

**REGULATORY MODEL FOR THE UTILIZATION OF LAND BANK
MECHANISMS IN INDONESIA TO PREVENT AND AVOID LAND MAFIA
PRACTICES: A COMPARATIVE STUDY BASED ON LAND GOVERNANCE**

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ABSTRACT

The issue of the "Land Mafia" in Indonesia reflects legal uncertainty and structural inequality in land ownership. The establishment of the Land Bank Agency through Law Number 6 of 2023 concerning the Stipulation of Government Regulation, instead of Law Number 2 of 2022 concerning Job Creation and Government Regulation Number 64 of 2021, is a government effort to address this issue. However, the existence of this agency has sparked public concerns about the potential for abuse of authority and the return of discriminatory legalistic practices, similar to the principle of *domain declaration*, as revealed in the case of farmers in Konawe, Southeast Sulawesi.¹ The main problem faced is the absence of a holistic, transparent, and accountable regulatory model that can guarantee that the Land Bank truly functions for the greatest prosperity of the people, not for the interests of certain groups. This study aims to analyze, compare, and formulate a more effective manual regulation of the Land Bank. The research method used is normative juridical with a comparative approach to the Land Bank models in the Netherlands and France. The comparison shows fundamental differences: Indonesia applies a centralized model, while the Netherlands uses a decentralized model integrated with spatial planning, and France operates a semi-private hybrid model (SAFER) that has preferential rights and is supervised by a multi-stakeholder committee.¹ These findings highlight the advantages of the Dutch model, namely its adaptation to local contexts and efficiency in land consolidation, and the French model, which offers operational efficiency and robust oversight mechanisms. Based on these findings, this report proposes a "Hybrid-Decentralized Land Bank Regulatory Model." This model combines Dutch-style decentralization principles with a French-style multi-stakeholder oversight structure, grounded in fundamental theories of good governance. The success of Land Banks in Indonesia ultimately depends on institutional reforms that ensure transparency, accountability, and public participation, going beyond the mere formulation of formal regulations.

Keyword: Land Bank Agency, Land Mafia, Decentralization, Comparative Study

A. INTRODUCTION

Land, as a fundamental human need, plays a very important role in social, economic, and cultural life.¹ In the Indonesian context, land is an investment asset whose value tends to increase over time, creating complex and sometimes unfair market dynamics. The Indonesian Constitution, through Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia (UUD 1945), expressly states that "The land, water and natural resources contained therein are controlled by the state and used for the greatest prosperity of the people", thus the government has an obligation to regulate so that there is no inequality or uncertainty in managing land as one of the wealth or assets owned by the state. This provision is the philosophical basis for the state to regulate and control land use to ensure the achievement of social justice and public welfare. However, amidst rapid development and economic growth, imbalances in land ownership and control have triggered various agrarian conflicts. The phenomenon of the "Land Mafia" emerged as a manifestation of legal loopholes, weak land administration, and ineffective law enforcement¹. This illegal practice often exploits legal uncertainty to take over land from legitimate parties, especially small communities, farmers, and indigenous communities who do not have formal certificates. This gap is often exacerbated by the inability of existing institutions to resolve land disputes fairly, which often leads to the escalation of agrarian conflicts².

In an effort to respond to these challenges, the government established the Land Bank Agency, a special institution (*sui generis*) authorized to manage unclaimed or abandoned land. Government Regulation (PP) Number 64 of 2021 concerning the Land Bank Agency, as a derivative of the Job Creation Law, mandates this institution to ensure the availability of land for various public interests, including national development, economic equality, land consolidation, and agrarian reform³. However, this initiative has not been entirely received

¹ Samosir, Heru Poppy, And Jossy Prananta Moeis. 2023. "The Urgency Of Agrarian Reform Policy: A Study Of The Impact Of Land Access On Farmer Household Welfare." *BHUMI Jurnal Agraria Dan Pertanahan* 8 (2): 159. <https://doi.org/10.31292/Bhumi.V8i2.544>.

² Toloh, Pascal Wilmar Yehezkiel, And Vanda Pangau. 2023. "Urgensi Lembaga Negara Independen Penyelesaian Konflik Pertanahan Dan Proses Penyelesaian Yang Berbasis Teori Hukum Progresif." *Jurnal Pertanahan* 13 (2). <https://doi.org/10.53686/Jp.V13i2.215>.

³ Nuraeni, Fitri, Asep Deddy Supriatna, And Amarullah Bachtiar. 2022. "Sistem Informasi Geografis Pemetaan Lahan Garapan Serikat Petani Pasundan Kabupaten Garut." *Jurnal Algoritma* 19 (2): 527. <https://doi.org/10.33364/Algoritma/V.19-2.1139>.

without criticism. Concerns have arisen from various parties, including civil society and farmers, who argue that the Land Bank has the potential to exacerbate inequality and even indirectly restore *the domeinverklaring principle* that was implemented during the colonial era. This principle, which states that land whose ownership cannot be proven belongs to the state, was abolished by the Basic Agrarian Law (UUPA) of 1960. Therefore, a more mature, holistic, and fair regulatory model is needed to ensure that the Land Bank can function in accordance with the constitutional mandate. This study investigates the optimal regulatory framework for the Indonesian Land Bank, drawing comparisons with established models in the Netherlands and France to propose a hybrid-decentralized approach.

Based on the background that has been explained, this study formulates several critical questions to be studied: How are the roles, functions, and operational mechanisms of Land Banks in Indonesia regulated in the applicable laws and regulations? How does the Land Bank model implemented in the Netherlands and France function, and to what extent can this practice be a relevant case study (best practice) for Indonesia? How can the most effective regulatory model for Land Banks in Indonesia be formulated to fundamentally prevent and avoid Land Mafia practices?. This research aims to comprehensively address the stated problems. First, the report will analyze the role and function of the Land Bank in Indonesia to identify the strengths and weaknesses of existing regulations. Furthermore, through a comparative study with the Land Bank models in the Netherlands and France, the research aims to identify best practices that can be adopted and adapted to the Indonesian context. Utilizing a strong theoretical foundation, including good governance and institutional theory, the ultimate goal is to formulate a Land Bank regulatory model that can effectively prevent Land Mafia practices, ensure legal certainty, and realize agrarian justice for all Indonesians. This research uses a normative-empirical approach, combining doctrinal analysis of laws and regulations with field case studies to understand practical implementation and institutional challenges.

