

The Legal Force of Riau Governor's Decree No. Kpts.482.a/XI/1987 on State Land Possession Under Government Regulation No. 20 of 2021: A Study of Decision No. 55/Pdt.G/2023/PN Rhl

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Abstract: This study aims to analyze the legal force and validity of the Decree (SK) of the Governor of Riau as the basis for state land possession covering an area of 24 hectares in Bagan Manunggal Village by the Branch Leadership of PEPABRI, Bagan Sinembah Sub-district, within the perspective of Law Number 5 of 1960 concerning the Basic Agrarian Regulations (UUPA). This issue is particularly relevant given that the Governor's Decree is frequently employed as an administrative basis for land possession, yet in practice it frequently generates disputes, as reflected in the Decision of the Rokan Hilir District Court Number 55/Pdt.G/2023/PN Rhl. Unlike prior studies that examine the legal force of gubernatorial decrees at a general, doctrinal level, this study offers novelty by testing a specific, decades-old Governor's Decree directly against a single adjudicated case under the post-2021 land acquisition regime, thereby identifying the precise doctrinal points at which such old administrative instruments fail to satisfy current agrarian law. This study employs a normative legal research method with a statutory approach and a case approach, supported by document study and field observation used to corroborate the secondary legal data. The findings indicate that a Governor's Decree cannot serve as an absolute legal basis for state land possession when it is inconsistent with the provisions of the UUPA. Based on an analysis of the court decision, the Governor's Decree in this case fails to satisfy the principles of State Control Rights (Article 2), the Social Function of Land (Article 6), and Legal Certainty for rights holders (Articles 4 and 14). Furthermore, the Decree was not grounded in a thorough verification of the land's status or the rights already attached to the disputed object. The panel of judges held that the Governor's Decree exceeded its jurisdictional authority (*ultra vires*) and therefore has no binding force in proving land possession. This study affirms that every administrative legal instrument, including a Governor's Decree, must remain subordinate to the normative hierarchy and the principles established under the UUPA. In practical terms, this study provides recommendations to regional governments to exercise greater diligence in issuing decisions pertaining to state land and to strengthen preventive legal protection mechanisms in order to avert disputes. Accordingly, this study is expected to contribute to the realization of a more orderly and equitable land governance system.

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1. Introduction

Agrarian law in Indonesia rests upon a strong constitutional foundation, as mandated by Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which stipulates that the land, waters, and natural resources contained therein are controlled by the State and utilized for the greatest possible welfare of the people. The problems most commonly experienced by the public in relation to land can be grouped into three categories: the certainty of land rights, the monopolization of land ownership, and the sacrifice of economically weak groups for the sake of land control (Panjaitan, 2020). The primary legislative instrument governing this mandate is Law Number 5 of 1960 con-

cerning the Basic Agrarian Regulations (UUPA), which emerged from the spirit of nationalizing colonial land tenure and constructing a national agrarian system. Within this framework, state land is understood, in accordance with Article 1 of the UUPA read together with the State Control Right under Article 2 UUPA, as land over which no party yet holds a lawfully recognized right, and which therefore remains directly under the State's authority to regulate, allocate, and utilize for the public interest. For the purposes of this study, state land possession refers to the physical occupation or administrative recognition of such land by a party, irrespective of whether that possession has been formalized through the land-rights-granting procedure established by law; this definitional distinction is essential because the central legal question addressed in this study is precisely whether administrative recognition alone, absent formal registration, is sufficient to constitute lawful possession. This State Control Right is exercised with the objective of ensuring the social function of land (Article 6 UUPA). In addition to causing social impacts, cases in the field of land affairs can also give rise to violations of human rights (Panjaitan, 2020). This principle underscores that state land possession is dynamic in nature—it may be granted through ownership rights, exploitation rights, or use rights—yet must consistently adhere to the principles of justice, legal certainty, and the customary rights of indigenous communities (Articles 2 and 3 UUPA).

In practice, state land possession has frequently been carried out through administrative instruments such as the Governor's Decree, which during the New Order era served as a common mechanism for recognizing or granting rights over state land. One such instrument is Governor of Riau Decree Number Kpts.a/XI/1987, issued on 27 November 1987 by the then-Governor of Riau. This Decree conferred recognition of rights over a parcel of state land in the Rokan Hilir regency of Riau to a specific party for a specified area, based on an initial submission and preliminary verification by the relevant Land Office. However, the validity of this Decree has since been called into question, as it was issued during a transitional period in agrarian regulation when land rights-granting procedures remained heavily dependent on Ministerial Decrees on Agrarian Affairs (Hutagalung, A.S., 2015), which were frequently inconsistent across provinces.

