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LEGAL RECONSTRUCTION FOR NATIONALIZED LAND ASSETS: A PROPOSAL FOR INTEGRATING NATIONALIZATION LAW WITH MODERN AGRARIAN REGULATION

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Abstract
The legal framework governing nationalized land assets in Indonesia, particularly those managed by state-owned enterprises such as PT PELNI (Persero), reflects a persistent normative and administrative inconsistency between the Nationalization Law (Law No. 86/1958) and the Basic Agrarian Law (Law No. 5/1960). These inconsistencies have produced overlapping claims, ambiguous ownership status, and prolonged legal disputes, especially concerning ex-Dutch company assets acquired through the nationalization process. This study employs a normative-legal and historical approach, integrating statutory, conceptual, and case analyses. Legal documents, government regulations, archival records of ex-KPM assets, and the District Court decision No. 64/Pdt.G/2019/PN.Sel are examined to evaluate the harmony and effectiveness of the current legal regime. Findings reveal a dualism in the legal treatment of nationalized assets: on the one hand, they are recognized as state property; on the other, their registration and certification processes remain fragmented under agrarian administration. The absence of explicit legal mechanisms for asset conversion, verification, and registration has created uncertainty and potential misuse of state-owned lands. The article proposes a legal reconstruction model that harmonizes nationalization law with modern agrarian regulation by introducing integrative norms on asset verification, registration, and management. Such reform would enhance legal certainty, prevent overlapping claims, and strengthen state asset governance within the framework of Indonesia's agrarian reform agenda.
Keywords: *Legal Reconstruction; Nationalization Law; Agrarian Regulation; State-Owned Assets*

Abstrak
Kerangka hukum yang mengatur aset tanah hasil nasionalisasi di Indonesia, khususnya yang dikelola oleh badan usaha milik negara seperti PT PELNI (Persero), menunjukkan adanya ketidakharmonisan normatif dan administratif antara Undang-Undang Nasionalisasi (UU No. 86 Tahun 1958) dan Undang-Undang Pokok Agraria (UU No. 5 Tahun 1960). Ketidakharmonisan ini menimbulkan tumpang tindih klaim, ketidakjelasan status kepemilikan, serta sengketa hukum berkepanjangan, terutama terhadap aset bekas perusahaan Belanda yang diperoleh melalui proses nasionalisasi. Penelitian ini menggunakan *pendekatan yuridis normatif dan historis* dengan mengintegrasikan analisis peraturan perundang-undangan, konsep, dan studi kasus. Data dikumpulkan melalui telaah dokumen hukum, peraturan pemerintah, arsip aset eks-KPM, serta putusan Pengadilan Negeri Selong Nomor 64/Pdt.G/2019/PN.Sel untuk menilai keselarasan dan efektivitas rezim hukum yang berlaku. Temuan menunjukkan adanya dualisme dalam pengaturan aset nasionalisasi: di satu sisi diakui sebagai milik negara, namun di sisi lain proses pendaftaran dan sertifikasinya masih terfragmentasi dalam administrasi pertanahan. Ketiadaan mekanisme hukum yang tegas mengenai konversi, verifikasi, dan pendaftaran aset menyebabkan ketidakpastian hukum dan potensi penyalahgunaan aset negara. Artikel ini mengajukan model rekonstruksi hukum yang mengintegrasikan hukum nasionalisasi dengan regulasi agraria modern melalui pembentukan norma terpadu tentang verifikasi, pendaftaran, dan pengelolaan aset.

Reformasi tersebut diharapkan dapat meningkatkan kepastian hukum, mencegah tumpang tindih klaim, serta memperkuat tata kelola aset negara dalam kerangka reformasi agraria nasional.
Kata kunci: *Rekonstruksi Hukum; Nasionalisasi; Regulasi Agraria; Aset Milik Negara*

INTRODUCTION

Since the enactment of Law Number 86 of 1958 concerning the Nationalization of Dutch-Owned Companies, Indonesia has entered a new chapter in the control of the national economy. Through this policy, various assets of foreign companies operating in Indonesia were transferred to the state as a manifestation of postcolonial economic sovereignty. [1] However, in practice, the nationalization process is not fully followed by a clear legal arrangement of the status of the land and buildings included in the nationalization assets. This leads to inequality between national economic political objectives and legal certainty over the assets transferred.

One of the real examples of this problem can be seen in the management of land and building assets owned by PT Pelayaran Nasional Indonesia (Persero) or PT PELNI, which is the result of the nationalization of the Dutch-owned Koninklijke Paketvaart Maatschappij (KPM).[2] A number of ex-KPM assets spread across various regions, including in Selong and Labuhan Haji, are still facing legal issues related to land ownership and certification. The most prominent case is the land dispute that led to the Selong District Court Decision Number 64/Pdt.G/2019/PN. Cell, which shows the complexity of the relationship between nationalized asset ownership and modern land administration.[3]

Regulatory disharmony is the main factor that gives rise to this problem. On the one hand, the Nationalization Law affirms that all assets of Dutch companies become state-owned through the nationalization process. However, on the other hand, the Basic Agrarian Law (UUPA) affirms the principle of state control over land for the greatest possible prosperity of the people, not direct ownership by the state. [4] This paradigm conflict gives rise to dualism between the concept of "state ownership" which is absolute and "the right to control the state" which is public and open to distribution.

[1] Saidin, O. K. "Nationalization of Dutch-Owned Companies on the Concession Land of the Sultanate of Deli (Preliminary Study of the Loss of Rights to Natural Resources of Indigenous Peoples)." *Judiciary* 4, no. 1 (2015): 1-32.

[2] Egeten, Angelina Ervina Jeanette, Tris Sanjaya, Aulia Mei Azizi, and Rizqon Nurrofik Fadhilah. "Information System Strategy Planning at PT Pelayaran Nasional Indonesia (PT Pelni)." In *2024 9th International Conference on Business and Industrial Research (ICBIR),* pp. 997-1002. IEEE, 2024.

[3] Sumarno, Cecep, and Endang Pandamdari. "The urgency of protecting priority rights (prioritiiteitrechts) over SOE land assets obtained from the nationalization law illegally controlled by third parties." *Journal of Lege Ferenda Trisakti* (2024): 109-129.

[4] Ramisan, Jonathan Marhien. "Transfer of State Land Rights Based on the Principles of Agrarian Reform According to Law Number 5 of 1960 concerning Basic Regulations on Agrarian Principles." *Lex Privatum* 12, no. 3 (2023).

