



## Agrarian Dispute Resolution Institution as a Manifestation of Progressive Legal Transformation

Sigit Pratama Maulu<sup>1</sup>, Fence M Wantu<sup>2</sup>, Zamroni Abdussamad<sup>3</sup>

Universitas Negeri Gorontalo<sup>1,2,3</sup>

[sigitpratamamaulu1@gmail.com](mailto:sigitpratamamaulu1@gmail.com)<sup>1</sup>, [fence\\_wantu@gmail.com](mailto:fence_wantu@gmail.com)<sup>2</sup>, [zamroni@ung.ac.id](mailto:zamroni@ung.ac.id)<sup>3</sup>

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### Abstract:

Indonesia continues to face an increasing number of agrarian conflicts that are complex, multidimensional, and rooted in structural inequality in land control and use. The current litigation-based mechanisms, both in the General Court and the State Administrative Court, are often unable to provide quick, fair, and inclusive resolutions due to procedural rigidity, high costs, and public distrust. Nonlitigation efforts led by government agencies such as the National Land Agency (BPN) also tend to be ineffective due to a lack of neutrality and professional mediation capacity. In response, this study proposes the urgent establishment of an Alternative Dispute Resolution Institution (LAPS) specifically for agrarian disputes. LAPS aims to institutionalize mechanisms such as mediation, negotiation, and conciliation within a professional, independent, and participatory framework. Using a normative juridical method with statutory and conceptual approaches, this research argues that LAPS not only enhances legal certainty and access to justice but also aligns with progressive legal theories, distributive justice, and the sociolegal needs of marginalized communities. The institutionalization of ADR in agrarian law is a transformative step to achieve substantive justice and long-term social stability in land governance in Indonesia. This study found that the current litigation and non-litigation mechanisms are not yet effective in resolving agrarian conflicts fairly and inclusively. Therefore, the establishment of an independent and participatory Agrarian Dispute Resolution Alternative Institution (LAPS) is needed to realize substantive justice and legal certainty in land governance in Indonesia.

**Keywords:** agrarian conflict, alternative dispute resolution, legal reform

### Abstrak :

Indonesia terus menghadapi peningkatan jumlah konflik agraria yang kompleks, multidimensi, dan berakar pada ketimpangan struktural dalam penguasaan dan pemanfaatan lahan. Mekanisme berbasis litigasi saat ini, baik di Pengadilan Negeri maupun Pengadilan Tata Usaha Negara, seringkali tidak mampu memberikan penyelesaian yang cepat, adil, dan inklusif karena kekakuan prosedural, biaya tinggi, dan ketidakpercayaan publik. Upaya nonlitigasi yang dipimpin oleh lembaga pemerintah seperti Badan Pertanahan Nasional (BPN) juga cenderung tidak efektif karena kurangnya netralitas dan kapasitas mediasi yang profesional. Sebagai tanggapan, penelitian ini mengusulkan pembentukan Lembaga Alternatif Penyelesaian Sengketa (LAPS) khusus untuk sengketa agraria. LAPS bertujuan untuk melembagakan mekanisme seperti mediasi, negosiasi, dan konsiliasi dalam kerangka kerja yang profesional, independen, dan partisipatif. Dengan menggunakan metode yuridis normatif dengan pendekatan perundang-undangan dan konseptual, penelitian ini berpendapat bahwa LAPS tidak hanya meningkatkan kepastian hukum dan akses terhadap keadilan tetapi juga sejalan dengan teori hukum progresif, keadilan distributif, dan kebutuhan sosiolegal masyarakat terpinggirkan. Pelembagaan ADR dalam hukum agraria merupakan langkah transformatif untuk mencapai keadilan substantif dan stabilitas sosial jangka panjang dalam tata kelola pertanahan di Indonesia. Penelitian ini menemukan bahwa mekanisme litigasi dan nonlitigasi saat ini belum efektif menyelesaikan konflik agraria secara adil dan inklusif. Karena itu, dibutuhkan pembentukan Lembaga Alternatif Penyelesaian Sengketa (LAPS) agraria yang independen dan partisipatif untuk mewujudkan keadilan substantif dan kepastian hukum dalam tata kelola pertanahan di Indonesia.