Post-UUPA regulatory developments have further complicated this matter. Government Regulation Number 20 of 2021 concerning the Implementation of Land Acquisition for Public Interest Development (PP No. 20/2021), which derives from Law Number 2 of 2012 concerning Land Acquisition for Public Interest Development, establishes a modern, transparent, and participatory mechanism for state land acquisition (BPK RI, 2014). This Regulation emphasizes the principles of fair compensation, mediation, and inventory of state land (Articles 4–10), and restricts regional authority to grant land rights without coordination with the National Land Agency (BPN). Such provisions stand in direct conflict with earlier practices such as the 1987 Governor's Decree, which fails to satisfy contemporary procedural standards including electronic certificate registration and GIS-based verification.

The legal issue crystallized in Decision Number 55/Pdt.G/2023/PN Rhl of the Rokan Hilir District Court (RI, 2023), which adjudicated a dispute between the land occupant relying on the 1987 Governor's Decree and the state/BPN. The plaintiff claimed rights over approximately 10 hectares of land as state land lawfully possessed since 1987, while the defendant argued that the Decree was null and void by operation of law due to its non-registration in the land registry and its inconsistency with UUPA Article 19 in conjunction with PP No. 24/1997 (now superseded by PP No. 20/2021). The court ruled that the Governor's Decree does not carry absolute legal force with respect to state land possession, as it satisfies neither the formal requirement of registration nor the substantive requirement of social function (Abdullah Mansur, 2025). This decision exposed a number of structural deficiencies: (1) legal uncertainty concerning old administrative instruments; (2) regulatory hierarchy conflicts between regional decrees and national legislation; (3) misappropriation of state land for private interests without oversight; (4) insufficient harmonization between national and regional agrarian regulations; and (5) social consequences such as conflicts between indigenous communities and investors in Riau, a region rich in palm oil and mining resources.

This phenomenon is not an isolated case. According to the 2022 Annual Report of the National Land Agency (BPN), more than 5,000 state land disputes have been recorded across Sumatra, with 30 percent involving pre-2000 gubernatorial decrees. In Riau, agrarian conflicts reach approximately 1,200 cases per year (Ministry of Agrarian Affairs/BPN 2023 data), frequently culminating in violence and economic losses amounting to billions of rupiah. The relevance of this research lies in the urgency of national agrarian reform as articulated in Presidential Regulation Number 86 of 2018 concerning Agrarian Reform, which targets the redistribution of 9 million hectares of state land by 2024. Without rigorous academic inquiry of this nature, the implementation of the UUPA and PP No. 20/2021 will be impeded, thereby exacerbating inequality in land access (B.Harsono, 2008).

This research is significant for the following reasons: (1) it provides clarification of the legal force of a Governor's Decree as a precedent for analogous judicial decisions; (2) it supports the formulation of policies for synchronizing agrarian regulations; (3) it contributes to the prevention of corruption and land mafias through the reinforcement of administrative verification; (4) it advances the Sustainable Development Goals (SDG) 1 (No Poverty) and SDG 2 (Zero Hunger) through equitable land access; and (5) it enriches the jurisprudence of Indonesian agrarian law amidst the demands of regional autonomy. Accordingly, this study is not merely academic in nature, but is also of strategic significance for sustainable agrarian law enforcement. This study formulates two research questions: first, whether a Governor's Decree may serve as a legal basis for land possession by PEPABRI under the Basic Agrarian Law and Government Regulation Number 20 of 2021; and second, what the legal consequences of state land possession by PEPABRI based on a Governor's Decree are.

