



The Paradox of Agrarian Reform on Ex-HGU/PTPN Land: Between Land Rights and Criminalization

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Abstract: This study highlights tenure conflicts occurring in the Pangalengan coffee plantation area, Bandung Regency, focusing on the ambiguous status of land formerly under HGU (Land Use Rights) or currently managed by PTPN VIII, which has become a source of competing claims and potential socio-agrarian conflicts. Through a socio-legal approach and an analysis of legal pluralism, this study reveals the gap between the top-down normative discourse on agrarian reform and the repressive criminal law practices on the ground. Local farming communities, with limited access to capital, have established informal legal claims based on the history of land cultivation, the productive use of coffee plants, the principle of the social function of land as stipulated in the 1960 Land Law (UUPA), and the hope for land redistribution through the Presidential Regulation on Agrarian Reform. On the other hand, state-owned corporations and law enforcement agencies enforce a formal, positivist-legalistic legal framework to protect assets through legal notices and criminalization under Article 385 of the Criminal Code (KUHP) or sector-specific criminal regulations for plantations. Field data and in-depth interviews reveal an agrarian paradox: the land redistribution program through TORA is hampered by convoluted and sluggish bureaucracy, while the enforcement of criminal law by corporations proceeds swiftly, undermining the solidarity of grassroots movements. The arrests of farmers' union activists not only cause psychological trauma, poverty, and damage to sustainable communal agricultural systems, but also reinforce the large-scale land monopoly held by a small elite across generations. The state must shift away from a normative security approach and redefine agrarian reform as a model for a more equitable distribution of the benefits of natural resources in order to prevent the escalation of ecological and social crises in the future.

Keywords: agrarian reform; criminalization of farmers; land tenure conflicts; legal pluralism; Pangalengan.

Introduction

Inequality in land ownership structures in Indonesia is a legacy of the colonial era that continues to perpetuate socio-economic injustice. Extreme polarization in land ownership, with large corporations controlling it on one hand, and smallholders fragmenting it, has given rise to what is known as the agrarian question, where land rights are no longer merely a civil matter but also concern the existence of living space. Land monopolization by elites creates development barriers that hinder the creation of prosperity based on agrarian justice. Berry (2024) states that the concentration of land ownership has long been recognized as one of the greatest disasters in economic history, undermining justice and long-term development stability. When former Land Use Rights (HGU) or land owned by state-owned enterprises such as PTPN VIII are abandoned or expire, this disparity immediately triggers demands for

redistribution from grassroots communities. Ironically, the lack of legal certainty after the concession ends actually exacerbates the ambiguity of ownership (tenure) status, making former HGU areas a battleground for claims prone to bloody conflict.

This ambiguity creates a fundamental paradox in the implementation of agrarian reform in Indonesia and divides legal orientations into two opposing poles. From a progressive perspective, the people's movement promotes normative-populist law based on constitutional idealism and the unification of national law. Farmers use Article 33 of the 1945 Constitution, the 1960 Basic Agrarian Law (UUPA), which emphasizes the social function of land, and the Presidential Regulation on Agrarian Reform as the legal basis for their struggle. For them, this normative framework serves to restore the rights of farmers marginalized by the expansion of agrarian capitalism. This narrative of the farmers' struggle aligns with global demands for the recognition of farmers' rights to natural resources. In this regard, Murthy (2021) asserts that agrarian restructuring through land redistribution is an absolute prerequisite for ending the domination of capitalism that oppresses rural areas, thus establishing farmers' normative claims on a solid ideological foundation in critical agrarian studies.

