



Constitutionality Of The Existence Of Land Banks In The Management And Control Of Land By The State

Mega Mutiara Putri

Magister Kenotariatan Universitas Padjajaran

Abstract: This paper looks at the legal concerns surrounding the effects of land bank rules on governmental control and management of land. Using normative legal research techniques, it was discovered that Government Regulation Number 64 of 2021 concerning the Land Bank Agency regulates the establishment of a land bank, which is governed by Article 125-135 of Law Number 6 of 2023 concerning the Stipulation of the Job Creation Regulation. The regulation relating to the Land Bank in PP Number 64 of 2021 concerning the Land Bank Agency has legal ramifications because it conflicts with the 1945 Indonesian Constitution, specifically Article 6 letter a and Article 7 of PP Number 64 of 2021 concerning the Land Bank Agency regarding land. This is because the government determined that land control by the state is covered by Article 33 paragraph (3) of the 1945 Constitution. Because they went against the Constitution's guarantee of the State's authority, the two Articles are incompatible.

Keywords: Land Bank, Agrarian Law, Indonesia

1. Introduction

The state must safeguard the national and state life of Indonesia, an agrarian nation. The 1945 Constitution's Article 33, paragraph (3), states that "the state controls the land, water, and natural resources included within the greatest prosperity of the people." For the sake of the people's prosperity, land, water, and other natural resources must be managed and used as extensively as feasible. The land must be utilized as much as possible for the prosperity and well-being of the population as it is a method of production for society.

In this context, avoiding state control means recognizing the existence of customary rights in addition to eradicating "State Eigendom." Essentially, the state's function as the highest authority organization for the maximum prosperity of the population has involved regulating land usage, rights that might be acquired on property, and legal connections pertaining to land (Harsono, 2008, p. 181). Then, the state's control over land is understood to mean that it has the power to manage how the land is used in order to maximize its positive effects on the general well-being of the community (Arba, 2015, p. 10).

In Indonesia, the Basic Agrarian Law (UUPA) governs land law regulations. However, Indonesian land law was dualistic prior to the UUPA's implementation, which meant that in addition to recognizing the legitimacy of customary land law derived from customary law, there were also rules relating to land based on western law (Sutedi, 2006, p. 20). With the issuance of UUPA which was ratified on September 24, 1960, the period of dualism of land law in force in Indonesia was no longer valid, this then became the unification of land law. Not only did it unify agrarian law, but UUPA also unified land rights (Perangin, 1989).

Land Bank as a supporting instrument for fair land acquisition and reducing inequality in land ownership (Trisna & Sandela, 2021), as well as to reduce confrontations and disagreements in Indonesia about land liberalization and acquisition. In its operations, Land Bank complies with UUPA regulations (Zahra, 2017). The concept of a Land Bank is regulated in Article 125-Article 135 of Law Number 6 of 2023 concerning the Stipulation of the Job Creation Regulation and Government Regulation Number 64 of

Correspondence:

Name: Mega Mutiara Putri

Email: mutiaraputrimega01@gmail.com

Received: Feb 22, 2025;

Revised: Mar 03 2025;

Accepted: Mar 11, 2025;

Published: Apr 30, 2025;



Copyright: ©2025 by the authors.

Submitted for possible open access

publication under the terms and

conditions of the Creative Commons

Attribution-NonCommercial 4.0

International License (CC BY-NC 4.0)

license (

<https://creativecommons.org/licenses/by-nc/4.0/>).

2021 concerning the Land Bank Agency (Winati et al., 2022).

Land banks as their function as land managers to implement, plan, acquire, procure, manage, utilize and distribute land. In line with the policy of Article 126 of Law Number 11 of 2020 concerning Job Creation which states that land banks guarantee the availability of land in the context of a just economy for the public interest, social interests, national development interests, economic equality, land consolidation and agrarian reform, it is hoped that one of the government's efforts to create equitable land ownership and a sustainable economy can be realized. The agrarian reform program is intended as a means of fulfilling rights based on social justice for the community. The land bank policy aims to support the goals of a socially just economy, by prioritizing proportionality by siding with groups that have weak bargaining positions economically, socially, or politically.

A government decision and land from third parties are the sources of land acquisition. State land originating from former land rights, abandoned land, land released from forest areas, emerging land, reclaimed land, former mining, small island land, land impacted by spatial planning change policies, and land without control are all included in the land that results from the government's determination. The Land Bank uses the outcomes of the land decision as a source of land and as management rights. The Land Bank contributes to the supply of land. For general facilities such as roads, housing, infrastructure, and government offices (Guntoro, 2022).