This dualism has an impact on the uncertainty of the legal status of land assets resulting from nationalization. Many assets have historically been controlled by the state through state-owned enterprises, but do not yet have a legally valid land rights certificate (HAT). This condition opens up space for double claims, embezzlement, and even asset transfers without a strong legal basis. In the context of PT PELNI, this problem becomes even more complicated because assets obtained through nationalization are often still recorded in the name of the old party or have not been converted according to the national land system.

The problem is not only administratively technical, but also touches on fundamental aspects of state legal theory. The insynchronization between nationalization law and agrarian law reflects the lack of integration between public law and private law in the regulation of state assets. The state doubles as owner and regulator, but without a clear mechanism for defining the boundary between control and possession.[5] As a result, the law loses its effectiveness as an instrument of protection in the public interest.

Institutional weaknesses have also exacerbated this situation. Coordination between the Ministry of Finance as the manager of State Property (BMN), the Ministry of SOEs as the manager of state corporations, and the National Land Agency as the land administration authority, is still running sectorally and partially.[6] The disintegration of data and policies has led to many nationalized assets not being accurately verified, resulting in state economic losses and potential abuses.

From the perspective of legal development, this condition demands a comprehensive legal reconstruction. This reconstruction is not only interpreted as a rearrangement of legal norms, but also as an effort to harmonize values, principles, and institutions that have been running separately. The goal is to create a legal system that is able to ensure certainty, justice, and usefulness in the management of nationalized assets in accordance with the principles of the state of law and the mandate of the constitution.

This reconstructive approach is becoming increasingly important in the context of modern agrarian reform. The integration of nationalized law with the agrarian legal system will not only resolve historical conflicts between the state and the private sector, but also strengthen the legal basis for the transparent and accountable management of public

[5] Martini, Tina. "The implementation of the Certificate of State Property in the form of Land is based on the Joint Regulation of the Minister of Finance and the Head of the National Land Agency of the Republic of Indonesia Number 186/PMK. 06/2009 Number 24 of 2009 concerning the Certification of State Property in the form of Land in Siak Regency." PhD diss., Sultan Syarif Kasim State Islamic University, Riau, 2023.

[6] Adithya, Muhamad Rizky, and Agus Budi Santoso. "The Status of Management Rights in National Land Law in Relation to the Ownership of State-Owned Property." *Future Academia: The Journal of Multidisciplinary Research on Scientific and Advanced* 2, no. 4 (2024): 793-802.

assets.[7] Thus, the regulation of nationalized land ownership is no longer solely seen as a colonial legacy, but as a strategic instrument in strengthening national economic independence.

Based on this background, this article aims to critically analyze legal disharmony in the regulation of nationalized assets and offer an integrative model of legal reconstruction. The analysis was carried out through a normative and historical juridical approach with a case study on the assets of PT PELNI (Persero). It is hoped that the results of this study can make a real contribution to the reform of national agrarian law and the improvement of fair and sustainable state asset governance.

RESEARCH METHODS

This study uses normative and historical juridical approaches to comprehensively understand the legal dynamics surrounding nationalized land assets.[8] The normative juridical approach is used to examine the applicable positive legal norms, both in Law Number 86 of 1958 concerning Nationalization, Law Number 5 of 1960 concerning Basic Regulations on Agrarian Principles, as well as various derivative regulations related to the management of State Property (BMN) and land administration. Analysis was carried out on the principles, norm structure, and hierarchical relationships between regulations to identify disharmony or overlapping arrangements that are the source of legal uncertainty.

Meanwhile, a historical approach is used to trace the social, political, and economic context behind the birth of the nationalization policy and changes in Indonesia's agrarian legal system after independence. Through this approach, the research seeks to understand how the legacy of colonial law, particularly the *Verponding system* and eigendom rights, transformed into a national agrarian law regime. The research data was collected through the study of legal documents, national archives regarding ex-KPM assets, internal reports of PT PELNI (Persero), and a study of the Selong District Court Decision Number 64/Pdt.G/2019/PN. Cell, which is a central case study in assessing the alignment, effectiveness, and implementability of the nationalized legal regime in practice.

RESULTS AND DISCUSSION

A. Normative Dualism between Nationalization Law and Agrarian Law

The disharmony between Law No. 86 of 1958 concerning the Nationalization of Dutch-Owned Companies and Law No. 5 of 1960 concerning the Basic Regulation of Agrarian Principles (UUPA) is the main root of the legal problem of ownership of nationalized land assets. These two regulations were born in different historical contexts

[7] Anastasia, Sasikirana, Rifki Nurohman, Daffa Tegar Nabil Zaidan, and Asnawi Mubarok. "Implications of Agrarian Law on Indonesian Land Conflicts." *Journal of Social and Humanities* 4, no. 2 (2024): 545-553.

[8] Saebani, Beni Ahmad. "Legal Research Methods: Normative Juridical Approach." (2021).

and carry an ideological spirit that is not entirely in line. The Nationalization Law was driven by the post-independence political and economic spirit to restore the nation's control over economic resources that were previously controlled by the colonizers, while the UUPA emphasized the reform of the agrarian structure to be in line with the principles of social justice and people's prosperity.[9]

Law No. 86 of 1958 affirmed that all Dutch companies operating in Indonesia were nationalized and all their wealth became the property of the Republic of Indonesia. The phrase "becoming state-owned" in this law places the state as the direct owner of the nationalized assets, including land and buildings previously registered in the name of a Dutch legal entity.[10] Within this framework, nationalization is not only a form of economic takeover, but also a full transfer of legal ownership from a foreign party to the state.

On the contrary, the 1960 UUPA actually introduced a new paradigm about the relationship between the state and land, namely the concept of "the right to control from the state" as stipulated in Article 2 paragraph (1). In this concept, the state does not become the direct owner of the land, but functions as a regulator and organizer who gives authority to the people through various forms of land rights such as property rights, business use rights, building use rights, and use rights.[11] That is, the state acts as a *regulator* and *trustee* for the public interest, not as an absolute owner as interpreted in the Nationalization Law.

