Jurnal Siber Multi Disiplin (JSMD)
E-ISSN: 2987-0380
P-ISSN: 2987-0402
+62 822 1012 3600 https://research.e-siber.org siberpublisher.info@gmail.com
DOI: https://doi.org/10.38035/jsmd.v4i2
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Batasan Yuridis Hak Menguasai Negara atas Tanah Ulayat Berdasarkan Doktrin Fungsi Sosial Hak atas Tanah dalam Hukum Agraria Nasional

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Abstract: *This normative legal research aims to analyze the synchronization of the "public interest" norm within the regulations of National Strategic Projects (PSN) with the constitutional guarantees of customary land (tanah ulayat) protection, while reconstructing the juridical boundaries of the State's Right to Control (HMN). Utilizing a normative juristic method with statutory, conceptual, and jurisprudential approaches, the study reveals a sharp normative asymmetry. The expansion of the "public interest" definition under Government Regulation Number 19 of 2021 into commercial-capitalistic sectors has led to the commodification of customary land and distorted the Social Function Principle in the Basic Agrarian Law (UUPA) into a coercive state tool. The lack of formal recognition, such as local regulations (Perda), is often exploited as an administrative loophole to deny indigenous communal rights a priori. This unilateral land acquisition practice triggers the reincarnation of the colonial doctrine, Neo-Domein Verklaring, through the institutionalization of the Land Bank Agency. Consequently, this study reconstructs the normative boundaries of HMN to restore it within the framework of the Public Trust Doctrine, strictly prohibiting the state from acting as a private owner. As imperative procedural and substantial limitations, the operationalization of HMN must adhere to the Constitutional Court Decision Number 35/PUU-X/2012, the institutionalization of Free, Prior, and Informed Consent (FPIC) principles, and prioritize land as a social asset over a capital asset to achieve distributive justice based on Pancasila.*

Keywords: *State's Right to Control, Customary Land, National Strategic Projects, Public Trust Doctrine, Neo-Domein Verklaring.*

Abstrak: Penelitian hukum normatif ini bertujuan untuk menganalisis sinkronisasi norma "kepentingan umum" dalam regulasi Proyek Strategis Nasional (PSN) dengan jaminan perlindungan tanah ulayat, serta merumuskan batas yuridis Hak Menguasai Negara (HMN). Menggunakan metode penelitian yuridis normatif dengan pendekatan perundang-undangan, konseptual, dan yurisprudensi, hasil penelitian menunjukkan adanya asimetri normatif yang tajam. Perluasan makna "kepentingan umum" dalam Peraturan Pemerintah Nomor 19 Tahun 2021 yang merambah sektor komersial-kapitalistik berujung pada komodifikasi tanah ulayat dan distorsi Asas Fungsi Sosial dalam UUPA menjadi alat pemaksa negara. Ketiadaan dokumen formal seperti Peraturan Daerah (Perda) kerap dijadikan celah administratif untuk

menegasikan hak komunal masyarakat adat secara apriori. Praktik penguasaan lahan sepihak ini memicu reinkarnasi doktrin kolonial *Neo-Domein Verklaring* melalui pelembagaan Badan Bank Tanah. Oleh karena itu, penelitian ini merekonstruksi batas normatif HMN agar dikembalikan pada koridor *Public Trust Doctrine* (Doktrin Wali Amanat Publik), di mana negara dilarang memosisikan diri sebagai pemilik privat (*owner*). Sebagai batasan prosedural dan substansial yang imperatif, operasionalisasi HMN wajib tunduk pada kepatuhan yurisprudensi Putusan Mahkamah Konstitusi Nomor 35/PUU-X/2012, institusionalisasi prinsip *Free, Prior, and Informed Consent* (FPIC), serta pengutamaan tanah sebagai *social asset* di atas *capital asset* demi mewujudkan keadilan distributif berdasarkan Pancasila.

Kata Kunci: Hak Menguasai Negara, Tanah Ulayat, Proyek Strategis Nasional, *Public Trust Doctrine*, *Neo-Domein Verklaring*.

