisms.

The vulnerability of communities in law enforcement also highlights structural inequalities between smallholders and corporate powers. In many cases, indigenous peoples, farmers, and marginalized groups do not possess formal documents such as land certificates or government-issued recognition of customary territories. When conflicts arise, their legal position is weak because Indonesian agrarian law still prioritizes formal evidence over historical, social, or anthropological proof demonstrating long-standing community relationships with the land. In this context, John Griffiths' legal pluralism theory is relevant to explain that the state legal system has not fully recognized the diversity of non-state land tenure systems, such as customary rights, leaving indigenous peoples' rights inadequately protected. When the state prioritizes formal certificates as the source of legal legitimacy, constitutional principles regarding respect for indigenous communities (Article 18B of the 1945 Constitution) are often overlooked.

Furthermore, agrarian law enforcement also faces a serious issue in the form of limited access to justice for smallholder communities. According to Cappelletti and Garth's theory of justice accessibility, access to justice does not merely mean the ability to file a lawsuit in court, but also encompasses the capacity to understand legal procedures, obtain legal assistance, and receive judgments that reflect substantive justice. In the context of Indonesian agrarian law, numerous cases demonstrate that communities encounter structural barriers such as high litigation costs, intimidation, criminalization, and limited legal support. This situation often prevents communities from defending their rights, even when they possess moral and historical legitimacy over the disputed land. The state's inability to ensure equal access to justice constitutes a violation of the principles of equality before the law and access to justice, both of which are fundamental principles in modern constitutional theory.

Another significant challenge is development bias, which is reflected in land acquisition policies for infrastructure, investment, and strategic development projects. Many national strategic projects, oil palm concessions, mining operations, and forestry initiatives are granted through decision-making processes with minimal public participation, frequently disregarding the principle of Free, Prior, and Informed Consent (FPIC), particularly with regard to indigenous communities. From a constitutionalism perspective, this represents a deviation from the principle of participatory governance, which asserts that public policies must involve meaningful participation of the citizenry. When development policies are implemented in a top-down manner and are insensitive to social conditions, the state acts beyond its authority as the executor of the constitutional mandate. Consequently, policies that are intended to promote prosperity may instead result in conflict, displacement, and violations of human rights.

Weak agrarian law enforcement is further exacerbated by the state's indecisiveness in addressing violations of permits and large scale land concessions. Numerous companies

commit infractions such as illegal forest clearing, plantation expansion beyond their Right to Cultivate limits, or land use inconsistent with designated purposes, yet face no substantial sanctions. By allowing such violations, the state fails to fulfill its supervisory function under the concept of the State's Right to Control. According to the regulatory state theory, the government is obligated to enforce regulations effectively to maintain a balance between economic interests and social protection. If the state acts merely as an investment facilitator without strict oversight, it breaches its duty as a regulator and violates the constitutional principle regarding the purpose of state control over land.

Overall, the challenges of agrarian law enforcement from a constitutional perspective reveal a significant gap between constitutional norms which emphasize social justice, equitable distribution, and protection of community rights and legal practices still dominated by political, economic, and market interests. Agrarian law enforcement cannot be separated from structural reforms in regulations, land administration, institutional accountability, and mechanisms for safeguarding community rights. Within the framework of constitutionalism, the state must return to its constitutional mandate by ensuring that land as a source of livelihood is managed based on principles of social justice, rather than capital accumulation logic. Therefore, strong agrarian law enforcement constitutes an integral part of efforts to realize a democratic, substantive rule of law oriented toward the welfare of the people, as mandated by the 1945 Constitution [29].

4. Conclusion

This study shows that agrarian reform in Indonesia constitutes a constitutional mandate as stipulated in Article 33 of the 1945 Constitution and realized through the Basic Agrarian Law of 1960. However, its implementation faces various challenges, such as unequal land ownership, regulatory overlaps, weak land administration, and the marginalization of vulnerable groups, including smallholder farmers and indigenous communities. From the perspective of economic democracy, these conditions indicate that public access to land remains uneven and has yet to achieve social justice. From the perspective of constitutionalism, agrarian law enforcement practices have not fully aligned with the principles of justice, the rule of law, and the protection of citizens' rights. The integration of economic democracy and constitutionalism provides an important framework for improving agrarian reform. Economic democracy emphasizes fair and people-centered land management, whereas constitutionalism demands policies and legal practices that comply with constitutional mandates, uphold human rights, and ensure state accountability. Harmonizing these two perspectives can serve as a guideline for creating a more just, transparent, and effective agrarian system, particularly in the face of development pressures and global investment. Consequently, this study contributes by offering an analytical framework that aids in understanding the challenges and opportunities of agrarian reform in Indonesia. The findings indicate that the success of agrarian reform is crucial not only for resolving land conflicts but also for realizing constitutional justice and equitable welfare for the people. Future research could focus on institutional improvement, participatory mechanisms, and international experiences to strengthen law enforcement and social justice in land management.