This difference in principle gives birth to what is called normative dualism: on the one hand the state becomes the owner of nationalized assets based on Law No. 86 of 1958, but on the other hand the UUPA does not recognize the concept of land ownership by the state absolutely. As a result, nationalized land that should be managed by the state or state-owned enterprises often cannot be legally registered in the national land system, because there is no form of land rights explicitly recognized for the "state as the owner". This situation creates a void of norms and legal uncertainty regarding the status of nationalized land.[12]

The absence of implementing regulations bridging the two legal regimes further deepens the problem. Until now, there has been no government regulation or ministerial regulation that explicitly regulates the mechanism for converting nationalized land into a

[9] Lukmanurdin, Other. "Legal protection for cultivators is linked to the Basic Agrarian Law Number 5 of 1960: A case study in the area of Kiarajangot village, Dangiang Village, Cilawu District, Garut Regency." PhD diss., UIN Sunan Gunung Djati Bandung, 2017.

[10] Chandrawulan. *Multinational Corporate Law; Liberalization of International Trade Law & Investment Law*. Alumni Publishers, 2022.

[11] Franciska, Wira. "Banking Credit Guarantee Agreement for Building Use Rights Object Above Management Rights." *Letters: Journal of Non-Formal Education* 8, no. 3 (2022): 2223-2238.

[12] Purnomo, Ed. "The Authority of State Asset Management Based on the Nationalization Law by the Indonesian National Army." PhD diss., University of Muhammadiyah Surabaya, 2019.

land rights system based on the UUPA. In practice, these assets are only recorded as State Property (BMN) without a clear status of rights in land administration.[13] As a result, the certification and registration process of nationalized assets cannot be carried out completely, because the legal basis used by the National Land Agency (BPN) does not accommodate "state ownership rights" as referred to in the Nationalization Law.

In addition to the legal vacuum, there is also a conceptual insynchronization at the level of practice. The Nationalization Law places nationalization assets as state assets managed by SOEs as executors of the state's economic tasks. However, the UUPA requires that every land tenure has a specific and registered basis of rights.[14] In the case of PT PELNI, for example, many ex-KPM assets are still recorded in the name of Dutch companies in old documents (*Verponding*), while the process of conversion into building use rights (HGB) or management rights (HPL) has not been formally carried out. This condition creates a legal loophole that allows for third-party claims against the asset.

The juridical impact of this dualism is significant. Without clarity on the status of land rights, nationalized assets become vulnerable to legal disputes. In the case that occurred in Selong, for example, PT PELNI faced a lawsuit from the party claiming the land as its property based on evidence of long-lasting physical possession. The court finally declared the lawsuit inadmissible due to lack of parties, but the case showed that the unclear legal norms had opened up opportunities for agrarian conflicts between the state, state-owned enterprises, and the community.

Furthermore, normative dualism also has implications for the financial aspects of the state. Because nationalized assets do not have valid land rights certificates, many SOE assets cannot be used as objects of guarantees, investments, or other productive uses. On the other hand, the administrative burden of asset management continues to increase without adequate legal certainty. Thus, the disharmony between the Nationalization Law and the UUPA not only raises juridical problems, but also causes economic inefficiency and losses for the state.[15]

Theoretically, this dualism can be understood as the result of the transition of the colonial legal system to the national legal system that has not been completely completed. The colonial legal system was based on individual and corporate ownership (hak *eigendom*), while the post-independence national legal system sought to replace it with a socially oriented system of state control. However, in the transformation process, there is no provision that clearly regulates how assets that have been taken over by the state

[13] Arliman, Laurensius. "The Role of the State Administrative Court in Maintaining State Assets as Administrative Justice." *Proceedings APHTN-HAN* 1, no. 1 (2023): 515-536.

[14] Sari, this is the woman of Ariningsih. "The concept of the right to control the state over land in the land law (uupa) and the constitution." *Journal of Ganec Swara* 15, no. 1 (2021).

[15] Putri, Meilysa Ajeng Kartika, Yogi Setiawan, and M. Hidayat. "Agrarian Conflict and Inequality of Land Tenure: A Juridical Study of the State's Responsibility in Guaranteeing Citizens' Constitutional Rights to Land." *Jurisdiction: Journal of Law and Humanities* 1, no. 1 (2025): 10-19.

through nationalization must be converted into a new rights system regulated by the UUPA.[16]

Therefore, a legal reconstruction is needed that is able to unite the two regimes in one consistent normative framework. This reconstruction must establish a mechanism for converting nationalized assets into land rights recognized by the UUPA, such as Management Rights (HPL) for state assets or Building Rights (HGB) for SOEs. This integration not only aims to provide legal certainty, but also ensures that the management of nationalized assets is in line with the principles of social justice and economic efficiency in the modern agrarian legal system.

B. Administrative Fragmentation in the Management and Certification of Nationalized Assets

The main problem in the management of nationalized assets in Indonesia lies not only in the normative aspect, but also in the level of administrative implementation. Disharmony between agencies in managing and recording nationalized assets has created bureaucratic fragmentation that has an impact on legal uncertainty. These assets are essentially state-owned property, but the administrative process is spread across various institutions with different systems, nomenclatures, and databases. This situation hinders the verification and certification process that should be the basis for affirming the ownership status of nationalized assets.

The Ministry of Finance as the manager of State Property (BMN) has the authority to determine and administer all state assets, including those derived from nationalization.[17] However, most of these assets are under the control of State-Owned Enterprises (SOEs) such as PT PELNI (Persero), which manages them for operational and commercial purposes. On the other hand, the authority of land registration is under the National Land Agency (BPN). These differences in mandates and institutional perspectives often lead to policy overlaps, because there is no standard coordination mechanism between the three agencies.[18]

In practice, many nationalized assets do not have formal legal documents in the form of land rights certificates. The Ministry of Finance often only records these assets as BMN based on the minutes of the nationalization handover, without accompanied by juridical

[16] Khalimy, Akhmad. "The meaning of the transitional rule as the legal politics of the Criminal Code Bill (Transformation from colonial law to national law)." *Journal of Progressive Law* 8, no. 2 (2020): 121.

[17] Tranggana, Tripta. "Evaluation of the Management of State Property (BMN) in the Form of the Use of State Property (BMN) at the Bureau of Procurement and Management Services of State Property of the Secretariat General of the Ministry of Transportation." *Journal of Accounting Research* 2, no. 2 (2024): 85-94.