By designating it state property, the government is infringing on the state's power to control, which is a violation of Article 33, paragraph (3) of the 1945 Constitution. By claiming that land is state property, the Land Bank has abused the state's authority and embraced the idea of domain verklaring, or land stateization. Law Number 5 of 1960 respecting Basic Agrarian Principles removed the idea of domain verklaring, which was used originally by the Dutch East Indies colonial authority to regulate communal land. According to this theory, property whose ownership cannot be established is immediately deemed to be state property as it lacks control rights. According to the property Bank, the purchase of underdeveloped or unproductive property must be handled with development in mind (Tampi, 2021). To claim legal certainty, all land areas in Indonesia must be converted and registered. The implementation of the conversion of western rights lands is given up to 20 years since the UUPA was issued. This means that the UUPA requires western rights, so that the new rights are in accordance with those regulated in the UUPA no later than September 24, 1980. The community must register western rights they have received so that new rights to the land can be issued immediately. The land will become state land after this time, as specified in Presidential Decree Article 1 of Law No. 32 of 1979 concerning the Main Principles of Policy in the Framework of Granting New Rights to Land Originating from the Conversion of Western Rights.

Once the area is designated as state land, the state has the following powers under Article 2 paragraph (2) of the UUPA, which is based on Article 2 paragraph (1) : control and plan the distribution, utilization, provision, and upkeep of the land, water, and space; identify and control the legal connections between individuals and the land, water, and space; identify and control the legal connections between individuals and the legal actions pertaining to the land, water, and space.

The problem of national land is currently still hampered by the occurrence of inequality of ownership and land becomes speculators so that land becomes uncontrolled and needs in the development sector. Land acquisition for public interest aims to prepare land for development in developing the prosperity of the nation, state and people and still uphold the legal needs of the land owners who have power over their land.

Land Bank in managing land through several stages including land acquisition, asset management, and land distribution according to needs. Land Bank can obtain land through purchase, grant, or provision of land from unused land. After obtaining land, Land Bank will manage it to prepare the land to be ready for use. The urgency of the Land Bank, the government can more easily provide land for the development of public

infrastructure such as roads, housing for low-income people, and other public facilities. The existence of a land bank can also reduce and prevent land speculators and land banks can also reduce the structure of inequality because they have the authority to regulate the allocation, control, and use of land.

For that reason, it is crucial to do research under the heading Constitutionality of the Existence of Land Banks in the State's Management and Control of Land. The following is the objective research that was achieved based on the formulation problem that the writer set: to research and determine how urgent it is for Indonesia to adopt land bank legislation. should be aware of and understand the legal ramifications of land bank rules relating to governmental administration and control of land.

2. Materials and Methods

This Study uses a normative legal method that reviews something based on the perspective of applicable laws and regulations (statutes, government regulations and presidential regulations) , with a descriptive analytical approach namely describing and analyzing the relationship between applicable regulations and legal theories and the practice of implementing positive law related to land banks on land management and control by the state. Data sources used from primary legal materials (Legislation and Pancasila), secondary (Draft Laws, research results, scientific works, books, articles and legal dictionaries), and tertiary (encyclopedias, magazines, mass media and the internet) (Soekanto & Mamuji, 2003, p. 13). Technique data collection are carried out through literature studies and case studies, then analyzed qualitatively to answer the problems in a particular case and using deductive methods (Soekanto, 1982, p. 50).

3. Results and Discussion

3.1 Establishment of Land Bank Regulations in Indonesia

A land bank is described as policy property where the government, through an independently selected organization, is granted the ability to first acquire land that is underutilized, troublesome, or undeveloped but has the potential to be developed. Additionally, it is the government's responsibility to manage and arrange property in a certain way before distributing it back to common interest through both short-term and long-term government projects (Arnowo, 2022). Land Bank is A entity in charge manage asset land, which includes Good procurement, maintenance, and development land for various needs like infrastructure, housing, and project strategic national (Ramadhanti & Zarzani, 2022).

