

Legal Review of Handling of Unauthorized Land Acquisition: Land in Rappang Village, Tapango District, Polewali Mandar Regency

Tio Septian Dwi Cahyo¹⁾ & Tony Triyanto²⁾

¹⁾ Faculty of Law, Universitas Islam Sultan Agung (UNISSULA) Semarang, Indonesia,

E-mail: tioseptiandwicahyo.std@unissula.ac.id

²⁾ Faculty of Law, Universitas Islam Sultan Agung (UNISSULA) Semarang, Indonesia,

E-mail: tonytriyanto@unissula.ac.id

Abstract. *This study aims to analyze the handling of unauthorized land acquisition cases by the Criminal Investigation Unit of the Polewali Mandar Police, specifically in cases that occurred in Rappang Village, Tapango District, Polewali Mandar Regency. Unauthorized land acquisition issues often trigger social conflict and hinder legal certainty regarding land rights. This study uses a qualitative approach with empirical legal methods through interviews with investigators, the National Land Agency, the Public Prosecutor, the complainant, and the accused. The data is then analyzed thematically to determine the alignment between legal norms, handling practices, and obstacles encountered in the field. The results show that the case handling process is still hampered by limited evidence, unclear land status, and weak inter-agency coordination. However, efforts to improve coordination with land agencies, strengthen the capacity of investigators, and implement strategies based on local contexts are considered to increase the effectiveness of the investigation process. Based on these findings, the study concludes that handling unauthorized land acquisition cases requires institutional synergy and optimization of land policies to achieve legal certainty and justice for the community.*

Keywords: Acquisition; Agrarian; Criminal; Enforcement; Unauthorized.

1. Introduction

Indonesia proclaimed itself a state based on the rule of law (Article 1 Paragraph 3 of the 1945 Constitution of the Republic of Indonesia), which implies that every aspect of life, including land ownership and utilization, must comply with laws and regulations. Land, in the context of agrarian law, is not merely a material object, but also has vital social and economic functions. Harsono emphasized that land rights have a strategic position and must comply with the provisions of the Basic

Agrarian Law (UUPA) No. 5 of 1960, which aims to maximize the prosperity of the people.¹ However, the reality on the ground demonstrates a serious gap between the principles of agrarian legal certainty mandated by the Basic Agrarian Law and actual practice. Land use and control without proper permits are rampant, creating legal uncertainty and giving rise to horizontal conflicts that require the intervention of law enforcement officials.

The issue of unauthorized land acquisition (often referred to as encroachment) is crucial because it has the potential to transcend civil and administrative boundaries and become a purely criminal offense. Legally, this action is subject to criminal sanctions under Law No. 51 Prp of 1960, Article 6.² These criminal consequences require the active role of the Indonesian National Police (Polri) as the primary investigator. Djaja explained that any act of physical control over land without clear legal basis or permission from the rightful owner can be classified as an unlawful act (PMH) that harms the rightful owner.³ This condition reflects the discrepancy between the strong legal basis (*das sollen*) and the phenomenon of increasing violations (*das sein*), which indicates the need for an in-depth evaluation of law enforcement in the field.

As the frontline in handling criminal cases, the Criminal Investigation Unit (Satreskrim) at the police resort level holds the vital responsibility of conducting investigations and inquiries into cases of unauthorized land acquisition. However, its implementation often faces significant obstacles. Research conducted by Ferdi (2020) in the South Sulawesi Regional Police region shows that handling land grabbing cases, despite following procedures, is still hampered by difficulties in proving land status and limited human resources for investigators, including the influence of local legal culture.⁴ The gap that arises is that while positive law has clearly regulated, the complexity of field facts such as unclear boundaries, overlapping rights bases, and pressure from interested parties are the main obstacles in achieving restorative justice and legal certainty.

This situation is specifically evident in the handling of a case of unauthorized land acquisition in Rappang Village, Tapango District, Polewali Mandar Regency, West Sulawesi Province. The case in this location involved the use of land by a third party without a valid legal basis and was handled by the Polewali Mandar Police Criminal Investigation Unit. Although previous research, such as that conducted by Yuniar (2024) in Banyuasin, which identified weak coordination between the police and the National Land Agency (BPN), has provided general insights into the obstacles to handling land cases,⁵ there has been no juridical-empirical study that

¹Indonesia, Constitution of the Republic of Indonesia, 1945, Article 1 Paragraph (3).

²Harsono, Boedi, *Indonesian Agrarian Law: History of the Formation of UUPA, Contents and Implementation*, Revised Edition, UI Press, Jakarta 2013, p. 226.

³Djaja, *JS National Land Law*, Mandar Maju, Bandung, 1994, p. 109.