Previous studies on the legal force of gubernatorial decrees, including Prasetyo (2017) and Sunggono (2020), have generally established the doctrinal proposition that an administrative decision of this kind cannot by itself alter the status of land rights absent formal registration. What remains unaddressed in that body of literature is how

this doctrine performs when tested against a concrete, contemporary dispute governed by the post-2021 land acquisition regime, and what specific, article-by-article points of conflict arise between an old regional instrument and the current statutory hierarchy. This study addresses that gap by using Rokan Hilir District Court Decision Number 55/Pdt.G/2023/PN Rhl as a single, in-depth case study through which the legal force of the 1987 Governor of Riau Decree is examined against both the UUPA and Government Regulation Number 20 of 2021. Its novelty lies not in restating the general doctrine, but in identifying, on a provision-by-provision basis, precisely which requirements of the UUPA and PP No. 20/2021 the Decree fails to satisfy, and in drawing out the broader implications of that failure for the legal status of similar decades-old administrative instruments still relied upon across Indonesia.

2. Materials and Methods

This study employs a normative legal research methodology, complemented by limited field observation used solely to verify the factual condition of the disputed land and thereby support, rather than replace, the analysis of secondary legal data. As emphasized in the legal-research literature, normative legal research is conducted by examining library materials or secondary data pertaining to statutory regulations, legal theory, legal principles, and judicial decisions relevant to the subject matter of the research (J.Ibrahim, 2007). This is consistent with the broader legal-research literature, which characterizes legal research as a systematic process of identifying legal issues and analyzing statutory texts, doctrine, and case law in order to formulate a reasoned legal argument (A.Kadir, 2020).

This research is descriptive-analytical in character, aiming to provide a clear, systematic, and comprehensive account of the legal force of the Governor's Decree with respect to state land possession by PEPABRI under the Basic Agrarian Law and Government Regulation Number 20 of 2021, as well as the legal consequences arising from such possession. The legal materials collected are analyzed using grammatical interpretation, to establish the plain textual meaning of the relevant UUPA and PP No. 20/2021 provisions, and systematic interpretation, to situate the Governor's Decree within the broader hierarchy and structure of Indonesian agrarian legislation; these interpretive methods are applied consistently throughout the statutory and case analysis presented in the following sections.

The Statute Approach is employed to analyze the relevant provisions of the UUPA and Government Regulation No. 20 of 2021, along with other statutory instruments related to land possession and the issuance of the Governor's Decree. The Case Approach is utilized to examine and analyze Court Decision No. 55/Pdt.G/2023/PN Rhl pertaining to the land possession dispute, in order to assess how the law is applied in practice and the extent to which the decision conforms to the principles embodied in the UUPA and Government Regulation No. 20 of 2021. The data sources employed in this study consist of (Marzuki, 2017): (a) Primary Data: Decision of the Rokan Hilir District Court No. 55/Pdt.G/2023/PN Rhl, which constitutes the primary object of analysis

in this research. (b) Secondary Data: Relevant legal documents, including the Basic Agrarian Law (UUPA) No. 5 of 1960 (BPK RI, 2023), Government Regulation No. 20 of 2021, other statutory instruments related to land possession, as well as legal literature and references pertaining to the legal force of a Governor's Decree and the principles of the UUPA. (c) Observation: The observation conducted in this study constitutes a direct and systematic observation of the state land that is the subject of the dispute in Decision No. 55/PDT.G/2023/PN RHL. This technique is employed only to corroborate the factual conditions of land possession by PEPABRI already described in the court decision and secondary documents; it does not constitute an independent empirical data set, and all legal conclusions in this study are derived from the statutory and case analysis rather than from the observation itself. (d) Document Study: A data collection technique carried out by analyzing written documents relevant to the research. In the context of this study, the document study method is employed to collect secondary data that supports the normative legal analysis.

a. Data Analysis

The data obtained will be analyzed qualitatively using a normative analytical method. The analysis will focus on the interpretation of applicable legal provisions within the UUPA and the application of those legal principles to the practice of land possession in Bagan Manunggal Village. Furthermore, this study will also examine the validity and legal force of the Governor's Decree issued in relation to the said land possession.

b. Expected Outcomes

This study is expected to provide an account of the legal force of the Governor's Decree in the context of land possession, as well as how its application aligns with the principles established in the UUPA and Government Regulation No. 20 of 2021. In addition, this study is also expected to yield an understanding of the role of the judiciary in rendering decisions concerning land disputes involving administrative policies of regional governments.

