

Looking at The Legal Philosophy Regarding The Grabbing of Pantai Raja Customary Land

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Abstract

This study analyzes land conflicts in Riau Province, focusing on disputes among corporations, between corporations and local communities, and with indigenous customary law communities. These conflicts are triggered by environmental degradation, land encroachment, overlapping land claims, and administrative boundary disputes. The urgency of this study lies in its legal and social implications, including prolonged litigation, weakening of state authority, social unrest, and disruption of community livelihoods. Specifically, the research seeks to answer how land conflict resolution mechanisms in Riau can be made more effective, inclusive, and sustainable, with a particular emphasis on the conflict in Pantai Raja as a representative case. Employing a qualitative research method, the study examines legal frameworks, government policies, and empirical data from case studies to explore how customary land rights intersect with state-issued land use permits. The findings show that responses to conflict are often reactive, initiated only after public outcry or demonstrations. This reactivity stems from unclear governance structures, weak early mediation mechanisms, and minimal community involvement, which in turn exacerbate tensions and obstruct sustainable resolution efforts. The study contributes to the development of legal theory in agrarian law and conflict resolution by proposing an integrated and anticipatory conflict resolution framework. A structured collaboration model is introduced, wherein plantation companies cooperate with village-owned enterprises (BUMDes) under legal and institutional arrangements that ensure fair benefit-sharing, recognition of indigenous land rights, and participatory decision-making. This model aims not only to resolve existing conflicts but also to inform future policy-making and strengthen the legal framework for managing land disputes in Indonesia.

Keywords: Conflict; Land; Right to Cultivate

1. INTRODUCTION

Economic growth and technological advancements, especially during the New Order era, have driven capital owners to seek land in various regions to expand their businesses.¹ This has often led to land disputes, particularly in Riau Province, which has one of the largest palm oil plantation areas in Indonesia.² A major contributing factor is the persistent misalignment between customary law and national positive law. This disconnect manifests in various ways, including legal recognition gaps, unclear land registration systems, and the state's failure to fully integrate indigenous land claims into formal legal structures. In practice, indigenous communities often lack formal documentation, making their ancestral

¹ Insan Praditya Anugrah, "Ersatz Capitalism in Indonesian Automotive Industry during The New Order Era, 1969—1998," *Lembaran Sejarah* 12, no. 2 (2018): 157, <https://doi.org/10.22146/lembaran-sejarah.33465>.

² TribunPekanbaru.com, "The Largest Palm Oil Plantation in Riau in Indonesia, 1.8 Million Ha Included in Forest Areas," *TribunPekanbaru.com*, 2025.

lands vulnerable to appropriation by corporations with state-issued permits.³ One prominent case is the land dispute between indigenous communities and corporations in Tapung District, Kampar Regency, which has been ongoing for 38 years without legal clarity.

A prominent example is the ongoing land dispute in Tapung District, Kampar Regency. Since 1984, PTPN V has managed land previously claimed by indigenous communities. Although the company acknowledged 150 hectares as belonging to the community in 1999, and pledged to return it.⁴ by 2019, it had not fulfilled the promise. Instead, it dismissed recommendations by Komnas HAM and criminalized 14 residents defending their ancestral land rights. Beyond legal injustice, such cases have triggered deep psychosocial consequences fear, trauma, distrust toward government institutions, and the erosion of cultural identity.

The primary issue in land disputes in Riau, particularly in Pantai Raja, is the weak legal protection of indigenous land rights. The government and corporations tend to prioritize economic interests without considering social justice aspects.⁵ Moreover, the existing conflict resolution mechanisms have not been able to provide sustainable solutions for affected communities

This research gains its urgency from the prolonged, multi-dimensional impacts of such conflicts.⁶ In Pantai Raja alone, 157 families have lost access to their homes and livelihoods. Legal uncertainty has not only fueled economic displacement but also resulted in the stigmatization and criminalization of indigenous rights defenders. Thus, an integrated solution that addresses legal, social, and economic dimensions is urgently needed to break the cycle of injustice.

