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The Shadow Of The State: Legal Consequences Of Transfer Of Land Rights In Land Confiscation Procedures In Indonesia

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ABSTRACT

This study provides a comprehensive legal analysis of the legal consequences of transferring land rights subject to land abandonment under Indonesian agrarian law. Amidst Indonesia's negative publicity-based land registration system and constitutional mandates regarding the "social function" of land, significant legal dilemmas arise when land rights are transferred while the state declares the land to be abandoned. This study addresses this critical gap by examining the validity of such transfers and the scope of protections afforded to purchasers acting in good faith. Using a normative legal approach complemented by statutory and jurisprudential analysis, the study finds that the legal status of a transfer depends on its timing relative to the administrative stages of the abandonment process, from initial indications to formal warnings and final decisions. The analysis demonstrates that the current framework creates significant uncertainty, increases transaction costs, and discourages investment, thus paradoxically undermining the policy objective of reallocating underutilized land to more productive uses. This study proposes an innovative "time-warning-dependence" framework for predictively allocating risk. This study proposes targeted policy reforms, including the implementation of machine-readable registration flags (e.g., "In Process of Abandonment Review") and the establishment of legal protection rules for buyers who conduct verifiable due diligence. These mechanisms are designed to enhance legal certainty and market confidence without weakening the state's authority to enforce the social functions mandated by the Basic Agrarian Law.

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Introduction

Land is the primary means through which the state regulates economic development, allocatingsocial welfare, and ensuring legal certainty in land rights. In Indonesia's legally pluralistic and resource-rich context, land governance is both a constitutional mandate and an arena of persistent dispute (Bedner & Huis, 2008; Sanders et al., 2019). Successive governments have placed infrastructure and investment at the heart of national development policies. However, frictions in tenure security, registration, and enforcement continue to undermine the effectiveness of private policy and governance (Berenschot & Dhiaulhaq, 2023; Roestamy et al., 2022). Indonesian agrarian law bases all land rights on social functions for the public interest, rejects purely

speculative ownership, and links rights to productive use for the prosperity of the people (Agrarian Basic Law [UDA] No. 5/1960, Article 6; Arizona, 2024). In this framework, abandoned land refers not merely to physical emptiness, but to land parcels with rights, such as Right to Cultivate (HGU), Right to Build (HGB), or Right to Use (Hak Pakai), that are not utilized in accordance with the purposes and conditions stipulated at the time of granting the rights (Government Regulation [PP] No. 11/2010; PP No. 20/2021). The Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN) has repeatedly prioritized the identification, inventory, and reallocation of such land, emphasizing its potential for food security, social housing, and strategic infrastructure. The paradox is that Stark: The volume of legally controlled but significantly underutilized land coincides with pressing public needs, leading to massive economic inefficiency and legal uncertainty (Roestamy et al., 2022; Sanders et al., 2019).

Uncertainty is exacerbated by two structural features of Indonesia's land law and political economy. First, the land registration system is a negative publication system with a "positive bias," so land titles are strong but not absolute; even conscientious buyers can face post-transaction challenges (Suharyono, 2019). Second, empirical studies in plantation and concession areas show persistent gaps between official titles, actual use, and regulatory compliance, complicating due diligence and increasing transaction risks (Berenschot & Dhiaulhaq, 2023; Sanders et al., 2019). Against this backdrop, Government Regulation No. 11/2010, which was consolidated and updated by Government Regulation No. 20/2021, codified procedures for identifying, warning, and ultimately declaring abandoned land. However, key terms such as “not utilized” or “not maintained”, as well as the sequence and timing of administrative actions, trigger different interpretations across institutions and cases, prolonging legal uncertainty for rights holders and parties transacting with them (PP No. 11/2010; PP No. 20/2021; Widiyono, 2023).

A typical private law dilemma arises when a rights holder, anticipating an abandonment ruling, transfers the rights to a third party. This scenario raises fundamental questions about validity and temporal effect: Can a transfer made before a final administrative ruling be upheld after the state subsequently designates the land as abandoned? Does a subsequent ruling invalidate an apparently valid transfer, and on what doctrinal basis is the negative publicity system, which also aims to protect transaction security and buyers acting in good faith? These questions involve the interplay between public agrarian authority and the private law principles of nemo dat, reliance, and good faith, and highlight the sharp policy trade-offs between productive land use and market confidence.

