

## JUSTICE AND COMPENSATION FOR LAND ACQUISITION FOR COMMUNITIES AFFECTED BY INFRASTRUCTURE DEVELOPMENT

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### Abstract

This study aims to analyze the fairness of land acquisition compensation for communities affected by infrastructure development in Indonesia. The main focus of the study is to examine the gap between normative provisions mandating "fair and just" compensation and the reality of implementation on the ground, as well as to identify factors that often cause communities to feel disadvantaged in the land acquisition process. This study uses a juridical-normative method strengthened by an empirical approach. Data were collected through a literature review of laws and regulations, court decisions, and related policy documents, as well as in-depth interviews with affected communities, government officials, and land appraisers at several national strategic project locations. The results show that although the legal framework has regulated the principle of fairness, its implementation still faces various obstacles, including unclear assessment standards, weak transparency and community participation, limited appraisal resources, and minimal assistance for vulnerable groups. Fairness in compensation is not simply measured by nominal values; it must include procedural, distributive, and restorative justice. This study recommends the need for more measured regulatory reformulation, strengthening institutional capacity, and a transformative approach that prioritizes the recovery of the socio-economic conditions of affected communities, so that infrastructure development truly brings prosperity without leaving anyone behind.

**Keywords:** Compensation, Land Acquisition for Public Interest, Social Justice, Communities Affected by Development, Land Assessment

### INTRODUCTION

Indonesia, as a developing country that is aggressively implementing development across various sectors, faces significant challenges in realizing its national aspirations to improve the welfare of the nation. One fundamental element inseparable from the development process is land availability. Every infrastructure project—from toll roads and airports to dams to new industrial areas—requires significant land (Bastanta & Situbuana, 2024; Berliani & Fahmi, 2024). A logical consequence of this development agenda is the increasing demand for land, while, on the other hand, land availability is increasingly limited and dwindling in line with population growth and the need for living space.

To address this challenge, the government is utilizing land acquisition instruments as stipulated in Law Number 2 of 2012 concerning Land Acquisition for Development in the Public Interest. Normatively, the state has the authority to regulate land affairs, as mandated by Article 33 paragraph (3) of the 1945 Constitution, which states that "the land, water, and natural resources contained therein are controlled by the state and used for the greatest possible prosperity of the people." This authority is further elaborated in Law Number 5 of 1960 concerning Basic Agrarian Regulations (UUPA), which affirms the state's right to control land as stipulated in Article 2 paragraphs (1) and (2).

However, it is important to understand that citizens' land ownership rights are not absolute. Article 6 of the UUPA explicitly states that "all land rights have a social function." This principle implies that the public interest can take precedence over individual interests in the event of a conflict of interest. In this context, if privately owned land is needed for the public interest, the landowner is obliged to relinquish their rights for the greater good. However,

the state remains obligated to reward the community's willingness to surrender their land through a fair and equitable compensation mechanism. Infrastructure development indeed offers the promise of progress—better connectivity, accelerated logistics distribution, regional economic growth, and equitable development. National Strategic Projects (PSN) such as toll roads, new airports, and dams across Indonesia were initiated with the aim of encouraging economic growth and improving public welfare. However, behind this grand narrative of development lies a social reality that often goes unnoticed: communities losing their land, livelihoods, and living space. This irony underpins the importance of in-depth studies on fair compensation in land acquisition for communities affected by infrastructure development (Silalahi et al, 2024; Kurnianingsih et al, 2025).

The main problem that arises in land acquisition practices is the significant gap between formulated normative regulations and the reality on the ground. Theoretically and legally, land acquisition for development in the public interest must be based on the principle of justice. As explained in the elucidation of Article 2 letter b of Law Number 2 of 2012, justice is defined as guaranteeing adequate compensation to entitled parties in the land acquisition process, so they have the opportunity to live a better life. This principle emphasizes that compensation is not merely an economic transaction, but also an instrument for protecting citizens' basic rights (Wibowo et al, 2021; Maulana et al, 2025).

