



#### Silvy Vebritha<sup>1</sup>, Widaningsih<sup>2</sup>

Institut Bisnis Nusantara<sup>1</sup>, Universitas Garut<sup>2</sup>

Email: vivymawardy11@gmail.com 1, widaningsih@uniga.ac.id 2

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#### **Abstract**

Improvement need infrastructure public make procurement land as room sensitive between mandate development and protection right constitutional citizens; because that, the settings No Enough understood legally -formally, but rather must based on integration mark justice, benefit and certainty law. Research This aim formulate as well as testing the evaluation model operations that ensure third mark present consistent in every stages — planning, preparation, implementation, and delivery results — in framework law positive Indonesia. The method used is enriched juridical -normative approach socio -legal, with the unit of analysis covers material primary law (UUD 1945, UUPA, UU 2/2012, PP 19/2021, and regulations implementer) and material secondary published; data analyzed in a way grammatical, systematic, and teleological, then mapped to indicator operational: participation meaning and mechanism objection (justice), rationality interest general and efficiency procedural (benefit), as well as procedure transparent, documented, and can tested (certainty law). The results show framework normative Actually adequate, but there is gap implementation on quality participation, formulation compensation that has not been accommodate non-material losses, and inconsistencies documentation and a resolution forum disputes at the level area. In conclusion, integration most effective value realized as a checklist cross binding stage actors, flow, deadlines, and document formats standard; certainty drafted laws Good become prerequisite presence justice substantive and achievable benefits public. Implications practically covering need Operational regulations, digitalization system information land For transparency and audit trail, strengthening team coordination cross agencies, as well as supervision participatory for legitimacy social and fluency project public can improved in a way sustainable research support the development agenda index integration grades and studies comparative cross area for measuring performance as well as perfect design policy based proof in a way national measurable

# Keyword: Land Acquisition, Public Infrastructure, Legal Justice, Legal Certainty, Public Participation

#### Introduction

Based on need continuous development increased, procurement land For interest general become room the most real encounter between the purpose of the state to provide infrastructure and services public with protection right constitutional inhabitant on the land. Therefore, the arrangement procurement land No Enough seen from formal legality alone, but rather need formulated through complementary frameworks — philosophical, juridical, and sociological — so that the policies that are born No only legitimate, but also fair and relevant for life social public. In a way philosophical, setting procurement land rooted in three mark basis — justice, benefit, and certainty law —which becomes moral- ethical foundations system law. Value of justice demand respect to rights base citizens, including change a reasonable loss as well as room deliberation and objections; value benefits directing that the taking of land truly present benefit measurable public; and value certainty law ensure clear procedures, can predictable and accountable so that prevent arbitrariness as well as minimize dispute. Third mark

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this, which is discussed explicit in script, to be lens critical For evaluate what are the norms and practices procurement land has in harmony with objective prosperity together at a time protection right individual.

From the side juridical, basis constitutional emphasizes two axes that are often potential tense: state control over earth, water and wealth natural For as big as possible prosperity of the people in one side, and confession right owned by personal who is not may taken in a way arbitrary on the other hand. Framework This Then reinforced by the UUPA which recognizes function social right on land as well as by Law no. 2 of 2012 which regulates stages procurement land — start planning, preparation, implementation, to handover results — based principle justice, participation, and transparency. Regulation technical more carry on given via PP no. 19 of 2021 along with provision its implementation, which, among other things, confirms role government area, mechanism consultation public, assessment change loss by the assessor independent, and certainty procedural for all parties. With thus, in a way hierarchical until operational, there are device sufficient law complete For made into foothold study.

However, at the level sociological seen that procurement land often face to face with dynamics social, resistance community and conflict interests that arise from perception injustice, impact socio-economic, as well as uncertainty procedural. Script academic affirm, without justice will appear resistance social; without benefits objective development not achieved; and without certainty the law of the process will hampered by disputes and mistrust. This is context actual that gives rise to issue research: how design and test **integration mark justice**, **benefit and certainty law so that** written norms truly working on practice procurement land For interest general. Position study This be in between device normative which has been established and reality implementation that is still leaving gap. In normative, principles and stages procurement land has formulated clear; however, experience field show that third mark base That Not yet always internalized in a way consistent in every stage — start from participatory planning, assessment change fair and transparent compensation, up to mechanism objections and resolution effective dispute resolution. Therefore, research This important For offers an integration model operational and usable values audited, so that become bridge between demands ethical-constitutional and needs administrative-techno cratic.