Sociological-legal and political-economic analyses highlight capacity constraints, uneven law enforcement, and the rationality of social functions in land restitution and redistribution (Arizona, 2024; Li, 2021; Sanders et al., 2019). Policy-oriented research has examined institutional innovations, such as land banks, to stabilize supply and mitigate disputes (Roestamy et al., 2022). Studies on registration and certainty explain why Indonesia's hybrid publication model struggles to provide legal certainty (Suharyono, 2019), while research on concession geographies documents misalignments between licensing, HGU status, and actual practices (Berenschot & Dhiaulhaq, 2023). Less analyzed is the private legal status of transactions completed during the abandonment process, particularly transfers between living quarters under the shadow of pending administrative action, as well as the doctrinal reach of subsequent state action on prior transfers.

This study aims to address this gap by conducting a comprehensive legal analysis of the legal implications associated with the transfer of land rights classified, or in the process of being classified, as abandoned land under Indonesian agrarian law. Specifically, the study (i) describes the normative framework governing the transfer of rights to abandoned land and identifies areas of interpretative ambiguity and administrative discretion; (ii) investigates the validity and temporal status of land transfers currently pending litigation, including the doctrinal impact of subsequent state actions; (iii) evaluates the scope and limitations of protections for buyers acting in good faith in the negative publicity system; and (iv) proposes targeted reform options—legislation, regulations, and registration practices—to enhance legal certainty and market confidence while maintaining the fundamental social function of the BAL.

Literature Review and Analytical Perspective

The legal and administrative policy study maps the ATR/BPN abandonment workflow based on Government Regulation No. 11/2010 and Government Regulation No. 20/2021, covering indications, warnings, and declarations, while conducting a diagnosis. Capacity imbalances, fragmented central-regional data, and protracted dispute resolution prolong transition uncertainty (Widiyono, 2023). These studies generally view the problem as a matter of bureaucratic performance and compliance management within the framework of laws and regulations (Government Regulation of the Republic of Indonesia Number 20

of 2021 concerning Control of Abandoned Land and Areas, 2021). A second stream places abandonment within the context of plantation and concession geography, documenting persistent misalignments between formal titles, on-the-ground use, and community claims. This stream focuses on redistribution in accordance with the social function mandate of the Basic Agrarian Law, arguing that reclaiming unused concessions supports housing, food security, and infrastructure goals (Li, 2021; Sanders et al., 2019). Foundational writings explain the normative basis of the intervention: Indonesian agrarian law conditions land rights on productive and community-oriented use and rejects speculative ownership, thus legitimizing the restoration of unused rights (Basic Agrarian Law, 1960; Government Regulation of the Republic of Indonesia Number 20 of 2021 concerning Control of Land and Abandoned Areas, 2021). These contributions explain why the system exists, but rarely address the "hard cases" at the intersection of public action and private contracts.

Multidisciplinary Analytical Lens

While these three schools of thought illuminate the administrative, equitable, and doctrinal aspects, they rarely address the civil legal status of transactions conducted during the revocation process, particularly interim transfers that occur after the initial warning but before the final judgment. To address this gap, this review integrates three perspectives. In a negative publicity system with a "positive bias," certificates are valid but not absolute; subsequent administrative actions or stronger claims can still impinge on property rights, so even conscientious purchasers can face post-transaction challenges (Suharyono, 2019). Flexible statutory terms ("not used," "not maintained") and uneven procedural timelines undermine certainty and the pricing of transaction risks (Widiyono, 2023). Administrative improvements (additional staff, better data, tighter timelines) are necessary but less comprehensive unless combined with rules that stabilize dependence on third parties who acquire rights under the shadow of ongoing actions. According to the BAL, land rights are a public interest mandate conditioned on use for the welfare of the people; PP No. Law No. 20/2021 implements this mandate by empowering the state to identify and reclaim unused rights (Basic Agrarian Law, 1960; Government Regulation of the Republic of Indonesia No. 20 of 2021 concerning Control of Abandoned Areas and Land, 2021). Sociological and legal research demonstrates why this is important: unutilized concessions align with pressing public needs; however, without notification rules and measurable timelines, reclaiming tools can undermine market confidence, increase due diligence costs, and slow productive allocation (Li, 2021; Roestamy et al., 2022; Sanders et al., 2019).