INTRODUCTION

Land in the structure of Indonesia's customary legal societies is not merely a profane economic commodity, but a cosmic-spiritual entity that binds the relationship between humans, nature, and ancestors. Ulayat rights (beschikkingsrecht) serve as living space (lebensraum), affirming the sociological and cultural identity as well as the economic sovereignty of communal communities that existed before the establishment of the Unitary State of the Republic of Indonesia (pre-existing rights). Constitutionally, the existence of customary legal societies and their traditional rights has been rigidly enshrined in Article 18B Paragraph (2) and Article 28I Paragraph (3) of the 1945 Constitution of the Republic of Indonesia. This constitutional mandate requires the state to recognize, respect, and protect customary legal communities so long as they remain alive, in harmony with societal development, and consistent with the principles of the Unitary State of the Republic of Indonesia.

Yet in contemporary development reality, this noble constitutional promise frequently collides with the thick wall of legal positivism adopted by the state through various sectoral regulations. This paradox arises when the protection of customary law—rooted in unwritten norms—is forced to submit to the mechanization of modern law that is administrative, written, and rigid. The result is systemic neglect of customary land tenure, where communally managed territories nurtured for generations are prone to being labeled vacant land or "Free State Land" merely because they lack formal Western-style certification documents.

This legal tension has further escalated following the massive institutionalization of National Strategic Projects (PSN), underpinned by derivative regulations of the Job Creation Law, including Government Regulation No. 19 of 2021 on the Implementation of Land Acquisition for Development in the Public Interest. Under the current land acquisition regime, the normative qualification of "public interest" has undergone a significant semantic shift and expansion. The classical conception of public interest—limited to nonprofit public utilities such as public roads, reservoirs, defense installations, or government hospitals—has been loosely redefined to encompass areas heavily marked by commercial motives and large-scale capital accumulation.

Designation of industrial zones, ecotourism areas, Special Economic Zones, and even supporting energy infrastructure for private entities may now easily be branded as "public interest" projects in the name of accelerating national economic growth. This normative expansion creates sharp normative asymmetry with the spirit of human rights protection and indigenous land rights. When large-scale corporate interests are unilaterally identified by the state as public interest, legal instruments of land acquisition transform into coercive tools that position communal rights of local communities as obstacles to be removed through one-sided land acquisition mechanisms.

To bridge this argument, the state often invokes doctrinal justification through the social function principle of land rights outlined in Article 6 of Law No. 5 of 1960 on Basic Agrarian Regulations (UUPA). Historically and philosophically rooted in the thought of Léon Duguit and formulated by the nation's founders to balance the individualistic nature of ownership, this doctrine affirms that land use must not conflict with broader societal interests. Yet in practice, when executed for PSN, the social function doctrine suffers acute interpretive distortion.

No longer an instrument for distributive justice and collective welfare (welfare state), social function is instead misused as a legal dogma to compel customary communities to surrender their ulayat territories. Legal logic is simplified, where the sociological-ecological interests of indigenous peoples are reduced to prioritize macroeconomic national interests. Forcing land relinquishment in the name of social function ignores the objective reality that for customary communities, the highest social function of ulayat land lies in sustaining life, food security, and the spirituality of the community itself. When this communal bond is severed, the social function of land is extinguished in favor of capitalist functionality.

The most alarming consequence of expanded state authority over ulayat land is the emergence of a "Neo-Domein Verklaring" phenomenon. The Domein Verklaring principle is a legacy of Dutch colonialism contained in the Agrarische Wet 1870, which unilaterally declared all land incapable of proving title under Western eigendom ownership to be state domain. Although the 1960 UUPA explicitly repealed this colonial principle, its restrictive spirit appears reincarnated in modern agrarian law.

New institutions such as the Land Bank—vested with broad authority to aggregate, claim, and control land deemed abandoned, uncertified, or where usage rights have expired—raise grave concerns of structured, legalized land grabbing. Through monopolistic interpretation of the State's Right of Control (Hak Menguasai Negara / HMN) derived from Article 33 Paragraph (3) of the Constitution, the state often engages in constitutional overreach. Acting as the absolute owner of public land rather than the regulator and steward of people's sovereignty, the state issues Management Rights (Hak Pengelolaan) over ulayat land for subsequent transfer to third parties or private entities.

Redefining the legal boundaries of the State's Right of Control over ulayat land has become an urgent theoretical and practical necessity. This legal discourse demands robust normative reconstruction through mainstreaming the Public Trust Doctrine, strengthening jurisprudence such as Constitutional Court Decision No. 35/PUU-X/2012, and applying international procedural principles including Free, Prior, and Informed Consent (FPIC). Without clear legal boundaries, national agrarian sovereignty rooted in Pancasila values risks collapse, replaced by a pragmatic, capitalist, and colonial-tinged legal order.