In a way empirical and technical , urgency The study also relies on facts that government area given authority For lower provision national to in product law area . Authority This demand clarity objectives , formulations and procedures so as not to contradictory with more norms high , at the same time responsive to need local . With referring to hierarchy rules and principles formation regulation good legislation , research This take point reject that design oriented regulation justice , benefit and certainty law will reduce potential conflict , increasing legitimacy social policies , and facilitate organization development . On the basis of that , the framework selected theories — justice , utility , and certainty law — giving reason strong methodological . All three rooted in the constitution and regulations legislation , at the same time provide criteria concrete evaluative For evaluate every stage procurement land : what all over step has fair ( legally and substantively ), present benefit real public , as well as organized in clear , transparent and achievable procedures tested . With use framework this , data analysis in study will directed For evaluate coherence between norms and practices as well as formulate recommendation prescriptive and applicable improvements for arrangement procurement land For interest general.

#### Research methods

Study This use approach enriched juridical **-normative** with **touch socio -legal**. In terms of juridical-normative , research examine regulation legislation that regulates procurement land — start from the 1945 Constitution, UUPA, Law No. 2 of 2012, PP No. 19 of 2021, to regulation minister — in frame hierarchy of norms and principles formation regulation good legislation . Basis This chosen Because problem procurement land in essence is issue law demanding public coherence vertical between regulation as well as clarity objectives and formulations for each its level . In terms of socio -legal, research inspect How values formulated by law written interact with context dynamic social , considering procurement land touch direct life citizens and often bring up resistance , perception injustice , and disputes . Framework three the foundations — philosophical , juridical , and sociological — become reason methodological Why normative review is necessary combined with reading on reality social .

**Types and approaches** study nature qualitative with analytical-evaluative strategies. Focus analysis directed at **integration mark justice**, **benefit and certainty law** as lens main For evaluate design normative and practical procurement land. Values This made into **framework coding conceptual**: (i) "justice" is read No only as legal justice (compliance) procedural) but also substantial justice (consideration socio-cultural and humanitarian), (ii) "benefit" is interpreted as as benefit measurable collective for public, and (iii) "certainty law" as clarity, predictability, and accountability procedure. Framework coding the withdrawn direct from construction the value that has been placed in script academic. **Unit of analysis** includes (1) primary norms (

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provisions) constitutional , statutory , regulatory government and regulations implementers ) and (2) empirical material secondary that has been published ( literature) scientific , manuscript academic , and relevant reports / studies ) for take pictures acceptance social on policy procurement land . Selection of this unit in harmony with objective study For bridge distance between written norms and reality implementation in society — the distance that, if No managed , giving rise to resistance social , failure reach objective development , and process bottlenecks due to dispute . Sources and techniques data collection includes : (a) materials primary law (UUD 1945, UUPA, Law No. 2/2012, PP No. 19/2021, and regulation minister related ) selected based on relevance and position in hierarchy regulations ; (b) materials law secondary ( books , articles) scientific , and manuscripts academic ) for enrich construction theoretical ; and (c) non- legal materials published ( credible reports / studies ) for catch phenomenon social accompaniment implementation procurement land . Election This follow principle that good policy must based on strong legality at a time responsive to need social .

Data analysis techniques done through analysis juridical qualitative with three layers of interpretation: grammatical (observing sound norms), systematic (placing chapter in structure rules and hierarchy of norms), and teleological (linking objective arrangement with mark justice, benefit and certainty law). Analysis Then mapped on each stages procurement land — planning, preparation, implementation, up to handover results — as arranged in Law no. 2 of 2012 and regulations the implementer. At each stage, indicator operational lowered from three mark namely: meaningful participation and mechanisms objection (justice), rationality project For interest general and efficiency of administration (benefit), as well as transparent, documented, and achievable procedures tested (certainty law). With Thus, integration mark No stop at the level declarative, but rather evaluated in a way operational.