Distributive justice supports the reallocation of abandoned land to higher-value public uses. Corrective justice asks who should bear the losses when subsequent public action invalidates a previously seemingly legitimate transfer of rights: the non-compliant rights holder, the state, or the innocent purchaser who relied on official registration and search records? Empirical research on concession landscapes reveals material verification risks for downstream purchasers (Sanders et al., 2019), while doctrinal research on registration suggests that good faith protections remain contingent on invalidity (Suharyono, 2019). Justice therefore supports tailored tools, a lis pendens flag, a standardized “under review” notation with a time limit, and legal protections linked to an enhanced due diligence checklist during the review window.

Framework

Figure 1 depicts the path from three streams of literature (administrative/procedural; socio-legal/land reform; doctrinal foundations) through analytical lenses (justice, legal certainty, social function) to the identified gap, namely inter-living transfer in the process of neglect, and the doctrinal and policy contributions in this paper.

> Agreement is a statement of agreement between one or more people and another party. By "agreement" or what Subekti calls permission, it is meant that the two subjects who
> to make an agreement you must agree, "agree" or "be of one mind"
> regarding the main matters of the agreement entered into.[16]

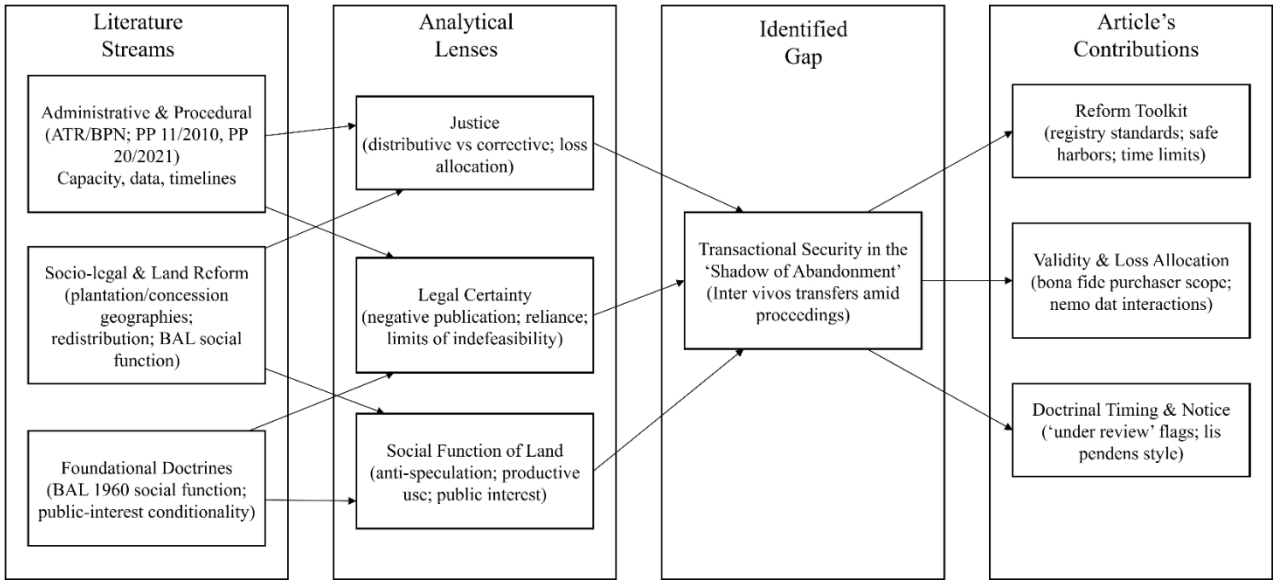


Figure 1. Literature-Theory Integration Map

Administrative studies explain how the pipeline system is supposed to function, but treat private transportation as an externality; sociological-legal studies justify why reclamation supports justice, but under-analyze the impact of dependency; doctrinal writings underpin what empowers the State, but do not analyze the pre-/post-impact effects of subsequent administrative actions on prior contracts. Unresolved issues include the security of transactions in the "shadow of abandonment," the temporal and doctrinal status of transfers made during legal proceedings, and the scope of protection for purchasers acting in good faith in a negative publicity system (Suharyono, 2019; Widiyono, 2023). Based on this synthesis, this article contributes: (i) an account of timing and notice (e.g., "under review" and the lis pendens flag),
(ii) a framework for validity and loss allocation tailored to the protection of good faith purchasers and nemo dat, and
(iii) a package of reform tools (registration standards, safe zones) that aligns social function commitmentswith predictable private governance (Roestamy et al., 2022).