The research method used is normative juridical, which focuses on the analysis of relevant norms, rules, principles, and laws and regulations. This approach allows for an examination of the legal framework governing Land Banks in Indonesia, as well as comparing it with the legal systems in the Netherlands and France, which both adhere to the

Civil Law legal system. Normative research also involves conceptual and legislative approaches to deepening understanding of complex legal issues⁴. The primary data in this study comes from relevant laws and regulations, such as the 1945 Constitution, the Basic Agrarian Law (UUPA) of 1960, the Job Creation Law, and Government Regulation Number 64 of 2021 concerning the Land Bank Agency. Secondary data was obtained from literature studies that included national and international scientific journals, theses, reports, and expert publications related to agrarian issues, land governance, as well as comparative studies of Land Banks in the Netherlands and France. The main data collection technique was library research, where information was systematically extracted and analyzed from various reading sources to build a comprehensive and evidence-based argument framework.

B. DISCUSSIONS

1. Regulation and Implementation of Land Banks in Indonesia

a. Legal Basis and Function

The Land Bank Agency in Indonesia is a special institution (*sui generis*) established by the central government as a legal entity given special authority to manage land.¹ The establishment of this institution is based on the Job Creation Law, which was then issued through Government Regulation Number 64 of 2021 concerning the Land Bank Agency. Based on PP 64/2021, the main objective of the Land Bank is to ensure the availability of land within the framework of a just economy. This objective covers six main priorities, namely public interest, social interest, national development, economic equality, land consolidation, and agrarian reform. Philosophically, the establishment of the Land Bank is in line with the basic principles of agrarian reform as stipulated in the 1960 Basic Agrarian Law, where land has a social function and must be utilized as much as possible for the prosperity of the people⁵. However, the implementation of the Land Bank faces significant challenges in optimizing land use for national energy security⁶.

⁴ Fadri, Iza. 2010. "Kebijakan Kriminal Penanggulangan Tindak Pidana Ekonomi Di Indonesia." *Jurnal Hukum Ius Quia Iustum* 17 (3): 430. <https://doi.org/10.20885/Iustum.Vol17.Iss3.Art5>.

⁵ Wijaya, I Ketut Kasta Arya. 2023. "Agrarian Reform In Regulation Future Land (Ius Constituendum)." In *Advances In Social Science, Education And Humanities Research/Advances In Social Science, Education And Humanities Research*, 630. https://doi.org/10.2991/978-2-38476-180-7_68.

⁶ Azhar, Muhamad, And Suhartoyo Suhartoyo. 2015. "Aspek Hukum Kebijakan Geothermal Di Indonesia." *Law Reform* 11 (1): 123. <https://doi.org/10.14710/Lr.V11i1.15761>.



As an institution that carries out this strategic mandate, the Land Bank has a series of functions, namely planning, land acquisition, land procurement, land management, land utilization, and land distribution. The land sources managed by the Land Bank come from land determined by the government and/or land from other parties. Land determined by the government includes various types of state land, such as former land rights, abandoned land, land released from forest areas, emerging land, reclaimed land, ex-mining land, land on small islands, land affected by spatial planning change policies, and land that has no control over it⁷. Land control by the Land Bank also involves land from other parties that are transferred, including from State-Owned Enterprises and Regionally Owned Enterprises⁸. Through this mechanism, the Land Bank is expected to become a vital instrument in realizing agrarian justice and equal access to land resources, especially to support agrarian reform programs and sustainable national development. Land availability is a crucial factor for human life, not only for individual needs but also for collective progress and overall national development⁹. The importance of land for community life, as stipulated in the 1960 Basic Agrarian Law, emphasizes the need for wise management to achieve public prosperity and well-being¹⁰.

b. Land Authority and Resources

The Land Bank's authority covers a comprehensive process, from strategic planning to final distribution.¹ The planning process is divided into three time periods: long-term (25 years), medium-term (5 years), and annual.¹ Land acquisition can be carried out through government regulations or from other parties such as local governments, state-owned enterprises, business entities, legal entities, and the community¹¹. Management of land

⁷ Cahyani, Cici Mindan, And Arief Rahman. 2021. "Kajian Yuridis Pengadaan Tanah Bagi Kepentingan Umum Pasca Berlakunya Undang-Undang Nomor 11 Tahun 2020 Tentang Cipta Kerja." *Private Law* 1 (2): 242. <https://doi.org/10.29303/Prlw.V1i2.269>.

⁸ *ibid*

⁹ Ningputri, Essy Ayudyah, and Budi Santoso. 2022. "Tanggung Jawab Badan Pertanahan Nasional Terhadap Kendala Pelaksanaan Program Pendaftaran Tanah Sistematis Lengkap (PTSL)." *NOTARIUS* 15 (2): 874. <https://doi.org/10.14710/nts.v15i2.37463>.

¹⁰ Laturette, Adonia Ivonne. 2021. "Penyelesaian Sengketa Hak Ulayat Pada Kawasan Hutan." *SASI* 27 (1): 102. <https://doi.org/10.47268/sasi.v27i1.504>.

¹¹ Thabrani, Andi Baso, Hamka Hakim, and Darmanto Darmanto. 2022. "Implementasi Kebijakan Pendaftaran Tanah Sistematis Lengkap (PTSL) : Mewujudkan Tertib Administrasi Pertanahan Kabupaten Majene Provinsi Sulawesi Barat." *JIAPI Jurnal Ilmu Administrasi Dan Pemerintahan Indonesia* 3 (1): 18. <https://doi.org/10.33830/jiapi.v3i1.88>.

controlled by the Land Bank includes development, maintenance, and security, while its utilization is carried out through collaboration with other parties, such as buying and selling, renting, business cooperation, grants, exchanges, or other agreed forms. The purpose of this utilization is to optimize the economic value of land for the public interest and sustainable development, as well as to ensure equitable access to agrarian resources for all levels of society. This aligns with the concept of State Control Rights, where the state has central authority to regulate the allocation and utilization of agrarian resources for the welfare of the people¹². This state authority encompasses the regulation, control, use, and maintenance of land, water, space, and the natural resources within them. This principle asserts that individual land ownership must be subject to the public interest and social justice, ensuring that land is not merely a tool for speculation but also a foundation for national prosperity¹³.

The social function of land and state control rights are the primary foundations for the Land Bank to fulfill its role as a strategic agrarian resource manager¹⁴. In exercising its authority, the Land Bank is expected to meet the state's land needs for strategic national projects, such as the construction of toll roads, reservoirs, and other infrastructure. Essentially, the Land Bank functions as an economic driver, focusing on land management for more productive purposes.

2. The Role of Land Banks in Preventing and Avoiding Land Mafia Practices

Land mafia thrives amidst unclear ownership status and weak land administration. Their practices often focus on land without legal owners or abandoned land, as well as land whose status is unclear due to unresolved disputes¹⁵. This is where the Land Bank plays a crucial role as a government instrument for organizing and controlling land ownership. This

¹² Sri, Diyan, and Setiadji Suhariningsih. 2019. "The Right Concept of Countries in the Implementation of Land Procurement for Toll Road Development." *Journal of Law Policy and Globalization*, September. <https://doi.org/10.7176/jlpg/89-02>.