For ensure validity findings, research apply triangulation source with compare reading on primary norms, documents academic, and findings secondary published, and recording audit trail in the reasoning process interpretive so that every conclusion can traced return to source normative and evidential its supporters. Uniqueness approach This lies in testing coherence: to what extent the text of norms, goals policy and reality social each other strengthen in realize procurement land that is just, beneficial, and certain. Finally, the limits study recognized in two things: first, research No do survey primary field so that reliance on published data managed through triangulation and selection strict sources; second, focus on integration mark make study This more emphasize depth analytical rather than vastness comparative cross area. As instead, research offer evaluation model based applicable values in every stage procurement land and can adopted by the former policy For perfect design regulations and procedures to front — in line with mandate hierarchy regulations and requirements recognized social in script academic.

#### **Results and Discussion**

Study results confirm that success procurement land For interest general No only determined by the existence of positive norms , but especially by how much consistent mark **justice** , **benefit and certainty law** operationalized as One mutual unity support . Manuscript academics who become references put three mark This as runway complementary philosophy For ensure policies that are born No just legitimate formally , but also fairly morally and relevantly in a way social . In other words, integration mark No accessories conceptual , but framework evaluative that directs the entire procurement process land so that it does not deviate from mandate constitutional as well as need real public . From the perspective theory justice , documents emphasize that the justice in question No stop at **legal justice** — compliance procedural merely — but rather must reach **justice substantive** that recognizes and restores impact socio-economic-cultural aspects of citizens affected . The translation seen in three implications practical : determination change a reasonable loss with take into account market value and non-material losses ; implementation deliberation as form respect to rights ; and provision mechanism object as well as settlement disputes that can accessible and effective . Third indicator This make justice measurable in practice , so that He No just principle declarative .

Utility value read in utilitarian frame— a policy called Good as far as He produce benefit the biggest for public broad. In the realm of procurement land, benefits requires that projects that require land truly oriented interest general, in harmony with need service public, as well as accompanied by mitigation impact adequate social Script thematic emphasize scope of "interests general" through room scope facilities that are traditional become focus development public — roads and transportation mass, home hospitals, schools, water and energy infrastructure, to public housing—while remind that all administrative processes (identification, data collection, assessment, deliberation, payment, handover) must be guard benefit collective at a time honor right citizens. With Thus, the benefits come on stage as concrete and measurable size audited, not just a label attached to each project development. Certainty law, in glasses rule of law theory, functions as fence procedural that eliminates

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arbitrariness and building trust public . Document confirm three consequence important : a must existence clear and systematic procedures , existence detailed regulations as guidelines for all over actors , as well as guarantee that right public No will violated . The policy is certain in a way law make it easier testing every decision , reduce potential dispute prolonged , and prepare transparent audit trail . At the level of constitutional , foundation This attached to the principles of the rule of law and rights on certainty just law ; at the legal level , it strengthened by the principles formation regulation legislation and principles legality administration government . The values above get relevance practical when brought to in **stages procurement land** . In terms of normative , the process is divided to in four stages — planning , preparation , implementation , and delivery results —each requires typical size for justice , benefit and certainty law . At this stage **planning** , needs public must verified and supported by conformity with spatial planning as well as document planning development term middle ; here benefits planted since beginning , at the same time prepare base justice substantive through consultation meaningful start . At stage **preparation** , quality participation ( socialization , consultation , announcements) results data collection ) and accuracy of the subject-object list become prerequisite justice and certainty ; openness information reduce asymmetry frequent knowledge trigger resistance .

At this stage **implementation**, material justice is tested through assessment by an independent KJPP, deliberation on results assessment, payment appropriate time, and — when happen deadlock — consignment as road clear law. Finally, the stage **handover results** demand documentation and administration orderly land administration, ensuring that benefit public truly realized without leave chaos rights that have not been restored. This flow is what makes three mark earlier visible, measurable, and can supervised. Read overall the stages above through lens theory produces two conclusions important. First, justice, benefit, and certainty law **No linear walk**; all three present together at each stage even though with different weights. Second, when One mark neglected, the other two follow weakening: absence participation meaningful in stage the beginning, for example, is not only shed justice substantive, but also erodes certainty procedural and debilitating legitimacy benefit public. Document even remind in a way explicit connection causal this — without justice appear resistance social; without benefits objective development blurred; and without certainty legal process hampered by disputes as well as disbelief. With Thus, integration mark must presented as minimum cross-country standards stage, not as choice optional on one of the phase.