This study proposes a dispute resolution model based on collaboration between plantation companies and village-owned enterprises.⁷ Through this approach, communities can retain access to their land while companies can continue their operations more sustainably. Additionally, this study advocates for strengthening customary legal regulations to have a more significant position within the national legal system.⁸

³ Alpi Sahari, "Land Tenure Conflicts After the End of Use Rights for Plantation Legal Entities in Indonesia," *Budapest International Research and Critics Institute (BIRCI-Journal): Humanities and Social Sciences* 4, no. 2 (2021): 2439–46, <https://doi.org/10.33258/birci.v4i2.1944>.

⁴ Rommy Patra, "The Failure of Settlement of Human Rights Violations" 7, no. 1 (2018), <https://doi.org/https://doi.org/10.20961/yustisia.v0i0.19052>.

⁵ Aryana Sekar Widyaningsih, Milda Itiqomah, and Bambang Sugiri, "The Implementation of Restorative Justice to Mistreatment Crime In the North Gorontalo District Attorney ' s Jurnal Ius Constituendum" 2, no. 2 (2025): 84–98, <https://doi.org/10.26623/jic.v10i1.11345>.

⁶ Peter Schultz and Assim Alpaslan, "Social Work / Maatskaplike Werk Vol 56 No 4 ; Issue 5 Significant Others Of Partners With A Substance Use Disorder : Informing Social Work Social Work / Maatskaplike Werk 2020 : 56 (4)," *Social Work/Maatskaplike Werk* 56, no. 4 (2020): 0–3, <https://doi.org/http://dx.doi.org/10.15270/56-4-885>.

⁷ Sunarno Khan and HannaAmbaras, "Customary Land Disputes in Indonesia," *International Journal of Academic Research in Business and Social Sciences* 13, no. 10 (2023), <https://doi.org/10.6007/ijarbss/v13-i10/19103>.

⁸ Lestariana Marwassari, M. Yamani, and Emelia Kontesa, "Juridical Review of the Facilitation of Community Plantation Development By Plantation Companies," *Bengkoelen Justice : Jurnal Ilmu Hukum* 11, no. 1 (2021): 47–57, https://doi.org/10.33369/j_bengkoelenjust.v11i1.15788.

While prior research has explored land conflicts in Indonesia, critical gaps remain particularly regarding the design and implementation of sustainable, integrative policy solutions. Hajati et al. (2021) examined the land exchange model as a means to sustain the existence of customary land in Indonesia. This study proposed a customary law-based approach, offering a legal framework to protect indigenous land rights. However, it did not explore how to operationalize the model amid institutional resistance or overlapping authority among government levels. The study remained normative, without detailing steps for integrating customary mechanisms into Indonesia's formal legal and policy system.⁹

Bae (2021) investigated the changing meaning of customary land in Malawi in the context of land grabbing. The study found that weak land rights since the colonial era made customary land vulnerable to state and investor control. While the research provided a valuable historical perspective on the evolution of land rights, it offered limited insight into conflict resolution implementation or institutional adaptation strategies relevant to Indonesia.¹⁰

Meanwhile, Bae (2023) analyzed the dual tenure system in Zambia, which weakened the financial position of indigenous communities, making them susceptible to land grabbing. While this study provided insights into the legal factors enabling land dispossession, it focused more on regulatory aspects rather than proposing concrete, long-term mechanisms for conflict resolution.¹¹

Unlike previous studies, this research proposes a context-specific resolution model that merges legal certainty with community participation and economic collaboration. It aims to analyze the legal and political dynamics of customary land disputes in Riau, with a focus on the Pantai Raja case. Ultimately, this study seeks to formulate a fair and sustainable dispute resolution model rooted in legal reform, social equity, and stakeholder cooperation.¹²

This research aims to analyze the dynamics of land conflicts in Riau Province, particularly in Pantai Raja, by identifying the underlying legal and political factors that contribute to these disputes. Furthermore, this study seeks to develop a fair and sustainable conflict resolution model by integrating legal frameworks, social justice principles, and economic collaboration. Through this approach, it aims to provide an alternative mechanism

⁹ Sri Hajati et al., "Exchange of Land: A Model of Sustaining the Existence of Land Under Adat Law," *Psychology and Education Journal* 58, no. 2 (2021): 1681–92, <https://doi.org/10.17762/pae.v58i2.2324>.

¹⁰ Yuh Jin Bae, "Analyzing the Changes of the Meaning of Customary Land in the Context of Land Grabbing in Malawi," *Land* 10, no. 8 (2021), <https://doi.org/10.3390/land10080836>.