⁴Indonesia, Law Number 51 Prp of 1960 concerning the Prohibition of Land Acquisition Without Permission, Article 6.

comprehensively dissects the processes, obstacles, and strategies for handling cases in the unique geographic and socio-cultural context of Polewali Mandar. The main difference between this study and previous studies lies in the specific location focus and the depth of the juridical analysis of police procedural steps in adapting the handling of agrarian crime cases in rural areas with distinct social characteristics.

Based on the gap between the demands for legal certainty (regulation) and the challenges of law enforcement (practice) in the field, researchers consider it important to identify in detail how the Criminal Investigation Unit of the Polewali Mandar Police carries out its duties, including examining inhibiting factors and formulating adaptive strategies. Effective and transparent handling of cases of unauthorized land acquisition⁵ is an absolute prerequisite for maintaining social stability and providing secure rights protection for legitimate owners. Therefore, an in-depth review of police practices in Polewali Mandar is needed to find strategic solutions.

This study aims to analyze in depth the handling of cases of unauthorized land acquisition in Rappang Village, Tapango District, Polewali Mandar Regency by the Polewali Mandar Police Criminal Investigation Unit, including identifying obstacles and effective strategies that can be implemented.

2. Research Methods

This research uses a qualitative approach with the type of empirical legal research (Socio-Legal Research), which views the law in the context of its implementation amidst social realities in the field, particularly related to the handling of cases of unauthorized land acquisition by the Criminal Investigation Unit of the Polewali Mandar Police. The specifications of this research are descriptive-analytical, aiming to systematically and in-depth describe the phenomenon of case handling, identify obstacles, and formulate effective law enforcement strategies. In the normative-juridical realm, this research uses the Statute Approach, the Historical Approach, and the Case Approach to examine the consistency of regulations, the history of rule formation, and the pattern of judges' decisions (jurisprudence) related to criminal acts of land acquisition.⁶ Primary legal materials consist of Government Regulation in Lieu of Law (Perpu) No. 51 of 1960, Law No. 5 of 1960 concerning the Basic Agrarian Law (UUPA), Regulation of the Minister of State for Agrarian Affairs/Head of the National Land Agency (BPN) No. 1 of 1999, and Law No. 2 of 2002 concerning the Indonesian National Police (Polri). Secondary legal materials were obtained from legal literature studies, written works, and

⁵Meishy Febrizha, Mulida Hayati, and Yacob F Martono, "The Judge's Consideration on the Case of Rejection of the Lawsuit Related to Land Grabbing (Study of Decision No. 189 / PDT. G / 2020 / PN PLK)," *Law Development Journal* 7, no. 225 (2025): 424–435.

⁶Marzuki & Mahmud, *Legal Research*, Jakarta: Prenada Media Group, 2010, pp. 93-94

documentation related to the case.

The main data collection method used is unstructured interviews (in-depth interviews), which are flexible and allow researchers to dig up factual information and reveal the motivations and experiences of informants in depth.⁷ The selected key informants were the parties directly involved, including Criminal Investigation Investigators (Brigpol R and Brigpol HE), representatives of the National Land Agency (S), the Public Prosecutor (Y), the Reporter (SY), and the Reported (P and SL). Data quality was also supported through document studies (secondary legal materials) in the form of land ownership certificates, case decisions, and P21 files. The interview process aimed to collect rich descriptions of the phenomena experienced by the informants, ensuring that the information obtained had sufficient qualifications and knowledge to answer the research questions.⁸

3. Results and Discussion

3.1. Handling of Cases of Unauthorized Land Acquisition in Rappang Village, Polewali Mandar District: A Review of Friedman's Legal Sub-System

The handling of the case of unauthorized land acquisition in Rappang Village, Tapango District, Polewali Mandar Regency, presents a complex empirical case study in the implementation of agrarian criminal law. This case involves a conflict of claims between the formal ownership of the Complainant (SY) which was usurped, and the physical control claimed by the Respondents (P and SL). An in-depth analysis was conducted through the Legal System framework by Lawrence M. Friedman, which divides the function of law into three interdependent components: Structure, Substance, and Legal Culture. Field findings highlight the existence of critical interactions, as well as institutional and social tensions, between these three sub-systems in the effort to enforce Government Regulation in Lieu of Law No. 51 of 1960 concerning the Prohibition of Land Use Without Permission from the Rightful Owner or His/Her Proxy.

1) Legal Structure: Procedural Functions, Efficiency, and Institutional Coordination

The legal structure subsystem refers to formal institutions, law enforcement officers, and procedures that process and administer the law. In the case of Rappang Village, the structure is embodied in the Criminal Investigation Unit (Satreskrim) of the Polewali Mandar Police and the formal procedures stipulated in the Criminal Procedure Code (KUHP).

⁷Hollway, Wendy, and Tony Jefferson. *Doing qualitative research differently: Free association, narrative and the interview method*. Sage, 2000.

⁸Alshenqeeti, Hamza. "Interviewing as a data collection method: A critical review." *English linguistics research* 3(1), 2014, p. 39-45.