In essence, the goal of the Land Bank System is to gather state land that has been left undeveloped and underused, then improve and return the land in accordance with the land management plan. Articles 125–135 of Perpu Number 2 of 2022 about Job Creation, which is implemented by PP Number 64 of 2021 concerning the Land Bank Agency, control of the Land Bank. (1) The Land Bank's responsibilities and functions; (2) the Land Bank's authority; (3) the Land Bank's land rights; (4) the sources of the Land Bank's wealth; (5) the Land Bank's structure and institutions; and (6) the Land Bank's guarantee of land availability are some of the provisions relating to the Land Bank in the Government Regulation.

Planning, land acquisition, procurement, management, use, and distribution are the first functions and responsibilities of the Land Bank. Long-term, medium-term, and yearly planning are the three time periods into which planning is separated. Specifically for long-term planning is planning related to steps within 25 (twenty five) years. Then medium-term planning is planning related to steps for 5 (five) years. And the annual planning is a plan of activities for 1 (one) year. These plans are guided by national medium-term management ideas and spatial planning.

Article 33 paragraph (3) of the 1945 Constitution, which states that "Land, water, and the natural resources contained therein are controlled by the state for the greatest prosperity of the people," conflicts with the regulations governing land acquisition, which is a type of government decision governed by Article 6 letter a and Article 7 of PP

Number 64 of 2021 concerning the Land Bank Agency. This article makes it very clear that the state can only possess and exercise authority over the land, water, and natural resources that are found there, including land. However, the Land Bank has embraced the notion of domain verklaring (land stateization) in its concept, where land is acquired depending on the outcomes of a government decision. the domain verklaring principle, which acquires communal land whose ownership cannot be established and considers it to be state property. Law Number 5 of 1960 Addressing Basic Agrarian Principles eliminated this principle (Pareke, 2020).

In relation to the transfer of land rights operations that took place during the Dutch East Indies colonial era, the Land Bank concept, which governs and administers state-owned land, may resurface (Kurniati & Surya, 2023). At the time, the Dutch East Indies government's legal foundation for regulating western rights was the concept of domain verklaring, which eventually made it simpler for the government to legally acquire property (Roem & Ahsani, 2022). The Land Bank wants to promote the idea of unlawful land acquisition for investors' benefit, which obviously goes against crucial rules for defending people's rights and the objectives of land reform (Ahsani, 2022).

The principle of *domein verklaring* is applied to areas where there is no legal proof of certain lands or land that the state states are under its control. Thus, this principle can create complex and complicated problems in society related to agrarian discrimination, especially for land areas whose control rights are against people who obey and are bound by customary law or indigenous people law of the Indonesian nation.

Regarding the system or concept of the state's right to control land, Moh. Hatta asserts that the land is essentially the property of the Indonesian people, and the state is the embodiment of those people who have the authority to envision how it will be used to benefit and uphold the values of the population. Because it conflicts with the Indonesian people's legal awareness premise, the domain verification principle is not implemented in the Basic Agrarian Law (Sodiki & Maladi, 2009).

There are several forms of agrarian problems, starting from the enactment of the Agrarian Law of 1870 to the role of Law Number 5 of 1960 concerning the Basic Agrarian Regulations, there are still dominant structural conflicts. This is because there are differences in principles, principles and even misinterpretations regarding state control rights that have continued since the Dutch Kingdom. Article 1 of the Agrarian Law (Stb 1870 Number 118) states that land that cannot be proven to have control rights is land owned (*domein*) or *domein verklaring* (Khaerudin, 2012). The structural conflict that is currently occurring is due to the granting of permits by officials to investors by making customary land to be exploited (Sari, 2021). The principles and principles of *domein verklaring* are not accepted in Law Number 5 of 1960 concerning the Basic Agrarian Regulations, especially in Article 2 of the UUPA concerning "state control rights". Moh. Mahfud MD is of the opinion that the role of the state must actually be interpreted as "regulating" not the state owning it absolutely (Mahfud, 2007). This misinterpretation has an impact and causes structural problems which then result in the wrong implementation of policies by the Government on land/soil. In the end, agrarian conflicts arise based on state domination and structural problems (Arsyad, n.d.).

Before the existence of Law Number 5 of 1960 concerning Basic Agrarian Principles, the customary agrarian legal system and the western civil agrarian legal system were in effect in Indonesia. Likewise with land rights, land rights as stipulated in customary law and land rights as stipulated in western civil law. In practice, the majority of indigenous Indonesian people control land based on customary law, the main of which is ownership rights to land. Based on the nature of unwritten customary law, ownership of land rights according to customary law is unwritten (Usman, 2020).