[18] Rizqi, Isnaeni. "Nationalization of Foreign Companies in Indonesia." *Isnaeni Rizqi* (2023).

evidence in the form of land registration at BPN.[19] Meanwhile, SOEs that manage nationalized assets do not always have the administrative capacity to apply for certification, because the status of the assets is still "gray" — it is not clear whether they are in the category of Management Rights (HPL), Building Rights (HGB), or simply physical control.[20] This condition has caused many state assets to be factually controlled but legally unregistered.

This administrative fragmentation is also evident from the data insynchronization between the list of nationalized assets and the national land registration system.[21] For example, in the Ministry of Finance data, ex-KPM assets belonging to PT PELNI in some regions have been recorded as state assets, but in BPN data, the land is still registered in the name of the old owner or even not registered at all. This difference in databases creates a gap in information that has the potential to be used by certain parties to make ownership claims.

Furthermore, the absence of an integrated information system between agencies makes the process of verifying the status of nationalized land very slow. Data synchronization efforts between SOEs, the Ministry of Finance, and BPN are often constrained by differences in reporting formats, limited data access, and long bureaucracy.[22] As a result, the land certification process, which is supposed to strengthen the legal position of the state, has actually become a weak point in the governance of public assets. This shows the weak institutional design in the management of nationalized assets in Indonesia.

This administrative fragmentation not only poses technical difficulties, but also has implications for legal and economic aspects. Land that has not been certified has no legal certainty, so it cannot be used as a productive asset, for example for investment or commercial cooperation.[23] For the state, this poses the potential for a large loss of economic value, because the state's strategic assets cannot be optimized for development interests. In addition, administrative weaknesses open up room for irregularities, including the possibility of illegal possession or the issuance of double certificates by third parties.

Cases such as the one in Selong (East Lombok) show how a weak administrative system contributes directly to the emergence of legal disputes. In the case, the nationalized assets that were supposed to belong to the state and managed by PT PELNI

[19] Hasri, Nadia Suci, Amsal Irmalis, and Daniel Sianturi. "The process of abolishing State Property (BMN) at the State Treasury Service Office (KPPN) Meulaboh uses the follow-up of transfers." *Journal of Research Science* 13, no. 1 (2023): 160-170.

[20] Triarda, Reza, and Rafli Zulfikar. "Revitalization of Indonesia Incorporated: Super Holding and Internationalization of Indonesian SOEs." *Journal of Global Transformation* 6, no. 1 (2019): 30-63.

[21] Arnowo, Hadi. "Land Administration in Indonesia." (2021).

[22] Mulyono, Slamet, and Haris Roseno. *Reporting Management in the Treasury System and State Budget*. Directorate of Treasury Systems, Directorate General of Treasury, Ministry of Finance, 2021.

[23] Ramadhani, Rahmat. "Land registration as a step to obtain legal certainty for land rights." *SOSEK: Journal of Social and Economic* 2, no. 1 (2021): 31-40.

were sued by another party claiming years of physical control. The court did declare the lawsuit inadmissible due to lack of parties, but this case confirms that the weakness of administrative coordination and record-keeping has created a gray space that creates legal uncertainty for nationalized assets.

In addition, the cross-agency supervision mechanism for the management of nationalized assets is still sectoral and non-binding. Each agency has its own operational standards without a shared accountability system. The Ministry of Finance focuses on financial reporting, the Ministry of SOEs focuses on corporate performance, while BPN only handles land aspects. These three institutions run with different paradigms, without any integrative policy that is able to synergistically combine the interests of public law and the economic interests of the state.[24]

From the above description, it can be concluded that administrative fragmentation has become a determining factor that weakens the effectiveness of nationalization laws.[25] Without an integrated coordination and data system, the goal of nationalization — that is, realizing economic independence and state control over strategic resources — will not be fully achieved. Therefore, future legal reconstruction must be accompanied by structural improvements at the institutional level. A special *one map policy* system is needed for nationalized assets that connects BMN, SOEs, and BPN data digitally and integrated, so that each state asset can be verified, certified, and utilized in a transparent and fair manner.

C. Juridical and Socio-Economic Implications of Uncertainty of Asset Ownership

Legal uncertainty in the regulation of nationalized assets has serious consequences, both juridically and socio-economically.[26] These assets, although historically declared state-owned under the Nationalization Act, often lack strong administrative legitimacy in the national land system. This inconsistency puts many SOE assets in a weak position when faced with legal claims from third parties. In this context, the law that should function as a means of protection is actually a source of uncertainty and potential conflict.[27]

Juridically, the absence of a valid land rights certificate results in weak evidence of state ownership before the law. In the Indonesian agrarian legal system, land certificates

[24] Nugraha, Michael Adi, and Maulana Noer Aziz. "A Review of the Administrative Burden of the National Land Agency: Efficiency and Innovation in Performance Improvement." *Scientific Journal of Education* Forum 10, no. 12 (2024): 467-475.

[25] Arifin, Paradise. "Administrative Law Analysis Of Regional Investment Incentive Policies And Its Impact On Regional Economic Growth." *Scientific Journal of Advocacy* Vol. 12, no. 4 (2024): 819-834.

[26] Rahely, Angela, Adi Broto Hazelli Elfrida, and Abna Hamidah. "The Effectiveness of Nationalization in Balancing National Interests and Foreign Investment in Indonesia." *Recital Review* 7, no. 2 (2025): 157-189.

[27] Galgani, Malino Gemma. "The Role of Law No. 7 of 2012 in Handling Social Conflicts: A Review of Legal Certainty." *Locus: Journal of Legal Concepts* 5, no. 2 (2025): 83-91.

are authentic evidence that provides certainty and legal protection for rights holders. If the nationalized assets are not registered with the National Disaster Management Agency (BPN), then the state cannot use the certificate as a strong means of proof when a dispute occurs. As a result, the state or state-owned enterprises often have difficulty maintaining land rights even though historically the asset has been nationalized.