**Kata Kunci:** konflik agraria, penyelesaian sengketa alternatif, reformasi hukum

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## INTRODUCTION

Indonesia as an agrarian country has a close relationship between land and the survival of its people. (Sudarmo et al, 2025) This is emphasized in Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia which states that the earth, water, and natural resources contained therein are controlled by the state and used as much as possible for the prosperity of the people. (Nggilu et al, 2024) Utilization of land with the principles of justice and equality is an absolute necessity in order to create national welfare. Law No. 5 of 1960 concerning Basic Agrarian Principles further emphasizes that agrarian includes earth, water, space, and all natural resources therein as gifts from God that must be protected and utilized for the benefit of the Indonesian people. In the thinking of Prof. Boedi Harsono, agrarian law is not a single discipline, but consists of various branches of law that form a unified system to regulate agrarian resources. (Bakung et al, 2023)

However, in practice, Indonesia is facing an increase in complex and multidimensional agrarian conflicts, covering economic, social, political, ecological, and national security aspects. Land is not only seen as an economic asset (capital asset) that supports development, but also as a social asset that affects the structure and social relations of society. (Gobel et al, 2024) This complexity is increasingly apparent when the mechanisms for resolving agrarian conflicts, both through litigation and non-litigation, have not been able to provide effective and equitable solutions. Non-litigation channels such as mediation and negotiation often fail to produce binding and sustainable agreements. Meanwhile, litigation channels through the State Administrative Court or the General Court tend to be time-consuming, expensive, and often reach a dead end due to the lack of formal evidence and overlapping court authority.

The State Administrative Court has the authority to handle administrative disputes related to land registration, while the District Court handles civil aspects related to land rights, including those caused by unlawful acts. However, in reality, resolution through these two channels has not been able to create substantive justice because the judicial system is not yet fully efficient and accessible. The judicial system as the implementer of the law should be the final instrument in resolving social conflicts, but in many agrarian cases it has become a new arena for longer and more tiring conflicts, as seen from the rampant appeals, cassation, and judicial reviews that extend the time to achieve justice.

Data from the Agrarian Reform Consortium (KPA) and the Indonesian Forum for the Environment (WALHI) shows that agrarian conflicts in Indonesia are not isolated phenomena, but have become a structural problem that recurs from year to year. Throughout 2020–2023, hundreds of agrarian conflicts occurred that had a wide impact on society and the environment, even claiming lives and triggering criminalization practices against communities defending their land rights. Data shows that in 2023 alone there were 241 agrarian conflict eruptions affecting hundreds of thousands of hectares of land and more than one hundred thousand families. (Bakung et al, 2024) This situation is a signal that the current litigation approach and resolution mechanisms are not adaptive enough in addressing the root of the problem and the social realities faced by the community.

Given these conditions, it is urgent to present an alternative institution for resolving agrarian disputes that focuses on the application of Alternative Dispute Resolution (ADR) mechanisms. This institution is expected to be a middle ground between the rigid litigation process and the less binding non-litigation pathway, by prioritizing the principles of justice, efficiency, and community participation. ADR provides a wider space for dialogue, allows for compromise, and has great potential to build more peaceful, sustainable, and contextual solutions. The presence of such an institution is not only important for resolving ongoing conflicts, but also as a long-term prevention strategy to strengthen access to agrarian justice and build community trust in an inclusive legal system that is oriented towards family values and legal certainty.

### **Formulation of the problem**

1. What is the urgency of establishing an alternative institution for resolving agrarian disputes in an effort to optimize conflict resolution?
2. What forms of alternative dispute resolution are used in alternative dispute resolution institutions in the agrarian sector?