The resolution of agrarian issues has not yet had a significant impact because the resolution of these conflicts does not directly touch on the problem. Therefore, the Government is asked to prioritize structural issues, most importantly regarding land. Then also the things that are the center of the problem of agrarian disputes and the system of improvement to reconstruct the National agrarian policy (Prasodjo, 2012).

Foreign commercial companies can invest more easily thanks to the Land Bank's establishment. In the end, the property Bank is impartial and advocates for local communities' rights to property and land held by those who adhere to and have their roots in customary law. In order to boost investment and the economy, the Land Bank supervises and assures the supply of land allocated for development. In order to produce agricultural inequality. The Land Bank reinforces land procurement for business groups and investors. Thus, this problem widens discrimination against land ownership between the community and business entities and the state. It can be seen today that industry, malls, housing, trade centers and other business sectors are increasingly developing which are managed by the private sector. Therefore, the availability of land which is getting smaller every day needs to be managed optimally to meet land needs both for the public interest, namely the community and the interests private or for investment purposes (Mertayasa & Komalasari, 2022).

In general, there aren't many differences in the way Land Banks are implemented in various nations. The three phases of the Land Bank concept land distribution, land management, and land collection are also present in the Netherlands. Consequently, it is anticipated that the establishment of the Land Bank will streamline the ad hoc institution's land purchase procedure (Rojiun, 2022). Because of its high land productivity, Indonesia has set up a Land Bank to consolidate land for the benefit of public, social, and national development interests. It is backed by an institutional framework that consists of an implementing body, supervisory board, and committee (Situngkir & Artati, 2022).

3.2 Legal Implications of Land Bank Related Regulations on Land Management and Control by the State

As a government measure, the creation of various land-related rules in Indonesia is anticipated to meet community demands. In establishing legal clarity for the community's rights, ensuring that there won't be any future problems arising from the lack of documentation proving property title, and achieving orderly land management. In Indonesia, land areas are subject to the Basic Agrarian Law, which serves as the fundamental agrarian legislation (Siregar, 2022). However, further regulation is required for the UUPA's land legislation to serve as a guide for Indonesia's implementation of the country's natural resource exploitation. The UUPA's passage has implications for both the legitimacy of land rights transfers and overall land policies. Land registration has been implemented nationwide as part of the state's efforts to achieve complete legal certainty surrounding land, making land ownership guarantees a legitimate kind of legal protection. A certificate serving as proof of land rights ownership is the tangible form of land registration; it serves as the foundation for the legitimacy of the control over the property and the legal force of rights. In order to provide legal certainty, the government has implemented a land certification system across the Republic of Indonesia's territory, which is governed by the relevant land law laws, as stated in Article 19 of Law Number 5 of 1960 concerning the Basic Agrarian Law (UUPA).

As for the provision of land by the Land Bank, it is carried out through the mechanism of acquisition (land procurement), sale and exchange. These activities must be supported by planning, land surveys, cost planning, and verification of land status. Another thing that must also be done in the provision of land by the Land Bank is that the history of the land must be known with certainty to prevent land that is in ownership disputes.³⁶ Then the stages of land distribution need to be supported by a land data preparation mechanism for the area of land, potential land priorities and period needed to establish land distribution. The implementation of land distribution is also carried out by determining what and who the land is distributed to and how much land is available for distribution (Nurdin, 2022). However, there are obstacles to the implementation of asset acquisition by the Land Bank, including the problem of limited human resources, institutions, weak land administration systems and the less than optimal data collection of state general reserve land and the unavailability of good spatial planning in Indonesia.

In order to discuss the clash of norms, an article that compares the two regulations must be included. The articles that need to be compared are Article 6 letter a and Article 7 of PP Number 64 of 2021 concerning Land Bank Agency regarding land as a result of government determination with Article 33 paragraph (3) of the 1945 Constitution concerning land control by the state. Because they infringe upon the State's constitutionally guaranteed power to control, the two clauses are incompatible. The two are incompatible since land is regarded as state property in the Government Regulation rather than state control rights.