In contrast, within positivist logic, state corporations and law enforcement view the reality on the ground very differently. Any physical occupation or use of ex-HGU land by farmers is immediately labeled illegal, meaning a criminal offense based on land grabbing under Article 385 of the Criminal Code or the criminal provisions of the Plantation Law. This positivistic perspective separates legal texts from rural social realities, solely to maintain formal certainty and administrative protection of state assets. This rigid capitalist approach often sacrifices distributive justice in favor of maintaining investment stability and agro-industrial capital accumulation. As a result, repressive laws deny the basic rights of local communities, and the continued expansion of agrarian capitalism dispossesses farmers of their traditional relationship to the land, transforming the political struggle for survival into a state-sanctioned crime (Tilzey et al., 2023).

The struggle between the legitimacy of social justice-based rights and criminalization through positive law is clearly reflected in the escalating tenurial conflict in the Pangalengan coffee plantation area, Bandung Regency. Here, a massive clash of land claims occurred between local, capital-poor farmers and PTPN VIII. Local residents formed a local union to fight for the redistribution of land, both productive and abandoned, for their survival. The Pangalengan conflict illustrates the stalled promises of agrarian reform from the government, which sparked a grassroots agrarian reform movement. Zakaria (2018) noted that the farmers' resistance in Pangalengan demonstrated both collective desperation and political courage in demanding land rights amidst the siege of corporate claims.

Theoretically, the conflict in Pangalengan can be analyzed in depth through the lens of legal pluralism. This approach reveals that within a social space, more than one legal system operates, competing for authority. On the one hand, there is formal state law, which is punitive and positivistic, implemented by law enforcement to protect the formal ownership of state-owned enterprises. On the other hand, living law (or folk law) is developing, namely a system of moral and historical claims of local farmers that bases rights on the history of land cultivation and the social function of the land. This phenomenon demonstrates the depth of value conflicts within the legal ecosystem itself. In their view, Busatta & Casonato (2021) state that axiological pluralism within the contemporary legal framework will inevitably give rise to profound value conflicts between formal law enforcement by the state and local understandings of justice.

The tensions between values within legal pluralism demonstrate that a state's formal legal system does not operate in isolation but constantly interacts, often even intersecting, with local legal culture. When the state enforces a single, legal-formal interpretation, the law becomes an instrument of symbolic violence that uproots the cultural and economic rights of communities. Therefore, a sociological approach is crucial for evaluating the extent to which state law disregards the sense of justice rooted in local wisdom. In the context of global legal pluralism, the parameters of justice must be more inclusive than simply complying with the letter of the law. Stępień & Klakla (2021) emphatically state that law cannot be separated from local cultural contexts, while de Souza (2022) emphasizes that designing indicators for a pluralistic

legal world requires recognizing marginalized groups who construct their own legal systems outside the state framework to maintain their livelihoods.

The inability to embrace legal pluralism not only perpetuates the chain of criminalization but also exacerbates the ecological crisis and the unequal distribution of agrarian benefits. When farmers are criminalized and evicted from their land, sustainable community-based agricultural systems collapse, replaced by large-scale land exploitation that undermines environmental carrying capacity. This agrarian destruction undermines the principles of ecological modernization, which should synergize environmental reform with social justice for smallholder farmers. Agrarian justice is only realized when the benefits of natural resources are distributed fairly. Equitable benefit sharing is not merely an economic instrument but a fundamental prerequisite for restructuring agrarian justice (Tsioumani, 2020). Even a modern resource economics perspective recognizes that ignoring community land rights will lead to negative externalities in the form of costly social conflict and permanent ecological damage (Alabrese et al., 2022; Harris & Roach, 2025; Mol et al., 2020).

Highlighting the socio-ecological crisis arising from the state's neglect of community rights, this study views the tenure dispute in Pangalengan as a reflection of broader agrarian governance failures. This situation is exacerbated by the dominance of local elites and state officials who manipulate legal authority to protect the interests of the ruling class, a governance anomaly that has historically triggered social unrest at the grassroots level (Xu et al., 2024). Globally, the unbalanced collaboration between ruling regimes and corporations often facilitates land grabbing practices that displace rural communities from their living spaces. Learning from various agrarian conflicts in developing countries, Arango et al. (2025) revealed that formal legal instruments are often misused to legitimize land dispossession and the displacement of marginalized groups from their livelihoods.