2) Procedural Compliance of the Criminal Investigation Unit in the Criminal Procedure Code Mechanism

Formally, the Criminal Investigation Unit of the Polewali Mandar Police demonstrated strict procedural compliance. The handling process began with the receipt of a Police Report (LP) from the Reporter (SY), followed by an investigation stage to determine whether or not there were elements of a crime (Article 1 number 5 of the Criminal Procedure Code), and then escalated to the investigation stage after sufficient preliminary evidence was obtained (Article 1 number 2 of the Criminal Procedure Code). Interviews with investigators Brigpol R and Brigpol HE confirmed that a series of legal actions had been carried out, including summoning witnesses, confiscating legal documents from both parties, and examining the crime scene (TKP). The culmination of this structural effectiveness was the achievement of P21 status (The investigation has been completed and the file has been declared complete by the Public Prosecutor), as confirmed by the Public Prosecutor (Y). This P21 status is an indicator that formally, the Legal Structure component—namely the Police institution—has succeeded in meeting the minimum evidentiary standards required for criminal prosecution.

3) Analysis of Structural Efficiency and Internal Bureaucratic Barriers

Although the achievement of P21 indicates that the basic functions of the Structure have been fulfilled, further analysis reveals potential inefficiencies that substantially impact timeliness. The Complainant's (SY) complaint regarding the duration and complexity of the process is an indication of structural friction. Ferdi (2020) in his research highlighted that human resource constraints and internal bureaucratic complexity often act as systemic obstacles in handling agrarian cases in the Sulawesi region, which require high precision. The complexity of handling agrarian crimes, which requires a deep understanding of civil law and land administration, demands specializations that not all investigators possess. This imperfection indicates a disparity between on-paper procedures (Criminal Procedure Code standards) and in-action procedures (practice in the field). The excessive turnover of files (P19) between investigators and prosecutors due to a lack of initial coordination also reflects structural imperfections that directly impact time effectiveness.

4) Limitations of Structural Authority and Demands for Vertical Coordination

The biggest structural obstacle is the limited discretionary authority of the police in land matters. Determining the legal status and boundaries of certified land falls under the jurisdiction of the National Land Agency (BPN). A statement from S (BPN) confirms that the police cannot unilaterally revoke certificates or determine boundaries. The police's dependence on the BPN for data validation is a crucial link. Yuniar (2024) explicitly states that weak inter-institutional coordination, particularly between the police and land agencies, is a systemic obstacle that slows

down the resolution of land disputes. Thus, even though the police structure is in place, the effectiveness of the legal system as a whole depends heavily on cross-institutional structural coherence.

5) Legal Substance: Dualism of Norms of Proof of Rights and Conflicts in the Interpretation of Government Regulation in Lieu of Law No. 51 of 1960

The Legal Substance subsystem focuses on the content of the laws and regulations applied in the case. In the Rappang Village case, the legal substance centers on the interpretation of Article 6 of Government Regulation in Lieu of Law No. 51 of 1960, which threatens criminal penalties for anyone using land "without permission from the rightful owner or their authorized representative."

6) The Tension between Formal and Inferential Evidence De Facto

The main substantive conflict arises from the dualism of land title evidence. The complainant relies on the Land Title Certificate as authentic legal-formal evidence. Muthallib (2020) dogmatically asserts that the Certificate holds a crucial position as authentic evidence that can achieve absolute legal certainty. In contrast, the Respondents (P and SL) base their claims on informal evidence, namely hereditary physical possession of the land, supported by certificates from former village heads. Safrin Salam (2023) explains that physical possession (occupational evidence), especially for uncertified land or land with a customary background, is often considered in certain legal traditions and jurisprudence.

The tension between the norm of Certificates as the strongest evidence and the recognition of physical control (as accommodated by UUPA No. 5 of 1960 which recognizes various rights) creates a dilemma of substantive interpretation for investigators. Investigators must determine who is "entitled" definitively. If the Reported Party's evidence is nearly equal in strength or there is a suspicion of invalidity in the certification process, a criminal case can turn into a civil dispute, where investigators are required to have expertise in distinguishing criminal elements (unlawful acts) from ownership disputes.

7) Interpretation of Criminal Elements: Testing Unlawful Acts

The substance of the law requires investigators to prove the elements of an unlawful act (PMH) in a criminal manner, not just a civil rights dispute. Deasy (2014) explains the fundamental difference between the focus of civil evidence (determining rights) and criminal evidence (proving actions), but in agrarian cases, the two are interrelated. The determination that the Reported Party acted "without permission" in a criminal manner can only be confirmed if the Reporter's rights status is truly undeniable. The existence of conflicting evidence in Rappang Village requires investigators to not only seek a Certificate, but also explore the Reported Party's *mens rea* (malicious intent), whether they truly controlled the land with unlawful intent, or whether they believed in their claim to rights

honestly (*bona fide*). This conflict of substance shows that Perpu No. 51 of 1960, although strong, becomes blunt when faced with the disorderly land administration in the past and the dualism of norms for proving rights in Indonesia.

