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Strengthening the Legal Literacy of Village Communities in Facing Land Disputes

Nurmi sari[1], Agustapa[1], A.wahyu rizaldy[1], Alya As Zahra[1], Andi Muh Novrian R[1], Agus[1], Ariska[1], Andi Alisha Ariani Patanjengi[1], Andi Parakkasi[1], Abdul Malik Usman[1], Jusmiati[1], Dedi rianto[1], Aswan, Rohan[1]

[1]Fakultas Sosial dan Politik, Universitas Andi Sudirman

*Corresponding Author: Nurmi sari

Email: nurmisari73@gmail.com

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Abstract

The problem of land disputes in Indonesia is very complex, involving overlapping regulations, weak law enforcement, land mafias, and conflicts between indigenous communities, the government and corporations. This dispute not only has an impact on legal aspects, but also social, economic and cultural aspects. The aim of the service is to increase knowledge so that village communities are able to understand, use and legally defend their rights when faced with land disputes. The Service Method is by conducting FGDs and outreach to the local government and community to collaborate in Service activities to increase knowledge about the Law in dealing with Land disputes, including the Basic Agrarian Law (UUPA) No. 5 of 1960, Government Regulation no. 24 of 1997. The results of the service showed that the community was able to know about legal literacy regarding land disputes. 85% of participants were able to know these regulations. Suggestions to the local government to continue to socialize these Legislative Regulations as the basis for agrarian law in Indonesia, regulating land rights, ownership, and regulating land registration procedures to provide legal certainty of ownership and use of land.

Introduction

The problem of land disputes does not only occur in Indonesia, but is a global phenomenon faced by many countries. Land is a vital resource that is directly related to human life as a place to live, a source of food, and a basis for economic development. Because of this, conflicts over ownership and control of land often arise, especially in countries with high population growth, rapid urbanization, and legal systems that do not provide complete certainty. Even though the legal system is more established in developed countries, land disputes still occur regarding inheritance, zoning and infrastructure development.

Land disputes in Indonesia are one of the most complex and protracted agrarian issues. Land is not only an economic asset, but also has social, cultural and political value. Because of this, conflicts over ownership and control of land often give rise to widespread tensions. The problem of land disputes in Indonesia is rooted in legal ambiguity, weak institutions and conflicts of interest. Unclear land status can result in a lot of land not being officially certified, making it vulnerable to multiple claims by the Land Mafia, such as the practice of falsifying documents, manipulating land boundaries, and illegal buying and selling. Conflict between society and the government, especially indigenous communities, farmers, plantation/mining companies, and the government has led to struggles over land in both cities and villages. a strategic effort to increase village residents' understanding of their rights, legal procedures, and agrarian conflict resolution

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mechanisms. Land disputes often arise due to unclear territorial boundaries, overlapping certificates, or differences in interpretations of customs and state law. Without adequate legal literacy, village communities tend to be in a weak position when dealing with parties who are stronger economically and politically.

Legal literacy is very important because law is the foundation of social and state life. Without adequate understanding, people are easily harmed, especially in cases of land disputes which often involve parties with greater economic or political power. Legal literacy encourages increasing active village community participation in deliberations, mediation and decision making regarding land. With an understanding of the law, people prefer peaceful and legal paths rather than violence or prolonged conflict.

Legal literacy is needed so that people are empowered, protected and able to fight for justice in dealing with land disputes and other legal issues.

Methods

Community service in the context of land dispute legal literacy aims to empower village residents to understand their rights, legal procedures and conflict resolution mechanisms. The methods used must be participatory, educative and applicable so that people not only receive information, but are also able to use it in real practice. The Stages of Service: (1)Develop a meeting mechanism or Focus Group Discussion (FGD) for village deliberations as an initial step in resolving disputes. (2) Form village legal cadres who are trained to assist residents so they can provide basic consultations. Function as a bridge between the community and formal legal institutions. (3)Conducting counseling and preparing legal literacy modules regarding land law.

Results and Discussion

a. Holding a meeting or Focus Group Discussion (FGD) village deliberation as a first step to convey the purpose of the meeting, especially regarding the legal matters of resolving land disputes to the village community, by first coordinating with the local government. From the results of the meeting, a joint agreement was obtained and also the implementation of a program of socialization and legal education activities involving traditional leaders, religious leaders and village officials.



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Establish village legal cadres who are trained to provide basic consultations. Paralegals function as a bridge between society and formal legal institutions.





Conducting counseling and preparing legal literacy modules regarding land law. Presented in local language so that people can easily understand legal knowledge.