When identifying a legal norm, several conditions of legal rules will be encountered, namely legal vacuum (*leemten in het recht*), conflict between legal norms (antinomy norms), and vague norms (*vage norms*) or unclear norms. The following conflict resolution (preference) concepts are applicable to settle disputes between legal standards (antinomy norms) (Mertokusumo & Pitlo, 1993):

First, higher legislative restrictions have precedence over lower statutory regulations, according to the principle that *Lex superiori derogate legi inferiori*, underneath it in relation to the legislative order (hierarchical principle). Article 7 paragraph (1) of Law Number 12 of 2011 concerning the Formation of Legislation provides the legal foundation for Indonesia's legislative order, including: (a) the Republic of Indonesia's 1945 Constitution, (b) the People's Consultative Assembly's decree, (c) laws and government regulations in lieu of laws, (d) presidential decrees, (e) provincial regional rules, (f) and regency/city regional regulations.

Second, *Lex specialis derogate legi generali*, namely a special rule can override a general rule. In the sense of a special rule that must be prioritized. There are several systematics that need to be observed in this principle, namely: (a) Unless otherwise specified in the special legal rules, the provisions of the general legal rules remain in effect, (b) the provisions of *lex specialis* must be in a similar legal jurisdiction to those of *lex generalis* (laws with laws); (c) the provisions of the *lex specialis* must have the same status as those of the *lex generalis*. Third, *Lex posteriori derogate legi priori*, namely a new legal rule overrides the old legal rule. This principle has various principles, namely: a new legal norm must have a position that is equal to or must have a higher rank than the old legal rule; and a new legal norm and an old legal rule in discussion.

Disharmony between one legal product and another, both vertically and horizontally, will eventually create chaos, so that it is not in accordance with the objectives that should be expected from the actualization of a legal norm that has been ratified. The most noticeable effect of these detrimental effects is the creation of triggers for numerous disputes and legal issues at the implementation level, which is caused by more than just inconsistent application of the principles of creating excellent laws and regulations (Windari & Antari, 2019).

The government should achieve proportional justice through regulations and laws. Additionally, there is no crossover. *Lex superiori derogate legi inferiori*, which states that higher laws and regulations (the 1945 Constitution of the Republic of Indonesia) supersede lower laws and regulations (PP Number 64 of 2021 concerning the Land Bank Agency), is the legal term used to describe the conflict of norms between the Land Bank Agency and the 1945 Constitution.

By submitting a cancellation to the Supreme Court, the norm contradiction between PP Number 64 of 2021 regarding the Land Bank Agency and the 1945 Constitution is resolved. The organization or agency with the authority to make them can change or revoke any or all of the articles of connected laws and regulations that are in conflict. In this instance, submitting a court review of PP Number 64 of 2021's Article 6 letter a and Article 7 pertaining to the Land Bank Agency.

Hans Kelsen in *Stuffenbau* or *Gorund Norm* said that all laws originate from one parent, in the sense that all legal regulations are derived from different ground norms at the top of the pyramid so that the lower it goes, the wider and various kinds of legal rules exist and the derivation of legal regulations follows the basic norm so that a hierarchy is formed. Furthermore, Hans Kelsen developed the theory *Stuffenbau des Recht* or *The*

hierarchy of law and says that the rules law is interpreted as a hierarchical structure, in each lower level legal norm must be guided by a higher level legal rule. Therefore, PP Number 64 of 2021 concerning the Land Bank Agency should be based on a higher level legal rule, namely the 1945 Constitution.

4 Conclusions

These studies conclude that the establishment of a land bank is regulated in Article 125-Government Regulation Number 64 of 2021 concerning the Land Bank Agency regulates the execution of Law Number 6 of 2023's Article 135 regarding the Stipulation of the Job Creation Regulation. A land bank's primary function is to ensure that land will always be available for the public use, however in this instance, the creation of a land bank goes against the 1945 Constitution's provisions governing the state's administration and control of land. Government Regulation Number 64 of 2021 regulating the Land Bank Agency's regulation of the Land Bank has the legal effect of being in contradiction with the 1945 Indonesian Constitution. The Land Bank Agency's land is determined by the government in accordance with Article 33 paragraph (3) of the 1945 Constitution, which deals with state control over land, as stated in Article 6 letter a and Article 7 of Government Regulation Number 64 of 2021. Because they infringe upon the Constitution's guarantee of the State's authority, both Articles are incompatible. *Lex superior derogate legi inferiori*, which states that higher legislation (the 1945 Constitution of the Republic of Indonesia) supersedes lower legislation, is the legal term used to describe the conflict of norms between PP Number 64 of 2021 concerning the Land Bank Agency and the 1945 Constitution. The Land Bank guarantees certainty of land rights for both the community and the private sector, with the aim of further guaranteeing certainty of land rights for investors and the community, anticipated through the Agrarian Reform program by providing land in accordance with the mandate of Government Regulation Number 64 of 2021 concerning the Land Bank Agency, the Land Bank Agency is not only for the interests of investors, but also for the interests of the state and society. The concrete recommendations in order to overcome the regulatory disharmony between PP Number 64 of 2021 concerning the Land Bank Agency and the 1945 Constitution, the government is expected to make changes to Articles 125-135 of the Job Creation Law and PP Number 64 of 2021 concerning the Land Bank Agency in a comprehensive, systematic and participatory manner, especially regarding overlapping authority because there are vague, unclear, and incomplete norms in the job creation law and the Government Regulation on the Land Bank Agency so that they have the potential to harm the rights of citizens.