¹¹ Yuh Jin Bae, "Analyzing the Connection between Customary Land Rights and Land Grabbing: A Case Study of Zambia," *Land* 12, no. 1 (2023), <https://doi.org/10.3390/land12010200>.

¹² Mukhrizal Effendi et al., "Role Of Customary Institution In Conflict Resolution Of The Rights On Customary Communal Land (Study on Communal Land Conflict in Simangambat Jae Village Simangambat District of Padang Lawas Utara Regency)" 136, no. Icosop 2017 (2018): 37–43, <https://doi.org/10.2991/icosop-17.2018.7>.

that ensures the protection of indigenous land rights while accommodating the interests of various stakeholders in a balanced manner.

2. METHOD

This study employs a sociological or empirical legal research approach, aiming to examine the implementation of positive law alongside the social realities surrounding land conflicts in Riau Province.¹³ The research combines normative and empirical methods through field studies to provide a comprehensive understanding of the issue. Primary data were collected through in-depth interviews and direct observations involving key informants such as indigenous community members affected by the conflict (particularly in Pantai Raja Village, Kampar Kiri District), representatives from plantation companies (e.g., PTPN V), local government officials (including personnel from the National Land Agency and the Forestry Department), as well as non-governmental organizations advocating for land rights. Informants were selected using purposive sampling techniques to ensure their relevance and involvement in the conflict.¹⁴ Secondary data were obtained through a literature review of legal documents, legislation, academic books, research articles, and other official materials related to agrarian law and land ownership rights. Key legal sources include the 1945 Constitution of the Republic of Indonesia, Law Number 5 of 1960 on Basic Agrarian Principles (UUPA), Government Regulation Number 24 of 1997 on Land Registration, and Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Apartment Units, and Land Registration.

The data analysis method applied is qualitative analysis, involving data reduction, descriptive presentation, and conclusion drawing based on patterns found in the field. The analysis follows an inductive approach, in which field findings serve as the primary basis for formulating the conflict resolution model proposed in this study.

3. RESULTS AND DISCUSSION

3.1 Legal and Political Factors Behind Customary Land Conflicts

The discussion of customary rights in the Basic Agrarian Law (UUPA), particularly Article 3, is often brought up in land disputes¹⁵ However, its explanation is presented descriptively without showing a clear connection to the case in Pantai Raja. The general legal framework should instead be directly linked to how it impacts recognition of customary land in the conflict being studied. A clearer distinction is also needed between legal theory and field facts so that the analysis is easier to follow.

The legal overlap between the state's recognition of land rights and indigenous claims is mentioned, but the explanation is more normative than analytical. Although various

¹³ Suharsimi Arikuncoro, *Procedure Study: A Approach Practice* (Jakarta: Rinika Cipra, 2002). 126

¹⁴ Sumadi Suryabata, *Meteorology Research, First Edition* (Jakarta: Rajawali, 1983). 83

¹⁵ Herowati Poesoko, Dominikus Rato, and I Nyoman Prabu Buana Rumiarta, "The Nature of Customary Land Concession in the Customary Law Society," *International Journal of Social Sciences* 2 (2019): 49–55, <https://doi.org/10.31295/ijss.v3n1.111>.

regulations are cited such as the UUPA and Ministerial Regulations these references are not followed up with a critical discussion of their actual application or failure in Pantai Raja. For example, were the procedures for recognizing indigenous communities under Regulation No. 5 of 1999 followed when PTPN V entered the area? Was community consent obtained, as mandated by law?¹⁶

Definitions of customary land rights are directly quoted from regulations, yet their legal implications in the Pantai Raja context are not fully unpacked. The analysis could be sharpened by showing how weaknesses in enforcement or legal ambiguity contributed to the conflict.¹⁷ For instance, whether or not the Raja Beach community meets the legal criteria to be acknowledged as an indigenous community under Law No. 41 of 1999 on Forestry is never addressed. There is also no mention of whether state institutions—such as the Ministry of Environment and Forestry or local governments have officially assessed or denied their status.¹⁸

The discussion on the inheritance of customary land also remains overly general. It should explore whether the issuance of land use permits (HGU) to PTPN V disrupted intergenerational land control practices, and if so, how this legal conflict unfolded. Were these traditional rights acknowledged in court or during land registration processes.¹⁹ The section discussing typical causes of land conflicts, like miscommunication or dishonesty, feels disconnected from the political and legal realities of the case. It would be more effective to apply those causes directly to the timeline of the Pantai Raja conflict, such as government silence during land clearing or inconsistent documentation of community claims. Legal instruments like Ministerial Regulation No. 5 of 1999, which outlines community land control and external intervention, should be evaluated in terms of how PTPN V obtained its HGU and whether free, prior, and informed consent (FPIC) from the community was documented.