5. References

- [1] E. Agustina, 'The social function of land rights in Indonesia: The basic Agrarian Law and customary rights by the state', *J Leg. Ethical Regul Isses*, vol. 21, p. 1, 2018.
- [2] L. Alden Wily, 'Collective land ownership in the 21st century: Overview of global trends', *Land*, vol. 7, no. 2, p. 68, 2018.
- [3] A. Dhiaulhaq and J. F. McCarthy, 'Indigenous rights and agrarian justice framings in forest land conflicts in Indonesia', *Asia Pac. J. Anthropol.*, vol. 21, no. 1, pp. 34–54, 2020.
- [4] O. De Schutter, 'How not to think of land-grabbing: three critiques of large-scale investments in farmland', *J. Peasant Stud.*, vol. 38, no. 2, pp. 249–279, Mar. 2011, doi: 10.1080/03066150.2011.559008.
- [5] N. Wald, 'Historical paths to current unrest: Extending the temporal lens in analysing geographies of agrarian change and conflict', *Geoforum*, vol. 76, pp. 38–47, 2016.
- [6] A. Dhiaulhaq and J. F. McCarthy, 'Indigenous rights and agrarian justice framings in forest land conflicts in Indonesia', *Asia Pac. J. Anthropol.*, vol. 21, no. 1, pp. 34–54, 2020.
- [7] J. T. O'Leary, 'Land Use Redefinition and the Rural Community: Disruption of Community Leisure Space', *J. Leis. Res.*, vol. 8, no. 4, pp. 263–274, Sept. 1976, doi: 10.1080/00222216.1976.11970289.
- [8] A. Paniagua, 'Farmers in remote rural areas: The worth of permanence in the place', *Land Use Policy*, vol. 35, pp. 1–7, 2013.
- [9] M. I. Arisaputra, *Reforma agraria di Indonesia*. Sinar Grafika (Bumi Aksara), 2021.
- [10] D. Faedlulloh, 'Membangun demokrasi ekonomi: studi potensi koperasi multi-stakeholders dalam tata kelola agraria indonesia', *Masy. Indones. J. Ilmu-Ilmu Sos. Indones.*, vol. 42, no. 1, pp. 65–76, 2016.
- [11] M. R. Abdurahman and A. Mubarok, 'Pengaruh Globalisasi terhadap Kebijakan Hukum Agraria di Indonesia', *Arus J. Sos. Dan Hum.*, vol. 4, no. 2, pp. 578–587, 2024.
- [12] M. N. Salim, 'Perampasan Tanah, Reforma Agraria, dan Kedaulatan Pangan: Pentingnya Menyediakan Lahan untuk Kedaulatan Pangan bagi Petani', 2017, Accessed: Nov. 22, 2025. [Online]. Available: <http://repository.stpn.ac.id/62/>
- [13] I. E. Suwarno, *Politik Kehutanan: Dinamika Kekuasaan, Regulasi, Dan Tata Kelola Indonesia*. Penerbit Adab, 2025.
- [14] W. H. Puri, M. Mahsun, and M. Muhajir, 'Permasalahan sektoralisme kelembagaan agraria di Indonesia'. STPN Press dan PPPM, 2014. Accessed: Nov. 22, 2025. [Online]. Available: <http://repository.stpn.ac.id/512/1/Permasalahan-Sektoralisme-Kelembagaan-Agraria.pdf>
- [15] G. S. Pamungkas, G. A. Hutauruk, and R. Fathurrahman, 'Membedah Kebijakan Pemerintah: Strategi Menuntaskan Konflik Pertanahan Demi Keadilan yang Berkelanjutan', *JHIP-J. Ilm. Ilmu Pendidik.*, vol. 8, no. 1, pp. 26–37, 2025.
- [16] S. P. Maulu, F. M. Wantu, and Z. Abdussamad, 'Urgensi Pembentukan Lembaga Alternatif Penyelesaian Sengketa Agraria dalam Upaya Optimalisasi Penyelesaian Konflik', *Polit. Progresif J. Huk. Polit. Dan Hum.*, vol. 2, no. 1, pp. 168–184, 2025.