c. Prior Studies

Based on the literature review conducted by the authors, several related scholarly works were identified, as follows: (a) According to research by Agung Prasetyo (2017), the study entitled *The Legal Force of the Governor's Decree in Land Possession: An Agrarian Law Perspective* examines the legal force of the Governor's Decree in land possession, particularly in the context of land disputes involving regional governments. The study analyzes whether a Governor's Decree may serve as a valid legal basis for land possession outside the land procedures regulated under the Basic Agrarian Law (UUPA). The findings demonstrate that a Governor's Decree, as an administrative decision, does not automatically alter the status of land rights, unless carried out through legally recognized procedures such as land registration and the formal confirmation of land rights through the National Land Agency (BPN) (Sahnan, 2019). The

study further reveals the importance of the principle of the social function of land, which serves as the foundational basis for regulating land use in accordance with the UUPA. (d) Bambang Sunggono (2020), in a study entitled *The Legal Force of the Governor's Decree within the Indonesian Statutory System*, examines gubernatorial decrees from the standpoint of the statutory hierarchy (*hierarki peraturan perundang-undangan*), concluding that a decree issued by a regional head is subordinate to national legislation and must yield whenever it conflicts with a higher-ranking statute. This hierarchical framing complements the registration-based analysis of Prasetyo (2017): whereas Prasetyo focuses on the formal act of registration as the trigger for legal force, Sunggono focuses on the decree's position within the legal hierarchy itself. The present study draws on both perspectives, treating registration and hierarchical conformity as two related but analytically distinct requirements that the 1987 Governor of Riau Decree is tested against in the discussion that follows.

3. Results and Discussion

3.1 Result

Based on the findings of the research conducted with respect to the Decision of the Rokan Hilir District Court Number 55/Pdt.G/2023/PN Rhl (RI, 2023) concerning state land possession by PEPABRI, Bagan Sinembah Sub-district, it was established that the subject matter of the case constitutes state land whose possession was premised on Governor of Riau Decree Number Kpts.482.a/XI/1987. This Decree was relied upon by PEPABRI as the legal foundation for occupying the land situated in Bagan Manunggal Village, Rokan Hilir Regency. It was further established in this case that the possession of land by PEPABRI had persisted over a considerable period of time. However, such possession was not accompanied by any certificate of land rights or official registration with the National Land Agency (Bambang Sunggono, 2020). PEPABRI based its land possession solely upon the Governor's Decree issued by the Government of Riau Province in 1987. A central point of contention arose from differing views regarding the legal force of a Governor's Decree in relation to state land possession. PEPABRI maintained that the Governor's Decree constituted a sufficient legal basis for possessing state land, whereas the opposing party argued that land possession must remain subject to the provisions of national agrarian law, in particular the Basic Agrarian Law and its implementing regulations (Agung Prasetyo, 2017). In its deliberation, the panel of judges considered that a Governor's Decree represents merely a regional governmental administrative product and does not constitute conclusive evidence of land rights. The court held that state land possession must be carried out in accordance with land law procedures, including land registration and the issuance of a certificate of land rights by the National Land Agency (Hutagalung, 2020).

The research findings also reveal that in this case there was no formal transfer of land rights to PEPABRI in accordance with the provisions of the Basic Agrarian Law (Iskandar Zulkarnain, 2024). The land in question was possessed solely on the basis of a re-

gional governmental administrative decision, without any legalization of rights through the national land registration mechanism.

Furthermore, this study finds that the issuance of the Governor's Decree in question occurred during a period when land administration had not yet been conducted in an orderly manner as it is today (P.M Hadjon, 2005). During that era, state land possession was frequently carried out on the basis of regional administrative policies without any clear land registration process (Daffa Arya Prayoga , 2023). Such conditions subsequently gave rise to various land disputes, owing to the absence of legal certainty regarding land status.

Beyond restating the operative holding of Decision No. 55/Pdt.G/2023/PN Rhl, this study advances two findings that are the author's own synthesis rather than extractions from the judgment itself. First, when the 1987 Decree is read provision-by-provision against the UUPA, it is found to fail three distinct and independent legal tests simultaneously—the State Control Right test under Article 2, the social-function test under Article 6, and the legal-certainty test under Articles 4 and 14—rather than a single generic defect; this tripartite failure, not previously articulated in the literature reviewed for this study, offers a more precise diagnostic framework than the court's general finding of *ultra vires*. Second, comparing the facts of this case with the doctrinal position established by Prasetyo (2017) and Sahnun (2019), this study finds that the present case confirms and extends their conclusion that an administrative decision does not by itself alter land-rights status: it confirms the proposition in a new factual setting governed by a different, more recent regulatory regime (PP No. 20/2021), and it extends the proposition by showing that even prolonged physical possession following such a decision does not cure the underlying absence of registration. These two points constitute the original contribution of this study beyond the court's own reasoning.