Political factors are mentioned, but still in a vague and abstract way. The text should identify specific political actors or policies involved in granting the HGU to PTPN V. For instance, during the New Order regime, military-backed development projects often sidelined indigenous rights. Were local government officials complicit, or was there resistance from village or subdistrict leaders at the time? The decisions that led to the company's legal advantage must be linked to broader political structures, including

¹⁶ Maxe Hidayat, Abdul Rokhim, and Sunardi Sunardi, “Legal Protection of Minors Whose Land Certificates Are Used as Collateral for Debts,” *Jurnal USM Law Review* 8, no. 1 (2025): 33–46.

¹⁷ Yulies Tiena Masriani, “Legal Protection for Buyers of Inherited Land Who Have Not Been Certified in Islamic Law,” *Jurnal USM Law Review* 7, no. 1 (2024): 1360–73.

¹⁸ Wardah Yuspin et al., “Legal Protection Against Lender in Fintech Peer-to-Peer Lending Sharia,” *Jurnal Usm Law Review* 7, no. 2 (2024): 933, <https://doi.org/10.26623/julr.v7i2.9064>.

¹⁹ Widhiana Hestining Puri, “The The Concept Of The Land Reform In Customary Law Of The Javanese Community,” *Asia Proceedings of Social Sciences* 4, no. 1 (2019): 125–27, <https://doi.org/10.31580/apss.v4i1.648>.

centralistic governance, collusion between corporations and elites, and weak institutional checks.²⁰

PTPN V's entry into Pantai Raja in 1984 is described historically but not legally or politically dissected. How did that entry contradict customary claims? Was there documentation of rejection or protest by the community? The 1999 compensation offer is described as rejected, but there is no legal reflection on whether this offer constituted acknowledgment of customary rights, nor whether it was legally binding.²¹

Court proceedings are briefly noted, emphasizing the community's legal defeat, but lacking examination of why the judiciary leaned toward the company. This includes systemic issues like the community's lack of formal land certificates and the non-recognition of informal customary documents. Was the principle of substantive justice considered by the court? If not, this reflects a legal system that still heavily prioritizes formal ownership over lived customary rights.²²

Statements from customary leaders and the community are used as emotional narratives, but the analysis misses an opportunity to evaluate the legal validity of their testimonies. Could their oral histories, local maps, or ancestral claims be used as alternative legal evidence? What reforms are needed to make space for these forms of proof within Indonesia's legal system?²³

Finally, the section ends by asserting that customary rights are often violated, yet it lacks an in-depth exploration of how state institutions and political elites actively maintain these violations. For example, the bureaucratic resistance in registering communal land or the strategic use of state-owned companies like PTPN V to occupy disputed land should be discussed. A stronger conclusion would tie these issues into the systemic flaws of Indonesia's agrarian governance, including regulatory ambiguity, institutional overlap, and politically motivated land licensing.

Given the persistent legal deadlock and the ineffectiveness of existing conflict resolution mechanisms, an alternative approach that is more inclusive and sustainable is urgently needed. One such approach involves establishing a collaborative model between land use rights (HGU) holders and village-owned enterprises (BUMDes), which represent the economic interests of indigenous communities. From a regulatory standpoint, this model can be accommodated within Indonesia's agrarian legal framework. The Basic Agrarian

²⁰ Kristina Sitinjak, Soetriono, and Ati Kusmiati, "The Developmant Strategy Of The Partnership Pattern Between Ptpn Xii Kalsanen Plantation With Partner And Partner With Farmer," *Jurnal Agribisains* 7, no. 1 (2021): 1, <https://doi.org/10.16285/j.rsm.2007.10.006>.