However, in practice, the implementation of this principle of justice faces various serious challenges. One of the most prominent issues is public dissatisfaction with the compensation offered (Rahmadani, 2022; Wiharma et al, 2018). For example, in the case of land acquisition for the construction of a toll road in RW 09 Duri Pulo, Central Jakarta, the community rejected the compensation of Rp 9 million per square meter, believing it was disproportionate to the much higher value of land and buildings in Central Jakarta. Communities complained about the lack of outreach, the lack of transparency in the asset valuation process, and the lack of meaningful involvement in the negotiation process. This phenomenon reflects the often-ignored principle of procedural justice—which demands that the entire process be conducted transparently, participatory, and accountable (Aditya et al, 2023; Harefa, 2022).

A similar case occurred during the construction of Kertajati Airport in Majalengka, West Java. Most residents received only cash compensation, without the option of relocation or replacement land as guaranteed by Article 36 of Law Number 2 of 2012. In fact, some residents received only half the compensation because the land they had occupied for decades was suddenly certified in the name of another party—this unclear legal status deprived them of their right to full compensation. As a result, many farmers ended up becoming manual laborers, construction workers, or migrant workers due to the loss of their cultivated land. Others became ensnared in loans from banks and loan sharks due to rising living costs and declining agricultural yields. This fact demonstrates that development projects that claim to bring prosperity actually create new structural inequalities.

Another equally concerning phenomenon is the case of land acquisition without a comprehensive compensation mechanism. In various regions, residents' land is used for river normalization projects, road widening, or green belt development. However, the projects are completed and the public benefits them, while the landowners' rights are neglected. They still hold valid certificates, but are never invited to meetings, never met with appraisers, and some are even unaware that their land has been taken by the state for development. This situation indicates serious weaknesses in the land acquisition system, both in terms of administration, oversight, and protection of community rights.

The complexity of the problem is also evident in the increasing criminalization of appraisers tasked with determining compensation amounts. The Indonesian Society of Appraisers (MAPPI) notes that appraisers are often made "scapegoats" for various factors beyond their control. One major issue is the lack of a publicly accessible national property database, forcing appraisers to rely on bid data whose values are highly dependent on the "mood" of the property owner or agent. This discrepancy in data places appraisers at a disadvantage and often leads to accusations of markups and is considered detrimental to the state. This situation creates a dilemma for the appraiser profession and illustrates the complexity of the process of determining truly fair compensation (Jannah et al, 2025; Trenggana & Vebritha, 2024).

Furthermore, the National Commission on Human Rights (Komnas HAM) Annual Report recorded 505 complaints about land conflicts involving communities and corporations, primarily related to National Strategic Projects (PSN) throughout 2024. The Agrarian Reform Consortium (KPA) recorded approximately 295 cases of land conflicts in Indonesia in the same year, and of the 79 cases related to infrastructure development, 36 were caused by land acquisition for PSN. These figures indicate that agrarian conflicts due to land acquisition are not sporadic but rather a structural phenomenon that requires serious attention. Although the issue of fair compensation in land acquisition has attracted widespread attention, research comprehensively examining the dimensions of justice from the perspective of affected communities remains limited (Ratmaja, 2025; Rahmadan et al, 2025). The few studies

that have been conducted tend to be normative or focus on the legal-formal aspects without delving deeply into the empirical experiences of communities directly experiencing the land acquisition process. Research conducted by Prasastiningsih and Raharjo (2021) on the principle of fairness in compensation for land acquisition for the construction of the Jlantah Reservoir in Karanganyar Regency concluded that the compensation received by land rights owners was appropriate and fair based on the fulfillment of justice indicators. This study also emphasized that the process upheld social justice, thereby achieving public prosperity. However, this study still used a normative approach that relied primarily on document studies and legal approaches, thus failing to fully capture the complexity of the subjective experiences of affected communities.

Conversely, research on the dynamics of the implementation of National Strategic Projects in Yogyakarta (Khairunisa, 2025) yielded different findings. The land acquisition process for the Solo-Yogyakarta-NYIA Kulon Progo toll road construction faces social, economic, and political obstacles, particularly dissatisfaction with compensation. Land acquisition forces farmers to shift to non-agricultural sectors and damages road access and waterways. This research highlights the importance of land acquisition parties providing fair compensation, taking into account social and economic aspects, while maintaining transparency and sensitivity to the emotional value of land. However, this research is limited to a single location and does not provide a comparative overview across regions.