Facing this systematic pattern of marginalization, this study aims to fill a frequently overlooked academic gap in the study of Indonesian agrarian law. Most previous research has been limited to doctrinal-positivistic analysis, thus trapping agrarian discussions in evaluating tenure conflicts based on their compliance with formal legal provisions. However, the dynamics of communal land control in rural areas require a progressive understanding of disposal rights and the complexity of land ownership structures, as explained by Yan (2024) regarding the complexity of the concept of collective-contractual land ownership. Without analytical deconstruction that boldly transcends the boundaries of legal texts, it is impossible to understand the essence of agrarian change on the ground. Furthermore, Konforti (2025) emphasizes that agrarian struggles are intrinsically linked to local livelihoods and determine the direction of agrarian change in unequal societies. Therefore, agrarian disputes must be understood as a survival strategy.

Beyond the basic civil law issues, land disputes in former HGU plantations reflect the real struggle of marginalized classes in redefining the concepts of justice and social security in rural areas. When the state is absent or fails to provide an adequate economic protection system, land ownership immediately becomes the most crucial form of social security for the survival of small farmers and their descendants. This view aligns with the findings of Chipenda & Adesina (2025) who emphasize the importance of a paradigm shift, where agrarian reform needs to be understood as an asset-based social protection system to achieve sustainable prosperity. In this context, community solidarity through local peasant resistance movements demonstrates demands far more substantial than mere administrative issues. Observing this social transformation, Lyall & Colloredo-Mansfeld (2024) in their research stated that the growing community power during the peasant rebellion revealed profound post-agrarian aspirations and challenged traditional state-centered development models.

Based on the complexity of collective aspirations that continue to clash with state domination, the novelty of this research lies in the presentation of a socio-legal framework that does not view conflict dichotomously, but rather analyzes in depth how legal pluralism actually occurs and is contested in the field. This research highlights the dialectical moment when two claims collide: the exclusive claim of the state through the instrument of plantation criminal law versus the moral-historical claim of farmers based on the social function of land and the Presidential Decree on Agrarian Reform over the same land. Amidst the current

ecological crisis and structural inequality, the discourse on agrarian law requires a new perspective; it is no longer sufficient to rely on the 20th-century model of land redistribution. This is as Echenique & Graziano da Silva (2026) in their research findings to reconsider agrarian reform in the 21st century, which demands that we look beyond just the land itself, by recognizing the diversity of rights, rural dynamics, and the diverse dimensions of modern peasant struggles.

Through this holistic analytical framework, this study aims to critically examine the dialectic of peasant resistance and the mechanisms of criminalization within the context of the stalled implementation of the agrarian reform program. This study will analyze how the state's normative narrative, initially designed to improve people's welfare, has instead become a tool of repression when farmers demand their constitutional rights and face corporate criminal law. However, behind the shadow of this systematic criminalization, grassroots resistance continues to burn, consistently offering alternative models of agrarian governance. In their study, Kay et al. (2025) noted that grassroots communities around the world must actively resist land grabbing and develop alternatives to counter the hegemonic narrative of state-backed corporate agriculture. This analysis is expected to formulate theoretical and practical solutions to address the paradox of agrarian justice in Indonesia.

Method

This study of the paradox of agrarian reform in Pangalengan cannot be analyzed simply through a normative-doctrinal approach that views law as a static regulation separated from context. Therefore, this research applies the Socio-Legal Studies method. A socio-legal approach not only examines law as a collection of articles in written regulations, but also explores how the law is implemented, debated, and experienced concretely by actors in the field. This aligns with Cotterrell (2024) perspective, which states that socio-legal studies center on the dynamic relationship between formal legal doctrine and the social realities that determine the effectiveness of these regulations. Through this lens, the tension between agrarian reform instruments and criminal regulations on land grabbing can be examined as a socio-legal phenomenon developing in plantation communities.