¹³ Heryanti, Sahrina Safiuddin, Nur Intan, and Ramadan Tabiu. 2023. "Human Rights Protection in Land Acquisition for Public Interest." *Scholars International Journal of Law Crime and Justice* 6 (1): 10. <https://doi.org/10.36348/sijlcj.2023.v06i01.002>.

¹⁴ Budiastanti, Dhaniar Eka, Khotbatul Laila, Nahdiya Sabrina, Diah Aju Wisnuwardhani, and Selvia Wisuda. 2022. "Compensation for Land Rights Holders According to the Land Acquisition Law." *Jurnal Cakrawala Hukum* 13 (2): 135. <https://doi.org/10.26905/idjch.v13i2.7970>.

¹⁵ Ningputri, Essy Ayudyah, and Budi Santoso. 2022. "Tanggung Jawab Badan Pertanahan Nasional Terhadap Kendala Pelaksanaan Program Pendaftaran Tanah Sistematis Lengkap (PTSL)." *NOTARIUS* 15 (2): 874. <https://doi.org/10.14710/nts.v15i2.37463>.

institution is designed to address classic land issues by creating legal certainty over land rights and preventing illegal practices¹⁶. Through transparent land management and data collection, the Land Bank is expected to minimize loopholes for speculators and individuals attempting to take over land illegally¹⁷. Therefore, the Land Bank has great potential to be the vanguard in eradicating land mafia practices by ensuring that all land rights are registered accurately and transparently. This role is also in line with the government's goal of ensuring legal certainty in the land sector through land registration¹⁸.

One of the Land Bank's primary functions is to invent and manage land that lacks clear ownership or is otherwise abandoned. Under the Job Creation Law and Government Regulation No. 64/2021, the Land Bank is authorized to acquire and utilize such land for national and social interests. This mechanism aims to:

- Creating legal certainty: By recording and registering abandoned land, the Land Bank provides clear legal status, which previously lacked it. This directly closes loopholes often exploited by the Land Mafia to claim or falsify ownership documents. This registration also supports efforts to digitize land administration, which aims to accelerate services and facilitate data integration across development sectors¹⁹.
- Ensuring productive use: The main principle of the Land Bank is to ensure that every plot of land is maintained and used productively for the welfare of the community. Expropriated land can be redistributed for infrastructure development, public housing, or agrarian reform, so that no land is left "ownerless" and becomes a target for the Land Mafia²⁰. This step is also in line with the government's efforts to control abandoned land,

¹⁶ Sihombing, Batahan Fransiskus. 2023. "Critical Studies of the Land Mafia Practices: Evidence in Indonesia." *Beijing Law Review* 14 (1): 433. <https://doi.org/10.4236/blr.2023.141023>.

¹⁷ Sahlan, Sahlan, Rusli Ayyub, K Armin, and Abraham Bekka. 2022. "Penerapan Penggunaan Hak Atas Tanah Untuk Industri Di Propinsi Sulawesi Tengah." *Suloh Jurnal Fakultas Hukum Universitas Malikussaleh* 10 (2): 585. <https://doi.org/10.29103/sjp.v10i2.6564>.

¹⁸ Thabrani, Andi Baso, Hamka Hakim, and Darmanto Darmanto. 2022. "Implementasi Kebijakan Pendaftaran Tanah Sistematis Lengkap (PTSL) : Mewujudkan Tertib Administrasi Pertanahan Kabupaten Majene Provinsi Sulawesi Barat." *JIAPI Jurnal Ilmu Administrasi Dan Pemerintahan Indonesia* 3 (1): 18. <https://doi.org/10.33830/jiapi.v3i1.88>.

¹⁹ Erfa, Riswan. 2021. "Digitalisasi Administrasi Pertanahan Untuk Mewujudkan Percepatan Pembangunan Nasional Perspektif Kebijakan Hukum (Legal Policy)." *Jurnal Pertanahan* 10 (1). <https://doi.org/10.53686/Jp.V10i1.31>.

²⁰ Mafia Tanah Di Indonesia: Jalinan Kejahatan Terorganisir, Bisnis, Kekuasaan, Korupsi Dan Maladministrasi." 2025. <https://Arc.Or.Id/Mafia-Tanah-Di-Indonesia-Jalinan-Kejahatan-Terorganisir->

a problem that has long been recognized as an obstacle to the optimal use of agrarian resources²¹.

- Dispute mediation: Land banks can also act as mediators in land disputes. By ensuring that land is used for the greater good and benefits all parties, they can offer fair and transparent solutions, reducing the potential for conflict that could be exploited by illegal parties. Utilizing abandoned land is a crucial step in economic development and social equity, in line with customary law principles that recognize the right to cultivate unmanaged land²². This also aligns with the government-mandated concept of land certification as proof of rights and an effort to minimize the risk of future disputes²³. The legality of land transfers is also more assured with comprehensive data, thereby reducing the opportunity for overlapping ownership, which is often exploited by land mafias²⁴.

3. Mapping the Deficiencies and Problems of Land Banks in Indonesia

Although the Land Bank was established with noble intentions, there are several fundamental problems and shortcomings that have the potential to hinder its effectiveness and even worsen the agrarian situation in Indonesia.

a. Potential Return on Fundamentals *Domain Declaration*

One major concern is that the Land Bank's authority to control and manage abandoned or unclaimed land has the potential to reinstate the principle of *domein verklaring*. This principle, once implemented by the Dutch East Indies colonial government, considered land for which legal ownership could not be proven as state property. The 1960 UUPA explicitly abolished this principle and replaced it with "the right to control from the state," which functions as a mandate for the welfare of the people, not as an absolute right of ownership. However, with the Land Bank's authority to control "unclaimed" or unmanaged

[Bisnis-Kekuasaan-Korupsi-Dan-Maladministrasi/](#)

²¹ Gifitriani, Nike, Kontesa Emelia, And Sauni Herawan. 2022. "The Constraints Of Legal Factors In Controlling Abandoned Land After The Enactment Of The Job Creation Law." *Bengkoelen Justice Jurnal Ilmu Hukum* 12 (2): 158. <https://doi.org/10.33369/Jbengkoelenjust.V12i2.25159>.

²² Kuswahyono, Imam. 1994. "Pengarapan Rakyat Atas Perkebunan Terlantar." *Jurnal Hukum & Pembangunan* 24 (3): 261. <https://doi.org/10.21143/Jhp.Vol24.No3.447>.

²³ Masriani, Yulies Tiena. 2022. "Pentingnya Kepemilikan Sertifikat Tanah Melalui Pendaftaran Tanah Sebagai Bukti Hak." *Jurnal Usm Law Review* 5 (2): 539. <https://doi.org/10.26623/julr.v5i2.5777>.