A thesis from the Master of Notary Program at the University of Indonesia (2025) highlighted the urgency of deliberation in determining compensation to achieve justice for entitled parties. The research findings indicate that deliberation should provide an opportunity for the parties to discuss the most appropriate form of compensation, rather than simply determining compensation based on an appraiser's assessment. This research also reveals that the application of consignment as a final step in dispute resolution has not been able to achieve justice because compensation determination tends to be unilateral. While providing important insights into procedural aspects, this research has not yet examined in depth the long-term impact of unfair compensation on the socio-economic lives of the community.

A dissertation from the Doctoral Program in Law at Syiah Kuala University (2024) examined the custody of compensation in land acquisition from a human rights perspective. This study found that the custody of compensation does not fully fulfill the elements of the ideal custody concept, namely the lack of agreement between the government and the entitled parties regarding the amount of compensation and the lack of assurance of the livelihood of the entitled parties after the loss of their land. This study provides an important contribution regarding the disharmony of the custody of compensation regulations with human rights instruments, but does not specifically discuss community perceptions and experiences in the process.

A more comprehensive study is needed to bridge the gap between normative and empirical research. Research on the principles of justice and legal certainty in determining compensation for land acquisition identifies two main dimensions of justice: substantive justice, which concerns the appropriateness of compensation values to the economic and sociocultural value of the land, and procedural justice, which demands transparency, participation, and accountability. However, this research remains theoretical and has not been extensively tested in the context of actual cases on the ground.

The research gap this study aims to fill is the lack of studies that simultaneously analyze three critical aspects: first, the subjective experiences of affected communities in the negotiation and determination of compensation; second, the effectiveness of available dispute resolution mechanisms; and third, the long-term implications of unfair compensation on community well-being and sustainability. Most existing research tends to focus on the legal-formal aspects or on a single case location, thus failing to provide a comprehensive picture of the challenges of compensation justice at a national scale.

Furthermore, research on the role of independent appraisers in the land acquisition process remains limited. MAPPI notes that appraisers often face high legal risks and are often made "scapegoats" when disputes arise. The lack of an accurate national property database, differing valuation methodologies, and weak coordination between institutions complicate the process of determining compensation. Research examining the perspectives of appraisers as key actors in the land acquisition process is still very rare.

Therefore, research on "Fairness of Land Acquisition Compensation for Communities Affected by Infrastructure Development" is highly relevant and urgent to fill the gap in academic research and provide policy recommendations based on empirical evidence. Based on the above description, it can be concluded that land acquisition for infrastructure development in Indonesia is a necessity regulated by a clear legal framework. However, its implementation still faces serious issues related to fair compensation. Normatively, the principle of justice is guaranteed in Law Number 2 of 2012, which emphasizes the provision of adequate and just compensation to entitled

parties. However, empirical evidence shows a sharp gap between norms and reality. Problematic phenomena emerge in various forms: public dissatisfaction with the amount of compensation, minimal transparency and participation in the negotiation process, neglect of the social and cultural value of land, weak protection of the rights of indigenous peoples and vulnerable groups, the absence of adequate relocation options, and increasing agrarian conflicts that lead to human rights violations. Cases such as the construction of Kertajati Airport, the Duri Pulo toll road, and various other national strategic projects are clear evidence that infrastructure development often proceeds at the expense of the basic rights of the most vulnerable communities.

Meanwhile, existing research still leaves a significant research gap. Normative studies on the principles of justice have not been extensively supplemented by empirical research exploring the direct experiences of affected communities. Research on the effectiveness of dispute resolution mechanisms and the long-term implications of unfair compensation on community well-being is still limited. Similarly, studies on the role and challenges faced by independent appraisers as key actors in determining compensation values are also limited. Therefore, this research is crucial to fill this gap by comprehensively examining the dimensions of fair compensation from various perspectives: affected communities, implementing government officials, independent appraisers, and community advocacy organizations. This research is expected to provide academic contributions as well as concrete policy recommendations for realizing land acquisition that is more just, humane, and in line with community rights, so that infrastructure development can proceed without creating new inequalities and suffering within the community.