References

- Ahsani, M. F. (2022). *Tinjauan Fikih Agraria Majelis Tarjih dan Tajdid PP Muhammadiyah Terhadap Badan Bank Tanah Dalam Pengadaan Tanah di Indonesia Menurut PP No. 64 Tahun 2021* [Universitas Islam Indonesia]. <https://dspace.uui.ac.id/handle/123456789/38920>
- Arba. (2015). *Hukum Agraria Indonesia*. Sinar Grafika.
- Arnowo, H. (2022). Peran Bank Tanah dalam Pengaturan Penyediaan Tanah. *Jurnal Inovasi Penelitian*, 2(9). <https://doi.org/10.47492/jip.v2i9.1277>
- Arsyad, I. (n.d.). *Konflik Agraria Soal Struktural, Akar Masalah Tidak Pernah Terselesaikan*. Harian Kompas.
- Guntoro. (2022). Konsep Formulasi Bank Tanah untuk Reforma Agraria Dalam Perspektif Perbandingan Hukum. *Jurnal Kewarganegaraan*, 6(3). <https://doi.org/10.31316/jk.v6i3.4141>
- Harsono, B. (2008). *Hukum Agraria Indonesia, Sejarah Pembentukan Undang-undang Pokok Agraria, Isi dan Pelaksanaannya*. Djambatan.
- Khaerudin. (2012). *Waspada Upaya Liberalisme Agraria*. Harian Kompas.
- Kurniati, N., & Surya, S. M. (2023). Urgensi Bank Tanah dalam Mendukung Pengadaan Tanah untuk Pembangunan Kepentingan Umum. *Bina Hukum Lingkungan*, 8(1), 23–36. <https://doi.org/10.24970/bhl.v8i1.248>
- Mahfud, M. D. M. (2007). *Membangun Politik Hukum, Menegakan Konstitusi*. Raja Grafindo.
- Mertayasa, N., & Komalasari, G. A. K. (2022). Penerapan PP No. 64 Tahun 2021 (UU Cipta Kerja) Terhadap Kedudukan Bank Tanah Di Indonesia. *Wacana Paramarta Jurnal Ilmu Hukum*, 21(3), 53. <http://www.paramarta.web.id/index.php/paramarta/article/download/183/151>
- Mertokusumo, S., & Pitlo, A. (1993). *Bab-Bab Tentang Penemuan Hukum*. Citra Aditya Bakti.