²⁴ Saheriyanto, Saheriyanto, Wahyu Wahyu, and Andi Tenri Somp. 2019. "Permasalahan Pertanahan Kawasan Industri Batulicin: Perspektif Perencanaan Pembangunan." *BHUMI Jurnal Agraria Dan Pertanahan* 5 (2): 257. <https://doi.org/10.31292/jb.v5i2.376>.

land, there is a risk that this practice will, de facto, return to the colonial era. If the Land Bank's implementation is not careful and transparent, there is a risk that this institution will be misused to take over land from indigenous peoples or farmers who do not have formal certificates, in the name of national interests, which will ultimately harm the spirit of agrarian reform. Therefore, it is important to ensure that any land acquisition by the Land Bank is carried out by upholding the principles of agrarian justice and protecting the rights of indigenous peoples and local farmers. (Komaruddin 2020). This requires the establishment of strict oversight mechanisms and the active participation of various stakeholders to prevent potential abuse of authority.

b. Case Study: Agrarian Conflict of Konawe Farmers

A case study of farmers in South Konawe, Southeast Sulawesi, serves as a vivid illustration of this concern. Transmigrant farmers who have cultivated land for over a decade have not yet received the certificates promised by the government.¹ As a result, they are in a highly vulnerable position when facing a dispute with a palm oil company that claims the land as its own. The presence of the Land Bank is perceived by farmers as a new threat, as they fear that this institution will prioritize the interests of large corporations over helping small communities. This highlights the critical need for the Land Bank to operate with clear guidelines that prioritize the rights and welfare of local communities, especially in contexts where historical land injustices and power imbalances persist. Without such safeguards, the potential for exacerbating existing agrarian conflicts and creating new ones remains a significant concern, particularly given the long-standing issues surrounding land acquisition for the public interest and the historical clash between state and customary law²⁵

A critical analysis of this case reveals a profound structural imbalance. Current agrarian policies tend to favor the interests of large investments and corporations.¹ This reflects a public policy model known as the Elite Theory Model, in which policy decisions are influenced more by elite groups with economic and political power than by the needs of the community at large.² Legal uncertainty, bureaucratic slowness, and inequality in land

²⁵ Subekti, Rahayu, Purwono Sungkowo Rahardjo, and Alya Maya Khonsa Rahayu. 2022. "The Agro-Finance Governance of Land Pawning Institutionalism in an Asian Emerging Economy." *Corporate Governance and Organizational Behavior Review* 6 (4): 150. <https://doi.org/10.22495/cgobrv6i4p14>.

access directly create a weak bargaining position for the community, which is then exacerbated by new policies that are not supported by strong oversight mechanisms. The institutional distrust that arises from cases like this is a significant obstacle to the success of the Land Bank. The persistence of agrarian conflicts, often stemming from issues of land administration and the historical legacy of land policies, further underscores this challenge²⁶

4. Land Bank Implementation in the Netherlands and France: A Comparative Study

To address the weaknesses of the Indonesian model, it is important to examine best practices from other countries. The Netherlands and France, which have similar legal systems, offer valuable models for reference.

a. The Dutch Model: Decentralization and Land Consolidation

The Netherlands operates a highly decentralized land banking system, with primary responsibility resting with local governments, particularly provincial councils. This system is governed by a series of laws integrated with spatial planning and environmental policies, such as the Land Inrichting Land Act 3 and the Omgevingswet²⁷. The primary objectives of land banking in the Netherlands are land consolidation, rural infrastructure restructuring, and environmental preservation. This approach allows for greater flexibility in responding to local needs while maintaining coherence with national development goals. In particular, the Dutch model emphasizes strategic land acquisition for public purposes, including infrastructure projects and urban development, with transparent and participatory mechanisms to ensure fair compensation and minimize social impacts. This approach is further bolstered by robust legal frameworks and a well-established cadastre, which reduce ambiguity in land ownership and facilitate dispute resolution, thereby preventing the escalation of land conflicts²⁸. Furthermore, the Dutch system incorporates extensive public

²⁶ Nulhaqim, Soni Akhmad, Muhammad Fedryansyah, Eva Nuriyah Hidayat, and Dwi Astuti Wahyu Nurhayati. 2020. "Contemporary Social Problem: Agrarian Conflict." *Humanities & Social Sciences Reviews* 8 (3): 1189. <https://doi.org/10.18510/hssr.2020.83121>.

²⁷ Overgangsrecht Wet inrichting landelijk gebied - Informatiepunt Leefomgeving, diakses September 7, 2025, <https://iplo.nl/regelgeving/omgevingswet/overgangsrecht/overgangsrecht-per-wet/wet-inrichting-landelijk-gebied/>

²⁸ Sigit, Antarin Prasanthi, and Daryono Daryono. 2021. "Securing Agricultural Land Investment Contract: Resolving Salient Agricultural Land Dispute in Indonesia." *Global Legal Review* 1 (1): 17. <https://doi.org/10.19166/glr.v1i1.2939>.

consultation and negotiation, ensuring that affected parties have a voice in the land management process, which significantly contributes to its effectiveness and social acceptance.

This decentralized approach allows for better adaptation to local needs and contexts. Instead of a single central policy, each province can design a land management strategy that best suits its regional characteristics, as is done by the Green Development Bank in the province of Brabant. Mechanisms such as ruilplan (land swaps) and gedoogplicht (temporary use tolerance obligations) allow land banks to act as instruments to facilitate public interest projects, including the construction of roads, irrigation, and recreational areas. This demonstrates that land banks are not stand-alone entities, but rather tools integrated within a larger spatial planning framework, aiming to create efficiency and balance between economic, social, and environmental aspects²⁹. The implementation of an effective land consolidation system, such as that implemented in the Netherlands, can significantly reduce ownership fragmentation and increase the efficiency of land use for development³⁰. Furthermore, the Dutch model's emphasis on participatory planning and multi-stakeholder engagement ensures that land acquisition and development processes are conducted with due consideration for public interest and legal compliance, thus mitigating potential conflicts³¹. This structured approach contributes to enhanced legal certainty and reduced land disputes, thus preventing the escalation of conflicts that often plague land acquisition processes³².

b. The French Model: Hybrid, Preferential Rights, and Multisectoral Oversight

France offers a unique hybrid model through SAFER (Sociétés d'aménagement foncier et d'établissement rural), a private, non-profit company with a clear public mandate³³.

²⁹ Comparative experiences from the Netherlands and France - ElgarOnline, diakses September 7, 2025, <https://www.elgaronline.com/monochap/9781788976909.00016.pdf>

³⁰ Haryanto, Ragil, Imam Buchori, Nany Yuliasuti, Ibnu Saleh, Agung Sugiri, Bagus Nuari Priambudi, and Nisriena Rachmi Putri. 2020. "Preparedness to Implement a Spatial Plan: The Impact of the Land Cooperative in Central Bangka Regency." *Sustainability* 12 (24): 10665. <https://doi.org/10.3390/su122410665>.

