

Legal Uncertainty Due to Dualism in Land Regimes and the Urgency of Integrating the National Agrarian System

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DOI:

<https://doi.org/10.47134/jcl.v3i3.1.5868>

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Received: 29/05/2026

Accepted: 30/06/2026

Published: 30/06/2026



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unifying land administration, harmonizing regulations, integrating national databases, and affirming the agrarian system as a single legal system that provides legal certainty and equitable protection of community rights.

Abstract: *The dualism of the land regime in Indonesia is a structural problem stemming from the disharmony between agrarian law and forestry law, both of which claim authority over the same object: land. The Basic Agrarian Law constructs land as an object of rights that can be owned, controlled, and registered to ensure legal certainty, while the forestry regime places most of the land area as forest areas under state control through an administrative designation mechanism. This situation creates conditions where certified land can be declared as being in forest areas, thus giving rise to legal uncertainty, agrarian conflicts, and weakening the protection of community rights. This problem also shows that the national agrarian system has not yet functioned as an integrated legal system, both from a normative and institutional perspective. This study aims to analyze the roots of the dualism of the land regime, its implications for legal certainty, and formulate a model for integrating the national agrarian system. The study uses a normative juridical method with a statutory, conceptual, and historical approach. The analysis is conducted on various land and forestry regulations, agrarian legal doctrine, and the concept of state control over land. The research identified that regime dualism results from differences in legal construction, fragmentation of institutional authority, and the absence of a unified land administration system. These conditions have resulted in ongoing agrarian conflicts, obstacles to the implementation of agrarian reform, and weak legal certainty regarding land rights. Reconstruction of the national agrarian system needs to be directed at*

Keywords: *Land Dualism; Legal Certainty; National Agrarian System; Forest Areas; Agrarian Reform*

Introduction

Land plays a fundamental role in human life, serving as both a living space and a source of economic, social, and cultural needs (Ningtyas, 2023). Food production, residential development, industrial activities, and public infrastructure all depend on the availability and control of land (Drakel, 2024). Land's value lies not only in its economic aspects but is also closely related to social identity, environmental sustainability, and the stability of community life (Judijanto, 2025). The state views land as a strategic resource that must be managed for the public interest and the welfare of the people (Bustomi, 2025). Legal regulations regarding land are a crucial instrument to ensure that its use is fair, orderly, and sustainable.

The Indonesian Constitution provides the legitimate basis for the state to regulate and manage land as part of the national agrarian resource. The principle of state control over land, water, and natural resources implies an obligation to ensure that their use provides the greatest possible benefit to the community (Permatasari, 2024). The state acts not only as an administrative authority but also as a regulator, ensuring a balance between individual, community, and public interests. This function includes establishing policies, regulating land rights, and overseeing their use (Junaedi, 2024). This constitutional framework serves as the foundation for the establishment of an integrated national agrarian legal system.

The establishment of the national agrarian system is aimed at creating a unified land law that applies nationally. The system is expected to replace the previously fragmented and inconsistent diversity of land regulations (Suriani, 2025). Legal unity provides certainty regarding land status, entitled subjects, and mechanisms for its control and usage. This certainty is crucial for supporting social stability, economic growth, and protecting community rights (Zahra, 2025). The national agrarian system is also designed as a means to achieve justice in land distribution and control.

The development of sectoral regulations governing the use of natural resources has created a separation of regulations between land outside forest areas and land categorized as forest areas (Putri, 2025). This separation results in two parallel administrative regimes with different legal bases and management mechanisms. Land outside forest areas is managed through the national land system, while forest areas are managed through the forestry system, which has its own determination procedures (Fadhilah, 2025). This situation creates a regulatory structure that is not fully integrated within a single national agrarian legal system. This reality poses challenges in achieving comprehensive land management unity.

The lack of synchronization between the two regimes creates a situation where a single plot of land can have varying legal statuses. Land that is administratively controlled or even has proof of land rights can be located within an area that is then designated as a forest area (Mulyo, 2023). The differences in determination and administrative systems lead to overlapping claims of authority between sectors. This situation not only creates administrative problems but also impacts legal certainty for communities that have long used the land (Sari, 2022). This situation demonstrates the gap between the applicable legal system and the reality of land ownership on the ground.