Based on the foregoing, the research problems are formulated as follows:

1. Is the normative qualification of "public interest" in current land acquisition regulations for national strategic projects consistent with constitutional guarantees protecting customary communities' rights over their ulayat lands?

2. What normative boundaries should be constructed for the State's Right of Control (HMN) so that it does not evolve into the colonial Domein Verklaring doctrine negating local agrarian rights for capitalist interests?

METHOD

Legal research is essentially a systematic and planned process and dynamic aimed at identifying legal rules, norms, principles, jurisprudence, and doctrines to resolve and provide contextually grounded answers to legal issues. This study employs normative legal research, examining and analyzing primary and secondary legal materials while understanding law as a body of positive rules and norms within the statutory system governing human life.

RESULT AND DISCUSSION

Qualification of the Term "Public Interest" in Land Acquisition Regulations for National Strategic Projects in Accordance with Constitutional Guarantees for the Protection of Customary Law Communities over Their Ulayat Lands

To clearly dissect the misalignment between regulations governing land acquisition for National Strategic Projects (PSN) and constitutional guarantees regarding customary land, one must trace the conceptual roots of "public interest" or algemeen belang. Theoretically, this concept is open-textured: its meaning is flexible and dynamic, shaped by the prevailing political-economic regime. Progressive legal philosopher Roscoe Pound, through his Social Engineering theory, posits that law functions as an instrument to balance competing interests in society, categorized into three main types: individual interests, public interests representing the state, and social interests encompassing the broader welfare of the community.

Within the ideal of national agrarian law formulated by Boedi Harsono, "public interest" must consistently be situated within the corridor of social interest. This refers to matters that directly affect the livelihood of the many on a nonprofit basis, such as public roads, reservoirs, public hospitals, or national defense facilities. However, through the unification of regulations under the Job Creation Law and its implementing Government Regulation No. 19 of 2021 on Land Acquisition for Development in the Public Interest, the norm of public interest has undergone radical conceptual mutation. The scope of public interest has been excessively expanded to include large-scale projects with strong commercial and capitalist dimensions, such as Special Economic Zones, Industrial Estates, Ecotourism Areas, and oil, gas, and geothermal infrastructure developed by private corporations.

This normative expansion ultimately validates the sociological view of Karl Marx on the instrumental nature of modern law, where law serves as an apparatus of the state used by the ruling class to perpetuate economic dominance. When the state labels private industrial zones or exclusive tourism destinations as National Strategic Projects in the name of public interest, it effectively engages in the objectification of land. The concept of public interest is reduced and co-opted into capital interest. Consequently, the principle that land acquisition should be an ultimum remedium or measure of last resort is transformed into an offensive legal instrument facilitating the dispossession of customary communal land under the guise of formal legality.

This misalignment fundamentally stems from paradigmatic asymmetry in Indonesian land policy-making. There is a sharp collision between coercive Legal Positivism adopted in operational regulations such as Government Regulation No. 19 of 2021, and the humanistic paradigm of Legal Pluralism enshrined in the 1945 Constitution. At the constitutional level, Article 18B Paragraph (2) and Article 28I Paragraph (3) explicitly embed guarantees for Customary Law Communities and their traditional rights—including ulayat rights (beschikkingsrecht)—as pre-existing rights. The phrase "recognize and respect" means the state must submit to the historical reality that these rights existed prior to the Republic. Legal anthropologist E.A. Hoebel emphasizes that customary law is living law, whose authority derives from social consensus and the cosmic values of local communities, not merely sovereign decrees on paper.

Yet at the level of PSN land acquisition regulations, this constitutional logic is drastically reversed through the positivist reasoning of John Austin, who defined law as the command of a legitimate sovereign. PSN regulations impose rigid administrative barriers: customary communities are deemed legally existent only if they hold formal recognition through Regional Regulations or Decisions of Regional Heads. This paradigmatic clash produces concrete misalignment in practice, including the a priori negation of rights. When a PSN is designated over customary territory, the government or corporations often unilaterally classify it as "Free State Land" if no Regional Regulation exists, effectively treating customary law as nonexistent and paving the way for human rights violations through formal legal manipulation. This also

breeds symbolic administrative violence, forcing traditional communal societies to navigate complex, costly, and politicized modern bureaucracy to secure recognition. As long as the legislative process stalls at the regional council, their ulayat lands remain vulnerable to legal seizure for national strategic projects.