### **Research Purposes**

1. To find out the urgency of establishing an alternative institution for resolving agrarian disputes in an effort to optimize conflict resolution
2. To find out the alternative forms of dispute resolution used in alternative institutions for resolving disputes in the agrarian sector

## **RESEARCH METHODS**

Research is a series of systematic scientific processes that aim to find solutions to certain problems through academically accountable methods. This research is included in the category of normative legal research, which is a type of research that relies on literature studies by relying on secondary data in the form of books, official documents, scientific journals, and laws and regulations. In this approach, researchers do not go directly to the field, but rather study the applicable norms, principles, and legal principles in order to formulate solutions to the legal problems being studied. Normative legal research, also known as doctrinal legal research, often includes elements of legal history, comparative law, and understanding of legal principles, which in this context are directed at legal studies regarding the resolution of land disputes through special judicial bodies. (Syarif et al, 2024)

In order to produce a sharp and comprehensive analysis, this study uses a normative legal approach consisting of several analysis methods. The approach used in this study is the statutory approach, namely an approach that emphasizes the study of written legal norms as the main basis for understanding and criticizing applicable provisions. This approach is used because the focus of the study is on the analysis of laws and regulations related to the resolution of agrarian disputes. This approach also helps researchers in identifying deficiencies or inconsistencies in norms in applicable regulations, both in substance and in their implementation.

The sources of legal materials used in this study are classified into three groups, namely primary, secondary, and tertiary legal materials. Primary legal materials include official legal documents such as laws, government regulations, legislative records, and court decisions. Some of the main documents used as references in this study include the 1945 Constitution of the Republic of Indonesia, Law Number 5 of 1960 concerning Basic Agrarian Principles, and Law Number 30 of 1999 concerning Arbitration and Alternative Dispute Resolution. Meanwhile, secondary legal materials include scientific works from legal experts in the form of books, journals, and academic articles, which are used to enrich the analysis and provide context to applicable legal norms. Tertiary legal materials are in the form of referential sources such as legal dictionaries and encyclopedias, which are used to provide clarification and initial understanding of the terms or concepts used in this study.

The data collection technique in this study was carried out through a literature study by tracing and reviewing various relevant legal documents. All information collected comes from official legal sources and scientific literature that are academic references. The data is systematically reviewed and then analyzed in order to formulate answers to the research problem formulation. This kind of data collection technique is important in normative legal research, considering the characteristics of this research which does not depend on empirical data, but rather on legal interpretation of library materials.

Furthermore, the data analysis technique in this study uses an interpretive method, which is a characteristic of normative legal research. Data in the form of legal materials are analyzed through an approach that emphasizes the interpretation of norms, legal doctrines, and developing

legal principles. A critical literature review is conducted to assess the relevance, validity, and suitability between legal theory and applicable regulations and the problems being faced. This analysis process ends with the preparation of argumentative and deductive conclusions based on the legal data that has been studied. Thus, the entire research process seeks to contribute ideas to the development of law, especially in terms of resolving land disputes through fair and efficient legal channels.

## DISCUSSION

### 1. The Urgency of Establishing an Alternative Institution for Agrarian Dispute Resolution in an Effort to Optimize Conflict Resolution

Land has a very fundamental position in the lives of Indonesian people, because its existence and use are directly related to the social, economic, cultural, and political aspects of the people. This attachment is reflected in the regulation of land as part of the state's wealth as mandated in the 1945 Constitution of the Republic of Indonesia, especially Article 33 paragraph (3) which states that the earth, water, and natural resources contained therein are controlled by the state and used for the greatest prosperity of the people. (Abdussamad et al, 2024) In this context, land is not merely positioned as a physical asset, but also as an instrument of sovereignty that reflects social justice and the distribution of welfare evenly. The relationship between humans and land is an unbroken and structural relationship, because land has been the basis of human life since the beginning of civilization. Law Number 5 of 1960 concerning Basic Agrarian Principles explicitly defines land as the surface of the earth and establishes it as a strategic legal object, which must be managed fairly and sustainably.