The unclear legal status of land directly impacts the protection of community rights. Individuals and community groups face the risk of losing recognition of the land they control and utilize (Herlintang, 2025). This uncertainty can trigger conflict between communities and the state or with other parties holding management permits. The resulting agrarian conflicts often persist for a long time and are difficult to resolve. This situation creates social tension and hinders the establishment of legal order in the land sector.

Agrarian reform efforts aimed at restructuring land ownership structures also face obstacles due to this dual regulatory framework. Land redistribution programs require clarity on legal status and management authority to be implemented effectively (Kusuma, 2022). Land located in areas with unclear status is difficult to include in redistribution schemes or asset legalization. Administrative and normative barriers slow the process of

restructuring land ownership for a more equitable outcome (Widowati, 2025). The implementation of agrarian reform requires a legal system capable of providing certainty and consistency in land regulation.

Integration of the national agrarian system is crucial to addressing the existing fragmentation of regulations. An integrated system enables unified policy, administration, and recognition of land rights. Integration also plays a role in strengthening coordination between institutions authorized in the land and natural resources sector (Kasman, 2025). A clear regulatory system will increase public trust in state laws and institutions. Land law reform is aimed at creating a regulatory structure that is more consistent and responsive to community needs (Khair, 2024).

Legal certainty is a fundamental principle in the implementation of the land legal system. Legal certainty ensures that land rights are consistently recognized and protected by the state (Julaeha, 2026). Communities need certainty regarding land status to utilize it without fear of unexpected policy changes. Legal certainty is also crucial to support economic activities that require guaranteed land legality (Nathania, 2024). Without such certainty, the land system will struggle to function effectively.

The concept of state control rights is the primary basis for land management in Indonesia. These right grants the state the authority to regulate the allocation, use, and utilization of land for the public interest. The state's control rights are not intended to make the state the landowner, but rather to act as a regulator that ensures a balance of interests (Bahari, 2025). The implementation of this authority must be carried out consistently to avoid conflicts between sectors. This principle is also closely related to the direction of agrarian legal policy, which positions land as a strategic national resource.

The integration of legal systems and the implementation of agrarian reform require a clear conceptual foundation for coherent land management. The theory of legal system integration provides a framework for understanding the importance of unified norms and institutions in land management. Agrarian legal policy determines the direction of state policy in regulating land control and utilization (Napitupulu, 2023). Agrarian reform serves as an instrument for restructuring the land control structure to make it more equitable and sustainable (Fauzi, 2022). This conceptual framework provides an analytical basis for assessing the problem of dualism in land regimes and formulating efforts to reform the national agrarian system.

Method

This study employs a normative juridical research method with a conceptual approach, a statutory regulatory approach, and a historical approach to analyze the dualism of land regimes between agrarian law and forestry law in the national legal system. The statutory regulatory approach is done by examining various legal norms governing land and forest areas to identify disharmony, overlapping authority, and normative gaps that give rise to legal uncertainty. The conceptual approach is used to examine the principles, doctrines, and theories of agrarian law, particularly those related to the principles of state control, legal certainty, and the integration of the agrarian legal system. Meanwhile, a historical approach is used to trace the development of land and forestry regulations and the structural factors underlying the emergence of this dualism of regimes. The legal

materials consist of primary legal materials such as statutory regulations and court decisions, secondary legal materials in the form of books and scientific journals, and tertiary legal materials. Those materials are then analyzed qualitatively employing systematic interpretation and legal argumentation methods to formulate a model for integrating the national agrarian system that provides legal certainty.

Result and Discussion

Philosophical and Conceptual Foundations of the National Agrarian System

Land holds strategic significance as a primary source of prosperity for the people, inseparable from the life of the nation and state. Land's existence determines the sustainability of various economic activities, such as agriculture, industry, trade, and infrastructure development. Land also provides a living space for communities to build settlements and maintain their social identity. The value of land is not limited to economic aspects, but is also related to social stability and environmental sustainability. The state views land as a resource that must be managed responsibly for the welfare of the wider community.