8) Legal Culture: Community Resistance, Kinship, and Dispute Resolution Orientation

The Legal Culture subsystem encompasses the values, beliefs, and attitudes of the Rappang Village community toward formal law, authorities, and dispute resolution. Findings indicate that the Legal Culture at the research location presents both an obstacle and demands adaptation from the Criminal Investigation Unit.

9) Primacy of Local Values over Formal Evidence

For the people of Rappang Village, who have strong kinship ties, land rights claims are often based on unwritten inheritance, natural landmarks, or recognition from fellow residents. This legal culture places physical evidence (occupational evidence) and oral history at equal or even higher value than formal legal evidence (certificates) issued by the central government. The response of the Respondents (P and SL) who rejected the legal process and insisted on their inheritance claims is a manifestation of a legal culture that believes in their material truth, even though the Reporter's formal evidence is stronger. This creates challenges for the institution (structure) because the investigation process based on legal formalities is perceived as a divisive intervention in the community.

10) Social Pressure and Institutional Responses

When criminal cases enter the realm of a strong Legal Culture, social pressure becomes inevitable. Ferdi (2020) also noted that pressure from interested parties and local Legal Culture is one of the obstacles in enforcing agrarian law. Investigators (Brigpol R and Brigpol HE) are faced with a dilemma: complying with the Substance and implementing the formal Structure (criminal) risks triggering horizontal tension; but refraining means ignoring the rights of the Reporter (SY). This Legal Culture requires investigators to adopt a dual role, namely not only as retributive law enforcers, but also as social mediators to reduce conflict. The success of achieving P21 shows that the Structure is able to overcome this resistance, but a just final resolution (Substance) must still consider the social implications (Legal Culture).

3.2. Constraints and Effective Strategies in Handling Cases of Unauthorized Land Acquisition in Rappang Village

Based on Friedman's triadic analysis, the obstacles faced by the Polewali Mandar Police Criminal Investigation Unit can be categorized into evidentiary obstacles

(Substance-Structure) and socio-cultural obstacles (Legal Culture), which require the formulation of adaptive and integrated handling strategies.

1) Evidentiary Dilemma and Legal Intervention (Substance & Structure)

The most fundamental obstacle in the Rappang Village case is the problem of comparative and contradictory evidence, which requires external institutional intervention.

2) Conflict of Evidence and the Focus of Criminal Law

The main difficulty for investigators is separating civil rights disputes from the criminal elements in Government Regulation in Lieu of Law No. 51 of 1960. The contradiction between formal evidence (the Reporter's certificate) and physical/traditional evidence (the Reported Party's claim) forces investigators to assess the weight of civil evidence, a domain that should be avoided in criminal law. Investigators are required to establish *prima facie* that the Reported Party's control is "without permission," which is difficult if the Reported Party can provide consistent *de facto* evidence of control. The disorderly past land administration in this rural area also exacerbates this obstacle, as it has the potential to produce overlapping documents that are legitimate in the eyes of the Reported Party.

3) Structural Dependence on the BPN and the Public Prosecutor

The limited authority of investigators to determine the absolute validity of rights creates a structural dependence on the National Land Agency (BPN) and the Prosecutor's Office. Statement from S (BPN) confirms that final validation of the legal basis and boundary determination requires BPN procedures. Delays or complex procedures at the BPN directly pose structural obstacles for the Police. Furthermore, the high evidentiary requirements of the Public Prosecutor (Y), who adheres to the "conviction of the judge" standard in court, also pose an obstacle. If the Public Prosecutor deems the initial evidence gathered by investigators insufficient to win the trial, the file will be returned (P19), resulting in a waste of resources and time. This is a manifestation of the imperfect synergy between structures in the criminal justice system.

4) Socio-Cultural Constraints and Cross-Sectoral Coordination (Legal Culture & Structure)

The next obstacle stems from the local legal culture of Rappang Village and structural imperfections in the aspect of inter-institutional coordination.

5) Impact of Legal Culture on the Objectivity of Law Enforcement

The close kinship ties in Rappang Village led to the Criminal Investigation Unit's intervention being viewed as a communal conflict, not merely an individual crime. This legal culture fosters an environment where witnesses tend to provide biased

testimony or are under social pressure to favor one side or the other. This situation substantially complicates investigators' ability to obtain objective and unbiased testimony. The application of formal law within a strong legal culture requires double caution to prevent criminal proceedings from generating new conflicts or resistance to court decisions.