One concrete example of this problem can be seen in the Selong District Court Decision Number 64/Pdt.G/2019/PN. Cell, which is an important case study in this study. The dispute involved a claim to land that has historically been a nationalized asset owned by PT PELNI. Although the court ultimately declared the plaintiff's lawsuit inadmissible (*niet ontvankelijke verklaard*) due to lack of parties, the case showed a fundamental weakness in the administration of nationalized assets. The fact that the plaintiff dared to file a claim against state-owned land indicates that there is a legal space that is not tightly closed due to the weak asset verification and certification system.[28]

Furthermore, the uncertainty of asset ownership causes state financial losses. Assets that have not been certified cannot be accurately included in the state's financial balance sheet or state financial statements, thereby reducing the accountability of public financial management. In addition, assets whose legal status is not clear can also be used optimally, either as financing collateral, investment cooperation, or other productive assets. Thus, certification delays not only have legal impacts, but also lead to significant economic inefficiencies.[29]

The absence of adequate legal protection also increases the risk of misuse of assets by unauthorized parties. Land that has not been certified is vulnerable to being converted, leased, or even sold illegally by individuals who take advantage of administrative loopholes. This phenomenon often occurs in areas far from government control centers, where physical control is often used as the basis for ownership claims.[30] In many cases, local authorities have difficulty cracking down on such violations because of the absence of a clear legal document proving state ownership of the land.

From the perspective of criminal law, this condition can even open up opportunities for corruption or abuse of authority. State assets that are not properly verified can be easily manipulated in value, illegally transferred, or used as transaction objects by certain parties. The unclear legal boundary between "control" and "ownership" of the state is a

[28] Sumarno, Cecep, and Endang Pandamdari. "The urgency of protecting priority rights (prioritiiteitrechts) over SOE land assets obtained from the nationalization law illegally controlled by third parties." *Journal of Lege Ferenda Trisakti* (2024): 109-129.

[29] Science, Faculty of Sociology. "Analysis of the influence of regional financial management, accountability and transparency on government financial performance." *The New Fraud Triangle Model with a Sharia perspective in detecting fraudulent behavior." Equity (Journal of Economics and Finance)* 4, no. 1 (2018): 21-46.

[30] Naibaho, Jeremy Aidianto, Bambang Daru Nugroho, and Yusuf Saepul Zamil. "Legal Protection for the Customary Land of the Indigenous Peoples of the Deli Sultanate due to Nationalization." *Journal of Law Review* 20, no. 1 (2020): 46.

vulnerable point that has the potential to harm the state's finances.[31] Therefore, the completion of the administrative aspects of nationalized assets is actually also an integral part of efforts to prevent corruption in the public sector.

The social implications of the uncertainty of nationalized asset ownership are no less important. In many areas, people who occupy ex-Dutch company land often do not understand the legal status of the land. When the state or state-owned enterprises want to carry out certification or regulation, horizontal conflicts are inevitable. The community feels entitled because they have controlled the land for generations, while the state claims it as an asset resulting from nationalization. This condition creates tension between social interests and the legal interests of the state.[32]

In the context of development governance, legal uncertainty over nationalized assets also has an impact on the low effectiveness of public policies. The government has difficulty utilizing these assets to support development programs, including the procurement of infrastructure or public housing. Many strategic assets are actually abandoned because they are still entangled in legal disputes. Thus, legal uncertainty is not only an administrative obstacle, but also hinders the implementation of economic and social policies more broadly.[33]

In terms of public trust, the weak management of nationalized assets creates a negative image of the performance of SOEs and the government. The public questioned the effectiveness of state institutions in safeguarding assets that should be a symbol of the nation's economic sovereignty. In the long run, this situation can reduce public trust in the integrity of the national legal system, because the law is seen as incapable of providing protection for the country's own wealth.[34]

Therefore, the resolution of legal uncertainty over nationalized assets is not just a legal-formal issue, but a strategic issue related to the sustainability of the national economy and the legitimacy of the state in the eyes of the people. The proposed legal reconstruction must be able to close the juridical and administrative gaps that have been the source of conflict.[35] The integration between nationalization law and modern agrarian

[31] The Goddess of Weapons. "Abuse of authority in the perspective of corruption."*Rechten Journal: Legal and Human Rights Research* 1, no. 1 (2019): 24-40.

[32] Maemunah, Siti. "Juridical Analysis of the Legal Certainty of Land Rights Ownership for Foreign Citizens (WNA) in Indonesia." PhD diss., Sultan Agung Islamic University Semarang, 2024.

[33] Sholeh, Wildan. "Challenges and opportunities in the management of public assets in disadvantaged areas." *Journal of Public Policy Services and Governance* 2, no. 1 (2025): 27-37.

[34] Lubis, Tona Aurora. "Performance of SOEs Tbk Indonesia (Review of Financial and Operational Performance, and Sustainable Competitiveness Advantages Based on Reputation of Accounting Measures)." *Performance of SOEs Tbk Indonesia* (2017): 178.

[35] Hariyono, Kurnianto Seco. "Reconstruction of Criminal Law Policy Against Traffic Violations by Minors Based on Justice." PhD diss., Sultan Agung Islamic University (Indonesia), 2022.

law is a crucial step to ensure that every state asset has strong legal legitimacy, is protected from abuse, and can be used for the greatest possible prosperity of the people.

D. Legal Reconstruction for the Integration of Nationalization Law and Modern Agrarian Regulation

Legal reconstruction is an important stage in the process of national legal reform which aims to adapt legal structures, norms, and principles to the social realities and needs of the times. In the context of the management of nationalized assets, legal reconstruction is needed as a solution to the normative dualism between the 1958 Nationalization Law and the 1960 Basic Agrarian Law, as well as the administrative fragmentation that occurs at the institutional level. This reconstruction effort is not only a textual revision of regulations, but also a rearrangement of legal logic to be more in line with the principles of certainty, justice, and utility.[36]

The concept of legal reconstruction referred to in this study departs from the view that law must function as *a tool of social engineering*. This means that legal reform must not stop at the normative level, but must be able to change institutional practices and administrative behavior that have been inefficient.[37] In the case of nationalized assets, reconstruction is directed to integrate the nationalized legal system that is economic-political in nature with agrarian law that is social and administrative, so as to produce a complete legal system that is responsive to the needs of state asset management.

The first step in this legal reconstruction is the establishment of an integrated norm that governs the process *of verification, conversion, and registration of nationalized assets* into the national land system. This norm can be realized through government regulations or presidential regulations as derivative instruments that bind across ministries. The verification process is needed to ensure the validity of nationalization documents and the identification of assets of ex-foreign companies that are still under the control of SOEs. After the verification process, the asset status is converted into a form of land rights recognized by the UUPA, such as Management Rights (HPL) or Building Rights (HGB).[38]

The conversion process is a crucial point in legal reconstruction, because so far there has been no formal mechanism governing how nationalized assets can be incorporated into the modern land rights system. Many nationalized assets are only recorded as State Property (BMN) without a clear status of rights in the administration of BPN. With a clear and standardized conversion mechanism, any nationalized asset can be legally registered

[36] Come on, get your ass kicked. "Reconstruction of Land Dispute Settlement Regulations in the State Administrative Court Based on the Value of Justice." PhD diss., Sultan Agung Islamic University Semarang, 2024.