The Constitution provides a normative basis for the regulation of land as part of national resources that must be utilized for the benefit of the people. This provision affirms that land, water, and natural resources are under the authority of the state to be regulated and utilized equitably. This regulation aims to prevent disproportionate control of resources by certain parties. The state has an obligation to ensure that land use not only benefits certain groups but also benefits society as a whole. This principle serves as a primary foundation in the formation of the national agrarian legal system.

A welfare state positions land as a crucial instrument in achieving social justice and economic equality. Land ownership and utilization must be directed towards supporting public welfare, not solely for the economic interests of individuals or corporations. The state has an active role in regulating land distribution and use to prevent inequality. Land policy is part of the state's strategy to create a balance between economic growth and social justice. The state's role in the agrarian sector is not merely administrative but also reflects social and constitutional responsibilities.

Land rights cannot be viewed as absolute and unlimited. The national agrarian legal system recognizes that every land right carries with it an obligation to respect the interests of the community. Land utilization must consider the balance between individual interests and the public interest. Land that is not optimally utilized or used to the detriment of the community can become the object of state regulation. This principle aims to ensure that land provides tangible benefits for communal life.

The social function of land rights is a crucial principle in the national agrarian system. Land rights holders have an obligation to use the land productively and without harming the public interest. Land may not be left abandoned or used in a manner that violates laws and regulations. The state has the authority to take specific action if land use does not align with its social function. This principle of social function reflects a balance between recognizing individual rights and responsibility to society.

The state's right to control is a fundamental concept that legitimizes the state's ability to regulate agrarian resources. This concept does not position the state as a private

landowner, but rather as a party with public authority to regulate and manage. The state acts as a powerful organization representing the interests of all citizens. This authority encompasses regulating the allocation, use, and legal relationship between the community and the land. The state's right to control serves as the basis for the formation of national land policy. The scope of the state's right to control encompasses various functions related to land management, such as the authority to determine land allocation in accordance with the national development plan. The state also has the authority to determine the types of rights that can be granted to individuals and legal entities, including the granting, extension, and revocation of land rights in accordance with legal provisions. The implementation of this authority aims to create order and certainty in land control.

The state carries out its regulatory function through the establishment of laws and regulations governing legal relations in the land sector. This function includes establishing norms governing the rights and obligations of the parties. The state also carries out its administrative function through land administration, which records and documents land rights. This administrative system provides legal evidence that can be used as a basis for legal protection. This function is a crucial part of the implementation of the national agrarian system.

Supervision is a crucial part of the implementation of the state's right to control. The state has the authority to ensure that land use complies with legal provisions and the public interest. Supervision is carried out to prevent abuse of rights and ensure productive land use. The state can take legal action if violations of land regulations occur. This oversight role aims to maintain a balance between individual and community interests.

The state's right to control also serves as a principle that integrates all land regulations into a single national system. This principle provides the basis for the state to harmonize various land-related policies. This integration is crucial to prevent conflicts of authority between sectors. The national agrarian system requires a unified principle for consistent land regulation. The state's right to control serves as the conceptual foundation for creating an integrated land system.

The establishment of a national agrarian legal system is aimed at creating a unified law that applies to all areas of the country. Legal unity is necessary to avoid differences in regulations that can create uncertainty. A uniform legal system provides clear guidelines for both the public and the government. This unity also facilitates land administration. The national agrarian system serves as an instrument for creating order in land ownership.

The national agrarian system also aims to eliminate legal dualism that originated during the colonial period. During that period, land regulations were differentiated based on population groups and specific economic interests. This dualism creates injustice and inequality in land ownership. The national agrarian system was established to replace discriminatory legal structures. This effort is part of the process of establishing a sovereign national legal system.

Legal certainty is one of the primary objectives in establishing a national agrarian system. Legal certainty ensures that land rights are recognized and protected by the state. Communities need certainty regarding land status to support economic activities and daily life. This certainty is also crucial to prevent conflicts arising from conflicting claims. The national agrarian system is designed to provide clear legal protection for rights holders.