6) Inter-Structural Communication Obstacles (Police-BPN-Prosecutor)

Although the case in Rappang Village has reached P21, horizontal and vertical coordination remains a structural challenge. Yuniar (2024) emphasized the importance of solid communication between law enforcement and agrarian agencies. Delays in information dissemination, differing interpretations of evidentiary standards between the police and the prosecutor's office (JPU), and the slow response from the National Land Agency (BPN) to data validation requests are all structural obstacles that hinder the speed of the handling process.

7) Strategy for Strengthening Institutional Capacity and Adapting Legal Culture

To overcome the triadic obstacles (Structure, Substance, Legal Culture) found in Rappang Village, a holistic and adaptive handling strategy is required.

8) Legal Substance Strengthening Strategy: Specialized Training and Forensic Jurisprudence

Strengthening the substance must focus on improving investigators' capabilities in understanding the complexities of agrarian law. First, the Specialization of Agrarian Investigators. The Criminal Investigation Unit needs to provide special training (Diklat) on Land Law and Evidence of Overlapping Rights Disputes. This aims to create specialist investigators (Brigpol R and Brigpol HE) who are adept at distinguishing pure criminal cases from civil disputes, thereby strengthening the criminal elements in Government Regulation in Lieu of Law No. 51 of 1960. Second, the Application of Document Forensic Jurisprudence. The Criminal Investigation Unit must be able to utilize digital and technical forensic methods to validate the authenticity of non-formal rights documents submitted by the Reported. This is crucial to eliminating evidence that is vulnerable to falsification in the past, which directly strengthens the substance of the evidence.

9) Strategy for Strengthening Legal Structures: Improving Cross-Sectoral Coordination

To overcome structural and coordination constraints (Yuniar, 2024), the Criminal Investigation Unit needs to implement a structured and formal coordination strategy:

First, an Operational Memorandum of Understanding (MoU) with BPN. Establish a formal and operational cooperation mechanism between the Polewali Mandar Police and the local Land Office to expedite data verification and land title

validation. This MoU should include the appointment of a liaison officer and standard response times for requests for agrarian crime data. This will reduce existing structural delays.

Second, Pre-Prosecution (Pre-Investigation) Consultation with the Public Prosecutor. Involve the Public Prosecutor (Y) from the initial stages of the investigation. This consultation focuses on the minimum standards of evidence accepted by the Public Prosecutor to ensure that the criminal elements in Government Regulation in Lieu of Law No. 51 of 1960 are convincingly met. This strategy serves as early quality control of case files, minimizing the risk of file returns (P19), and expediting the P21 process.

10) Strategy for Strengthening Legal Culture: Restorative and Educational Approaches

To mitigate social pressure and local legal culture, the handling strategy must adopt an adaptive approach that accommodates local wisdom.

First, Pre-Prosecution Mediation (Restorative Justice). Although this case is a criminal one, the Criminal Investigation Unit can facilitate a mediation meeting with traditional leaders, village government officials, and community representatives present before escalating the case to a more advanced investigation stage. This mediation aims to reach a peaceful agreement over physical land ownership. This approach is a short-term effort to accommodate the Culture of Law, reduce social resistance, and provide an opportunity for a peaceful resolution without neglecting the legal substance.

Second, Socialization of Inclusive Land Law. The Criminal Investigation Unit, in collaboration with the National Land Agency (BPN) and the local government, needs to regularly provide inclusive legal education and outreach to the people of Rappang Village. This outreach should explain the importance of formal evidence (certificates) and the criminal consequences of unauthorized land acquisition (Perpu No. 51 of 1960). This effort is a long-term strategy to gradually shift the legal culture from a traditional-verbal to a legal-formal one, thereby increasing public understanding and compliance with the substance and structure of state law.

4. Conclusion

The handling of the case of unauthorized land acquisition in Rappang Village by the Plores Polewali Mandar Criminal Investigation Unit has been carried out in accordance with applicable legal procedures, but the process faces significant structural and cultural obstacles, especially related to the lack of evidence, the unclear status of uncertified land, and community resistance to court decisions colored by customary law claims. An effective strategy to overcome these obstacles is through a local context-based approach, namely prioritizing dispute

resolution through deliberation and consensus facilitated by the Village Government and assisted by the Criminal Investigation Unit, which has proven to be able to reduce conflict. Based on these findings, it is recommended that the research object (the Polewali Mandar Police Criminal Investigation Unit) and related agencies (the National Land Agency/BPN) immediately improve the synergy and capacity of officers in handling agrarian cases. The strategic suggestion that is preventive and applicable is to optimize the Complete Systematic Land Registration (PTSL) program to provide legal certainty of ownership rights, as well as adopting a more inclusive legal approach by considering the perspectives of customary law and Islamic law in order to achieve substantive justice in resolving land disputes in the Polewali Mandar Regency area.

5. References

Al-Qur'an:

Al-Qur'an. (2004). *Al-Qur'an: Terjemahan yang jelas* (M.Quraish Shihab, Penerjemah). Penerbit Mizan.