Adopting a sociological perspective of law broadens the scope of investigation, uncovering empirical dimensions often overlooked in conventional legal studies. The dispute between farmers and PTPN VIII requires researchers to delve deeper into how law manifests in real-world practice and how power influences the interpretation of legal texts. As Perry-Kessaris (2021), argues, socio-legal research offers a structured pathway to explore how law operates, not only in written form but also as a visual, material, and social force that shapes human life patterns. Consistent with this view, Bhat (2020) concludes that a socio-legal approach is highly effective in assessing law as both a tool of social control and a field of struggle for marginalized groups. This in-depth exploration provides an important foundation for researchers to unravel the complex relationship between populist agrarian policies and repressive actions by officials in Pangalengan.

To obtain a comprehensive and objective picture, data collection in this qualitative research relies on two main sources: primary and secondary data. The use of primary data aims to record empirical facts directly from the parties involved in the land ownership conflict. As explained by Amiruddin & Asikin (2021), primary data is information obtained directly from primary sources in the field through interviews and observations. Meanwhile, secondary data serves as a normative foundation for mapping written legal documents. Secondary data in legal research includes primary legal materials such as the 1960 UUPA and the Presidential Decree on Agrarian Reform, as well as secondary legal materials in the form of academic literature (Marzuki, 2019). The integration of these two types of data is crucial for comparing formal provisions in regulations with the reality at the dispute site.

The primary data in this study were collected through rigorous procedures using in-depth interviews and participatory field observations in conflict-affected villages in Pangalengan. Interviews focused on relevant and representative subjects, including unskilled farmers, local farmer organization administrators, PTPN VIII management, and officials from the National

Land Agency (BPN)/Kantah of Bandung Regency. Observations were conducted to examine physical land tenure patterns and the dynamics of daily interactions in the coffee plantation area. The selection of informants and the mapping of research sites adopted a comprehensive qualitative case study approach. In this regard, Creswell & Poth (2018) emphasized the importance of researchers building close relationships with participants in their natural environments to capture the complex lived experiences of an interconnected system. This approach ensures that the voices of agrarian actors in the field can be authentically recorded without distortion.

After the collection of field data and legal documents is complete, the next crucial stage is systematic data management and analysis to ensure research accuracy. Mewburn et al. (2026) emphasized that disciplined data management is a determining factor in the success of qualitative research when dealing with the complexity of field information. The data analysis technique in this study applies a qualitative interactive model that begins with a data reduction process. This reduction is carried out through selecting, focusing, and simplifying interview transcripts and observation notes into specific themes, such as normative legitimacy and criminalization practices. The data organization process must be consistent from the initial stages of drafting the research. Organizing qualitative data early on makes it easier for researchers to construct a coherent academic narrative (Weaver-Hightower, 2018).

To ensure the validity of the scientific data and reduce subjective bias, researchers applied source triangulation techniques in the descriptive-analytical analysis. Triangulation was carried out by critically comparing and testing the consistency of information between farmer groups, PTPN management, and BPN officials. Based on the concept of Miles et al. (2014), qualitative analysis proceeds through three interrelated stages: data condensation, data presentation, and conclusion drawing or verification. All validated data is then analyzed using descriptive-analytical methods to provide a comprehensive understanding of the conflict. As stated by Savin-Baden & Major (2023), qualitative analysis goes beyond simply describing data, but also interprets the complex meanings inherent in social interactions. This approach was adopted to uncover the reality of legal effectiveness (Sunggono 2020), thus enabling a scientific explanation of the gap between land rights and criminalization practices in Pangalengan.