In Indonesia's socio-political life, land rights are still a very sensitive issue. The tension between development needs and people's interests in land often gives rise to various forms of conflict, both vertically between the community and the government, and horizontally among citizens. To ensure legal certainty and avoid chaos in land ownership, the government requires registration of land rights, including land under state control. (Muhtar et al, 2024) This aims to ensure that all land rights are legally documented and can be controlled to ensure the principles of benefit, justice, and legal certainty. However, this ideal condition is difficult to achieve due to the limited land available compared to the increasing needs of the community. This gap creates competition in land ownership which then creates an increasingly complex space for conflict. The state through its legal institutions must be able to manage this conflict wisely and in accordance with the principles of just law. (Bakung et al, 2022)

Land disputes often arise due to conflicting interests in land use. In many cases, the root of the problem stems from a weak land administration system, overlapping claims of ownership, and negligence in carrying out duties by state officials. The government through the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the BPN No. 11 of 2016 has tried to classify the differences between disputes, conflicts, and land cases. Disputes are disputes that do not have a wide impact, conflicts are disputes with the potential for major impacts, while cases are disputes that are resolved through judicial mechanisms. The National Land Agency (BPN) divides the classification of conflicts into three main forms, namely horizontal disputes between communities, vertical disputes between communities and the government, and horizontal-vertical disputes involving communities with entrepreneurs who receive support from government officials. Conflict typologies can also include various forms such as illegitimate ownership, territorial boundary disputes, inheritance conflicts, double sales, double certificates, fake sales and purchase agreements, administrative boundary errors, and differences in interpretation of court decisions. This condition shows how broad and complex the land issues are in Indonesia, and that resolving them requires a strategy that is more than just a formalistic approach in law.

The land conflict resolution system through litigation in court, both in the District Court and the State Administrative Court, has so far been considered unable to meet the public's

expectations for fast, simple, and inexpensive justice. The judicial process tends to be slow, expensive, and often creates new conflicts due to differences in perception between the parties and weak implementation of decisions. In addition, the quality of judges' decisions is often questioned, especially because some judges are considered to not have adequate capacity and integrity, as well as weak regulations governing vertical and horizontal coordination between legal institutions. The problem becomes more complex when the legal information system, which should be the backbone of integrated legal data, is not built optimally. As a result, the judicial process actually prolongs the conflict and gives rise to public distrust of the judicial institution. These problems indicate an urgent need for a renewal of the land law system that is more responsive and proactive to the dynamics of agrarian conflicts in Indonesia. (Imran et al, 2024)

Not only the litigation process, non-litigation approaches also often face various obstacles. BPN as a technical institution that has the authority to manage land affairs has been given a mandate to mediate in resolving land conflicts. However, the implementation of this mediation is often ineffective for several reasons, including the lack of mediator competence, the authoritative nature of BPN mediators who are not neutral, and resistance from the disputing parties. Although in terms of regulation, the Regulation of the Minister of ATR/BPN No. 11 of 2016 has provided a legal basis for the implementation of mediation, its implementation is still not fully optimal. In the field, many mediations end in deadlock because the disputing parties remain adamant in their respective positions. In some cases, BPN officials tend to suggest that conflicts be resolved through the courts, thus burdening the judicial system and slowing down the process of achieving justice.

This situation shows that an institutional reform is needed that allows land conflict resolution to be carried out in a more focused and professional manner. One alternative that is worthy of being developed is the establishment of an Alternative Dispute Resolution Institution (LAPS) specifically in the agrarian sector. This institution is expected to be able to apply the principles of Alternative Dispute Resolution (ADR) purely and independently, so that it becomes an efficient choice compared to conventional litigation. ADR based on deliberation and consensus, such as mediation, negotiation, and conciliation, provides space for the parties to express their interests openly and seek mutually beneficial solutions. Unlike courts that tend to produce win-lose decisions, the ADR method emphasizes achieving a win-win solution. In this case, LAPS must be filled by professional mediators who are neutral, have legal and technical land expertise, and receive official training and certification.