Agrarian justice is a crucial part of the goal of establishing a national land law system. This justice relates to more equitable land distribution and responsible land use. Inequality in land ownership can lead to social and economic instability. The national agrarian system is expected to create balance in land ownership and utilization. This goal aligns with efforts to achieve overall public welfare.

Agrarian reform is a policy aimed at restructuring the structure of land ownership and utilization. This policy encompasses the arrangement of land ownership, use, and management for greater equity. Agrarian reform also relates to providing land access to communities that do not own or own limited land. This program is part of an effort to address the inequality in control of agrarian resources. Agrarian reform has interrelated legal, social, and economic dimensions.

Land redistribution is one of the primary objectives of agrarian reform. Disproportionately owned land can be reallocated to communities in need. This policy aims to improve community welfare through access to productive resources. Land redistribution also plays a role in strengthening the economic structure of society. More equitable land ownership arrangements can support social stability and national development.

Agrarian reform is closely linked to legal certainty in the land sector. The implementation of land redistribution requires clarity regarding the legal status of the land to be distributed. Legal certainty ensures that the rights granted to communities are legally recognized. Without legal certainty, recipients of land redistribution face the risk of losing their rights. A clear legal system is a prerequisite for the success of agrarian reform.

The implementation of agrarian reform faces various structural and administrative obstacles. These obstacles include limited land data, differing administrative systems, and conflicting authority between institutions. These conditions complicate the process of identifying and managing land for distribution. Another obstacle relates to economic interests, which have a strong influence on land ownership. These challenges require reforms to the legal and institutional systems for effective agrarian reform.

Construction of Dualism in Land Regimes and Forest Areas

The history of land and forest management in Indonesia is inextricably linked to legal policies during the Dutch colonial period. The colonial government established a land tenure system aimed at supporting economic interests and the exploitation of natural resources. Provisions such as the *Domein Verklaring* (Domein Verklaring) stipulated in Article 1 of the *Agrarisch Besluit* of 1870 that land that could not be proven to be owned by an individual was considered the domain of the colonial state. This principle legitimized the colonial government's control over vast areas without considering the ownership of indigenous communities. This regulation also created a separation between areas used for agrarian purposes and areas designated as forest areas for timber exploitation and colonial conservation.

Forest management during the colonial period was regulated through various forestry ordinances that granted the colonial government broad authority to designate certain areas as state forests. The designation of forest areas was carried out administratively without any participatory process by the communities that had long controlled the areas. This policy resulted in many areas that were actually the living spaces of indigenous communities being categorized as state forests. This system strengthened state domination over natural

resources and weakened recognition of local community rights. This legal structure became one of the foundations for the modern forestry system after independence.

Indonesian independence brought fundamental changes in the direction of national agrarian legal policy. The state sought to abolish the colonial legal system, which was deemed unfair and discriminatory. This effort was realized through the establishment of Law Number 5 of 1960 concerning Basic Agrarian Regulations. Article 2, paragraph (1) of this law affirms that land, water, and airspace are under the control of the state as the organization of the power of all the people. This provision was designed to create a unified national agrarian system and replace the fragmented colonial system.

The Basic Agrarian Law also recognizes the rights of indigenous communities as long as they remain alive and align with the national interest, as stipulated in Article 3. This recognition is an essential part of the effort to build a more just agrarian system rooted in the social realities of Indonesian society. The national agrarian system is expected to integrate all land areas within a uniform legal framework. The principle of unification is one of the primary characteristics of the national agrarian system, distinguishing it from the previous colonial system. This objective reflects the desire to create legal certainty and justice in land tenure.

The development of forestry regulations after independence actually created a regulatory system that operated separately from the national agrarian system. Law Number 5 of 1967 concerning Basic Provisions on Forestry, which was later replaced by Law Number 41 of 1999 concerning Forestry, granted the state the authority to designate forest areas. Article 1, number 3 of Law Number 41 of 1999 states that forest areas are specific areas designated by the government to be maintained as permanent forests. This designation is carried out through an administrative process distinct from the land administration system. This situation creates a separation between land within the agrarian regime and land categorized as forest areas.