[37] Djasmani, H. Yacob. "Law as a Tool of Social Engineering in Legal Practice in Indonesia." *Legal Issues* 40, no. 3 (2011): 365-374.

[38] Putri, Berliyan Erika, and Sri Setyadji. "Legal Principles of Building Use Rights (HGB) Over Management Rights (HPL) on Land Recovered in the Perspective of the UUPA." *IBLAM Law Review* 4, no. 3 (2024): 34-47.

and have strong legal evidence in the form of land certificates, thus closing the space for the emergence of claims from third parties.[39]

The next step is institutional integration through the establishment of a national coordination system for the management of nationalized assets. This system can be realized in the form of *a joint task force* or *one-stop integrated platform* involving the Ministry of Finance, the Ministry of SOEs, and the National Land Agency (BPN). The goal is to create a data map (one map policy) that contains complete information about the location, legal status, area, and economic value of each nationalized asset. This data integration will simplify the monitoring, certification, and reporting process, while reducing the risk of misuse or overlapping ownership.[40]

In addition to structural reform, legal reconstruction must also touch the dimensions of ethics and accountability in the management of state assets. The principles of transparency and disclosure of public information need to be used as a basis in the entire process of nationalization asset administration.[41] The public has the right to obtain clear information about the status of land ownership controlled by SOEs or the state, thereby preventing the emergence of speculation and potential corruption. [42] Thus, legal reconstruction not only serves to strengthen formal legal aspects, but also to improve the quality of good *governance*.

From the perspective of agrarian law, this reconstruction model is also in line with the spirit of national agrarian reform mandated by the UUPA. The integration of nationalization law into the modern agrarian system can expand the reach of land redistribution and strengthen the state's control over strategic resources.[43] Nationalized assets that have been verified can be optimized for the public interest, such as infrastructure development, public housing, or productive investment that supports economic equity. Thus, this legal reconstruction also has a strong social justice dimension.

At the implementation level, the success of this legal reconstruction requires synchronization of policies between agencies through cross-sector regulations. A political

[39] Adithya, Muhamad Rizky, and Agus Budi Santoso. "The Status of Management Rights in National Land Law in Relation to the Ownership of State-Owned Property." *Future Academia: The Journal of Multidisciplinary Research on Scientific and Advanced* 2, no. 4 (2024): 793-802.

[40] Oloan Sitorus, Budi Mulyanto, Arditya Wicaksono, Romi Nugroho, Endriatmo Soetarto, Irawan Sumarto et al. "Research and Development Center of the Ministry of Agrarian Affairs and the National Land Agency."

[41] Muhlizi, Arfan Faiz. "Strengthening access to public information through information technology as a form of transparency in state financial management." *Journal of Rechts Vinding: National Legal Development Media* 5, no. 2 (2016): 149-163.

[42] Riziq, M., and Siti Hotijah. "The Application of the Principles of State Administration Law in Strengthening Public Information Disclosure in the Era of Bureaucratic Digitalization." *Socio-Justice: Journal of Law and Social Change* 5, no. 1 (2025): 1-20.

[43] Zacharias, Vasco Javarison. "Settlement of civil disputes about land in the perspective of agrarian law in Indonesia." *Journal of Indonesian Comparative of Sharia Law* 7, no. 1 (2024): 115-132.

and legal understanding is needed between the Ministry of Finance, the Ministry of SOEs, and the Ministry of ATR/BPN that nationalized assets are not solely economic objects, but also symbols of the country's legal sovereignty.[44] This policy synchronization can be outlined in a joint ministerial regulation or a presidential regulation that regulates the mechanism of technical cooperation and the division of responsibility in the certification, supervision, and utilization of nationalized assets.

Theoretically, this reconstruction model also reflects the application of the principle of vertical and horizontal integration of national law. Vertical integration means harmonization between the principal law and its implementing regulations, while horizontal integration demands alignment between different legal sectors—in this case, nationalization law, agrarian law, state financial law, and state corporate law.[45] With this integrative approach, Indonesia's legal system can move towards a more coherent, effective, and responsive order to national development needs.[46]

Thus, the legal reconstruction of the regulation of nationalized assets is not only intended to resolve past legal conflicts, but also to build a just and sustainable legal foundation for the future. The integration between nationalization law and modern agrarian regulation will create a state asset management system based on legal certainty, transparency, and public accountability.[47] Thus, this reconstruction is expected to be able to make nationalization assets not just a historical heritage, but a strategic instrument in strengthening the rule of law and economic independence of the nation.

CONCLUSION

The results of the study show that the legal regulation of nationalized assets in Indonesia is still faced with fundamental problems in the form of normative dualism and administrative fragmentation. On the one hand, Law No. 86 of 1958 affirms state ownership of all assets of nationalized foreign companies, but on the other hand, Basic Agrarian Law No. 5 of 1960 does not recognize the concept of absolute ownership by the state, but only the right to control which is public. This paradigm difference causes a vacuum in norms that has an impact on the uncertainty of the legal status of land and buildings as a result of nationalization.

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[44] Setyoningsih, Erika Vivin. "Implementation of the Ratification of the Agreement on Trade Related Aspects of Intellectual Property Right (Trips Agremeent) on Legal Politics in Indonesia." *Journal of Law Enforcement and Justice* 2, no. 2 (2021): 117-129.

[45] Fitryantica, Agnes. "Harmonization of Indonesian Laws and Regulations through the Concept of Omnibus Law." *Echoes of Justice* 6, no. 3 (2019): 300-316.

[46] Tresnadipangga, Bimo, Fokky Fuad, and Suartini Suartini. "Harmonization of Laws and Regulations in the Implementation of Social Assistance in the Republic of Indonesia." *Binamulia Law* 12, no. 1 (2023): 213-226.

[47] Puspasari, Sofi, and Sutaryono Sutaryono. *Agrarian–Land and Spatial Integration: Unifying Land Status and Spatial Function.* STPN Press and PPPM, 2017. See also Sianturi, Andre Ferdy, and August P. Silaen. "The Role of Agrarian Law in Resolving Disputed Land Issues in the Republic of Indonesia." *Journal of the Hope Education Law Society* Vol. 5, no. 02 (2025).