When the "public interest" norm is applied to ulayat land without synchrony with constitutional rights of Customary Law Communities, it enforces forced homogenization that reduces traditional agrarian rights to ordinary civil claims. Pioneering scholar of Indonesian adat law Van Vollenhoven noted in Het Adatrecht van Nederlandsch-Indië that ulayat land carries magico-religious characteristics. For customary communities, land is not a property object separate from human existence, but a spiritual space, resting place of ancestors, cultural identity, and collective source of sustenance that is inalienable and cannot be freely traded. Yet current land acquisition regulations subject ulayat land to total commodification through capitalist compensation mechanisms. The deliberative process mandated by law is often distorted: rather than meaningful consultation to reach consensus, it becomes a mere formality announcing compensation values calculated unilaterally by appraisers.

Justice philosopher John Rawls asserts in A Theory of Justice that justice must be understood as fairness, encompassing both procedural and substantive equality. In PSN land acquisition, this Rawlsian principle collapses entirely through massive undervaluation of compensation. Appraisers assess ulayat land using pure market criteria, so compensation is typically granted only for visible physical assets such as buildings or crops, while the communal tenure right itself is negated or dismissed through nominal payments described as condolence or sympathy grants. This amounts to the destruction of lebensraum or living space, because assigning monetary value to ulayat land constitutes a fatal flaw in legal reasoning. When customary communities lose their land, they lose not only territory but also livelihoods, intergenerational social bonds, and cultural roots. This territorial exclusion leads to what sociologist Loïc Wacquant terms territorial stigmatization and structural impoverishment, where displaced communities are ultimately marginalized on their own ancestral grounds.

Normative misalignment is further aggravated by doctrinal abuse of the Social Function Principle set forth in Article 6 of Law No. 5 of 1960 on Basic Agrarian Regulations, which states that all land rights carry a social function. In PSN implementation, this provision is frequently deployed as the ultimate weapon to compel customary communities to surrender their land, under the pretext that national development interests take precedence over communal claims. Theoretically and philosophically, this coercive interpretation severely distorts Léon Duguit’s concept of Les Fonctions Sociales du Droit, which underpins Article 6. Duguit maintained that ownership is not an absolute egoistic right but carries social obligations to foster social solidarity. Indonesia’s founders formulated the social function principle in the spirit of Aristotelian Distributive Justice: as an instrument to prevent concentration of land ownership among the bourgeoisie and to ensure land serves the greatest welfare of the people, in harmony with the Fifth Principle of Pancasila.

Under the PSN land acquisition regime, however, the social function undergoes radical conceptual inversion. It is redefined as a coercive tool of the state, requiring absolute public compliance with corporate interests packaged as national strategic priorities—so that those defending their ulayat lands are stigmatized as anti-development and violators of social function. This view disregards the authentic social function of land: the state turns a blind eye to the reality that communities conserving forests, preventing ecological disasters, and safeguarding local food security are already fulfilling the social function in its purest form. Forcing the conversion of these ecological-communal values into private industrial-commercial uses in the name of social function represents a fallacy of legal reasoning that undermines the foundations of a just national agrarian order.

Construction of Normative Boundaries for the State's Right of Control So That It Does Not Evolve into the Domein Verklaring Doctrine (Colonial Legacy) That Negates Local Agrarian Rights for Capitalist Interests

To establish rigid legal boundaries for the State's Right of Control (Hak Menguasai Negara / HMN), one must first dissect the destructive anatomy of the Domein Verklaring doctrine—literally the declaration of state ownership—enshrined in the Agrarische Wet of 1870 through Agrarisch Besluit Article 1 (Staatsblad 1870 No. 118). This colonial doctrine stipulated that all land for which no one could prove title under Western eigendom ownership automatically became state domain or absolute property of the state. Legal and economic historian Karl Polanyi, in his study on the commodification of nature, warned that such legal fictions were deliberately crafted to transform land—an entity that constitutes humanity's sociological and ecological living space—into a mere market commodity freely traded for capital accumulation, or what he termed fictitious commodities. Through Domein Verklaring, the Dutch colonial administration unilaterally severed the legal bond between customary communities and their ulayat lands (beschikkingsrecht), solely on the ground that adat law did not recognize Western-style codification and written evidentiary procedures.