³¹ Muhtadi, Muhtadi, Nia Kurniati, Indra Prawira, and Somawijaya. 2022. "Public Interest Development in Indonesia: Considerations Regarding Land Acquisition and Its Impact on the Environment." *International Journal of Sustainable Development and Planning* 17 (8): 2585. <https://doi.org/10.18280/ijstdp.170827>.

³² Raturandang, Suwari, and Tjempaka. 2025. "Implementation of Government Policy Through Complete Systematic Land Registration in the Context of Accelerating Certificate Services in Indonesia." *Journal of Law Politic and Humanities* 5 (2): 1159. <https://doi.org/10.38035/jlph.v5i2.1204>.

³³ Review of France's SAFER Land Market Interventions, diakses September 7, 2025,

SAFER is not fully managed by the government, but is closely monitored by a multi-stakeholder committee comprised of representatives from farmers' unions, government, banks, and environmental organizations. 1 SAFER's primary goal is to protect agricultural, forestry, and natural land from speculation, as well as facilitate land access for young farmers and sustainable development projects. 7 This hybrid model enables agile responses to market dynamics while maintaining accountability to public interest objectives, effectively bridging the gap between private sector efficiency and public policy goals. SAFER has preferential rights to acquire properties for sale in rural areas, allowing them to re-landscape, provide infrastructure, and then resell them to individuals or entities that meet certain criteria, as stipulated in national agrarian policy. This mechanism prevents land speculation and ensures that agricultural land remains productive and accessible to those who genuinely intend to cultivate it, thereby safeguarding food security and rural livelihoods³⁴. Furthermore, SAFER's ability to intervene in land transactions acts as a critical safeguard against uncontrolled urban sprawl and unsustainable land use practices, promoting a more balanced regional development.

SAFER's operational mechanism is highly strategic. This institution has the preemptive right to intervene in land sales transactions. When agricultural land is sold, the notary is required to notify SAFER, which then has the right to purchase the land for public use. The decision to purchase is based on compliance with existing land use policies. This hybrid structure allows SAFER to operate with the efficiency of a private company (funded by transaction revenues) while ensuring that its actions align with public objectives, effectively preventing land speculation and Land Mafia practices. Multisectoral oversight by the government, farmers' unions, and environmental organizations ensures transparency and accountability in all land acquisitions and sales. This approach ensures that property rights are respected while optimally serving public interests, such as farmland conservation and

https://www.landcommission.gov.scot/downloads/6554aa4252c5a_Review%20of%20France%C3%94%C3%87%C3%96s%20SAFER%20Land%20Market%20Interventions.pdf

³⁴Achmani, Youness. 2025. "Urban Projects in France: Navigating Neoliberalism, Justice, and Commons Planning." *Discover Sustainability* 6 (1). <https://doi.org/10.1007/s43621-025-00813-w>.

support for young farmers³⁵. This system effectively balances private property rights with public good objectives, fostering sustainable agricultural practices and rural development. Furthermore, the SAFER model actively contributes to land market regulation by influencing land prices and preventing excessive inflation, thereby stabilizing the agricultural sector and promoting equitable access to land resources³⁶. Such a comprehensive oversight mechanism enhances the legitimacy of land transactions and mitigates the potential for illicit activities often associated with informal land markets.

³⁵ Perrin, Coline, and Brigitte Nougaredes. 2020. "An Analytical Framework to Consider Social Justice Issues in Farmland Preservation on the Urban Fringe. Insights from Three French Cases." *Journal of Rural Studies* 93 (July):122. <https://doi.org/10.1016/j.jrurstud.2020.07.007>.

³⁶ Agosta, Martina, Emanuele Schimmenti, Caterina Patrizia Di Franco, and Antonio Ascuto. 2025. "Agricultural Land Markets: A Systematic Literature Review on the Factors Affecting Land Prices." *Land* 14 (5): 978. <https://doi.org/10.3390/land14050978>.

5. System Comparison and Identification of Benefits for Indonesia

A comparison between these three Land Bank models reveals fundamental differences in institutional, regulatory, and operational approaches.

Variables	Indonesia	Dutch	French
Shareholder Institution	Land Bank Agency (Special Legal Entity, <i>of his kind</i>), formed by the central government.	Provincial Government Council (decentralized), no guidance from the national level.	SAFER (<i>Land development and rural settlement companies</i>), a non-profit limited liability company with a public purpose.
Legal basis	Law No. 6/2023 (Job Creation Law); Government Regulation No. 64/2021; Presidential Regulation No. 113/2021.	Rural Area Development Act 2006 (<i>Rural Area Development Act</i>); Land Consolidation Act 1954; etc	Agricultural Orientation Act 1960 & 1962; Rural and Maritime Fisheries Code 2000.
The main purpose	Ensuring the availability of land for public, social, national development, economic equality, land consolidation, and agrarian reform.	Land acquisition for land use improvement, fund management, facilitation of temporary use, and land distribution.	Protection of agricultural, natural, and forestry areas; contribution to sustainable development; and transparency of land markets.
Operational Mechanism	Centralized planning, acquisition, procurement, management, utilization, and distribution of land.	Focusing on land consolidation and infrastructure restructuring,; decentralized approach.	Purchase property, have preferential rights to intervene, temporarily manage, rent, and resell the property to selected candidates.

Table 01. Land Bank models fundamental differences

However, a comparative analysis reveals potential enhancements for the Indonesian Land Bank framework by integrating elements from the more mature Dutch and French systems. Specifically, Indonesia could benefit from adopting a more decentralized approach

to land management, similar to the Dutch model, better to address regional disparities and local land use dynamics. Furthermore, incorporating a robust pre-emptive right mechanism, as exemplified by the French SAFER system, could significantly strengthen the Indonesian Land Bank's ability to curb speculative land practices and ensure land access for agricultural and public interest purposes, aligning with the constitutional mandate for equitable resource distribution³⁷. This integration would necessitate a re-evaluation of existing regulatory frameworks to facilitate such adaptations while maintaining a cohesive national land policy³⁸. Such a strategic shift would empower regional authorities and local communities, fostering a more responsive and adaptive land governance system tailored to diverse local needs³⁹. Moreover, the Indonesian Land Bank could learn from SAFER's hybrid structure, which combines private sector efficiency with public interest objectives, to enhance its operational effectiveness and accountability in managing land resources.

³⁷ Subekti, Rahayu, Purwono Sungkowo Rahardjo, and Alya Maya Khonsa Rahayu. 2022. "The Agro-Finance Governance of Land Pawning Institutionalism in an Asian Emerging Economy." *Corporate Governance and Organizational Behavior Review* 6 (4): 150. <https://doi.org/10.22495/cgobrv6i4p14>.