The establishment of LAPS can also adopt good practices from other countries such as the United States, which has special institutions for resolving agrarian and environmental disputes such as the USDA Mediation Program and the Consensus Building Institute (CBI). These institutions have clear jurisdiction, strong authority, and a focused resolution. In Indonesia, the existence of such an institution can be a breakthrough in bridging the community's need for justice with the limitations of the formal legal system. (Yassine et al, 2024) LAPS can also bridge national legal values with customary law which has played a role in resolving land disputes traditionally. This participatory and family-based approach is not only in line with local wisdom, but also strengthens the social legitimacy of the mediation results achieved.

The importance of establishing LAPS is increasingly prominent when we review the increasing trend of agrarian conflicts in Indonesia. In recent years, data from the Agrarian Reform Consortium (KPA) shows that hundreds of land conflicts occur each year, covering hundreds of thousands of hectares of land and involving tens of thousands of families. This indicates that the current conflict resolution system has not been able to respond well to the complexity of the problems that occur. When formal mechanisms do not work effectively, the public can lose trust in the law and seek shortcuts such as taking the law into their own hands, which can actually threaten social stability. Therefore, the presence of an independent, professional, and responsive LAPS is an urgent need within the framework of national land law reform.

LAPS can be designed as an independent non-judicial institution, supported by strict regulations and adequate authority, and has a network of cooperation with technical institutions such as BPN, local governments, and customary institutions. In its implementation, LAPS must provide professional mediation services with clear and transparent procedures. Each mediator involved must go through a strict training process and be certified. The performance of the mediator also needs to be evaluated periodically to ensure the integrity and effectiveness of the implementation of their duties. LAPS also needs to build a comprehensive case database and an accountable reporting system, so that it can become a reference center in managing land conflicts in Indonesia.

By strengthening the land dispute resolution system outside the court through the establishment of LAPS, the government will gain many benefits. First, the burden on the courts will be reduced because many cases can be resolved non-litigatively. Second, the public will get legal certainty more quickly because the procedures carried out are not complicated. Third, the deliberation approach used in ADR will create a more sustainable settlement because the parties feel involved and appreciated. Fourth, this reform will strengthen the legitimacy of the state in the eyes of the people because it shows that the government is present to protect the rights of the community in an inclusive and just manner.

In the context of a state based on law, effective dispute resolution must ensure legal certainty, benefit, and justice. These three principles cannot be achieved only through a rigid litigative approach, but require alternative instruments that are flexible and adaptive to community conditions. LAPS is not a substitute for justice, but is a complement that strengthens the legal system as a whole. The establishment of LAPS in the agrarian sector is a progressive step that can answer the challenges of the times, strengthen the guarantee of land rights, and become a strategic instrument in the development of national law based on social justice and community empowerment.

Thus, in an effort to resolve land disputes in Indonesia, it is time for the state to consider establishing a special institution that handles agrarian conflicts with a more collaborative, effective, and humanist approach. The agrarian LAPS can be the answer to the stagnation and inefficiency of the existing system, as well as a symbol of legal transformation that sides with the people. The establishment of this institution is not only important from a legal perspective, but is also a real manifestation of the state's responsibility in maintaining social justice, guaranteeing land rights, and realizing the ideals of prosperity for all Indonesian people as stated in the constitution.

## **2. Alternative Forms of Dispute Resolution in Alternative Dispute Resolution Institutions in the Agrarian Sector**

Agrarian dispute resolution has become a crucial issue in the development of law and social welfare in Indonesia. Amid the increasing complexity of land conflicts, alternative dispute resolution or known as Alternative Dispute Resolution (ADR) offers a more humane, participatory, and efficient approach compared to formal litigation channels that are often complicated and expensive. ADR emerged as an innovation in legal practice that not only provides new space in resolving conflicts, but also changes the orientation of legal settlement from simply winning cases to finding joint solutions that are acceptable to all parties. (Paramitha et al, 2023) ADR, in the agrarian context, is a modern legal instrument that is truly very much in line with the culture of deliberation and consensus that lives in Indonesian society. (Iza et al, 2024) This settlement model includes various methods such as consultation, negotiation, mediation, conciliation, and expert assessment, each of which has great potential to resolve land conflicts peacefully and sustainably.