If the framework normative and framework theoretical has looks cohesive, then **bottleneck** often appear in the realm implementation. Evaluation regulations show existence **unclear boundaries of authority** between level central and regional, especially related compilation plan need land, determination scale projects and management budget change losses arising from from the APBD. Unclear This cause delays, confusion, even conflict interinstitutional. Absence regulation areas that are explicit describe roles and functions government city add potential disharmony between national norms and local practices, so that integration three mark easy broken in space implementation. Another issue that arose is **inconsistency of norms between laws sectoral**. Although Constitution Land Acquisition mandates "interests general", definition and scope term This varies on laws other sectors. This situation give birth to friction when something project strategic national assessed No in line with spatial planning area or No reflected in the RPJMD. At the point this, certainty law decreasing, usefulness become controversial, and justice perceived lame Because standard assessment that is not Sync. Script evaluation show that difference kind of This ignite resistance areas and even trigger lawsuit from public affected.

**Disintegration with spatial planning policy** is the other side of the same problem. Many plans project center No synchronized with the regional RTRW or RDTR, so that determination location, release area, or change allocation walk without references valid spatial. As a result, the mandate usefulness — which should be based on needs space and services public — loss foothold, while certainty law weaken Because procedure spatial planning and changes No juxtaposed. Therefore, the regulations the area that commands harmony procurement land with spatial planning and planning development become a key strategy For dampen disharmony. At the level technical, overlapping overlap regulation the implementer also added complexity. PP 19/2021, ATR/BPN Regulation 19/2021, up to Presidential Decree 62/2018 concerning handling impact social —each of which contains procedure different — often No fully in harmony. The area that must be execute project Then forced to navigate various signs that are not always consistent, while He No own authority For compile reference technical alone. In the condition like this, integration mark will difficult guarded Because standards to be executed layered and not always compatible. From the side institutional, one of the knot the most impactful weakness is absence mechanism settlement disputes at the level fast, cheap, and fair area. Objection process often must brought to center or to court, the path that is not all inhabitant can access; without channel credible local resistance social hardening and costs social enlarged. Evaluation push formation mediation based community, regional dialogue forum, or team settlement dispute local — everything need base law area to be legitimate. In the absence of device this,

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accountability also declines Because No There is gauge measuring clear internal and external supervision , no There is obligation reporting periodically , and lack of involvement public in monitoring .

Disconnection between the norms and practices above emphasize urgency **regulation areas** that play a role as bridge operational . The drafted regulation with Good No merely "translating" the provisions national , but confirm structure implementation : who do what , when , with document what , and below supervision who . With existence Regional regulation , government city own more basic Certain For protect right citizens , reducing resistance social , and direct project so as not to deviate from interest general . Evaluation conclude that without device local like that , implementation procurement land tend weak in aspect justice , participation , and effectiveness . solution faucet is opened script policy put **synchronization regulations and institutions** as axis . Procurement land must linked in a way explicit to spatial planning (RTRW/RDTR) and planning development (RPJMD), while confirm **team coordination cross agencies** involving BPN , devices area , as well as element independent For facilitate identification land , consultation public , and resolution dispute . At the same time , **digitalization system information land** — integrating data on ownership , designation , legal status , and replacement processes make a loss in geospatial platforms — driven For increase transparency and speed up taking decision . This strategy No just strengthen certainty law through orderly data trail , but also reduces cost transaction policy so that benefit public more fast felt .

From the corner view theory policies, recommendations the can read as effort **operationalization mark** to in measurable indicators. For justice, this means set "fair – just" standards that combine market value and non-material losses; requires **participation meaningful** documented; and provide mechanism object with clear deadlines and forums. To usefulness, its indicators in the form of attachment plan land with document space and development, efficiency of management without sacrifice guarantee rights, as well as scheme recovery socio-economic (relocation humane, empowerment, assistance post-relocation). Meanwhile that, certainty law realized through SOP and document format standard in each stage, digitization and recording footsteps decisions that can be made audited, as well as channel a complaint that strengthens accountability. Placed Thus, integration mark become **checklist** cross stage, which can monitored and evaluated in a way objective.

At the level discursive , emergent concern that enforcement certainty law potentially "obstructing" justice or benefits Because add procedure . Findings This precisely show the opposite : **certainty drafted laws Good is prerequisite** for justice and benefit . Clear , documented , and accessible procedures tested No inhibit , but ensure participation No fall become ceremonial , ensuring the appraisal is not perceived close loss social , and ensure decision can accountable . Manuscript confirm , certainty law prevent disputes and irregularities , as well as raise trust public — a social capital important for the benefits public from project No held hostage resistance .