The development of sectoral regulations in the natural resources sector reinforces the establishment of separate management systems based on administrative sectors. Each sector has distinct authorities, procedures, and management systems. The land system is managed by the national land agency, while forest areas fall under the authority of the ministry responsible for forestry. This institutional structure results in a management pattern that is not fully integrated. This separation forms the basis for the dualism of land regulation regimes in Indonesia.

The differing concepts of land ownership are a major source of disharmony between land law and forestry law. The Basic Agrarian Law positions land as part of the national agrarian system, which can be granted various types of rights to individuals and legal entities. Article 4, paragraph (1) of Law Number 5 of 1960 states that, based on the state's right to control, various types of rights to the earth's surface, known as land, are determined. This system provides opportunities for communities to obtain legal certainty through the granting of land rights. This concept differs from the forestry system, which positions forest areas as areas under direct state control.

Law Number 41 of 1999 concerning Forestry grants the government the authority to designate forest areas without requiring the prior revocation of existing land rights. Article 4, paragraph (1) of the law states that all forests within the territory of the Republic of

Indonesia are controlled by the state. This formulation is often interpreted as a basis for the state to claim certain areas as forest areas. This difference in approach creates tension between the agrarian system, which recognizes land rights, and the forestry system, which places forest areas under administrative state control. This situation is a source of normative conflict.

The conflict of regulatory authority arises because the two legal regimes grant different institutions the authority to manage the same object. The land agency has the authority to grant and record land rights, while the forestry agency has the authority to designate forest areas. These two authorities can overlap when an area has a different administrative status within each system. This situation creates ambiguity regarding which institution holds primary authority. This ambiguity complicates the resolution of land issues related to forest areas.

Land rights recognition also experiences a lack of synchronization between the two legal systems. The land system provides proof of rights through certificates issued by the state as strong evidence. Administratively designated forest areas often fail to fully consider the existence of these rights. This situation creates situations where communities possess proof of rights, but the area is categorized as a forest area. This lack of synchronization creates legal uncertainty for rights holders.

Conflicts between laws and regulations demonstrate disharmony within the national legal system. The Basic Agrarian Law was designed as the primary basis for land regulation, while the Forestry Law establishes its own regulatory system. The two laws lack a clear integration mechanism. This disharmony creates room for differing interpretations among state institutions. This situation impacts the uncertainty in the implementation of land law.

The national land administration system is built through a land registration mechanism, as stipulated in Article 19 of Law Number 5 of 1960. Land registration aims to provide legal certainty regarding land status and ownership. This process includes measurement, recording, and issuing certificates as proof of rights. This system is the primary instrument for ensuring the legality of land ownership. Land administration plays a crucial role in maintaining legal order.

The forest area administration system uses different mechanisms through the designation, delimitation, mapping, and determination of forest areas. Article 15 of Law Number 41 of 1999 regulates these stages as the basis for determining forest areas. This process is administrative in nature and is not always linked to the national land registration system. This difference in mechanisms creates two separate databases, increasing the risk of overlapping areas.

Overlapping regional mapping is one of the tangible impacts of this dual administrative system. Forest area maps and land maps often use different references and methods. This difference results in a single area being recorded in two systems with different statuses. This situation complicates the process of verifying and determining the legal status of land. Data inconsistencies become an obstacle to resolving agrarian conflicts.

Conflicts of authority between state institutions arise as a result of this separation of administrative systems. Land and forestry institutions have different legal mandates and are often not effectively coordinated. Each institution exercises its authority based on applicable sectoral regulations. This situation creates a situation where the policies of one

institution can conflict with those of the other. This institutional conflict complicates the resolution of land issues.

Public services in the land sector are also impacted by the dualism of the land management system. Communities face difficulties in obtaining certainty about land status when the area is located within an area claimed as a forest. Administrative processes become lengthier and more complex. Unclear authority delays the resolution of land title applications. This situation impacts the effectiveness of public services in the land sector.

The state's right to control is designed as a principle that integrates all agrarian regulations within a single national legal system. Article 2 of Law Number 5 of 1960 grants the state the authority to regulate the allocation and use of land. This principle aims to create integration in the management of agrarian resources. Implementing this principle requires coordination between sectors. Integration is a key requirement for the success of the national agrarian system.