Journals:

Alshenqeeti, Hamza. "Interviewing as a data collection method: A critical review." *English linguistics research* 3, no. 1 (2014): 39-45.

Anam, Khurul, Abdullah Sani, La Jaudi, and Nuryati Solapari. "Asas Keadilan dalam Undang-Undang Pokok Agraria: Perspektif Hukum Islam dalam Pengelolaan Tanah." *Jurnal Al-Mizan* 11, no. 2 (2024): 358-368.

Apaut, Y. C., & Saunoah, E. (2025). The Role of Legal Philosophy in Building a Fair and Just Legal System (Examining the Legal System in Lawrence M. Fiedman's theory). *Jurnal Restorasi: Hukum dan Politik*, 3(2), 176-187.

Barrett, David, and Alison Twycross. "Data collection in qualitative research." *Evidence-based nursing* 21, no. 3 (2018): 63-64.

Bastanta, A., & Sitabuana, T. H. (2024). Pemenuhan Asas Keadilan dalam Pemberian Ganti Kerugian Terhadap Pemilik Tanah Akibat Pengadaan Tanah Bagi Pembangunan Untuk Kepentingan Umum. *UNES Law Review*, 6(3), 8463-8471.

Burdon, Peter. "What is good land use?: from rights to relationship." *Melbourne University Law Review* 34, no. 3 (2010): 708-735.

Deasy, S. (2014). Proses Pembuktian Dan Penggunaan Alat-Alat Bukti Pada Perkara Perdata Di Pengadilan. *Jurnal Hukum Unsrat*, 2(1), 124-136.

- Fuad, Fokky, Heriyono Tardjono, Aris Machmud, Nizla Rohayah, and Prosper Maghucu. "Ownership of Land: Legal Philosophy and Culture Analysis of Land Property Rights." *Jurnal Media Hukum* 30, no. 2 (2023): 98-116.
- Friedman, Lawrence M. 1969. "Legal Culture and Social Development." *Law & Society Review* 4 (1): 29-44.
- Gilbert, Jérémie. "Land rights as human rights: the case for a specific right to land." *SUR-Int'l J. on Hum Rts.* 10 (2013): 115.
- Hasan, Slamet Yusuf, Weny Almoravid Dungga, and Suwitno Yutye Imran. "Penyebab Timbulnya Sengketa Tanah." *Journal of Comprehensive Science (JCS)* 2, no. 6 (2023).
- Hidayat, Agung. "Critical Review Buku "Penelitian Hukum" Peter Mahmud Marzuki Penelitian Hukum Ad Quemententang Norma." *YUSTISIA MERDEKA: Jurnal Ilmiah Hukum* 7, no. 2 (2021): 117-125.
- Himawan, Ferdiansyah. "Pendampingan pembuatan kemasan pada usaha gula aren di desa rappang." *budimas: jurnal pengabdian masyarakat* 7, no. 2 (2025).
- Indra, Mexsasai, Muhammad Rafi, and Tito Handoko. "The importance of strengthening land law enforcement in regulation of land registration." *Journal of Governance and Regulation* 13, no. 1 (2024).
- Indrasari, Febrina. "Tinjauan Tentang Kekuatan Pembuktian Pemeriksaan Setempat Dalam Pemeriksaan Sengketa Perdata (Sengketa Tanah) Di Pengadilan Negeri Surakarta." *Jurnal Jurisprudence* 5, no. 1 (2017): 9-14.
- Kandatong, Hasanuddin. "Diversifikasi Tanaman Padi Sawah Ke Tanaman Jagung Oleh Petani Dalam Menghadapi Fenomena El Nino." *Jurnal Agroterpadu* 3, no. 2 (2024): 139-142.
- Krismantoro, Damianus. "Kebijakan Pencegahan dan Pemberantasan Mafia Tanah: Reforma Agraria di Indonesia." *Jurnal Kewarganegaraan* 6, no. 3 (2022): 6031-6042.
- Lamsal, Mukunda. "The structuration approach of Anthony Giddens." *Himalayan Journal of Sociology and Anthropology* 5 (2012): 111-122.
- Muhibbin, Mohammad. "Perspektif Hukum Islam Tentang Konsep Penguasaan Tanah." *Al-Risalah Forum Kajian Hukum dan Sosial Kemasyarakatan*, 2017.
- Muthallib, Abdul. "Pengaruh Sertifikat Hak Atas Tanah Sebagai Alat Bukti Dalam Mencapai Kepastian Hukum." *Jurisprudensi: Jurnal Ilmu Syariah, Perundangan-Undangan Dan Ekonomi Islam* 12, no. 1 (2020): 21-43.