Relation inter-values are also seen in the issue **compensation**. If compensation defined only through market value, then justice substantive easy eroded; residents affected loss of social capital and access livelihood that is not reflected in appraisal figures. Adding non-material parameters — as suggested document — create compensation become device justice at a time instrument usefulness, because minimize poverty new post-procurement. With Thus, the design compensation is a real arena where theory justice and benefit meet in size that can audited. Finally, from all the node that has been discussed, can withdrawn thread red that **integration mark justice**, **benefit and certainty** the most effective **law** realized as **evaluation model operational**. This model put every stage procurement the ground beneath clear indicator: justice read as protection real rights and remedies; benefits as suitability objective public and process efficiency; certainty law as clarity procedures, documentation, and testing. For close gap implementation, regional regulations play role crucial as instrument harmonization that specifies actors, flow, deadlines, and documents, while open channel settlement dispute local, strengthening supervision, and organizing collaboration institutional. With Thus, development For interest general can walk on top matching rails between ethics constitutional and effectiveness administrative — existence perceived justice, real benefits, and certainty law that is maintained.

#### Conclusion

Study This conclude that success procurement land for interest general No only depending on the completeness regulations , but is largely determined by the extent of value justice , benefit and certainty law integrated in a way consistent in every process stage , start from planning , preparation , implementation , to handover results . From the perspective juridical , framework regulated normative in the 1945 Constitution, UUPA, Law Number 2 of 2012, and regulation the implementer has provide sufficient ground strong . However , at the level of implementation socio-legal , still found gap between norms and practices . Phenomenon like participation the public tends to nature formality , standard compensation that has not been fully covers non-material losses , as

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well as inconsistency mechanism object become indication that values that have been arranged the Not yet fully internalized in implementation in the field .

Within the framework that , the recommendations submitted is the need formation mechanism more operational detailed at the level area , good through regulation area and procedure technical , which is not only copy provision national but detailing role actors , plot work , and standard document format . Aspect justice substantive need strengthened through determination standard change loss that combines market value with non-material losses , accompanied by a genuine deliberation process meaningful and documented with good , and mechanism settlement multiple objections before enter to realm litigation . Efforts to realize certainty law can strengthened with implementation system information procurement land digital -based which contains map geospatial , legal status , process stages , and values change loss in a way transparent , so that public can monitor and supervise . In addition , coordination inter-agency such as BPN, government regions , inspectorates , and DPRD need to strengthened in One team Work integrated which has indicator performance clear . Participation the public must also seen as element legitimate supervision , so channel complaints and publications periodically progress procurement land become part from mechanism accountability .

Despite give comprehensive overview, research This own limitations Because based on studies normative to material primary and secondary laws that have been published, without involving primary field data. With Thus, the assessment to quality implementation like depth participation, satisfaction inhabitant on compensation, or effectiveness of the objection forum based on analysis normative and findings previous. Focus The study is also directed at depth analysis in One regime arrangement so that No compare in a way direct between area or different sectors. Limitations This managed through triangulation sources and search argumentation law, however still need caution If want to generalize findings to all over context and Going forward, research advanced need develop measurement empirical to indicator integration mark justice, benefit and certainty law, through survey to inhabitant affected, discussion group focused, and document audit project. Development index integration mark will allows comparison inter-regional and inter-project in a way more systematic.

Comparative study cross regions and sectors are also needed For map factor the most influential institutions success integration values , including variation policy area , capacity organization and coordination with BPN. In addition , the aspect political economy procurement land worthy researched , for example related influence incentive fiscal , design financing , or project model to quality integration value . Future research can also test effectiveness innovation policy like benefit-sharing , land readjustment , or strengthening scheme recovery livelihoods . Trial of integrated digital platform For procurement land that combines GIS, tracking cases , and storage document will become step strategic For increase transparency , speed up processes, and reduce dispute . With Thus , the research agenda next one that combines evaluation normative and measurement empirical will enrich proof that integration mark justice , benefit and certainty law No only become moral demands , but also methods work that can implemented , monitored , and improved the quality in a way sustainable .

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