- [17] B. Ulum, 'Peran Hukum dalam Mendorong Pembangunan Ekonomi dan Menjamin Kesejahteraan Masyarakat: Perspektif Indonesia', *Jemb. Huk. Kaji. Ilmu Huk. Sos. Dan Adm. Negara*, vol. 2, no. 1, pp. 01–12, 2025.
- [18] A. M. M. Nasoha, A. N. Atqiya, Z. J. Khoiroh, and R. D. A. Putri, 'Relevansi Konstitusionalisme dalam Pembentukan Undang-Undang di Indonesia', *Harmoni Pendidik. J. Ilmu Pendidik.*, vol. 2, no. 3, pp. 202–215, 2025.
- [19] T. Firmanto, S. Sufiarina, F. Reumi, and I. N. S. Saleh, *Metodologi Penelitian Hukum: Panduan Komprehensif Penulisan Ilmiah Bidang Hukum*. PT. Sonpedia Publishing Indonesia, 2024.
- [20] S. A. Wiraguna, 'Metode normatif dan empiris dalam penelitian hukum: Studi eksploratif di Indonesia', *Public Sphere J. Sos. Polit. Pemerintah. Dan Huk.*, vol. 3, no. 3, 2024, Accessed: Nov. 22, 2025. [Online]. Available: <https://jurnal.penerbitwidina.com/index.php/JPS/article/view/1390>
- [21] A. Maulana and H. Hutagalung, 'Reformasi pengelolaan tanah dalam sistem hukum agraria di Indonesia: Tantangan dan solusi untuk mewujudkan keadilan sosial dan keberlanjutan', *J. Ilmu Multidisiplin*, vol. 3, no. 1, pp. 245–256, 2025.
- [22] K. A. H. Achjar, M. Rusliyadi, A. Zaenurrosyid, N. A. Rumata, I. Nirwana, and A. Abadi, *Metode Penelitian Kualitatif: Panduan Praktis untuk Analisis Data Kualitatif dan Studi Kasus*. PT. Sonpedia Publishing Indonesia, 2023.
- [23] S. Zein, 'Reformasi agraria dari dulu hingga sekarang di Indonesia', *J. Ilm. Huk. Dirgant.*, vol. 9, no. 2, 2019, Accessed: Nov. 22, 2025. [Online]. Available: <https://journal.universitassuryadarma.ac.id/index.php/jihd/article/view/357>
- [24] T. Arianto *et al.*, 'Problem Agraria, Sistem Masyarakat Adat, dan Body of Knowledge Ilmu Agraria-Pertanahan'. STPN Press & PPPM, 2015. Accessed: Nov. 22, 2025. [Online]. Available: <http://repository.stpn.ac.id/id/eprint/3591>
- [25] A. Fawwaz, 'Pengaturan Fungsi Sosial Hak Milik Atas Tanah dalam Undang-Undang No. 5 Tahun 1960 Tentang Peraturan Dasar Pokok-Pokok Agraria Perspektif Hukum Islam', 2022, Accessed: Nov. 22, 2025. [Online]. Available: <https://dspace.uui.ac.id/handle/123456789/40108>
- [26] T. S. Amadi, 'Konsep keadilan John Rawls dan relevansinya terhadap pengembangan masyarakat', 2012.
- [27] A. F. Hamdhani and S. Hadiyantina, 'Tanah untuk Pasar: Neoliberalisme Hukum dalam Reforma Agraria Rezim Joko Widodo', *Tunas Agrar.*, vol. 8, no. 1, pp. 76–91, 2025.
- [28] S. Suhadi and A. Niravita, 'Urban agrarian reform: opportunities and challenges for land rights among low-income communities', *Leg. J. Ilm. Huk.*, vol. 32, no. 2, pp. 348–373, 2024.
- [29] R. Setiawan, 'Hak Milik dan Pengelolaan Harta Benda dalam Perspektif Hukum Konstitusi Indonesia', *J. Ilmu Sos. Dan Hum.*, vol. 1, no. 4, pp. 1524–1529, 2025.