Village programs that are legally recognized have a strong legal basis, especially supported by Law Number 6 of 2014 concerning Villages, which grants autonomy to

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villages to organize and manage their own affairs based on community initiative, original rights and customs. So that program results can be used as a reference for policy and dispute resolution, the program generally goes through a legalization process such as through a Village Regulation (Perdes). The program must be stipulated in the form of a Village Regulation so that it is legally binding. Village Deliberation (Musdes) activities are the main policy reference in village development and can be used as material for program planning listed in the Village RPJM (Village Medium Term Development Plan) and Village RKP (Village Government Work Plan).

Government Regulation (PP) Number 24 of 1997 is the main legal basis regarding Land Registration in Indonesia which aims to provide legal certainty and legal protection to land rights holders. This regulation replaces PP no. 10 of 1961 and regulates the land registration publication system, registration objects, procedures, and maintenance of land data. Land is something that has a very important value in people's lives. This is because land has economic value, as well as cosmic magic. Indonesia is an archipelagic country that has a very dense population and the majority of the population makes their living as farmers. The level of dependence on land availability for the survival of farmers is very high. The supply of land for residence and agricultural land is very limited. On the other hand, the rate of population growth cannot be stopped, which causes an increase in the need for land. Land plays such an important role in the lives of the Indonesian people that it is regulated in the Indonesian Constitution. In Law Number 1 of 1960 concerning Agrarian Principles, Land is defined as the surface of the earth for human life, land has a very important role because in reality there will be an eternal relationship between humans and land which is the basic capital of life.

Land disputes are disputes that arise due to conflicts of interest over land. Land disputes cannot be avoided nowadays. This requires improvements in the field of planning and use of land for the welfare of society and most importantly legal certainty therein. The government has made various efforts to resolve land disputes quickly in order to avoid the accumulation of land disputes, which can be detrimental to the community because the land cannot be used because the land is in dispute.

Land disputes in villages are a problem that often arises because land is the main source of life for rural communities, both for residence and agricultural land. Conflicts usually occur due to differences in perception, lack of legal certainty, or clashes between customary rules and state law. If a land dispute occurs in an area, local officials can resolve it immediately and the results of the dispute resolution will be more acceptable to the parties to the dispute. This condition then gave birth to land law reform and at the same time brought about the development of society. Land law reform that precedes the development of land politics must of course start with the development of land law as part of the national legal order. However, this development must continue to be based on the basic principles of UUPA as the main provisions of national law. Land dispute resolution can be done in various ways, including through court, complaints to the land office and peacefully through mediation. Increasing sustainable national development requires support for legal certainty in the land sector. Land disputes generally fall into the realm of civil law (ownership/rights disputes) or state administrative law (related to certificates), which are based on the Basic Agrarian Law (UUPA). Land disputes can also enter the realm of criminal law if there are elements of forgery or land grabbing. The need for land registration, the implementation of which is assigned by Law Number 5 of 1960 concerning Basic Regulations on Agrarian Principles to the Government, is a means of providing the intended guarantee of legal certainty. Legal literacy is key to preventing

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land conflicts, especially in villages, because many disputes arise due to people's ignorance about legal rights and procedures. With adequate knowledge, people can manage land in an orderly manner and avoid disputes. Legal Literacy Increases Awareness of Rights. Citizens understand ownership rights, land boundaries and certification procedures so that they are not easily harmed. Preventing manipulation Legal knowledge makes people more wary of land mafias or parties who try to falsify documents. Inheritance disputes or land boundaries between residents can be minimized with clear and mutually understood rules, thereby helping people choose a peaceful path through mediation before taking cases to court. Supporting Legal Certainty By understanding the law, people are encouraged to register land officially so that double claims can be avoided. Villages have their own capacity to resolve problems without always relying on outside parties without always having to rely on courts. This is because the village has a strong social structure, traditional leaders and deliberation mechanisms.

Conclusion

Community service programs that focus on legal literacy have a real impact on village residents in dealing with and preventing land disputes. The benefits are felt not only by individuals, but also by the community as a whole. With Literacy, holding regular outreach about land law, ownership rights and dispute resolution procedures through village forums, farmer groups or posyandu will increase understanding of village communities, both through land registration procedures, mediation and litigation, and also strengthening village teams or institutions that specifically handle land issues, so that there is an internal mechanism before disputes are brought to the realm of formal law.

Advice

There is a need to strengthen legal literacy among the community, to reduce and resolve land disputes at the community level, regarding ownership rights, certification procedures and dispute resolution routes. A comprehensive approach is needed, involving formal law, custom, and citizen participation to encourage people to officially register land with BPN. Land certificates are proof of legal ownership which reduces multiple claims so that land disputes can be avoided

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