²¹ Helius Sjamsuddin, *Historical Methodology* (Yogyakarta: Waves, 2012). 241

²² Joan Hardjono, *Land, Work, and Livelihood in Rural West Java* (Yogyakarta: Gadjah Mada University Press, 1990). 91

²³ Ahyuni Yunus, Muddin, and Ahmad Ali, "Completion Disputes over Certified Customary Land Based on Customary Law Malind-Anim," *Journal Kertha Patrika* 41, no. 3 (2019): 206–21, <https://doi.org/10.24843/KP.2019.v41.i03.p03>.

Law (UUPA) allows for the transfer and relinquishment of land rights, while Law No. 6 of 2014 on Villages strengthens the role of BUMDes in managing local economic resources, including partnerships with external entities. Legal instruments such as the KKPA (Primary Member Cooperative Credit) scheme, corporate social responsibility (CSR) programs, and Minister of Agriculture Regulation No. 26 of 2007 on plantation partnerships provide preliminary legal bases for such collaborative arrangements.

To avoid remaining a purely normative proposal, the conflict resolution model must be elaborated through a concrete prototype. This includes specifying the parties responsible for mediation, the technical form of cooperation between BUMDes and the plantation company such as profit-sharing mechanisms, partnership duration, and governance structures and establishing a participatory and continuous monitoring system. Additionally, institutional evaluation is necessary to assess the readiness of local governments and village administrations to carry out their roles effectively. Not all villages possess the administrative or legal capacity to engage in partnerships with large corporations. In this regard, local governments play a critical role in legal facilitation, institutional capacity building, and empowering community-based governance structures.

For implementation, a well-defined roadmap is essential. This should cover initial stages such as community outreach and internal consolidation, formulation of village regulations governing the collaboration model, legal assistance in drafting partnership agreements, and pilot projects in selected conflict-prone areas. These should be followed by periodic evaluations by independent bodies to assess the effectiveness of the program and recommend necessary adjustments. This integrated approach is expected to offer a more just, context-sensitive, and sustainable mechanism for resolving customary land conflicts in Pantai Raja and other regions facing similar disputes.

3.2 Fair and Sustainable Resolution of Customary Land Disputes

The resolution of customary land conflicts, such as the one in Pantai Raja, requires a multidimensional approach that integrates legal, social, political, and economic perspectives.²⁴ While previous suggestions such as agrarian reform, community empowerment, and multi-stakeholder dialogue have been introduced, they must be elaborated through clear, context-based implementation mechanisms.²⁵ A resolution strategy should begin by addressing the foundational legal uncertainties and inconsistencies in land policy enforcement, particularly regarding the overlapping claims between indigenous communities and corporations that hold Hak Guna Usaha (HGU) permits.²⁶

²⁴ Alpi Sahari, "The Rights of Controlling State in Indonesia Against Land Tenure of Customary Law Community," *Randwick International of Social Science Journal* 2, no. 2 (2021): 141–48, <https://doi.org/10.47175/rissj.v2i2.224>.

²⁵ Mas Putra Zenno Januarsyah et al., "The Application of the Business Judgment Rule Doctrine in Corruption Cases of Karen Agustiawan," *Jurnal Ius Constituendum* 7, no. 1 (2022): 143, <https://doi.org/10.26623/jic.v7i1.4922>.

²⁶ Ratnah Rahman, "Community Conflict With Government (Case Study of Customary Land Disputes)," *Socioreligious* III, no. 1 (2017): 43, <https://doi.org/https://doi.org/10.24252/socioreligius.v2i1.5997>.

To begin with, agrarian reform must not remain a normative ideal but be translated into concrete actions. This includes reviewing the validity and historical background of existing HGU permits, particularly those issued without prior consultation with the indigenous communities. The review process must be accompanied by participatory mapping to ensure accurate identification of ancestral land boundaries. In the context of Pantai Raja, this participatory approach should involve representatives from the customary community, local government, the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN), and independent observers to build transparency and trust.