Results and Discussion

Historically, the land ownership structure in the Pangalengan plantation area has undergone significant transformation. Initially, the land was managed by indigenous communities and local farmers, but gradually passed into the hands of large-scale plantation companies. Based on field studies, long before the arrival of PTPN VIII, local farmers had depended on the land for their livelihoods, both as plantation workers and as cultivators to meet basic needs. This finding aligns with Zakaria (2018) view, which asserts that the agrarian dynamics in Pangalengan are the product of prolonged conflict, given that control over land directly affects the survival of local communities. As one farmer put it, "This land is an inheritance from our ancestors that was forcibly taken, and now we are trying to reclaim what is rightfully ours for survival" (Petani Penggarap, 2026).

Regarding land ownership status, official documents from the Bandung Regency National Land Agency (BPN) reveal the complexities surrounding the disputed land. The majority of the land cultivated by farmers falls within the valid Land Use Rights (HGU) of PTPN VIII, while some of the land falls under concessions that have expired or have been abandoned for long periods. This unclear status creates loopholes for farmers to pursue land claims. Uncertainty over concession status is often a major factor in the failure of land redistribution programs, ultimately placing farmers in a legally vulnerable position when attempting to claim land that is still administratively registered as company property.

In the face of corporate hegemony, Pangalengan farmers did not act sporadically but instead organized through a local farmers' union. This union served as a collective platform for developing land occupation strategies and conducting political negotiations. Throughout the organizing process, farmers actively advocated for their land, basing their struggle on the 1960 Basic Agrarian Law (UUPA) as a basis for legitimacy. They argued that land not optimally

managed by companies had lost its social function and should be returned to the community. This farmer resistance represented an effort to revitalize agrarian rights amidst the rapid flow of agricultural capitalization that was increasingly marginalizing rural communities.

The land occupation movement by farmers is based on a normative interpretation of the Presidential Regulation on Agrarian Reform. Farmers believe that former HGU (HGU) or abandoned land should be the object of land reform and allocated to small communities. This belief is further strengthened by the understanding that the state has a constitutional obligation to guarantee land access for poor farmers. As one union official put it, "we are not thieves; we are carrying out the agrarian reform mandate by cultivating land neglected by companies" (Pengurus Serikat Tani, 2026). This statement demonstrates how formal legal texts are often reinterpreted by actors on the ground as instruments of struggle for distributive justice—an aspect often overlooked by policymakers at the national level.

On the land that has been successfully reclaimed, the agricultural activities carried out by farmers contrast with the negative stigma often leveled by corporations. Farmers practice intensive coffee cultivation, which not only provides a livelihood but also demonstrates the productive use of the land. Furthermore, informal land-sharing mechanisms exist among union members to ensure equitable access for every family. These practices demonstrate the existence of living law amidst the ambiguity of state law. Land management by small communities tends to have more sustainable ecological and social impacts than corporate monoculture systems, which often ignore environmental carrying capacity.

PTPN VIII's management response to the farmers' protests appeared firm and inflexible. Empirical data shows the company frequently sends warning letters and summonses to land workers. Internal corporate documents view any farmer movement as a disruption to state assets that must be secured through legal procedures. PTPN VIII remains steadfast in its HGU (Cultivation Rights) documents, which it believes provide proof of legal ownership. Historically, formal legal land tenure has often been exploited by large corporations to legitimize the eviction of local communities, ultimately widening the gap in asset distribution down to the regional level.

On a practical level, the criminalization process has had a devastating impact on farmers. Records from farmer organizations show numerous cases of farmers being investigated, reported, and even punished under articles on illegal land acquisition, particularly Article 385 of the Criminal Code and the criminal provisions of the Plantation Law. These criminalizations not only target individuals but also aim to weaken the collective solidarity of farmer organizations. Companies use these legal articles to sever farmers' ties with the land they cultivate. This legal approach, which emphasizes repressive aspects, misses the core of the agrarian issue; instead, the application of criminal articles to farmers often serves as a quick way to silence demands for agrarian justice.