Although Law No. 5 of 1960 on Basic Agrarian Regulations (UUPA) explicitly repealed the Agrarische Wet and its entire Domein Verklaring framework in its repealing clause, contemporary legal reality reveals a juridical déjà vu in the form of a Neo-Domein Verklaring.

This reincarnated tendency manifests blatantly through the institutionalization of the Land Bank and the expansion of Management Rights (Hak Pengelolaan / HPL) under the Job Creation Law and its implementing regulations, most notably Government Regulation No. 64 of 2021 on the Land Bank. These modern statutes grant the Land Bank supra-regulatory authority to unilaterally inventory and claim land labeled as abandoned, land whose title rights such as Cultivation Rights or Building Rights have expired, released forest areas, and land deemed uncertified. Such land is then brought under full state control and issued HPL, which effectively functions as a quasi-civil title deed for the state.

This represents a precise methodological replication of the nineteenth-century Domein Verklaring: the state uses the absence of formal certification as a legal loophole to negate pre-existing communal customary tenure that has endured for generations, reclassifies ulayat land as free state land, and allocates it to capitalist consortia or large-scale private investors. This phenomenon validates sociologist Anthony Giddens' critique of the exclusionary nature of legal modernity: as state bureaucratic institutions expand unchecked, law ceases to protect citizens and instead operates as an administrative apparatus to displace marginalized groups from their living spaces.

To curb this escalating agrarian despotism, the theoretical construct of the State's Right of Control derived from Article 33 Paragraph (3) of the 1945 Constitution must be radically deconstructed and returned to its authentic constitutional mandate. Within the conception of the Pancasila State of Law and Article 2 of the Basic Agrarian Law, the state absolutely lacks the legal capacity, title, or civil status as owner of the land, waters, and natural wealth within the Republic's territory. The legal relationship between the state and national agrarian resources is not one of private property rights, but purely a public law relationship conferring authority to regulate, organize, and direct—not to own or commercialize.

Pioneering agrarian law scholar Boedi Harsono consistently emphasized that the phrase "controlled by the state" must never be interpreted as vesting property rights in the ruling regime, but rather as a sacred mandate of public authority originating directly from the sovereign people of Indonesia. In international doctrine, this philosophical boundary is deeply rooted in the Public Trust Doctrine, a concept traceable to Roman law principles of Res Communes and Jus Naturale, later articulated in modern legal scholarship by Joseph Sax. This doctrine establishes an absolute precondition: natural resources essential to public welfare, the environment, and communal lands are public assets held under strict state oversight, where the

state acts solely as Trustee bound by fiduciary duty to manage, conserve, and preserve these resources for the greatest prosperity of the people—the true sovereign owners and primary beneficiaries.

Under this rigid Public Trust foundation, the State's Right of Control is strictly confined to four cumulative and restrictive public regulatory functions. First, to regulate: the authority to equitably allocate, provide, and utilize national land resources. Second, to administer: the obligation to maintain an inclusive, transparent, and non-discriminatory land administration system. Third, to manage: the duty to direct land use toward social justice and equitable distribution of welfare. Fourth, to supervise: the mandate to act as the primary safeguard against land monopolization and reckless control by capitalist oligarchic forces.

Accordingly, when the state exercises HMN arbitrarily—such as issuing Management Rights over ulayat land without the voluntary consent of customary communities, then transferring those concessions to private corporations through imbalanced partnership schemes—it commits clear constitutional overreach. In so doing, the state engages in fatal abuse of power (détournement de pouvoir), knowingly betraying its fiduciary duty as Public Trustee and degrading itself into a rapacious and exploitative landlord state. As a result, law is no longer guided by the noble principle of the rule of law, but has devolved into rule by law: a pathological condition where legal texts and regulations are mechanically deployed as shields of formal legality to facilitate legalized land grabbing for capitalist greed.

Within Indonesia's constitutional architecture, the legal boundaries of unconstrained HMN are no longer a matter of academic debate, but have been firmly etched into binding positive law through the landmark decision of Constitutional Court Decision No. 35/PUU-X/2012. Born from judicial review of Law No. 41 of 1999 on Forestry, this ruling curbed state arbitrariness by reinterpreting Article 1 paragraph 6 of that law, and inscribed a historic principle in national agrarian jurisprudence: customary forest is forest located within customary territory, and not state forest. Through extensive and progressive legal reasoning, the doctrine established in Decision No. 35/PUU-X/2012 must be extended to all agrarian, mining, and land sectors, establishing the legal axiom that ulayat land is never state land.