## METHOD

This research, entitled "Justice in Land Acquisition Compensation for Communities Affected by Infrastructure Development," uses a qualitative approach. This is because the issue of justice in land compensation is not a black-and-white issue that can be measured simply by numbers. Justice is a matter of perception, experience, and meaning felt by communities whose land is acquired for development projects (Susiani, 2024). As explained by experts, qualitative research methods were developed to examine human life in depth and comprehensively, without conceptually isolating phenomena into exclusive variables. In other words, qualitative research seeks to understand reality as it is, from the perspective of the people who experience it themselves.

The qualitative approach in this research is also based on the concept of law as a manifestation of the symbolic meanings of social actors, evident in their interactions (Rifa'i et al 2023). This means that law is not merely understood as a regulatory text, but also as a social reality that lives within society. When communities accept or reject the compensation offered, there are meanings that need to be explored: there is emotional value to the land, there is hope for the future of their families, and there is a sense of justice that they subjectively understand. Several previous studies with similar themes also used a qualitative approach to explore land compensation issues.

Primary data is information obtained directly from the field, from the communities serving as research subjects. In this study, primary data will be extracted through in-depth interviews with various parties involved or affected by the land acquisition process. Who will serve as informants? First, of course, are the communities whose land is being acquired. They are the ones most impacted by the land acquisition process, both economically, socially, and psychologically. Second, are officials from the National Land Agency involved in the assessment and compensation determination process. Third, are village or sub-district officials who act as bridges between the government and the community. Fourth, are representatives from non-governmental organizations focusing on agrarian and social justice issues.

This informant selection technique uses a purposive sampling technique, meaning informants are deliberately chosen because they possess knowledge and experience relevant to the research focus. The number of informants is not rigidly determined at the outset, but will continue to increase until the data obtained is considered saturated, that is, when new information is repetitive and no longer provides new meaning.

Secondary data is data obtained from documents and literature that are already available. This data functions as a complement and reinforcement of primary data. Types of secondary data in this research include:

1. Primary legal materials, namely statutory regulations governing land acquisition and compensation, such as: The 1945 Constitution of the Republic of Indonesia, Law Number 5 of 1960 concerning Basic Regulations on Agrarian Principles, Law Number 2 of 2012 concerning Land Acquisition for Development in the Public Interest, Presidential Regulation Number 71 of 2012 in conjunction with Presidential Regulation Number 99 of 2014 in conjunction with Presidential Regulation Number 30 of 2015 in conjunction with Presidential Regulation Number 148 of 2015 concerning Implementation of Compensation in Land Acquisition for Development in the Public Interest, Head of BPN Regulation Number 3 of 2007 concerning Implementation of Land Acquisition

2. Secondary legal materials, such as books on agrarian law, journal articles, relevant theses or dissertations, and the results of previous research on land acquisition and compensation.
3. Tertiary legal materials, in the form of legal dictionaries and encyclopedias that help understand legal terms used in research.

In-depth interviews are the primary data collection technique in qualitative research. Through interviews, researchers seek to understand the thoughts and feelings of informants, how they view their world, and how they interpret their experiences. The interviews used are semi-structured, meaning the researcher has an interview guide containing key questions, but not a rigid order or formulation. This allows informants to share freely and allows the researcher to delve deeper when they encounter interesting issues.

Observations, or direct observations, are conducted to directly observe the situation and conditions on the ground. Researchers will observe how the land acquisition socialization process is carried out, how government officials interact with the community, and what the community's living conditions are like after their land is acquired. This observation is participatory, meaning the researcher is involved in field activities while still observing. For example, researchers might attend meetings held by the land acquisition committee or visit the homes of people whose land has been acquired to see firsthand how their lives have changed.