Research methodology

Research Approach

To comprehensively answer the research questions regarding legal norms, consequences, and principles related to abandoned land, this study adopts a normative legal research approach, also known as doctrinal legal research. This approach is the most appropriate method because it focuses on law as a system of norms (das sollen or what should be the law). This approach involves an in-depth analysis of legal principles, theories, concepts, and regulations. Its core lies in the interpretation and systematization of legal texts to achieve a coherent understanding of the law on a particular issue. However, to bridge the gap between written law (lex lata) and applied law (lex operata), the normative approach is complemented by a qualitative case study approach. This study does not involve empirical field research, but rather a thorough analysis of published court decisions (jurisprudence) from the District Courts, High Courts, and especially the Supreme Court of the Republic of Indonesia, as well as important administrative regulations issued by the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN).

The synergy between these two approaches allows for a multi-layered analysis. The normative approach provides a framework for understanding legal rules as written, while the case study approach provides critical insights into how those rules are interpreted and applied to resolve specific disputes. This two-pronged approach ensures a holistic examination, encompassing both the formal legal structure and its practical implications for legal certainty and third-party protection.

The data for this normative legal research was obtained exclusively from library sources, categorized into primary, secondary, and tertiary legal materials. The selection of these materials was purposive, aiming to gather the most relevant and authoritative sources to construct a comprehensive legal analysis.

Data Collection Techniques

The primary data collection technique is document analysis, which involves a systematic, step-by-step process. The initial stage involves a comprehensive inventory, where all relevant legal documents, such as laws, court decisions, and scholarly articles, are collected from official government websites, legal databases, and academic repositories. Following this collection, the process progresses to the identification and extraction stage, where each document is carefully reviewed to identify and extract specific information relevant to the research question, such as key legal articles, the primary rationale for court decisions, or critical academic arguments. Finally, the extracted information undergoes classification and systematization, where it is organized and sorted into core research themes, such as abandoned land criteria, legal status of transfers, and third-party protection, thus creating a structured database ready for analysis.

Data Analysis Techniques

The collected data will be analyzed through qualitative legal analysis, an intellectual method thatrelies on interpretation, argument, and synthesis rather than statistical procedures to reach legal conclusions. Legal interpretation, used to uncover the true meaning of legal texts, is at the heart of this analysis. This is achieved through several interrelated techniques: grammatical interpretation focuses on the literal and plain meaning of the words in the law; systematic interpretation analyzes legal provisions by considering their relationship to the overall legal framework, for example, reading government regulations in the context of the principles in the Basic Agrarian Law; and teleological interpretation seeks to understand the fundamental purpose and social objectives of legislation. The findings of these interpretations are then integrated through legal argumentation and synthesis. This involves constructing a coherent argument by identifying conflicts between different legal norms, critically evaluating the reasoning in court decisions, and systematically combining insights from all sources to formulate the research's final conclusions.

Results and Discussion

Legal Analysis of Determining Abandoned Land

Under Indonesian agrarian law, "abandoned land" is not synonymous with mere physical emptiness. The term refers to land holding rights, HGU (Usage Rights), HGB (Usage Rights), Right to Use (Hak Pakai), and related derivative rights that no longer fulfill the purposes and conditions stipulated at the time of granting the rights (Agrarian Basic Law, 1960; Government Regulation No. 11 of 2010 concerning Control and Utilization of Abandoned Land, 2010; Government Regulation of the Republic of Indonesia No. 20 of 2021 concerning Control of Abandoned Areas and Land, 2021). In doctrinal terms, land is considered abandoned when its actual use no longer aligns with the purpose of the rights (for example, not being cultivated sustainably under the HGU or a prolonged failure to develop under the HGB) and when the rights holder neglects obligations stipulated in the granting of the rights, spatial plans, or sectoral permits, such as development deadlines and maintenance obligations. The social function clause in the Basic Agrarian Law makes these elements cumulative and purposive: these rights are conditional tools for improving public welfare, not absolute bulwarks for speculative ownership, and so on. Consequently, continued non-use or neglect can legitimately trigger the restoration of state control and reallocation for important social purposes, such as food security, social housing, and strategic infrastructure, distinguishing the Indonesian model from systems of irrevocable property rights based on private domination (Basic Agrarian Law, 1960; Government Regulation of the Republic of Indonesia Number 20 of 2021 concerning Control of Land and Abandoned Areas, 2021; Roestamy et al., 2022; Sanders et al., 2019).