³⁸ Tamsil, IF Susilowati, and Muhammad Fiqih Samudera Wardhana. 2018. "Perspective of Public Law in Rearrangement of Profit Sharing System Agricultural Land in Indonesia." *Journal of Physics Conference Series* 953 (January):12166. <https://doi.org/10.1088/1742-6596/953/1/012166>.

³⁹ Muhtadi, Muhtadi, Nia Kurniati, Indra Prawira, and Somawijaya. 2022. "Public Interest Development in Indonesia: Considerations Regarding Land Acquisition and Its Impact on the Environment." *International Journal of Sustainable Development and Planning* 17 (8): 2585. <https://doi.org/10.18280/ijstdp.170827>.

6. Land Bank Benefits Map and Its Development Potential

Land banks in Indonesia play a crucial role in managing abandoned and unclaimed land, which are often the primary targets of land mafia practices. Drawing on Dutch and French models, the Indonesian Land Bank has significant potential for further development to maximize its benefits for the community.

Main Benefits of Land Banks in Indonesia	Development Potential	Relationship with Dutch & French Practices
Ensuring Land Availability	Diversification of land acquisition sources from government determination to cooperation with the private sector and the community.	Dutch and French practice shows that land acquisition can be done through negotiation or preferential rights (<i>pre-emptive right</i>), not just a unilateral determination. This reduces the potential for conflict and community concerns regarding the practice. <i>Domain declaration</i> .
Land Speculation Prevention	Implementation of preferential rights (<i>pre-emptive right</i>), which gives the Land Bank the authority to intervene in strategic land sales and purchase transactions.	The French model, through SAFER, gives this institution preferential rights to purchase agricultural land for sale, thus preventing speculation and ensuring that the land is used according to its public purpose.
Land Redistribution for Agrarian Reform	Implement a land distribution system based on community participation and the real needs of small farmers.	France's SAFER specifically aims to facilitate land access for young farmers and rural communities, which Indonesia can adopt to achieve equitable agrarian reform.
Land Consolidation and Infrastructure Development	Using the Land Bank as an instrument for land consolidation, facilitating infrastructure development integrated with regional spatial planning.	The Dutch model emphasizes land consolidation as the primary objective of land banking. This allows for efficient land restructuring for road, irrigation, and other infrastructure development, which can be adopted for strategic projects in Indonesia.
Improving Land	Building a transparent and	French practice through multi-stakeholder committees

Governance	publicly accessible land information system and involving a multi-stakeholder oversight committee.	in SAFER, consisting of representatives of farmers, government, and environmental organizations, ensures transparency and accountability in every decision related to land management.
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Table 02. Comparative Analysis of Land Bank Benefits in Indonesia and Their Relation to Dutch and French Practices

The table above shows that adopting preferential rights, as implemented in the French SAFER model, can significantly reduce land speculation and ensure land use is in accordance with public designations, particularly for agrarian reform. This approach could also aid in the identification and utilization of idle or abandoned lands, which are crucial for agricultural development and food security, by leveraging comprehensive geospatial and land concession data⁴⁰. Furthermore, integrating robust land consolidation strategies from the Dutch model would enhance the Indonesian Land Bank's capacity to facilitate large-scale infrastructure projects and systematic land titling, addressing the complexities of land fragmentation⁴¹. This integrated framework would also strengthen legal certainty and streamline land acquisition processes, fostering a more efficient and equitable land market while minimizing potential disputes⁴². Moreover, the implementation of such an advanced land banking system would require significant investment in human capital and technological infrastructure, including the development of a centralized, blockchain-enabled land registry to enhance transparency and prevent fraudulent transactions. This digital transformation would not only secure land tenure but also optimize land utilization through data-driven spatial planning, a critical aspect for sustainable land management in Indonesia⁴³. Additionally, the Land Bank could play a

⁴⁰ Mulyani, Anny, Budi Mulyanto, Baba Barus, Dyah Retno Panuju, and Husnain. 2023. "Potential Land Reserves for Agriculture in Indonesia: Suitability and Legal Aspect Supporting Food Sufficiency." *Land* 12 (5): 970. <https://doi.org/10.3390/land12050970>.

⁴¹ Kusmiarto, Trias Aditya, Djurdjani Djurdjani, and Subaryono Subaryono. 2021. "Digital Transformation of Land Services in Indonesia: A Readiness Assessment." *Land* 10 (2): 120. <https://doi.org/10.3390/land10020120>.

⁴² Setyoningsih, Wahyu Murni, and S. Silviana. 2022. "The Policy on the Granting of Permits for Change of Land Use (IPPT) in the Context of Transfer of Use of Agricultural Land to Equitable Residential Houses." *Jurnal Daulat Hukum* 5 (3): 270. <https://doi.org/10.30659/jdh.v5i3.20870>.

⁴³ Rangkuti, Ahmad Budinta, and Muhammad Yamin Lubis. 2020. "Land Right's Application In Accordance With The Use Of Existing Space In Medan City." *Indonesian Journal of Business and Entrepreneurship*, September. <https://doi.org/10.17358/ijbe.6.3.292>.

pivotal role in optimizing the potential of suboptimal lands, which are currently underutilized but hold significant promise for supporting national food security and reducing the pressure on prime agricultural areas⁴⁴. This would involve sophisticated land suitability analysis, incorporating ecological, economic, and social factors to identify the most appropriate alternative uses for such areas⁴⁵. For example, vacant lands in residential areas, if optimally managed, can significantly enhance their value⁴⁶. The strategic management of these undervalued assets, potentially through partnerships with private developers or community land trusts, could unlock substantial economic benefits and contribute to urban regeneration initiatives

7. Model for Regulating the Utilization of Land Bank Mechanisms in Indonesia

Based on comparative analysis and theoretical foundations, a "Hybrid-Decentralized Land Bank Model" is proposed for Indonesia. This model is designed to address the weaknesses of the current centralized model by integrating the strengths of the Dutch and French models. This hybrid approach emphasizes a decentralized operational framework that empowers local authorities while maintaining a cohesive national strategy for land acquisition, management, and redistribution⁴⁷. This model balances central oversight with localized implementation, enabling tailored responses to diverse regional land challenges while ensuring adherence to national development objectives. This structure aims to enhance responsiveness to local needs and conditions, fostering greater community participation and ownership in land-use decisions⁴⁸

⁴⁴ Qurani, I Z, and N I Fawzi. 2022. "Mainstreaming Sustainable Use of Suboptimal Lands to Support Food Security in Indonesia." In *IOP Conference Series Earth and Environmental Science*, 1039:12029. IOP Publishing. <https://doi.org/10.1088/1755-1315/1039/1/012029>.

⁴⁵ Rahmat, Norhisham, and Ainur Zaireen Zainudin. 2023. "Effective Idle Land Management: A Conceptual Framework from Land Management Paradigm." In *IOP Conference Series Earth and Environmental Science*, 1274:12033. IOP Publishing. <https://doi.org/10.1088/1755-1315/1274/1/012033>.