Agrarian conflict is not a new phenomenon, but rather a problem that has been rooted in the long history of land ownership and use in Indonesia. Ownership, control, and use of land are not only related to economic aspects, but also to cultural identity, sustainability of life, and basic human rights. In social life, land is a basic need for everyone. Therefore, if its management and regulation are not carried out fairly and oriented towards shared welfare, it is very possible that the

conflict will explode into greater social unrest. (Gobel & Muhtar, 2022) Based on the 2023 Agrarian Reform Consortium (KPA) report, as many as 660 agrarian conflicts occurred from 2020 to 2023, covering an area of up to 638,188 hectares and affecting more than 135 thousand families. In fact, 110 of these conflict incidents resulted in the loss of life of land rights activists due to repressive actions. This figure places Indonesia as the country with the highest number of agrarian conflicts in Asia, surpassing India, the Philippines, and Nepal. This shows how important it is for the government to pay serious attention to developing a dispute resolution system that not only prioritizes procedural speed, but also contains the substance of social justice.

On the other hand, based on statistical data from the Ministry of Agrarian Affairs and Spatial Planning/BPN, during 2019 alone, 4,431 land conflict cases were recorded, indicating that this problem is not only incidental but has become a structural problem. Of that number, 3,230 cases were successfully resolved, while 1,201 other cases are still awaiting resolution. This fact shows that the existing resolution process, both through the courts and by the BPN itself, still has many limitations. Mediation by the BPN often does not produce a satisfactory agreement for all parties due to various influencing factors, ranging from the mediator's lack of neutrality, lack of technical capacity, to structural bias because the mediator comes from the government agency itself. Public trust in the BPN is also often eroded due to allegations of bias and indecisiveness in handling cases involving politically and economically powerful parties. This further emphasizes that Indonesia needs institutional breakthroughs to resolve land disputes fairly, quickly, and effectively.

The idea of establishing an independent Alternative Agrarian Dispute Resolution Institution (LAPS Agraria) is very relevant in this context. This institution is not intended to replace the BPN structurally, but as a complement or even a substitute for conflict resolution functions that cannot be handled optimally by the BPN. The establishment of LAPS aims to provide a more neutral, professional, and inclusive conflict resolution space. The ADR-based resolution mechanism allows this institution to operate with a non-rigid approach, but still upholds the principle of substantive justice. Conflict resolution through LAPS is carried out by considering the interests of all parties, strengthening the position of weak communities, and avoiding the long process that often occurs in court. In addition, the existence of LAPS allows the formation of professional, certified mediators who are not structurally bound to any government agency, so that it can increase public trust. (Bakung et al, 2022)

Conceptually, the establishment of LAPS is supported by land theory that emphasizes the importance of the relationship between humans and land, not just as an economic object but also as a symbol of life and social identity. In this theory, agrarian conflicts often occur due to overlapping recognition of land rights, both between customary law and state law, as well as between local communities and large corporations. Land theory also reflects how the inequality of land distribution is a structural cause of many conflicts that occur. When land is mostly controlled by a handful of elites or large corporations, while small communities have difficulty accessing land to live and farm, social justice is never achieved. In this context, the presence of LAPS will be a means to fight for community rights through a faster, cheaper process, and oriented towards substantive justice. LAPS also functions as a tool to bridge the inequality between economic power and legal power, and strengthen the position of communities that have been marginalized in the national agrarian structure.