3.2 Discussion

Based on the research findings pertaining to the court decision and applicable statutory provisions, it was established that state land possession by PEPABRI on the basis of a Governor's Decree does not carry full legal force in the absence of formal legality in the form of a certificate of land rights (S.Soekanto, 2014). This is because the Indonesian land law system positions a certificate of land rights as the strongest evidentiary instrument for providing legal certainty with respect to land possession. Several additional matters warrant discussion, as follows:

- a. The Governor's Decree as a Legal Basis for Land Possession by PEPABRI Under the Basic Agrarian Law and Government Regulation Number 20 of 2021

Law Number 5 of 1960 concerning the Basic Agrarian Regulations constitutes the primary foundation of land law in Indonesia. Article 2 of the UUPA stipulates that the State holds the right of control over the earth, water, and airspace, which shall be utilized for the greatest possible welfare of the people . On the basis of this State control right, the

government is vested with the authority to regulate the use, management, and legal relationships pertaining to land (Urip Santoso, 2024).

In this case, PEPABRI based its state land possession on Governor of Riau Decree Number Kpts.482.a/XI/1987. However, under the provisions of national agrarian law, a Governor's Decree does not constitute conclusive evidence of land rights. A Governor's Decree represents merely a regional governmental administrative decision, the nature of which is to provide an administrative basis for a governmental act (Hutagalung, 2020).

Pursuant to Article 19 of the UUPA, in order to guarantee legal certainty, the government shall organize land registration throughout the territory of Indonesia. Through such land registration, a certificate of land rights is issued as a legally valid and strong evidentiary instrument under the law. Accordingly, land possession based solely upon a Governor's Decree, without any certificate of land rights, cannot be regarded as carrying full legal force.

In Decision Number 55/Pdt.G/2023/PN Rhl of the Rokan Hilir District Court (RI, 2023), the panel of judges considered that a Governor's Decree cannot serve as an absolute basis for state land possession. The court held that land possession must conform to national land law procedures, including the legalization of rights through the National Land Agency.

Furthermore, Government Regulation Number 20 of 2021 affirms that the management and use of state land must be carried out with administrative regularity and in coordination with the national land authority (Siti Nurhasanah, 2020). The use of state land must take into account the aspects of legal certainty, land status verification, and the protection of community rights. More specifically, the 1987 Decree conflicts with at least three concrete requirements of the current regime: (i) Articles 4–10 of PP No. 20/2021, which condition the recognition of land possession on documented inventory and verification procedures that did not exist, and were not performed, at the time the Decree was issued; (ii) Article 19 of the UUPA in conjunction with the registration requirements later carried into PP No. 20/2021, with which the Decree was never reconciled through subsequent registration; and (iii) the restriction on regional authority to grant land rights without coordination with the National Land Agency (BPN), a coordination step the 1987 Decree likewise did not undergo. It is this cumulative, provision-specific mismatch—rather than a single procedural defect—that supports the panel of judges' characterization of the Decree as *ultra vires*: the Governor acted beyond the substantive and procedural limits that both the UUPA and PP No. 20/2021 place on regional authority over state land (Urip Santoso, 2024).

In this regard, land possession by PEPABRI did not meet such requirements, as no evidence of land registration or the issuance of a certificate of land rights was found (Hendro Wahyudi, 2019). This demonstrates that land possession based solely on a Governor's Decree has not satisfied the principle of legal certainty as required under the UUPA and PP No. 20 of 2021.

Physical possession of land over an extended period of time also does not automatically give rise to land rights in the absence of formal legality in accordance with land

law provisions. The Indonesian agrarian law system consistently prioritizes land registration as the basis of legal protection for land rights.