⁴⁶ Subagyo, Petrus Teguh, and Nurhidayah Nurhidayah. 2023. "Penerapan Metode Pengembangan Lahan (Land Development Analysis) Dalam Penilaian Tanah." *JISMA Jurnal Ilmu Sosial Manajemen Dan Akuntansi* 2 (4): 1109. <https://doi.org/10.59004/jisma.v2i4.430>.

⁴⁷ Gunawan, Hendra, Budi Mulyanto, Sri Suharti, Subarudi Subarudi, Sulistya Ekawati, Endang Karlina, Pratiwi Pratiwi, et al. 2024. "Forest Land Redistribution and Its Relevance to Biodiversity Conservation and Climate Change Issues in Indonesia." *Forest Science and Technology* 20 (2): 213. <https://doi.org/10.1080/21580103.2024.2347902>.

⁴⁸ Sahide, Muhammad Alif K., Micah R. Fisher, Nasri Nasri, Wiwik Dharmiasih, Bart Verheijen, and Ahmad Maryudi. 2020. "Anticipating a New Conservation Bureaucracy? Land and Power in Indonesia's Essential Ecosystem Area Policy." *Land Use Policy* 97

This model is fully based on the principles of Good Governance. First, in terms of transparency and accountability, this model adopts a multi-stakeholder oversight mechanism inspired by France's SAFER. By involving representatives of communities, farmer unions, and academics in the oversight committee, every decision related to land acquisition, management, and distribution will be closely and transparently monitored. This will minimize corruption and abuse of authority that often trigger Land Mafia practices. Secondly, for enhanced accountability, this model mandates regular, publicly accessible audits of all Land Bank transactions and asset management, ensuring that financial flows and land allocations are rigorously scrutinized. This rigorous oversight, coupled with transparent reporting mechanisms, aims to build public trust and deter illicit activities within the land management ecosystem⁴⁹. Furthermore, the integration of blockchain technology is envisioned to provide an immutable and transparent ledger of all land transactions, significantly bolstering the integrity and traceability of land records⁵⁰. This technological innovation would significantly reduce opportunities for land corruption by providing an undeniable audit trail for every land-related activity⁵¹. Moreover, the model incorporates mechanisms for public participation, aligning with good governance principles by ensuring community input into land management decisions, thus fostering legitimacy and preventing social conflicts⁵². These participatory mechanisms are critical for aligning land policy with local needs and preventing the imposition of top-down decisions that could lead to land disputes⁵³. This aligns with the principles of good governance, which emphasize

(June):104789. <https://doi.org/10.1016/j.landusepol.2020.104789>.

⁴⁹ Rizky, Muchamad Catur, Didit Darmawan, Suwito Suwito, Rio Saputra, and Novritsar Hasitongan Pakpahan. 2023. "Upaya Pemberantasan Korupsi: Tantangan Dan Langkah-Langkah Konkret." *Jurnal Manuhara Pusat Penelitian Ilmu Manajemen Dan Bisnis* 1 (4): 407. <https://doi.org/10.61132/manuhara.v1i4.726>.

⁵⁰ Batubara, Fakhruddin Rizal, Jolien Ubacht, and Marijn Janssen. 2019. "Unraveling Transparency and Accountability in Blockchain," June, 204. <https://doi.org/10.1145/3325112.3325262>.

⁵¹ Sakib, Nurul Huda, Mujahidul Islam, and Md. Foysal Jaman Shishir. 2022. "National Integrity Strategy Implementation in Land Administration to Prevent Corruption in Bangladesh." *SN Social Sciences* 2 (4). <https://doi.org/10.1007/s43545-022-00352-5>.

⁵² Karunia, R. Luki, Keisha Dinya Solihati, and Nila Kurnia Wati. 2022. "Implementation of Good Governance Principles in the Land Transportation Management Center." *KnE Social Sciences*, May. <https://doi.org/10.18502/kss.v7i9.11014>.

⁵³ Abdullah, Reza, Danang Arief Widiyanto, Irpan Muhamad Ilham Kosasih, Ario Aditia Pratama, Hasnim Kaulani, Muhammad Ridwan, Ranga Agung Chrisnawati, Ruthdiah Aprilia, and Shelvi Manurung. 2019. "Completed Participatory Mapping of Village Based on WebGIS." In *IOP Conference Series Earth and Environmental Science*, 375:12004. IOP Publishing. <https://doi.org/10.1088/1755-1315/375/1/012004>.



responsiveness, consensus orientation, equity, efficiency, effectiveness, and accountability in public administration⁵⁴. Finally, by fostering greater public involvement and transparency, the hybrid-decentralized model aims to significantly improve the quality of public services related to land administration, echoing findings that link good governance principles to enhanced service delivery⁵⁵. Furthermore, the integration of local wisdom and community-based monitoring mechanisms, as observed in successful rural development initiatives, can further fortify the accountability framework, particularly in preventing the misuse of village funds and promoting sustainable local development⁵⁶. This approach emphasizes not only financial accountability but also social and environmental responsibility, thereby ensuring that the Land Bank's operations contribute holistically to sustainable development goals⁵⁷. The model's robust accountability framework is further supported by the incorporation of cutting-edge digital tools, which significantly enhances the integrity and transparency of land-related transactions.

Second, from an institutional perspective, this model breaks down the centralized structure of the Land Bank into a Central Land Bank Agency (as regulator and policymaker) and a Regional Land Bank Agency (as autonomous operational implementer). This approach, inspired by Dutch-style decentralization, allows the Land Bank to operate more responsively to local needs and address grassroots issues, such as those affecting Konawe farmers, without having to wait for direction from the center. 1 The Regional Land Bank Agency can operate with a hybrid, semi-private structure to achieve financial and operational efficiency, while remaining subject to a clear public mandate. This structural decentralization is crucial for fostering an inclusive governance regime that responds effectively to citizens'

⁵⁴ Auditya, Lucy, Husaini Husaini, and Lismawati Lismawati. 2021. "Analisis Pengaruh Akuntabilitas Dan Transparansi Pengelolaan Keuangan Daerah Terhadap Kinerja Pemerintah Daerah." *Jurnal Fairness* 3 (1): 21. <https://doi.org/10.33369/fairness.v3i1.15274>.

⁵⁵ Lionandiva, Guntur, and Triandi Triandi. 2022. "Penerapan Prinsip-Prinsip Good Governance Dalam Meningkatkan Kualitas Pelayanan Publik Pada Kantor Badan Pendapatan Daerah Kota Bogor." *Jurnal Ilmiah Akuntansi Kesatuan* 10 (3): 607. <https://doi.org/10.37641/jiakes.v10i3.1604>.