The assessment of evidence is highly fact-dependent. Authorities look for a match between promised and realized uses, as well as the appropriateness of the functions specified under the agreement. Spatial zoning and sectoral permits, as well as objective signs of neglect or degradation, were also considered. They also considered the expiration of development deadlines in the absence of force majeure. This investigation combined field verification, document review, and interagency coordination between the ATR/BPN, local governments, and sectoral ministries, reflecting the multi-scale nature of land governance in Indonesia (Widiyono, 2023). Because the national registry operates as a negative publication system, with strong but not absolute evidence, administrative decisions prioritize facts on the ground over formal entries. This is why conscientious buyers can still face post-transaction challenges when use and compliance are inconsistent (Berenschot & Dhiaulhaq, 2023; Li, 2021; Suharyono, 2019). Therefore, the key point is teleological and conditional: the criterion of abandonment is met when the rights holder's behavior hinders the social function embedded in the granting of rights, aligning public legal intervention with the principled commitment to productive and legitimate land use (Bedner & Huis, 2008; Government Regulation of the

Republic of Indonesia Number 20 of 2021 concerning Control of Abandoned Areas and Land, 2021).

Legal Consequences of Transferring Rights to Abandoned Land

AA final, valid decision declaring land abandoned has binding effects on property rights: the granted rights, whether HGU, HGB, Hak Pakai, or other derivative rights, will be extinguished to the extent specified in the decision (all or part of the land parcel), and control will revert to the State for inclusion in the government land inventory and, if appropriate, transferred to a land bank for socially prioritized uses (Basic Agrarian Law, 1960; Government Regulation of the Republic of Indonesia Number 20 of 2021 concerning Control of Abandoned Areas and Land, 2021; Roestamy et al., 2022). Critically, any subsequent use is not a "continuation" of the extinguished rights, but rather a new legal action, a new allocation that must meet applicable spatial, licensing, and agrarian requirements, thus resetting the legal status of the land parcel (Government Regulation of the Republic of Indonesia Number 20 of 2021 concerning Control of Abandoned Areas and Land, 2021).

In Indonesia's negative publicity system, this sequence emphasizes why due process within the administrative pathway, adequate notice, genuine opportunity for redress, well-founded findings, and timely service/publication are crucial for both rights holders and third parties: when the Administrative Court (PTUN) annuls a decision due to procedural flaws, the previous legal status can be restored unless and until the ATR/BPN establishes a new procedure in accordance with the law, temporarily restoring the impact of the original rights and changing the landscape of dependency for market participants (Suharyono, 2019; Widiyono, 2023). The doctrinal core is simple: once a valid decision is issued, previously existing rights cease to apply to the designated area, and any attempt or transfer of rights based on legally extinguished rights is void in that area; only the granting of new rights or a valid public determination can be the basis for further claims (Basic Agrarian Law, 1960; Government Regulation of the Republic of Indonesia Number 20 of 2021 concerning Control of Land and Abandoned Land, 2021; Suharyono, 2019).

The diversions made around the abandoned pipes raise the most complex questions regarding **time, notification, and dependency**. The matrix in Table 3 provides doctrinal guidance.

Table Time–Notification–Validity Matrix for Transfers

Time Transaction	Public/Constructive Notice Available for Market?	Presumptive Validity of Transfer	Distribution of Losses / Compensation (Example)
Before there was a sign	No	Valid (depending on hidden defects of negative system)	Usual guarantee; claims against the seller forhidden defects
After indication ,pre-warning warning	Informal monitoring; nothere is a formal flag	Legitimate but transparent; buyers who act in good faith can earn trust credit.if conducting enhanced due diligence Recorded	Pushes the registration flag under review;legal protection where the buyer obtains a written status letter ATR/BPN status letter
After the warnin gofficia l(s), pre-decisio n	Official notice or administrati ve flagavailable in the market	Valid with conditions; the court will likely examine buyer's due diligence obligations; priority may begiven to the buyer fulfil listcheck	Lis-pendens style notation; escrow/preliminary conditions;corrective action if the country delays excessively
Afterdecisio n	Public decision andcan be registered	Invalid for the decided area (rights have been lost)	Priority of public law; damages are only possible for procedural invalidity/delay; civil suit against the seller