In practice, the implementation of the state's right to control is fragmented due to the division of authority across sectors. Each sector manages agrarian resources based on different laws. The interpretation of state authority is fragmented according to its respective areas. This situation reduces the effectiveness of the state's right to control principle as a basis for integration. The national agrarian system loses its conceptual unity. Sectoral interpretations of the state's right to control are carried out by various institutions with authority over natural resources. Forestry institutions interpret state authority as the basis for administratively designating forest areas. Land institutions interpret this authority as the basis for granting land rights to communities. These differing interpretations create a lack of synchrony in the implementation of state authority. This situation reinforces dualism in the land regulation system.

The integrative function of the national agrarian system is weakened when land regulation is carried out sectorally. A fragmented legal system struggles to create consistent legal certainty. Communities face uncertainty regarding the status of the land they control. Integration of the national agrarian system is a significant challenge in land law reform. Reform efforts are needed to create a more integrated system and provide legal certainty.

Implications of Dualism for Legal Certainty and the Reconstruction of the National Agrarian System

The dualism of the land regime has created serious problems regarding the clarity of the legal status of land in Indonesia. Many plots of land that have been registered and possess land title certificates are located in areas that have been designated as forest areas by the government. Land certificates are legally strong evidence, as stipulated in Article 32 paragraph (1) of Government Regulation Number 24 of 1997 concerning Land Registration, which states that certificates serve as strong evidence regarding physical and legal data. Determination of forest areas that are not integrated with the land registration system results in the emergence of two legal statuses for the same object. This situation places certificate holders in an uncertain position because their legality can be challenged by administrative determinations from other sectors.

The conflict between administrative legality and factual control also contributes to this dualism. Many communities that have owned and utilized land for generations, and even obtained administrative recognition through certificates, face state claims to these areas as

forest areas. Long-term, factual control is not always recognized in forestry systems based on administrative determination. This difference in approach creates a gap between social reality and formal legal constructions. Communities are vulnerable because the legal status of the land they control lacks stability.

The instability of land rights directly impacts the function of land certificates as a guarantee of legal certainty. Certificates, which should provide legal protection, lose their practical validity when the area is categorized as a forest area. This uncertainty also impacts the economic value of land, as disputed land status makes it difficult to use as collateral or investment. The land legal system cannot function optimally if there is the possibility of unilateral status changes. Legal certainty is compromised by parallel regulatory systems operating without integration.

The vulnerability of indigenous and local communities is one of the most obvious impacts of the dualism in the land regime. Many areas traditionally controlled by indigenous communities have been incorporated into state forest areas without adequate recognition of their rights. Constitutional Court Decision No. 35/PUU-X/2012 has confirmed that customary forests are no longer state forests but rather fall within the territory of indigenous communities. The reality on the ground shows that the implementation of this recognition still faces various administrative and institutional obstacles. Indigenous communities often lack adequate access to formal recognition of their territories.

Obstacles to the implementation of agrarian reform also arise from the unclear status of forest areas and state land. Land redistribution programs require clarity regarding the land objects that can be distributed to communities. Land located in forest areas cannot be directly redistributed without a change in administrative status. Article 7 of Presidential Regulation Number 86 of 2018 concerning Agrarian Reform stipulates that agrarian reform includes asset management through land redistribution and asset legalization. The process is hampered when the legal status of land is unclear or located in areas with differing sectoral claims.

Structural agrarian conflicts are increasing due to overlapping regulations. Conflicts occur not only between communities and the state but also involve various parties such as companies and local governments. The unclear legal status of land is a major source of protracted disputes. Agrarian conflicts often impact social stability and community security. Conflict resolution is made more complex by the involvement of various legal regimes. Inequality in land ownership is further exacerbated by the dualistic regulatory system. Land administratively categorized as forest areas is inaccessible to communities to legally acquire land rights. Communities that have long lived in these areas lack legal security over the land they occupy. This situation creates an imbalance between actual land ownership and formal legal recognition. An unintegrated legal system reinforces inequities in land distribution.