The role and stance of the local Agrarian Agency (BPN) in this conflict appear inconsistent. While the BPN has a mandate to implement Agrarian Reform, it also feels bound by the administrative legitimacy of PTPN VIII's HGU (right-to-use land tenure). In discussions with researchers, BPN officials stated, "We are in a dilemma because we must comply with applicable land administration regulations, even though we recognize the community's land needs" (BPN Official, 2026). This neutral stance adopted by the BPN sociologically benefits those with formal legal power and access to capital, allowing criminalization to continue without substantial administrative intervention.

The research confirms a significant gap between the vision of agrarian reform in official state documents and the reality in Pangalengan. Farmers seeking to realize the social function of land through direct occupation are instead confronted with a barrier of plantation criminal law supported by the authorities. This situation creates a paradox: farmers fighting for land rights are labeled as lawbreakers, while corporations that allow unproductive land to remain protected under the umbrella of formal legitimacy. Without a mechanism for fair benefit-sharing and the recognition of community rights, agrarian reform will remain merely administrative rhetoric that fails to deliver justice for farmers.

A socio-legal analysis of the land tenure conflict in Pangalengan clearly demonstrates the wide gap between the seemingly idealistic normative discourse of agrarian reform and the

repressive reality of criminal law enforcement on the ground. The government continually trumpets the promise of agrarian justice through its land-ownership restructuring program, yet in practice, the dominant trend is the application of criminal law provisions related to land. This sociological imbalance arises because our positive law remains strongly focused on protecting land ownership through formal and procedural means, neglecting the principle of distributive justice that should be the soul of agrarian reform. This situation aptly illustrates what Murthy (2021) calls the phenomenon of the state using formal legal instruments to perpetuate capital's dominance over land. As a result, the fundamental rights of rural agrarian communities, whose livelihoods depend entirely on the land, are increasingly marginalized and hopeless.

The land redistribution program through Land Objects of Agrarian Reform (TORA) has also stagnated. Land bureaucracy moves very slowly, not as agile as the criminalization mechanisms corporations implement. The TORA determination process often stalls amidst the complexity of overlapping regulations, while corporations quickly exploit law enforcement agencies to evict tenant farmers from their land. This extreme contrast of interests demonstrates that top-down agrarian law reform is ultimately powerless when confronted with the interests of agro-industrial capitalism. Tilzey et al. (2023) critically observe this, arguing that the expansion of modern plantation capitalism always relies on state apparatuses to revoke the traditional rights of smallholders. As a result, criminalization mechanisms by corporations always move faster and prevail before the state has time to recognize farmers' legal rights to land.

The agrarian paradox in Pangalengan becomes even more apparent when analyzed through the lens of legal pluralism. Here, we can witness a clash of value authorities within the same social space. Positivistic state law stubbornly upholds the exclusive rights of state-owned enterprise assets, while ignoring the living law or folk law practiced daily by local farming communities. Farmers build land claims based on the logic of land's social function and the need for living space for family economic survival. However, these two legal systems often conflict, and the state almost always enforces formal legal unification without compromise, subordinating customary law or local customs. In this regard, Busatta & Casonato (2021) confirm this reality: axiological pluralism within the contemporary legal framework inevitably gives rise to profound value conflicts between the enforcement of formal state law and local conceptions of justice.

The neglect of living law in Pangalengan villages demonstrates that the state's formal-legalistic logic completely fails to understand the dynamics of local culture and legal culture, which view land as an integral part of human dignity. The state views land merely as an economic commodity (an administrative object that must be documented), while farmers view land ownership as a right to life inherent in their social identity. This cultural gap emphasizes the importance of assessing agrarian justice from the perspective of marginalized groups, not solely based on articles in formal laws. Stepień & Klakla (2021) study has reminded us that legal effectiveness depends on the alignment of normative texts with local culture, and de Souza (2022) has similarly emphasized that designing indicators for a pluralistic legal world requires recognizing marginalized groups to construct their own legality outside the state legal framework to ensure their livelihoods.