This legal boundary imperatively prohibits the state from assuming or applying a legal presumption that unregistered communal customary land constitutes free state land subject to unilateral claim by ministries, the Land Bank, or local governments. In the framework of Hans Kelsen's hierarchy of norms, this Constitutional Court ruling represents final and binding constitutional interpretation with legal force equivalent to the Constitution itself; all operationalization of HMN must therefore be subordinate to it. Consequently, every administrative instrument—including Ministerial Decrees, Management Rights, Cultivation Rights, and mining or plantation concessions—issued over ulayat land without lawful identification, verification, and release of rights by the affected customary community is null and void from its inception. Disregarding this constitutional jurisprudence and forcing capitalist projects onto customary territories under the pretext of HMN amounts to constitutional disobedience, undermining Indonesia's legitimacy as a democratic state of law (democratische rechtsstaat).

As the ultimate safeguard at the local level, the exercise of HMN must be anchored in imperative international procedural safeguards: the institutionalization of Free, Prior, and Informed Consent (FPIC). Universally recognized in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), FPIC positions customary communities as fully sovereign subjects over their living space, rather than mere victims of one-sided, top-down, and manipulative development socialization. FPIC requires four mutually reinforcing procedural pillars: Free, meaning the community's decision to accept or reject a National Strategic Project must emerge from internal deliberation, free from military intimidation, legal criminalization, political manipulation, or economic patronage traps. Prior, requiring engagement, discussion, and consensus-building well before project plans are approved,

concessions are issued, or heavy equipment enters the territory. Informed, obliging the state and investors to provide complete, truthful, transparent information in sociologically accessible language regarding long-term ecological impacts, social risks, landscape changes, and comprehensive cost-benefit analysis. Finally, Consent, affirming the community's collective veto right to say "yes" or "no" to development within their customary domain. Where FPIC is not fulfilled, the exercise of HMN loses all moral and legal legitimacy. This aligns with progressive legal scholar Satjipto Rahardjo's insight that law is created to serve humanity, not to extinguish human existence in worship of formal legal texts.

In approaching land tenure instruments, normative boundaries for HMN demand that state actors abandon urban-biased neoliberal economic frameworks that view land solely as capital asset to be exploited for Gross Domestic Product growth. The state must instead uphold the agrarian philosophy of the UUPA and adat law, which recognize land as a social and existential asset encompassing spiritual meaning, intergenerational cultural anchoring, communal food security, and ecological defense against the global climate crisis. Elevating land's function as capital asset above its role as social asset through coercive application of HMN constitutes a grave violation of Pancasila legal ideals, for authentic national development must be human-centered—macroeconomic growth must never be built upon the ruins of suffering and erasure of customary civilizations across Indonesia.

CONCLUSION

Normative legal protection under the current Government Regulation on Land Registration does not yet provide legal certainty to shield purchasers in good faith from criminal prosecution. This arises because Indonesia's land registration publication system is negative with a positive tendency, meaning a land certificate is not absolute proof of title. When a certificate originates from electronic data manipulation or cyber-fraud by land syndicates, criminal law views such documents as products of crime that are null and void ab initio. Consequently, administrative protection under the Government Regulation automatically collapses and cannot serve as an absolute defense to exempt purchasers from investigation or criminal liability.

The ideal normative parameters for reconstructing the boundaries of "good faith" in the digital era must shift from merely subjective-formal criteria—relying on documents displayed on screen or physical certificates—to objective-active standards of digital due diligence. A purchaser may only be deemed objectively acting in good faith upon satisfying three parameters:

1. Electronic Authority Validation: Cross-verifying the digital trail of the certificate through blockchain systems or official applications of the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency to detect any anomalies in historical data changes;

2. Factual Field Verification: Ensuring absolute consistency between electronic data and actual physical possession on the ground to uncover hidden conflicts; and

3. Transaction Fairness (Fair Market Value): Confirming that the transaction value falls within reasonable market ranges, to distinguish legitimate buyers from those who deliberately use underpriced deals to disguise proceeds of agrarian crime or money laundering.

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