## **RESULTS AND DISCUSSION**

Infrastructure development is the backbone of a nation's progress. In Indonesia, the construction of toll roads, dams, ports, and various other public facilities continues to be accelerated as part of efforts to realize public welfare as mandated by the constitution. However, behind the glitz of these strategic national projects lies a harsh reality that is often overlooked: the plight of communities whose land must be dispossessed for the public good. Land acquisition for infrastructure development is a perennial issue, always containing stories of hope and disappointment, about a process that should be fair but often leaves wounds for those affected. Normatively, Indonesia already has a strong legal basis to guarantee fairness in land acquisition. Law No. 2 of 2012 concerning Land Acquisition for Development in the Public Interest serves as the primary legal umbrella governing compensation mechanisms. This law emphasizes that land acquisition is the activity of providing land by providing adequate and fair compensation to entitled parties. The phrase "adequate and fair" is not merely empty words, but rather carries a profound philosophical meaning that the public should not be disadvantaged simply because their land is needed for development.

The elucidation of Article 2, letter b, of Law No. 2 of 2012 explicitly states that fairness in land acquisition means guaranteeing adequate compensation so that entitled parties have the opportunity to live a better life. This is a noble ideal to be achieved: that land acquisition should be a gateway to improving the quality of life, not the other way around. This principle is reinforced by various derivative regulations, including Government Regulation No. 39 of 2023, which amends Government Regulation No. 19 of 2021 concerning the Implementation of Land Acquisition. In the practice of compensation assessment, the Indonesian Valuation Standards (SPI) 204 regulates in detail the components that must be taken into account. Compensation encompasses not only physical aspects such as land, buildings, and crops, but also non-physical losses that are often overlooked. These non-physical losses include job loss, loss of livelihood, transaction costs, waiting period compensation, and even emotional losses experienced by landowners. This demonstrates that the regulation recognizes that land is not merely an economic asset but also holds social and emotional value inherent in people's lives.

Unfortunately, what is written in regulations often does not align with the reality on the ground. Many cases still occur where communities whose land was taken for infrastructure development feel unfairly treated. Research conducted in Karanganyar Regency regarding the construction of the Jlantah Reservoir showed that although the formal compensation process met the indicators of fairness, some residents still felt dissatisfied with the compensation they received. This indicates that procedural justice does not necessarily equate to the substantive justice perceived by the community. One of the main problems that frequently arises is the gap between the estimated value during the planning stage and the compensation value during the implementation stage. Arie Yuriwin, in his presentation, identified at least five value issues in land acquisition, including undervaluation, differences in values between appraisers for objects within the same route, and overvaluation, which actually harms state finances. This inconsistency in assessments is a major trigger for conflict between communities and the government.

Public concerns about unfair compensation are not just empty talk. Data from the Agrarian Reform Consortium shows that from 2015 to 2023, agrarian conflicts consistently occurred above 10 times per year, with the extent of the conflicts and the number of affected families increasing. This figure serves as an alarm that there are serious problems in land acquisition that need to be addressed immediately. When talking about compensation,

money often comes to mind. However, for communities whose land has been taken, the loss is more than just material. A study on land acquisition for the construction of the Batam-Bintan Bridge found that the compensation process, which followed formal procedures, did not necessarily provide adequate legal protection for affected communities. What was missing was genuine deliberation, a space for dialogue that allowed communities to voice their grievances, and an opportunity to negotiate the compensation amount.

A new paradigm that is beginning to be promoted is a transformative approach to land acquisition. As stated by the Director General of Land Acquisition and Land Development, Embun Sari, the current paradigm is based on four pillars: land control, use, development, and value, all of which are aimed at creating equitable, productive, and sustainable land services. This is a breath of fresh air, indicating that the government is beginning to recognize the importance of a more humane approach. Compensation, according to this new approach, is not the end of the process, but rather the beginning of social transformation. Communities are not only replaced but also empowered to recover better through support programs such as replacement housing, job training, business mentoring, and legal assistance. A social impact assessment (SIA) is a crucial element at every stage to identify vulnerable groups and mitigate negative impacts early on.