Therefore, under the Basic Agrarian Law and Government Regulation Number 20 of 2021, a Governor's Decree cannot serve as a legally strong and absolute basis for land possession by PEPABRI in the absence of a rights-granting process and land registration in conformity with national land law provisions.

b. Legal Consequences of State Land Possession by PEPABRI Based on the Governor's Decree

State land possession by PEPABRI on the basis of a Governor's Decree gives rise to various legal consequences within the land tenure system. The primary legal consequence is the absence of legal certainty with respect to the status of the possessed land (S.Soekanto, 2014).

Under Indonesian agrarian law, legal certainty regarding land rights can only be obtained through land registration and the issuance of a certificate of land rights. Since the land possessed by PEPABRI was not officially registered with the National Land Agency, such possession does not enjoy strong legal protection.

The subsequent legal consequence is the emergence of competing claims. The absence of formal legality over the possessed land has given rise to differing claims and legal conflicts between the parties concerned. The resulting dispute was subsequently resolved through judicial proceedings, as evidenced by Decision Number 55/Pdt.G/2023/PN Rhl of the Rokan Hilir District Court.

The panel of judges in this case ruled that a Governor's Decree does not constitute conclusive evidence of land rights. Consequently, land possession by PEPABRI was deemed to have failed to satisfy the requirements of national agrarian law. This effectively weakens PEPABRI's legal standing in sustaining its claim over the land.

In addition, state land possession based on a Governor's Decree also potentially gives rise to administrative invalidity should its issuance be deemed to have violated higher-ranking statutory regulations. Under the principles of administrative law, a governmental official's decision may be declared inoperative if it fails to comply with applicable legal procedures (Wilma Silalahi , 2025).

A further legal consequence is the impediment of optimal land utilization. Land subject to a disputed status typically cannot be utilized to its maximum potential for development activities or community economic activities. Land disputes also frequently generate social tension within communities.

Government Regulation No. 20 of 2021 stipulates that state land management must be carried out transparently and with administrative regularity in order to create legal certainty and prevent land-related irregularities. Accordingly, every act of state land possession must proceed through a clear legal mechanism and be officially registered with the national land authority.

Based on the foregoing analysis, it may be understood that state land possession by PEPABRI based on a Governor's Decree gives rise to legal consequences including: the

absence of legal certainty, the weakness of legal protection over the possessed land, the emergence of agrarian disputes, and the potential non-recognition of such land possession under the provisions of national agrarian law.

4. Conclusions

This study set out to answer two research questions. In response to the first—whether a Governor's Decree may serve as a legal basis for land possession by PEPABRI under the Basic Agrarian Law and Government Regulation Number 20 of 2021—the findings and analysis presented above establish that it may not: a Governor's Decree cannot serve as a legally strong and absolute basis for land possession by PEPABRI in the absence of a rights-granting process and land registration in accordance with the provisions of the Basic Agrarian Law and Government Regulation Number 20 of 2021. A Governor's Decree fundamentally constitutes merely a regional governmental administrative decision and does not represent conclusive evidence of land rights. Within the Indonesian land law system, legal certainty regarding land possession can only be obtained through land registration and the issuance of a certificate of land rights by the National Land Agency (S.Soekanto, 2014) (P.M Hadjon, 2005). Consequently, state land possession based solely upon a Governor's Decree, without formal legality, does not carry full legal force under national agrarian law.

In response to the second research question—concerning the legal consequences of state land possession by PEPABRI based on a Governor's Decree—this study finds that such possession gives rise to several concrete consequences, namely: the absence of legal certainty regarding the status of the possessed land, the weakness of legal protection for the party possessing the land, and the emergence of land disputes. Furthermore, land possession without a certificate of land rights risks non-recognition under national land law provisions and may give rise to administrative invalidity if it contravenes applicable statutory regulations. Land disputes arising from the ambiguity of land's legal status also impede land utilization and may generate social instability within the community. Theoretically, this study contributes a provision-specific diagnostic framework—distinguishing the State Control Right, social-function, and legal-certainty tests as independent grounds of legal deficiency—that extends the general doctrine articulated by Prasetyo (2017) and Sahnian (2019) beyond the abstract proposition that administrative decisions cannot alter land-rights status, and demonstrates its operation in a concrete post-2021 regulatory setting. Practically, this study recommends that regional governments exercise greater diligence in issuing decisions pertaining to state land, and that preventive legal protection mechanisms—including mandatory coordination with the National Land Agency prior to the issuance of any decree affecting state land—be strengthened in order to avert disputes of the kind examined in this study.

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