The notice-time matrix allocates risk based on what the market could reasonably know at each procedural stage and how thoroughly the recipient takes action in response. When a transfer occurs before any indication of abandonment, there is generally no public or constructive notice; in Indonesia's negative publication system, registration has strong evidentiary value but does not create irrevocable damages, so the transfer remains valid but is vulnerable to hidden defects that may emerge later (Suharyono, 2019)

Discussion

This study demonstrates that Indonesia's abandoned land system, grounded in the social function of the Basic Agrarian Law and implemented through Government Regulations (PP) No. 11/2010 and PP No. 20/2021, can achieve redistribution without hindering legitimate transactions only if information design and trust-sensitive solutions are treated as core legal infrastructure. Substantially, "neglect" applies to land parcels with rights (HGU, HGB, Hak Pakai) that do not meet the objectives and requirements of the granting of rights, and procedurally, this is realized through a gradual path of indication, verification, warning, and determination, with reallocation for the public interest after a valid and substantiated determination (Basic Agrarian Law, 1960; Government Regulation No. 11/2010 concerning the Control and Utilization of Abandoned Land, 2010; Government Regulation of the Republic of Indonesia No. 20 of 2021 concerning the Control of Abandoned Areas and Land, 2021). In negative registration, however, property rights are strong but not absolute, so timing and notification are key to determining the validity of the transaction and the distribution of losses.

Before an indication, the transfer is generally valid, but subject to hidden defects; after an indication, validity becomes overt and should trigger greater caution; after a formal warning, validity becomes conditional, and the court examines dependency; after a judgment, a transfer based on an expired right becomes legally invalid (Suharyono, 2019; Widiyono, 2023). Jurisprudence follows this structure: administrative courts (PTUN) enforce due process, notification, correction, and reasoning, and can annul a flawed judgment, temporarily restoring the status quo ante; civil courts assess "good faith" based on what the buyer could reasonably have known and what the State could have disclosed, tightening protections when signs were already apparent and awarding corrective damages based on documented due diligence when notification was unclear or delayed (Widiyono, 2023; Suharyono, 2019). Sociological-legal work on the geography of plantations and concessions explains why this doctrinal shift is important in practice: persistent gaps between formal titles, licenses, and on-the-ground use increase verification costs and discourage investment, despite state efforts to limit speculative use in the name of social functions (Berenschot & Dhiaulhaq, 2023; Li, 2021; Sanders et al., 2019). Consequently, without better signals, a vicious cycle develops: ambiguity, lack of clarity, higher costs, and reduced liquidity, which hinder the very reallocation the system seeks to accelerate (Basic Agrarian Law, 1960; Government Regulation of the Republic of Indonesia Number 20 of 2021 concerning Control of Land and Abandoned Areas,2021).

The uniqueness of this study lies in its synthesis of transactional and public law, a distinction previously only touched upon in previous research. While the administrative-procedural account describes the process flow and demands for capacity and data enhancement, it remains state-centric and fails to explain how these process milestones relate to the private law consequences of transfers made during the process (Republican Government Regulation).

Conclusion

This study aims to explain how Indonesian law handles transactions when land rights deviate from the public interest and fall into a system of abandoned land. By analyzing the social function of the Basic Agrarian Law along with Government Regulations (PP) No. 11/2010 and PP No. 20/2021, the analysis shows that abandonment is not a label for physical emptiness, but rather a legal status attached to land parcels with rights (HGU, HGB, Hak Pakai) when their use and management deviate from the purposes and conditions of the rights grant. In the registration of negative publications, where certificates are evidentiary but not absolute, the determining variables are timing and notification: how early the state signals a review, how clear the sequence of verifications and warnings is, and how clear these signals are to market participants (Suharyono, 2019; Widiyono, 2023). Substantially, a final legal decision eliminates rights to the extent stated and returns control to the state for reallocation in accordance with spatial planning and social function mandates (Basic Agrarian Law, 1960; Government Regulation of the Republic of Indonesia Number 20 of 2021 concerning Control of Abandoned Land and Areas, 2021). Procedurally, decisions that bypass guarantees, voice, corrections, stated reasons, and proper service are vulnerable in the State Administrative Court (PTUN), and annulment can temporarily restore the previous status with real consequences for trust and liquidity. The core findings directly address the research questions. First, the legal criteria for revocation of rights are teleological and conditional: the uselessness or abuse of rights relative to their purpose, combined with neglect of obligations embedded in the grant of rights and non-compliance with planning/permitting requirements, provide the legal basis for the State to reclaim the rights. Second, the gradual administrative pathway, from indication and verification to warning, decision, and re-allocation, provides an opportunity for due process, but in practice, can be prolonged by capacity constraints