Even more concerning are findings of maladministration in the compensation payment process. The Bakauheni-Terbanggi Besar Toll Road case is a clear example of how state negligence can inflict suffering on its citizens. The Ombudsman found serious maladministration in the payment of Rp 20 billion in compensation to 56 residents in South Lampung, which has not been paid, despite four legally binding court decisions. The Commitment Making Officer from the Ministry of Public Works and Public Housing (PUPR) ignored his legal obligation to implement the court decision and deposit the compensation funds with the district court. This case demonstrates that the root of the problem lies not only in the amount of compensation, but also in the integrity of the apparatus and adherence to legal procedures. Legal flaws in determining compensation can arise from uncommunicative deliberation procedures, non-compliance with Law No. 2 of 2012, or violation of the specified time limit. In the case of the Bener Dam in Purworejo Regency, the Supreme Court even rejected a judicial review petition because the applicant failed to file an objection with the District Court within the required 14-day period. This is a valuable lesson that formal procedures cannot be ignored.

On the other hand, human resource and institutional capacity issues also pose serious challenges. The limited number of Land Appraisers, only around 303 in 2021, is significantly out of proportion to the volume of land acquisition for National Strategic Projects, which reaches hundreds of thousands of plots. This limitation has the potential to hamper the appraisal process and ultimately delay compensation payments. At the court level, the issue of consignment, or the safekeeping of compensation funds, also faces obstacles. The Bangkinang District Court, for example, must handle 1,200 consigned objects for the construction of the Pekanbaru-Rengat toll road, while the number of available personnel is very limited. The high caseload results in consignment cases being deprioritized, thus hampering the acceleration of national strategic projects. Innovations such as the formation of ad hoc teams with a detasering mechanism are one solution offered to address this issue.

Considering the various issues above, it is clear that achieving fair compensation for land acquisition requires hard work and commitment from all parties. Several issues require serious attention. First, strengthening the capacity and integrity of officials involved in the land acquisition process, from appraisers and land acquisition teams to law enforcement officers. Second, increasing community participation in every stage of the process, including determining compensation through sincere and communicative deliberation. Third, consistent law enforcement against any procedural violations, including firm action against maladministration. Fourth, developing a more holistic approach by integrating community empowerment programs alongside monetary compensation. As expressed by Ateng Sutisna, a member of Commission II of the Indonesian House of Representatives (DPR RI), land acquisition should be part of a development process that is socially just and upholds human rights. Fifth, improving the assessment system to be more transparent and accountable by involving the community in the data verification and valuation process.

Justice in land acquisition compensation is not a static concept, but rather a constantly evolving process that must be fought for. Normatively, Indonesia has a legal framework adequate to guarantee justice, but its implementation remains far from ideal. The gap between theory and practice, maladministration, limited capacity, and a lack of a humane approach constitute significant challenges that must be addressed immediately. Land acquisition for the public interest is indeed an inevitable necessity in development, but the process must not sacrifice the basic rights of the community. True justice will be realized when the community not only receives compensation but also feels that their lives have improved after their land has been used for development. This is the essence of

equitable land acquisition: development that goes hand in hand with the people's well-being, not at the expense of one another.

## **CONCLUSION**

This research on the fairness of land acquisition compensation for communities affected by infrastructure development has revealed several important findings that require serious attention. Infrastructure development is essential for national progress, but the accompanying land acquisition process often raises complex issues that directly impact people's livelihoods. Based on the study's findings, it can be concluded that, normatively, the legal framework for land acquisition in Indonesia mandates the provision of "fair and just" compensation, as stipulated in Law Number 2 of 2012 concerning Land Acquisition for Development in the Public Interest. The principle of fairness in this provision is interpreted as guaranteeing adequate compensation to entitled parties, so they have the opportunity to live a better life. However, implementation in the field still faces various challenges, creating a gap between the legal ideals and the realities faced by the community.

The research findings indicate that the main problem lies in the unclear benchmarks for determining compensation amounts and the lack of transparency in the process, which leads to a lack of public understanding of how compensation is determined. The phrase "fair and just," which is open to multiple interpretations, leaves room for wide interpretation, often leading to a mismatch between the values set by the government and the expectations of affected communities. This is exacerbated by the continued occurrence of cases where communities lose their land for development purposes but never receive compensation, as has been the case with various infrastructure projects in the regions.