- Nurdin, M. (2022). Urgensi Pembentukan Bank Tanah di Indonesia. *Gorontalo Law Review*, 5(2), 385–390. <https://doi.org/10.32662/golrev.v5i2.2383>
- Pareke, J. (2020). Reforma Agraria: Membangun Ulang Relasi Negara Dan Masyarakat Adat Melalui Pengakuan Dan Perlindungan Masyarakat Adat Dan Politik Islam. *AL-IMARAH: Jurnal Pemerintahan*, 5(1), 35–37. <https://doi.org/10.29300/imr.v5i1.3410>
- Perangin, E. (1989). *Hukum Agraria Di Indonesia*. Grafikatama.
- Prasodjo, I. B. (2012). *Potensi Konflik: Selesaikan Struktural Persoalan Masyarakat*. Harian Kompas.
- Ramadhanti, M., & Zarzani. (2022). Kajian Hukum Konsep Bank Tanah Untuk Kepentingan Umum Pasca UU Cipta Kerja. *Jurnal Rectum: Tinjauan Yuridis Penanganan Tindak Pidana*, 4(2). <https://doi.org/10.46930/jurnalrectum.v4i2.2093>
- Roem, S. M., & Ahsani, M. F. (2022). Pengadaan Tanah Dalam Peraturan Pemerintah No. 64 Tahun 2021 Menurut Perspektif Fikih Agraria. *Jurnal Syari'ah & Hukum*, 4(1), 1–14. <https://journal.uui.ac.id/JSYH/article/view/24614>
- Rojiun, M. M. A. (2022). Eksistensi Bank Tanah Dalam Undang-Undang Nomor 11 Tahun 2020 tentang Cipta Kerja Demi Pelaksanaan Pembangunan Kepentingan Umum. *Jurnal Education and Development*, 10(2), 738–748. <https://journal.ipts.ac.id/index.php/ED/article/view/3904>
- Sari, R. M. (2021). Potensi Perampasan Wilayah Masyarakat Hukum Adat dalam Undang-undang Nomor 11 Tahun 2020 tentang Cipta Kerja. *Mulawarman Law Review*, 6(1), 1–14. <https://doi.org/10.30872/mulrev.v6i1.506>
- Siregar, A. F. (2022). Tinjauan Yuridis Atas Peralihan Kepemilikan Hak Atas Tanah Eks-Kerajaan Di Indonesia Oleh Pihak Lain Tanpa Sepengetahuan Pemilik Tanah. *Justicia Sains: Jurnal Ilmu Hukum*, 7(1), 1–20. <https://doi.org/10.24967/jcs.v7i1.1594>
- Situngkir, R. T., & Artati, S. U. I. (2022). Perbandingan Pengaturan Bank Tanah Di Negara Indonesia Dan Belanda. *Reformasi Hukum Trisakti*, 4(3), 501–510. <https://doi.org/10.25105/refor.v4i3.13821>
- Sodiki, A., & Maladi, Y. (2009). *Politik Hukum Agraria*. Mahkota Kata.
- Soekanto, S. (1982). *Pengantar Penelitian Hukum*. UI Press.
- Soekanto, S., & Mamuji, S. (2003). *Penelitian Hukum Normatif: Suatu Tinjauan Singkat*. Rajawali Press.
- Sutedi, A. (2006). *Peralihan Hak Atas Tanah dan Pendaftarannya*. Sinar Grafika.
- Tampi, C. G. (2021). Pembentukan Bank Tanah Berdasarkan Undang-Undang No 11Tahun 2020 Dalam Rangka Menjamin Kesejahteraan Masyarakat. *Jurnal Lex Crimen*, 1(1), 174–200. <https://ejournal.unsrat.ac.id/v3/index.php/lexcrimen/article/view/38410>
- Trisna, N., & Sandela, I. (2021). Eksistensi Bank Tanah Dalam Hukum Agraria di Indonesia. *Ius Civile: Refleksi Penegakan Hukum Dan Keadilan*, 5(1), 87–201. <https://doi.org/10.35308/jic.v5i1.3564>
- Usman, A. H. (2020). Perlindungan Hukum Hak Milik Atas Tanah Adat Setelah Berlakunya Undang-Undang Pokok Agraria. *Jurnal Kepastian Hukum Dan Keadilan*, 1(2), 60. <https://doi.org/10.32502/khdk.v1i2.2593>
- Winati, R., Hidayat, Y., & Lutfi, A. (2022). Eksistensi Dan Prospek Penyelenggaraan Bank Tanah. *Jurnal Magister Ilmu Hukum*, 7(1), 25–40. <https://doi.org/10.36722/jmih.v7i1.1186>
- Windari, R. A., & Antari, D. G. S. M. K. W. (2019). Tinjauan Yuridis Mengenai Antynomy Normen (Konflik Norma) Antara Undang-Undang Nomro 5 Tahun 1960 Tentang Peraturan Dasar-Dasar Pokok Agraria Dengan Undang-Undang Nomor 25 Tahun 2007 Tentang Penanaman Modal Terkait Jangka Waktu Perolehan Hak Atas Tanah. *E-Journal Komunitas Yustisia Universitas Pendidikan Ganesha*, 2(2), 88–99. <https://ejournal.undiksha.ac.id/index.php/jatayu/article/view/28775>
- Zahra, F. (2017). Konstruksi Hukum Pengaturan Bank Tanah Untuk Mewujudkan Pengelolaan Aset Tanah Negara Berkeadilan. *Jurnal Arena Hukum*, 10(3), 357–384. <https://doi.org/10.33650/adab.v1i1.913>