- Nasution, Aisyah, and Tetty Marlina Tarigan. "Analisis Hukum Penguasaan Tanah Negara Tanpa Persetujuan Pemilik Tanah Di Kecamatan Stm Hilir, Kabupaten Deli Serdang Perspektif Wahbah Az-Zuhaili." *Al-Mashlahah Jurnal Hukum Islam Dan Pranata Sosial* (2022).
- Negara, Ilham Adi. "Pertanggungjawaban pidana terhadap tindak pidana penguasaan tanah tanpa izin berdasarkan pasal 6 peraturan pemerintah pengganti undang-undang nomor 51 tahun 1960 tentang larangan pemakaian tanah tanpa izin yang berhak atau kuasanya." *Pakuan Justice Journal Of Law (Pajoul)* 2, no. 1 (2021): 1-15.
- Pramesti, Gita Silva. "Pengaturan Kepemilikan Tanah Berdasarkan Hukum Pertanahan Dan Implementasinya." *Savana: Indonesian Journal of Natural Resources and Environmental Law* 1, no. 01 (2024): 39-52.
- Rachmarani, F. A., Afriana, A., & Mantili, R. (2024). Small Claims Court Procedure in The Framework of Indonesian Law Reform: An Analysis of Community Legal Needs and Lawrence M. Friedman's Three Legal Sub-Systems Theory. *Jurnal Poros Hukum Padjadjaran*, 6(1), 48-66.
- Ridho, Muhammad Rosyid. "Tanah Ulayat Adat Perspektif Hukum Positif dan Hukum Islam." *El-Dusturie* 1, no. 1 (2022).
- Roni, Satrio Margo Utomo, M. Deri Okta Pratama, and Boy Santosa. "Sanksi Hukum Pelaku Menguasai Tanah Milik Orang Lain Tanpa Izin Berdasarkan Undang-Undang Nomor 51 Prt Tahun 1960 Tentang Larangan Pemakaian Tanah Tanpa Izin Yang Berhak Atau Kekuasaannya." *Jurnal Ilmu Hukum* 1, no. 3 (2023).
- Salam, Safrin. "Penguasaan Fisik Tanah Sebagai Alat Bukti Kepemilikan Tanah Ulayat Di Pengadilan." *CREPIDO* 5, no. 1 (2023): 1-14.
- Saranani, A. M. (2022). Tinjauan Hukum Tentang Pembuktian Sertifikat Dalam Penyelesaian Sengketa Tanah. *SIBATIK JOURNAL: Jurnal Ilmiah Bidang Sosial, Ekonomi, Budaya, Teknologi, Dan Pendidikan*, 1(3), 173-184.
- Sari, Fara Rizqiyah, and Rayno Dwi Adityo. "Efektivitas Alat Bukti Elektronik Pada Praktik Beracara Perspektif Teori Sistem Hukum Lawrence M. Friedman." *Sakina: Journal of Family Studies* 8, no. 2 (2024): 244-257.
- Selmi, Daniel P. "The contract transformation in land use regulation." *Stan. L. Rev.* 63 (2010): 591.
- Siagian, Fahrizal S. "Optimizing Lawrence Meir Friedman's Legal System Theory in the Authority to Investigate Corruption Crimes in Indonesia." *JUSTICES: Journal of Law* 2, no. 4 (2023): 185-201.

- Sukmawati, Putu Diva. "Hukum Agraria Dalam Penyelesaian Sengketa Tanah Di Indonesia." *Jurnal Ilmu Hukum Sui Generis* 2, no. 2 (2022): 89-102.
- Susanti, Z. (2023). Penyelesaian Sengketa Hak Atas Tanah. *Wasaka Hukum*, 11(2), 35-45.
- Sutadi, Rayyan Dimas. "Kebijakan Reforma Agraria Di Indonesia (Kajian Komparatif Tiga Periode Pelaksanaan: Orde Lama, Orde Baru, dan Orde Reformasi)." PhD diss., Sekolah Tinggi Pertanahan Nasional, 2021.
- Sutrisno, S., Puluhulawa, F., & Tijow, L. M. (2020). Penerapan asas keadilan, kepastian hukum dan kemanfaatan dalam putusan hakim tindak pidana korupsi. *Gorontalo Law Review*, 3(2), 168-187.
- Swenson, G. (2018). Legal pluralism in theory and practice. *International Studies Review*, 20(3), 438-462.
- Yuniar, Etika, Meria Utama, and Nashriana Nashriana. "Penegakan Hukum Tindak Pidana Pemakaian Tanah Tanpa Izin Di Kabupaten Banyuasin Oleh Direktorat Reserse Kriminal Umum Kepolisian Daerah Sumatera Selatan." *Lex LATA* 6, no. 1 (2024).
- Zaidan, M., Nugraha, N., & Gusthomi, M. (2024). Analisis Pembentukan Pengadilan Khusus Agraria Untuk Mengimplementasikan Asas-Asas Umum Pemerintahan yang Baik dalam Penyelesaian Urusan Tanah. *Journal Customary Law*, 2(1), 11-11.