Another aspect of concern is the weak community participation in the land acquisition process. Deliberations to determine compensation, which should be a forum for dialogue between the government and entitled parties, often proceed in a non-communicative manner, leaving communities feeling positioned as objects of development, rather than subjects whose rights must be respected. The lack of adequate assistance for vulnerable groups such as small farmers, indigenous communities, and the urban poor leads to their further marginalization and loss of access to justice. Structural challenges have also been identified from an institutional perspective. The limited number of Land Appraisers, only around 303 in 2021 to handle hundreds of thousands of land parcels within National Strategic Projects, is one of the causes of the slow process and potential inaccuracies in assessments. Meanwhile, the escalating agrarian conflicts since 2015 demonstrate that land acquisition has not been fully capable of resolving disputes fairly and thoroughly.

However, this study also found positive developments in the land acquisition paradigm. The government is shifting from a purely transactional approach to a more transformative and humane one. Social Impact Assessments (SIA) are being integrated as a crucial instrument for identifying and mitigating social impacts from the outset of the process. This new approach emphasizes that compensation is not the end of the process, but rather the beginning of social transformation and empowerment of affected communities. From a justice perspective, this study concludes that fairness in land acquisition compensation is not simply measured by the conformity of the nominal value to market price. Rather, justice must encompass procedural dimensions (fairness in the process), distributive dimensions (fairness in the outcome), and restorative dimensions (restoring the community's living conditions). These three dimensions have not been optimally met in current land acquisition practices.

Based on the conclusions above, this study proposes several recommendations that are expected to inform improvements to future land acquisition policies and practices. First, there is a need for a clearer and more measurable reformulation of compensation regulations. The government needs to develop more detailed technical guidelines regarding the mechanism for determining compensation amounts, including non-physical loss components such as loss of livelihood, transaction costs, and waiting period compensation, which have often been overlooked. The Indonesian Valuation Standards need to be continuously refined to ensure that compensation values truly reflect a fair replacement value that favors the interests of landowners.

Second, strengthening institutional capacity and human resources in the field of land valuation. The government needs to increase the number and quality of Land Appraisers through continuous recruitment and training, and creating opportunities for Government Appraisers to participate in small-scale appraisals, as stipulated in Government Regulation 39/2023. Collaboration between Public Appraisers and Government Appraisers needs to be strengthened to expedite the process without sacrificing appraisal quality. Third, the land acquisition approach needs to be transformed from a transactional to a transformative one. The government must integrate assistance programs such as providing replacement housing, job training, business mentoring, and legal aid for affected communities. This approach aligns with the "no one left behind" principle proclaimed by the Minister of ATR/BPN,

which states that affected communities should not be marginalized by development but should be part of the development process itself.

Fourth, strengthening public participation and transparency of the process. Deliberations to determine compensation must be carried out seriously with active community involvement, not simply as a formality. The government needs to provide easy-to-understand information to the public regarding the assessment process, their rights, and the mechanism for filing objections. The use of digital technology can be an effective means of achieving transparency and accountability. Fifth, improving access to justice for affected communities. The government needs to ensure the existence of legal aid institutions and village paralegals who can assist communities in the land acquisition and dispute resolution process. The deadline for filing objections to the courts needs to be widely publicized to prevent communities from losing their rights due to ignorance, as occurred in the Bener Dam case, which was ruled by the Supreme Court.

Sixth, special attention should be paid to vulnerable groups. Indigenous communities, smallholder farmers, and the urban poor require a different approach and additional protections in the land acquisition process. Social impact assessments must seriously consider the socio-cultural aspects and local wisdom inherent in their land and territories. Seventh, strengthen inter-agency coordination and post-acquisition monitoring. The central and regional governments need to improve coordination to ensure a smooth land acquisition process and compensation payments. Furthermore, a mechanism for continuous monitoring of the fate of affected communities after the land acquisition process is complete needs to be established to ensure they can continue living decently and with dignity.

With the implementation of the above suggestions, it is hoped that land acquisition for infrastructure development will no longer be a source of conflict and injustice, but rather become a development instrument that truly favors the people and achieves shared prosperity, as mandated by the constitution.

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