In addition, the process of registration and certification of nationalized assets is still carried out in a fragmented manner among various agencies, such as the Ministry of Finance, the Ministry of SOEs, and the National Land Agency. This institutional fragmentation weakens the effectiveness of land administration, causes overlapping data, and opens up opportunities for the emergence of ownership claims by third parties. The absence of a firm legal mechanism related to verification, conversion, and registration of nationalized assets also leads to weak legal protection of state wealth and the potential for misuse of public assets.

In this context, an integrative legal reconstruction is needed as a solution to the existing dualism and fragmentation. This reconstruction is intended to unite the nationalization legal regime and agrarian law in one legal system that is coherent, effective, and adaptive to the needs of state asset governance. This effort not only strengthens the aspect of legal certainty, but also contributes to increasing the accountability of asset management and strengthening the socio-economic function of land within the framework of national agrarian reform.

BIBLIOGRAPHY

Adithya, Muhamad Rizky, and Agus Budi Santoso. "The Status of Management Rights in National Land Law in Relation to the Ownership of State-Owned Property." *Future Academia: The Journal of Multidisciplinary Research on Scientific and Advanced* 2, no. 4 (2024): 793-802.

Anastasia, Sasikirana, Rifki Nurohman, Daffa Tegar Nabil Zaidan, and Asnawi Mubarok. "Implications of Agrarian Law on Indonesian Land Conflicts." *Journal of Social and Humanities* 4, no. 2 (2024): 545-553.

Arifin, Paradise. "Administrative Law Analysis Of Regional Investment Incentive Policies And Its Impact On Regional Economic Growth." *Scientific Journal of Advocacy* 12, no. 4 (2024): 819-834.

Arliman, Laurensius. "The Role of the State Administrative Court in Maintaining State Assets as Administrative Justice." *Proceedings APHTN-HAN* 1, no. 1 (2023): 515-536.

Arnowo, Hadi. "Land Administration in Indonesia." (2021).

Aziz, Abdul, Ali Mutakin, and Iqbal Subhan Nugraha. "Kontestasi Hukum Islam dan Negara dalam Perda Bernuansa Syariah di Kota Tasikmalaya." *Tasyri': Journal of Islamic Law* 4, no. 2 (2025): 869-898.

Chandrawulan, An An, and LLM SH. *MULTINATIONAL CORPORATION LAW; Liberalization of International Trade Law & Investment Law*. Alumni Publishers, 2022.

The Goddess of Weapons. "Abuse of authority in the perspective of corruption."*Rechten Journal: Legal and Human Rights Research* 1, no. 1 (2019): 24-40.

Djasmani, H. Yacob. "Law as a Tool of Social Engineering in Legal Practice in Indonesia." *Legal Issues* 40, no. 3 (2011): 365-374.

Egeten, Angelina Ervina Jeanette, Tris Sanjaya, Aulia Mei Azizi, and Rizqon Nurrofik Fadhilah. "Information System Strategy Planning at PT Pelayaran Nasional Indonesia (PT Pelni)." In *2024 9th International Conference on Business and Industrial Research (ICBIR)*, pp. 997-1002. IEEE, 2024.

Fitryantica, Agnes. "Harmonization of Indonesian Laws and Regulations through the Concept of Omnibus Law." *Echoes of Justice* 6, no. 3 (2019): 300-316.

Franciska, Wira. "Banking Credit Guarantee Agreement for Building Use Rights Object Above Management Rights." *Letters: Journal of Non-Formal Education* 8, no. 3 (2022): 2223-2238.

Galgani, Malino Gemma. "The Role of Law No. 7 of 2012 in Handling Social Conflicts: A Review of Legal Certainty." *Locus: Journal of Legal Concepts* 5, no. 2 (2025): 83-91.

Hariyono, Kurnianto Seco. "Reconstruction of Criminal Law Policy Against Traffic Violations by Minors Based on Justice." PhD diss., Sultan Agung Islamic University (Indonesia), 2022.

Hasri, Nadia Suci, Amsal Irmalis, and Daniel Sianturi. "The process of abolishing State Property (BMN) at the State Treasury Service Office (KPPN) Meulaboh uses the follow-up of transfers." *Journal of Research Science* 13, no. 1 (2023): 160-170.

Jubaedah, Dedah, Ending Solehudin, Ahmad Berizi, Ali Mutakin, Nurhasana Nurhasana, Parhan Parhan, and José Manuel Naranjo Gómez. "Strengthening Sharia Economics in Jayapura's Muslim Minority Communities through Fiqh al-Aqalliyyat." *Jurnal Ilmiah Al-Syir'ah* 23, no. 1 (2025): 18-33.

Khalimy, Akhmad. "The meaning of the transitional rule as the legal politics of the Criminal Code Bill (Transformation from colonial law to national law)." *Journal of Progressive Law* 8, no. 2 (2020): 121.

Lubis, Tona Aurora. "Performance of SOEs Tbk Indonesia (Review of Financial and Operational Performance, and Sustainable Competitiveness Advantages Based on Reputation of Accounting Measures)." *Performance of SOEs Tbk Indonesia* (2017): 178.

Lukmanurdin, Other. "Legal protection for cultivators is linked to the Basic Agrarian Law Number 5 of 1960: A case study in the area of Kiarajangot village, Dangiang Village, Cilawu District, Garut Regency." PhD diss., UIN Sunan Gunung Djati Bandung, 2017.

Maemunah, Siti. "Juridical Analysis of the Legal Certainty of Land Rights Ownership for Foreign Citizens (Wna) in Indonesia." PhD diss., Sultan Agung Islamic University Semarang, 2024.

Martini, Tina. "The implementation of the Certificate of State Property in the form of Land is based on the Joint Regulation of the Minister of Finance and the Head of the

National Land Agency of the Republic of Indonesia Number 186/PMK. 06/2009 Number 24 of 2009 concerning the Certification of State Property in the form of Land in Siak Regency." PhD diss., Sultan Syarif Kasim State Islamic University, Riau, 2023.

Muhlizi, Arfan Faiz. "Strengthening access to public information through information technology as a form of transparency in state financial management." *Journal of Rechts Vinding: National Legal Development Media* 5, no. 2 (2016): 149-163.