The application of criminal law articles related to land grabbing, particularly Article 385 of the Indonesian Criminal Code, has had devastating consequences for smallholder farmers in Pangalengan who lack substantial capital. Psychologically, the threat of criminal action creates collective trauma and deep fear among farming families. Their courage to voice their opinions is diminished. Financially, when they are detained or evicted from their coffee plantations, their primary livelihood is immediately cut off, plunging local communities deeper into poverty. In their view of farmers' rights, Alabrese et al. (2022) state that the criminalization of smallholder farmers constitutes a violation of the human rights to food and shelter, which should be protected by international instruments from state and corporate pressure.

Corporate repression, which has destroyed the economic and social fabric of farmers, has only permanently exacerbated agrarian inequality in the Pangalengan coffee plantation area. When activists and farmers' union leaders were arrested by authorities, the grassroots movement lost its direction and organizational power. This paved the way for PTPN VIII to

re-monopolize land ownership on a large scale. This kind of polarization is like the curse of agrarian history, repeating itself in developing countries. Land control by a handful of parties, with absolute protection under state law, never produces prosperity; instead, it becomes a curse of development that perpetuates rural poverty and undermines social justice across generations (Berry, 2024).

Furthermore, the stagnation of farmer organizations hampers the process of community empowerment, which should be accelerated through local institutions to achieve economic independence. Yet, local farmer organizations play a vital role in educating farmers about agrarian rights and sustainable coffee management, which supports environmental conservation (Amalianti, 2022). Massive criminalization not only hinders farmer participation in grassroots-based agrarian reform but also triggers the collapse of community-based agricultural systems. True agrarian justice can only be achieved if the benefits of natural resources are equitably distributed (Tsoumani, 2020; Zakaria, 2018). If agrarian communities' rights to living space continue to be ignored for the sake of corporate capital accumulation, the ecological modernization system will ultimately collapse, and the socio-ecological crisis will become even more costly in the future (Harris & Roach, 2025; Mol et al., 2020).

Conclusion

Based on an in-depth study of the dynamics of agrarian conflict in the Pangalengan coffee plantation area, Bandung Regency, it was revealed that the implementation of Agrarian Reform in Indonesia is in a glaring paradox. This dilemma stems from the significant gap between the ideals of agrarian populism enshrined in the constitution and the positivistic-repressive nature of law enforcement in the field. While local farmers attempt to defend the social function of land through legal instruments such as the 1960 UUPA and the Presidential Decree on Agrarian Reform, the state instead uses punitive formal legal apparatus to protect corporate administrative claims. As a result, the agrarian restructuring program through TORA has experienced systemic stagnation due to a sluggish land bureaucracy that is unable to keep pace with the pace of corporate-driven criminalization processes.

When this conflict is viewed through the lens of legal pluralism, the failure of the state law approach to understand and accommodate the living law and folk law that exist within traditional farming communities becomes increasingly apparent. The state views ex-HGU land merely as an economic commodity or administrative object, while local communities perceive it as a right to living space that is closely tied to their social identity. The imposition of a monolithic legal interpretation by the state has instead turned into symbolic violence, sidelining local justice and destroying the informal legal order that marginalized communities have built for survival. This clash of values confirms that formal law never operates in a vacuum, but rather constantly interacts with local legal cultures rooted in the long history of rural land management.

The application of the article on land grabbing (Article 385 of the Criminal Code) to maintain the criminalization regime has had serious impacts, triggering structural impoverishment, creating collective trauma, and crippling the solidarity movement of farmer organizations. When farmer union leaders were imprisoned, grassroots resistance was shattered, allowing the monopoly of land control by corporations to continue across generations. The state's disregard for community rights to living space for the sake of corporate capital accumulation not only stifles the process of community economic empowerment but also undermines the sustainable community-based coffee farming system. Therefore, agrarian reform in Indonesia requires a comprehensive transformation, not merely administrative rhetoric, but also concrete policies to distribute the benefits of natural resources fairly to prevent a more severe socio-ecological crisis in the future.

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