Furthermore, the theory of justice strengthens the urgency of establishing LAPS Agraria because land conflicts are basically an expression of injustice, both in terms of distribution, procedure, and outcome. In distributive justice, it is important to ensure that land rights are not monopolized by certain groups, but are distributed evenly so that all citizens can enjoy the benefits. Procedural justice demands a transparent, neutral, and participatory conflict resolution process, while substantive justice focuses on a fair end result for all parties, not just following formal legal procedures. LAPS allows these three dimensions of justice to be realized simultaneously. In LAPS,

the mediation and conciliation process opens up a healthy dialogue space, where all parties can convey their interests openly, and produce decisions that are more oriented towards the real needs of the community. This process is much more inclusive than formal litigation which tends to ignore the social and cultural context. (Bakung et al, 2024)

The progressive legal theory developed by Satjipto Rahardjo is also very relevant in the context of the formation of the LAPS Agraria. Progressive law rejects narrow legalism that only focuses on legal texts, and places law as a tool to serve justice and humanity. Law is not the end goal, but rather a means to achieve a just society. In the context of agrarian conflict, the progressive legal approach encourages the creation of institutions that can respond to the social needs of the community, especially those who are structurally weak. LAPS is a manifestation of progressive law because it presents solutions that are humanistic, dialogical, and participatory. The resolution process carried out is not only based on formal legal, but also considers the social, cultural, and moral values of the community. Thus, LAPS is not only a legal instrument, but also a symbol of siding with the people who have been marginalized in the national land system.

Meanwhile, Lawrence M. Friedman's legal system theory shows that the success of a legal system is determined by three main elements: legal structure, legal substance, and legal culture. In the context of land in Indonesia, these three elements still show various weaknesses. Legal structures such as courts and the BPN have not been fully able to handle conflicts effectively. Legal substance still overlaps between the Agrarian Law, customary law, and other sectoral regulations. Meanwhile, the legal culture of society that prioritizes deliberation has not been properly accommodated in the applicable legal system. LAPS Agraria is present as a solution to balance these three elements. This institution offers an alternative structure that is more responsive and efficient, complements legal substance with the principle of substantive justice, and accommodates local legal culture that emphasizes deliberation and consensus.

Thus, the establishment of LAPS Agraria is a strategic step in responding to the challenges of resolving land conflicts in Indonesia. LAPS is not only a technical solution to reduce the burden on the courts or accelerate the resolution of cases, but is a fundamental effort to create a legal system that is more just, inclusive, and responsive to social dynamics. LAPS is a manifestation of various progressive and just legal theories, and is able to strengthen the national legal order in the agrarian sector. This institution is also a tool for social transformation that allows people to access justice in an easier and more humane way. In the long term, the existence of LAPS will help stabilize the national land sector, encourage true agrarian reform, and strengthen the legitimacy of the law in the eyes of the people. Therefore, it is time for the government, academics, and civil society to work together to realize this institution in the form of a concrete institution, based on law, and having strong legitimacy. If this step is taken seriously, then agrarian justice in Indonesia is not a utopian dream, but a reality that can be achieved for a more just and sustainable future.

## CONCLUSION

Land issues in Indonesia are still a very sensitive issue because they concern development interests and basic human needs. The ineffectiveness of the applicable legal system, both through the judiciary and the National Land Agency (BPN), in handling agrarian conflicts has given rise to an urgent need for an alternative approach that is more efficient, fair, and participatory. Alternative Dispute Resolution (ADR) has emerged as an important transformation in resolving conflicts in society, because it is able to provide informal solutions that are compromising and acceptable to all parties. The ADR method, which includes consultation, mediation, conciliation, and expert evaluation, is the basis for the idea of establishing an Alternative Dispute Resolution Institution (LAPS) in the agrarian sector as a systemic effort to address various structural obstacles in resolving land conflicts.

In line with these findings, the government as a representative of the state should be able to be present in real terms in providing solutions to the prolonged agrarian conflict. One concrete

solution offered is the establishment of an independent and professional Alternative Dispute Resolution Institution (LAPS). LAPS is expected to complement, or if necessary replace, the role of the BPN which has so far been considered less than optimal in resolving agrarian disputes. Therefore, the government needs to pay serious attention to the urgency of establishing this institution, so that its presence is not merely a normative discourse, but is truly realized as an answer to the needs of the community for a dispute resolution system that is fair, fast, cheap, and oriented towards substantive justice.

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