Mulyono, Slamet, and Haris Roseno. *Reporting Management in the Treasury System and State Budget*. Directorate of Treasury Systems, Directorate General of Treasury, Ministry of Finance, 2021.

Mutakin, Ali. "Hubungan Maqashid Al Syari'ah dengan Metode Istinbath Hukum." *Analisis: Jurnal Studi Keislaman* 17, no. 1 (2017): 113-136.

Naibaho, Jeremy Aidianto, Bambang Daru Nugroho, and Yusuf Saepul Zamil. "Legal Protection for the Customary Land of the Indigenous Peoples of the Deli Sultanate due to Nationalization." *Journal of Law Review* 20, no. 1 (2020): 46.

Nugraha, Michael Adi, and Maulana Noer Aziz. "A Review of the Administrative Burden of the National Land Agency: Efficiency and Innovation in Performance Improvement." *Scientific Journal of Education* Forum 10, no. 12 (2024): 467-475.

Oloan Sitorus, Budi Mulyanto, Arditya Wicaksono, Romi Nugroho, Endriatmo Soetarto, Irawan Sumarto et al. "Research and Development Center of the Ministry of Agrarian Affairs and the National Land Agency."

Purnomo, Ed. "The Authority of State Asset Management Based on the Nationalization Law by the Indonesian National Army." PhD diss., University of Muhammadiyah Surabaya, 2019.

Puspasari, Sofi, and Sutaryono Sutaryono. *Agrarian–Land and Spatial Integration: Unifying Land Status and Spatial Function*. STPN Press and PPPM, 2017.

Putri, Berliyan Erika, and Sri Setyadji. "Legal Principles of Building Use Rights (HGB) Over Management Rights (HPL) on Land Recovered in the Perspective of the UUPA." *IBLAM Law Review* 4, no. 3 (2024): 34-47.

Putri, Meilysa Ajeng Kartika, Yogi Setiawan, and M. Hidayat. "Agrarian Conflict and Inequality of Land Tenure: A Juridical Study of the State's Responsibility in Guaranteeing Citizens' Constitutional Rights to Land." *JURISDICTION: Journal of Law and Humanities* 1, no. 1 (2025): 10-19.

Rahely, Angela, Adi Broto Hazelli Elfrida, and Abna Hamidah. "The Effectiveness of Nationalization in Balancing National Interests and Foreign Investment in Indonesia." *Recital Review* 7, no. 2 (2025): 157-189.

Ramadhani, Rahmat. "Land registration as a step to obtain legal certainty for land rights." *SOSEK: Journal of Social and Economic* 2, no. 1 (2021): 31-40.

Ramisan, Jonathan Marhien. "Transfer of State Land Rights Based on the Principles of Agrarian Reform According to Law Number 5 of 1960 concerning Basic Regulations on Agrarian Principles." *Lex Privatum* 12, no. 3 (2023).

Riziq, M., and Siti Hotijah. "The Application of the Principles of State Administration Law in Strengthening Public Information Disclosure in the Era of Bureaucratic Digitalization." *Socio-Justice: Journal of Law and Social Change* 5, no. 1 (2025): 1-20.

Rizqi, Isnaeni. "Nationalization of Foreign Companies in Indonesia." *Isnaeni Rizqi* (2023).

Saebani, Beni Ahmad. "Legal Research Methods: Normative Juridical Approach." (2021).

Saidin, O. K. "Nationalization of Dutch-Owned Companies on the Concession Land of the Sultanate of Deli (Preliminary Study of the Loss of Rights to Natural Resources of Indigenous Peoples)." *Judiciary* 4, no. 1 (2015): 1-32.

Science, Faculty of Sociology. "Analysis of the influence of regional financial management, accountability and transparency on government financial performance." *The New Fraud Triangle Model with a Sharia perspective in detecting fraudulent behavior." Equity (Journal of Economics and Finance)* 4, no. 1 (2018): 21-46.

Sari, this is the woman of Ariningsih. "The concept of the right to control the state over land in the land law (uupa) and the constitution." *Journal of Ganec Swara* 15, no. 1 (2021).

Setyoningsih, Erika Vivin. "Implementation of the Ratification of the Agreement on Trade Related Aspects of Intellectual Property Right (Trips Agremeent) on Legal Politics in Indonesia." *Journal of Law Enforcement and Justice* 2, no. 2 (2021): 117-129.

Sholeh, Wildan. "Challenges and opportunities in the management of public assets in disadvantaged areas." *Journal of Public Policy Services and Governance* 2, no. 1 (2025): 27-37.

Sianturi, Andre Ferdy, and August P. Silaen. "The Role of Agrarian Law in Resolving Disputed Land Issues in the Republic of Indonesia." *Journal of the Hope Education Law Society, Vol.* 5, no. 02 (2025).

Sumarno, Cecep, and Endang Pandamdari. "The urgency of protecting priority rights (prioritiiteitrechts) over SOE land assets obtained from the nationalization law illegally controlled by third parties." *Journal of Lege Ferenda Trisakti* (2024): 109-129.

Tranggana, Tripta. "Evaluation of the Management of State Property (BMN) in the Form of the Use of State Property (BMN) at the Bureau of Procurement and Management Services of State Property of the Secretariat General of the Ministry of Transportation." *Journal of Accounting Research* 2, no. 2 (2024): 85-94.

Tresnadipangga, Bimo, Fokky Fuad, and Suartini Suartini. "Harmonization of Laws and Regulations in the Implementation of Social Assistance in the Republic of Indonesia." *Binamulia Law* 12, no. 1 (2023): 213-226.

Triarda, Reza, and Rafli Zulfikar. "Revitalization of Indonesia Incorporated: Super Holding and Internationalization of Indonesian SOEs." *Journal of Global Transformation* 6, no. 1 (2019): 30-63.

Waheeda, Waheeda, Ali Mutakin, Isroiliyah Isroiliyah, Rahmad Lubis, and Iqbal Saujan. "The Dynamic Interplay: A Normative-Philosophical Study of Islam and Local Wisdom in Indonesia." *ASEAN Journal of Islamic Studies and Civilization (AJISC)* 2, no. 1 (2025): 61-91.

Zacharias, Vasco Javarison. "Settlement of civil disputes about land in the perspective of agrarian law in Indonesia." *Journal of Indonesian Comparative of Sharia Law* 7, no. 1 (2024): 115-132.