Community empowerment must also go beyond general support. It should involve structured capacity-building programs for indigenous groups, focusing on legal literacy, land administration, and cooperative business management. One feasible model is the revitalization of the KKPA (Kredit Koperasi Primer Anggota) scheme, previously proposed but never properly implemented by PTPN V. Under improved governance and fair terms, this scheme could allow the community to manage land productively while benefiting from formal partnerships with the company. These programs must be legally recognized and monitored by a multi-sectoral supervisory team to ensure accountability.²⁷

Economic collaboration between companies and local communities should be designed to create shared benefits. This can be realized through profit-sharing models, joint land management, or even partial land redistribution in cases where historical violations are evident. For instance, if parts of the disputed land were acquired without due compensation, a restorative justice framework could mandate the return of the land or provide equitable financial reparation in addition to economic partnership. The implementation of such models requires legal innovation and political will, particularly from institutions such as the Ministry of SOEs, Ministry of Agrarian Affairs, and the regional government.²⁸

Mediation, often cited as a conflict-resolution tool, must be adapted to the local realities of Pantai Raja.²⁹ This involves customizing the mediation process to include not just government facilitators, but also neutral parties trusted by both the community and the corporation.³⁰ If the dispute between disputing parties cannot be completed, then bring the dispute to head village for negotiated for reach agreement. The importance of Completion Dispute (APS) in settlement disputes increased with Law No. 30 of 1999. Therefore, if

²⁷ Dominikus Jawa, Parningotan Malau, and Ciptono Ciptono, "Criminal Law Enforcement Challenges in Indonesia," *Jurnal USM Law Review* 7, no. 2 (2024): 6–7, <https://journals.usm.ac.id/index.php/julr/article/view/9507/4423>.

²⁸ Agnes Debora and Wardani Rizkianti, "Legal Actions in Land Procurement Conflicts for Public Interest," *Jurnal USM Law Review* 6, no. 3 (2023): 1–11, <https://doi.org/10.26623/julr.v6i3.7899>.

²⁹ Muhammad Galang Asmara, Gatot Dwi Hendro Wibowo, and RR Cahyowati, "The Authority Of Regional Government Of Formation Regional Regulation (Perda) Shari'a," *Unram Law Review* 2, no. 2 (2018): 180–86, <https://doi.org/10.29303/ulrev.v2i2.49>.

³⁰ Firman Habib Patrianto and Darminto Hartono, "Legal Aspects of Insider Trading Practices," *Jurnal Ius Constituendum* 6, no. 2 (2021): 200–212.

incident law that can cause the loss is only suffered by the parties and not harms society, then the state does not answer. must down hand For finish dispute in settlement conflict land by the Land Agency, problems land that appears lately This the more complex and one of the institution settlement authorized dispute handle a number of problem related land with the peace process is the Land Agency. To the State Agency through mediatThe process must be legally binding, time-bound, and supported by documentation that ensures compliance by all parties. Lessons can be drawn from successful community-company mediation models in other parts of Indonesia, such as in Jambi and South Kalimantan, where integrated legal-social mediation frameworks were used effectively.³¹

In addressing the socio-political and bureaucratic obstacles, specific technical measures are needed. For example, to break bureaucratic stagnation, the central government can issue a special task force with cross-ministerial authority to resolve agrarian disputes involving state-owned enterprises. To overcome political resistance, transparency protocols should be enforced, requiring all decisions about land redistribution or compensation to be publicly disclosed. Social polarization, meanwhile, can be mitigated by community forums facilitated by NGOs that focus on restoring trust and collective visioning.³²

It is also crucial to identify and assign institutional responsibilities clearly. The local government, particularly at the regency and provincial levels, must lead the coordination. Meanwhile, ATR/BPN holds the key technical authority in land certification and boundary clarification. The Ministry of SOEs should oversee company compliance, while the National Commission on Human Rights (Komnas HAM) can be involved to safeguard indigenous rights. Such division of responsibility ensures that no stakeholder avoids accountability.³³

The historical roots of the Pantai Raja conflict, especially those tied to authoritarian decision-making during the New Order, must also be acknowledged. The absence of community consent during the issuance of land permits continues to haunt the legitimacy of land tenure today.³⁴ Therefore, legal revalidation of those permits, informed by truth-telling processes or even formal investigations, is essential. The people of Pantai Raja must not only be involved in future planning but also in setting the historical record straight.³⁵

³¹ Marten Bunga, Robby Waluyo Amu, and Leni Dwi Nurmala, "Certificate of Land Property Rights as an Evidence in Land Dispute Settlement," *IJRAEL: International Journal of Religion Education and Law* 2, no. 1 (2023): 5–12, <https://doi.org/10.57235/ijrael.v2i1.360>.