⁵⁶ Aditya, Yosua Febrian Putra, and Aprina Nugrahesthy Sulistya Hapsari. 2020. "Local Wisdom: Can It Mitigate The Risk Of Fraud?" *Accruals (Accounting Research Journal of Sutaatmadja)* 4 (1): 18. <https://doi.org/10.35310/accruals.v4i01.382>.

⁵⁷ Amerieska, Siti, Atik Andhayani, and Novi Nugrahani. 2021. "Accountability in Village Owned Enterprises (BUMDes) Based on Sustainable Livelihood Assets." In *Journal of International Conference Proceedings*, 4:332. <https://doi.org/10.32535/jicp.v4i1.1160>.

needs and allocates resources wisely, especially at the village where land issues are often most pressing⁵⁸. This dual-tiered institutional arrangement enhances the Land Bank's capacity for adaptive governance, allowing it to navigate complex regional land dynamics while adhering to national strategic objectives. This decentralized framework also aligns with findings that emphasize the importance of local government capacity in delivering effective public services, suggesting that devolving authority to regional bodies can lead to more efficient and equitable land management outcomes⁵⁹. Furthermore, this decentralized structure promotes greater accountability and transparency by bringing decision-making processes closer to the affected communities, thereby reducing information asymmetry and fostering trust in land administration⁶⁰. This tiered approach is also designed to circumvent the challenges of over-centralization, which can often lead to bureaucratic inefficiencies and a disconnect from local realities, as observed in various developing contexts⁶¹.

Third, to specifically prevent Land Mafia practices, this model proposes granting Regional Land Banks Preferential Rights to intervene in strategic land transactions (e.g., agricultural land, conservation areas). Every notary is required to notify the Regional Land Bank of any land sales in their jurisdiction, similar to the French SAFER mechanism. This would allow the Land Bank to purchase the land if it is deemed strategic for the public interest, thereby preventing it from falling into the hands of speculators or irresponsible parties. This preemptive measure directly addresses the core issue of speculative land acquisition by ensuring that critical parcels remain accessible for public welfare and development, thereby directly undermining the operational scope of land mafias. Moreover,

⁵⁸ Annahar, Nasrun, Ida Widianingsih, Entang Adhy Muhtar, and Caroline Paskarina. 2023. "The Road to Inclusive Decentralized Village Governance in Indonesia." *Sustainability* 15 (11): 8616. <https://doi.org/10.3390/su15118616>.

⁵⁹ Setiawan, Arif, Priyono Tjiptoherijanto, Benedictus Raksaka Mahi, and Khoirunurrofik Khoirunurrofik. 2022. "The Impact of Local Government Capacity on Public Service Delivery: Lessons Learned from Decentralized Indonesia." *Economies* 10 (12): 323. <https://doi.org/10.3390/economies10120323>.

⁶⁰ Indrijawati, Aini, Darmawati Darmawati, Fithyani Anwar, Fatmawati Fatmawati, and Samsinar Samsinar. 2024. "Accountability for Village Financial Management: Clarity of Budget Targets and Competency of Village Financial Management Officials." *Asian Development Policy Review* 12 (3): 281. <https://doi.org/10.55493/5008.v12i3.5170>.

⁶¹ Waeterloos, Evert. 2021. "Introducing Collaborative Governance in Decentralized Land Administration and Management in South Africa: District Land Reform Committees Viewed through a 'System of Innovation' Lens." *Land* 10 (5): 534. <https://doi.org/10.3390/land10050534>.

the model also proposes the establishment of a specialized anti-mafia task force within the Land Bank, equipped with legal and investigative powers to proactively identify, investigate, and prosecute individuals or entities involved in illicit land dealings, thereby reinforcing the state's capacity to uphold property rights and ensure equitable land distribution. This proactive approach is essential for mitigating the pervasive issue of illegal land conversion and ensuring that land resources are utilized in alignment with sustainable development goals⁶². This robust framework, combining technological, institutional, and preventative measures, aims to establish a transparent, equitable, and efficient land administration system capable of counteracting the multifaceted challenges posed by land speculation and illegal land appropriation. Such a system not only safeguards legitimate land ownership but also fosters an environment conducive to responsible land development and investment, enhancing overall land tenure security⁶³. Furthermore, by decentralizing land governance and service provision, the model addresses critical issues such as the alleged mismanagement and manipulation of land records and the limited impact of centralized efforts to localize land services⁶⁴. This comprehensive strategy aims to mitigate the challenges associated with large-scale land registration efforts, often characterized by high volumes of transactions and potential disputes⁶⁵ by embedding proactive legal and administrative safeguards.

C. CONCLUSION

The establishment of the Land Bank Agency in Indonesia is a step forward in addressing agrarian issues and the "Land Mafia." However, the institution's success depends heavily on fundamental institutional reform. The current centralized model is prone to

⁶² Widowaty, Yeni, Triyono Triyono, and Dimas Amanda Wahid. 2021. "Law Enforcement of Land Transfer from Agricultural Land to Housing in Indonesia." *E3S Web of Conferences* 232 (January):4008. <https://doi.org/10.1051/e3sconf/202123204008>.

⁶³ Antonio, Danilo, Solomon Njogu, Hellen Nyamweru, and John Gitau. 2021. "Transforming Land Administration Practices through the Application of Fit-For-Purpose Technologies: Country Case Studies in Africa." *Land* 10 (5): 538. <https://doi.org/10.3390/land10050538>.

⁶⁴ Khalid, Muhammad Irfan, Jawaid Iqbal, Ahmad Alturki, Saddam Hussain, Amerah Alabrah, and Syed Sajid Ullah. 2022. "Blockchain-Based Land Registration System: A Conceptual Framework." *Applied Bionics and Biomechanics* 2022 (February):1. <https://doi.org/10.1155/2022/3859629>.

⁶⁵ Rachmawati, Fairus Augustina, Shafa Amalia Choirinnisa, and Latif Latif. 2021. "Integrated Land Registration System: Between Legal Certainty and Challenges (Case of Semarang City)." *Indonesian Journal of Advocacy and Legal Services* 3 (2): 217. <https://doi.org/10.15294/ijals.v3i2.45895>.

bureaucratic slowdowns, a lack of transparency, and potential abuse of authority, as illustrated by community concerns and existing agrarian conflict cases. This research suggests that Indonesia can learn valuable lessons from the Dutch decentralized model and the French hybrid model. The Dutch model emphasizes policy integration and local adaptation, while the French model emphasizes the importance of operational efficiency and multi-stakeholder oversight. By combining these advantages, the Hybrid-Decentralized Land Bank Model proposed in this report offers the most effective solution. Its successful implementation will depend on consistent adherence to good governance principles, including transparency, accountability, and public participation. Ultimately, the Land Bank must function not only as a technical institution but also as an agent of change that can restore public trust and ensure agrarian justice in Indonesia.

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