Books:

- Adami Chazawi, *Pelajaran Hukum Pidana 1*, PT. Raja Grafindo, Jakarta, 2007.
- Amir Ilyas, *Asas-Asas Hukum Pidana*, Rangkang Education Yogyakarta & PuKAP-Indonesia, Yogyakarta, 2012.
- Arisaputra, Muhammad Ilham. *Reforma agraria di Indonesia*. Sinar Grafika (Bumi Aksara), 2021.
- Billups, Felice D. *Qualitative data collection tools: Design, development, and applications*. Vol. 55. Sage Publications, 2019.
- BPS. *Kecamatan Tapango dalam Angka 2017*. BPS Kabupaten Polewali Mandar. (2017)
- Chandra, Yanto, and Liang Shang. "Qualitative research using R: A systematic approach." Springer, 2019.

- Chatterjee, Ira, Jagat Kunwar, and Frank Den Hond. "Anthony Giddens and structuration theory." In *Management, organizations and contemporary social theory*, pp. 60-79. Routledge, 2019.
- Conser, James A., Rebecca Paynich, and Terry Gingerich. *Law enforcement in the United States*. Jones & Bartlett Publishers, 2011.
- Djulaeka, S. H., & Devi Rahayu, S. H. (2020). *Buku Ajar: Metode Penelitian Hukum*. Scopindo Media Pustaka, 2019
- Elliott, Anthony. "Structuration theories: Giddens and Bourdieu." In *Routledge handbook of social and cultural theory*, pp. 57-75. Routledge, 2020.
- Friedman, Lawrence M. 1975. *The Legal System: A Social Science Perspective*. New York: Russell Sage Foundation
- Harsono, B. *Hukum agraria Indonesia: Sejarah pembentukan dan implementasi di masyarakat adat*. Pustaka Nusantara, 2020
- Hollway, Wendy, and Tony Jefferson. *Doing qualitative research differently: Free association, narrative and the interview method*. Sage, 2000.
- Huda, Muhammad Chairul, and M. H. S HI. *Metode Penelitian Hukum (Pendekatan Yuridis Sosiologis)*. The Mahfud Ridwan Institute, 2021.
- Isnaeni, Diyan. *Reforma Agraria: Land Reform dan Redistribusi Tanah di Indonesia*. Intrans Publishing, 2018.
- Lacey, Anne, and Donna Luff. *Qualitative data analysis*. UK: Trent Focus Group, 2001.
- Lestari, Devy. "Baku Mutu Tanah." Semarang: Universitas Negeri Semarang (2017).
- Luhmann, Niklas. *Law as a social system*. Oxford socio-legal studies, 2004.
- Majid, Achmad., Tangdilambi, Amalia. *Kecamatan Tapango Dalam Angka 2025*. BPS Kabupaten Polewali Mandar/BPS-Statistics Polewali Mandar. Volume 25. 2025
- Maria., S. W., Sumardjono. *Tanah dalam perspektif hak ekonomi, sosial, dan budaya*. Jakarta, Penerbit Buku Kompas, 2008
- Marzuki, Peter Mahmud, *Penelitian Hukum*, Jakarta: Prenada Media Group, 2010.
- Maxwell, J, A. *Conceptual framework: What do you think is going on?* In J. A. Maxwell, *Qualitative research design: An interactive approach*, Sage Publication, 2005.
- Mertokusumo, S. *Mengenal Hukum: Suatu Pengantar*. Yogyakarta, Liberty, 2007.

Ravitch, Sharon M., and Matthew Riggan. Reason & rigor: How conceptual frameworks guide research. Sage publications, 2016.

Tamanaha, Brian Z. Legal pluralism explained: History, theory, consequences. Oxford University Press, 2021.

Whittington, Richard. "Giddens, structuration theory and strategy as practice." Cambridge handbook of strategy as practice (2010): 109-126.

Regulation:

Government in Lieu of Law no. 51 of 1960 concerning Prohibition of Land Use Without the Authorized Person's Permission or Authorization.

Regulation of the Minister of State for Agrarian Affairs/Head of the National Land Agency Number 1 of 1999 concerning Procedures for Handling Land Disputes

Law No. 2 of 2002 concerning the Republic of Indonesia National Police.

Basic Agrarian Law no. 5 of 1960

Etc:

Erlinayanti, N. K. S. (2022). Tinjauan Yuridis Terhadap Ketentuan Masa Percobaan Kerja (Probation) Menurut Undang-Undang Nomor 13 Tahun 2003 Tentang Ketenagakerjaan (Doctoral dissertation, Universitas Mahasaraswati Denpasar).

Rozendana, F. Z. (2025). Implementasi regulasi bimbingan perkawinan prespektif teori sistem hukum Lawrence M. Friedman: Studi KUA Kabupaten Nganjuk (Doctoral dissertation, Universitas Islam Negeri Maulana Malik Ibrahim).