³² Amri Panahatan Sihotang et al., "Cancellation of Land Sale and Purchase Agreement by the Seller Due to Buyer's Default," *Jurnal USM Law Review* 6, no. 3 (2023): 1210, <https://doi.org/10.26623/julr.v6i3.7502>.

³³ Aleksandra Jaskólska, "Influence of the Party System on the Foreign Policy," no. 1964 (2015): 53–57, <https://doi.org/10.33107/ubt-ic.2015.7>.

³⁴ Ahmad Junaedi, Andhika Silva Yunianto, and Hery Kurniawan, "The Early Benefits of Agroforestry as the Solution of Social Conflict and Peat Land Degradation in Kampar - Riau, Indonesia," *E3S Web of Conferences* 305 (2021): 1–12, <https://doi.org/10.1051/e3sconf/202130502002>.

³⁵ Josef Valvoda et al., "What About the Precedent: An Information-Theoretic Analysis of Common Law," *NAACL-HLT 2021 - 2021 Conference of the North American Chapter of the Association for Computational Linguistics*:

Finally, conflict resolution must be future-oriented. Sustainable peace cannot emerge without long-term monitoring mechanisms. Independent institutions—such as universities, NGOs, or the National Land Agency—should be tasked with evaluating the outcomes of the resolution periodically. This ensures that promises are fulfilled, rights are respected, and development proceeds inclusively. In essence, resolving the Pantai Raja land conflict is not solely about compensating losses or negotiating new terms. It is about restoring justice, repairing trust, and re-establishing a governance system that respects customary law as an integral part of Indonesia's agrarian framework.

As part of efforts to achieve a fair and sustainable resolution, a collaborative model between BUMDes (Village-Owned Enterprises) and HGU (Right to Cultivate) holders is proposed as a new approach that enables productive land management by local communities while respecting the legal rights of land concession holders. From a regulatory perspective, this model can be accommodated within the existing agrarian legal framework through partnership schemes governed by the Ministerial Regulations of the ATR/BPN and provisions related to village economic empowerment. It must be emphasized that such cooperation should be based on the free, prior, and informed consent of indigenous communities, formal legal recognition of customary land rights, and binding agreements between village authorities, companies, and government bodies. The prototype of this model includes the involvement of independent mediators such as customary institutions, agrarian-focused NGOs, and universities, as well as cross-sectoral monitoring to ensure transparency and accountability. Institutional evaluation is also a critical component, particularly in assessing the readiness of local and village governments to carry out their roles, including in land administration, village economic governance, and conflict mediation. To ensure effective implementation, a collaborative roadmap must be developed from the outset, starting from public outreach and awareness, legal recognition of customary lands, formal agreement structuring, program implementation, and periodic evaluation by independent bodies. Through this approach, land conflict resolution is not merely a technical solution, but also a tool for social transformation and the establishment of inclusive agrarian governance.

4. CONCLUSION

This study has successfully addressed its core objective: to uncover the structural causes of customary land conflicts in Riau, particularly in Pantai Raja, and to propose a fair and sustainable resolution model. The findings reveal key issues, including the weak recognition of indigenous land rights, overlapping land permits, inconsistent enforcement of agrarian laws, and limited institutional capacity at the local level. These conflicts are further exacerbated by a history of top-down land licensing during the New Order era and the

continued exclusion of indigenous communities from decision-making processes. A significant contribution of this study is the proposed partnership model between companies holding Cultivation Rights (HGU) and Village-Owned Enterprises (BUMDes). This model is designed not only to resolve historical injustices but also to provide inclusive economic benefits through joint land management, profit-sharing, and reinvestment in community development. For this to be effective, it must be integrated into the current agrarian legal framework, with BUMDes given formal legal standing in land governance and oversight ensured by independent supervisory bodies. The study also recommends the formation of a cross-sectoral mediation task force, the legal review of disputed HGU permits, participatory land mapping, and stronger institutional roles for ATR/BPN, local governments, and Komnas HAM. Clear implementation roadmaps from socialization and legal validation to impact monitoring are needed to ensure long-term success and prevent recurrence. In sum, resolving land conflicts requires not only legal reform, but a broader transformation grounded in justice, inclusive governance, and respect for customary land tenure. This research offers a structured, replicable model for resolving similar disputes across Indonesia.

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