The failure of institutional integration is a major factor reinforcing the dualism of the land regime. The national land administration system, regulated by Law Number 5 of 1960 and Government Regulation Number 24 of 1997, operates separately from the forest area administration system, regulated by Law Number 41 of 1999. The two systems have different databases, procedures, and mechanisms. The lack of an integrated administrative system makes it difficult to ensure the accuracy of national land data. This lack of integration increases the potential for administrative conflict.

Sectoral egos among state institutions also reinforce the fragmentation of land management. Each institution exercises its authority based on sectoral regulations that serve as its legal basis. Coordination between institutions is often ineffective due to differing institutional interests. Policies adopted by one institution can conflict with those of another. This situation highlights weaknesses in the national agrarian governance system.

Weak policy coordination results in inconsistencies in land-related decision-making. Land and forestry policies are often not formulated within a single, integrated framework. These policy differences create legal uncertainty for the public. A fragmented legal system is unable to provide optimal legal protection. Institutional coordination is a crucial factor in creating an integrated agrarian system.

The conceptual reconstruction of the national agrarian system requires affirming that all land areas are covered by a single national agrarian legal system. The principle of the state's right to control, as stipulated in Article 2 of Law Number 5 of 1960, must be understood as the basis for integrating all agrarian regulations. The state has the authority to harmonize regulations between sectors to avoid normative conflicts. The national agrarian system needs to be positioned as the primary framework for land management. This affirmation is crucial for ending the dualism in land regulation.

The integration of forest areas into the national land system is a crucial part of this reconstruction effort. Forest areas can still be maintained as areas with specific ecological functions, but their legal administration must be linked to the national land system. This approach allows for unified data and legal certainty for all land areas. An integrated administrative system will facilitate land monitoring and management. This integration also supports the more effective implementation of agrarian reform.

Restructuring institutional authority is necessary to create a more integrated land management system. The division of authority between institutions must be based on the principles of coordination and integration. The state needs to establish clear mechanisms to resolve conflicts of authority. Integrated institutions will increase the effectiveness of agrarian resource management. Institutional reform is a crucial part of national agrarian system renewal.

Harmonization of laws and regulations is a crucial step in resolving normative conflicts between land law and forestry law. Regulations governing land and forest areas must be formulated within a consistent legal framework. This harmonization can be achieved through revisions to existing laws or the creation of new, integrative regulations. A harmonized legal system will provide legal certainty for the public. Legal certainty is the foundation for achieving agrarian justice.

A model for integrating national land laws and institutions can be realized through a unified land administration system. This system includes an integrated national land database containing all information regarding land status and use. Reformulation of the concept of forest areas is necessary so that they no longer exist as separate legal regimes, but as part of the national agrarian system. Database integration allows for transparency and accuracy in land management. The integrated agrarian reform policy model will strengthen the state's efforts to create legal certainty and justice in land ownership.

Conclusion

The dualism of the land regime, which separates land management between the agrarian and forestry regimes, is a consequence of normative disharmony and institutional fragmentation that has persisted since the colonial era and continues to be reproduced in the national legal system. This situation creates overlapping authority, inconsistent recognition of rights, and a lack of synchronicity in determining land status, thus creating legal uncertainty for both the public, indigenous communities, and business actors. The national agrarian system, philosophically intended as a single legal framework based on the principle of state control over land for the greatest prosperity of the people, has not yet fully functioned integratively, as parallel and autonomous sectoral regimes still exist. As a result, structural agrarian conflicts persist, the legitimacy of land rights remains vulnerable to questioning, and legal certainty, a fundamental element of the rule of law, has not been effectively guaranteed.

In this context, the integration of the national agrarian system is an urgent need that must be realized through regulatory reforms that eliminate the sectoral separation between land law and forestry law and establish a consistent, integrated legal framework oriented toward legal certainty and agrarian justice. This integration also requires institutional restructuring to ensure land management falls within a single, harmonious coordination system, eliminating dual administrative authority. Furthermore, strengthening the national agrarian system must be directed toward establishing legal norms that place all land areas within a single agrarian legal system, without neglecting ecological functions and environmental protection interests. Implementing a single system-based agrarian reform is a strategic instrument to ensure the recognition of rights, structural resolution of agrarian conflicts, and the creation of sustainable legal certainty in the management of agrarian resources in Indonesia.

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