and data friction, thus prolonging the transition period. Third, regarding transfers, the validity and allocation of losses depend on the availability of constructive notice: before indication, transfers are generally valid but vulnerable to latent defects; after indication but before warning, validity remains valid but becomes vulnerable; after warning, validity becomes conditional and subject to final decision, and transfers based on revoked rights become legally ineffective in the designated area. Fourth, the protection of purchasers acting in good faith in this environment is conditional, not absolute: courts adjust damages to what a prudent purchaser could have known and what the State could have known. If signs are seen and ignored, protection narrows, while unclear signals trigger corrective action and, sometimes, temporary protection through administrative cancellation.

References

Arizona, Y. (2024). President Joko Widodo's Legal Policy and the Independence of the Constitutional Court: PoliticsPresident Joko Widodo's Legislation and the Independence of the Constitutional Court.
Constitutional Journal, 21(1), 35–61.https://doi.org/10.31078/jk2113

Basic Agrarian Law (1960).https://peraturan.bpk.go.id/Details/51310/uu-no-5-tahun-1960 Bedner, A., & Huis, SV (2008a). The Return of Indigenous Peoples in Indonesian Law: Indigenous Communities
in Indonesian legislation. Bijdragen Tot de Taal-, Land- En Volkenkunde / Journal of Humanities and Sciences*Southeast Asian Social*, 164(2), 165–193.
https://doi.org/10.1163/22134379-90003655

Bedner, A., & Huis, S. van. (2008b). The return of the indigenous population in Indonesian law: Indigenous communities in legislation*Indonesia*.https://doi.org/10.1163/22134379-90003655

Berenschot, W., & Dhiaulhaq, A. (2023). The production of powerlessness: Palm oil companies andland expropriation in Indonesia. Globalizations, 1–19.https://doi.org/10.1080/14747731.2023.2253657

Government Regulation Number 11 of 2010 concerning the Control and Utilization of Abandoned Land (2010).https://peraturan.bpk.go.id/

Harsono, B. (2019). Indonesian Agrarian Law: History of the Formation of the Basic Agrarian Law, Its Contents and Implementation. Volume 1: National Land Law. Trisakti University.https://penerbitan.trisakti.ac.id/buku/tampilkan/data/id/61/kode/f2eef502-cdfb-4d7c-a2d7-2bc6fc4987cd

Li, TM (2021). Communities, cooperatives, and corporations: Designing Indonesia's 21st-century agrarian reform. Journal of Peasant Studies, 48(3), 613–639.
https://doi.org/10.1080/03066150.2021.1890718

Government Regulation of the Republic of Indonesia Number 20 of 2021 concerning Control of Abandoned Land and Areas, Unofficial English Translation (2021).

Roestamy, M., & Martin, AY (2019). LAND BANK, AFFORDABLE HOUSING, AND
BASIC HUMAN NEEDS. IJASOS - International Electronic Journal of Scientific Advancement*Social*, 967–978.https://doi.org/10.18769/ijasos.573490

Roestamy, M., Martin, AY, Rusli, RK, & Fulazzaky, MA (2022). A review of the reliability of land banking institutions in Indonesia for effective land management in the public interest. Land Use Policy,*120*, 106275.https://doi.org/10.1016/j.landusepol.2022.106275

Sanders, AJP, Ford, RM, Mulyani, L., H, P., RD, Larson, AM, Jagau, Y., & Keenan, RJ
(February 2, 2019). The tireless game: Multiple negotiations and landscape transformation inTropical peat swamps of Central Kalimantan, Indonesia. CIFOR-ICRAF.https://doi.org/10.1016/j.worlddev.2019.01.008

Suharyono, S. (2019). Legal Guarantee and Legal Protection in Land Registration in Indonesia.
SriwijayaLaw Review,48–58.https://doi.org/10.28946/slrev.Vol3.Iss1.118.pp48-58

Sumardjono, MSW (2008). Land: In the Perspective of Economic, Social, and Cultural Rights. Kompas. Sumardjono, M.
SW (2009). Land Policy: Between Regulation and Implementation. Book PublisherCompass.

Widiyono, T. (2023). Legal Aspects of Sharia Financing Contracts: Legal Basis, Deed Making Techniques, and*Examples in Banking Practice*. PT. RajaGrafindo Persada - Rajawali Pers.