Government Policy Regulating Land Acquisition Through the Land Bank According to the Job Creation Law

Erni Rohaini [1], Lina Jamilah [2]
ernirohaini29@gmail.com ; linajamilah62@gmail.com

[1]Program Doktor Ilmu Hukum Universitas Islam Bandung, Indonesia
[2]Universitas Islam Bandung, Indonesia

Article Info
Received: 2022-07-12
Revised: 2023-02-17
Accepted: 2023-03-31

Keywords:
Land acquisition, Land Bank, Job Creation Law, Policy.

Abstract
The complexities of land concerns are a real issue that has yet to be handled. The fact that the amount of land available is fixed, while the desire for physical development grows in tandem with population growth, results in social conflicts that cannot be avoided. The battle of interest between the government, which requires land to build various infrastructures, and the people who wish to keep their rights to the property they own is one of the reasons for social conflict. As a result, it is required to reform land laws that direct the mechanism of integrated state land asset management that can simultaneously accommodate the needs of the government and the rights of community holders of land rights to achieve social justice for all Indonesians. Using the land bank concept as a way of integrated state land asset management may solve the development land dilemma. This study employs a normative legal approach and a descriptive qualitative analysis. In this study, it was revealed that the government's strategy on land purchase through the Land Acquisition Law could have been more effective in resolving land issues; hence, one land component was incorporated through the Job Creation Law via the Land Bank.

1. INTRODUCTION

Land is a basic human need, a strategic capital for life. Above land, humans can make a living by farming, gardening, and raising livestock (Helmi & Satria, 2012). On land, humans also build houses as shelters and various other buildings for offices. The soil also contains various kinds of natural wealth that can be utilized in life (Sumardjono, 2008). The construction of various public interest facilities requires substantial plots of land, while the required lands are generally owned by a person or legal entity with land right attached (Subekti, 2016).

Arrangements for land acquisition for development in the public interest must be reasonable, provide legal clarity for community land ownership rights, and deliver public interest advantages (Lestari, 2020). Efforts must be made to acquire property for the public benefit while recognizing the importance of land to human life, adhering to the principle of honoring the validity of land rights, and not disregarding the personal interests of the owner of land rights. This means that the public interest must be consistent with existing regulations not to compromise the landowner's private interests (Rejekiningsih, 2016). Even if the public interest must take precedence over private interests, private interests must nevertheless be preserved by continuing to give sufficient recompense (Sutedi, 2020).

To date, the government has acquired the land necessary for building public interest facilities via land acquisition tools. Since the publication of Law No. 2 of 2012 governing Land Acquisition for Development in the Public Interest (henceforth referred to as the Land Acquisition Law), land acquisition arrangements have a solid legal basis. Article 1 point 2 of the Land Acquisition Law defines land acquisition as a land acquisition activity utilizing the way of compensating the rightful party with adequate and fair compensation (Lubis, 2019).

In the land acquisition process, perceptional differences between the government and the community on the amount of 'appropriate and fair' compensation are common. According to the government, compensation deemed "appropriate and fair" may not be deemed "proper and fair" by the community, and vice versa. The complexity of land acquisition difficulties indicates that the government must promptly alter land policies (Santoso, 2016). To ensure the fulfillment of the ideals of justice for the people, the relevant policy revision must target the mechanism for supplying land to build public interest facilities that can simultaneously accommodate the interests of the government and the community that owns the property. A land bank is an alternative to supplying non-conflict land in Indonesia that can satisfy a sense of fairness (Al-Zahra, 2017).

In a plenary session on October 5, 2020, the DPR approved the Job Creation Bill proposed by the government to become Law No. 11 of 2020 Regarding Job Creation (from now on referred to as the Job Creation Law). Article 122 of the Job Development Law modifies, deletes, and specifies the number of requirements from the Land Purchase Law and Law No. 41 of 2009 on the Protection of Sustainable Food Agricultural Land to facilitate and streamline land acquisition for job creation. Regarding the land sector, the Job Creation Law also specifies that Indonesia has a Land Bank (Arrizal & Wulandari, 2021).

The Land Bank is one of the numerous methods of resource management that contribute significantly to the development and expansion of land or land use capacity. The Land Bank's approach consists of managing the market and stabilizing land owned by the local market. A land bank is a tool for acquiring and reserving land for infrastructure projects (Mochtar, 2013). Land Banks are conceptually comparable to conventional banks in general. These two types of banks serve as intermediaries, with the Land Bank collecting and distributing land instead of money. Communities can aid the government through the Land Bank mechanism by depositing their land

in the Land Bank, where it will be dispersed in the form of other rights, such as leases, and the community will derive economic advantages from it (Lahilote et al., 2021).

According to Government Regulation 64 of 2021 respecting Land Bank Agencies, land banks are unique entities (sui geneis). The characteristics of a Land Bank are consistent with the concept of a land bank, namely that a land bank can serve as a land market regulator that ensures the efficiency and rationality of land prices, streamlines and ensures a fair and just land value, and integrates land-related policies, strategies, implementation, and evaluation. The establishment of the land bank is related to difficulties in land acquisition caused by evolving perspectives on land as a strategic good (Arnowo, 2021). In creating infrastructure where land compensation is a constraint. Especially in metropolitan areas, land has become a difficult-to-control commodity traded on difficult-to-monitor markets due to the absence of comprehensive land policy initiatives and programs (Lahihote et al., 2021).

A Land Bank is crucial for ensuring community ownership of land and property. In addition, the Land Bank is required to safeguard public and social interests, national growth, economic equality, land consolidation, and agrarian reform (Trisna & Sandela, 2021). Nevertheless, according to agrarian law expert Maria S. Sumardjono (2008), land bank arrangements under the Job Creation Law are inconsistent with Article 33 paragraph (3) of the 1945 Constitution, as they primarily serve the interests of a limited group of individuals.

Even if the establishment of a land bank is vitally important, the management of a land bank presents significant difficulties, including the need for a lengthy period and a substantial amount of capital to ensure that the land bank operates as intended. In the meantime, from a legal standpoint, the governance of a land bank must accommodate spatial and regional management as well as land institutions for the sake of legal advantages certainty (Danendra & Mujiburohman, 2022). Moreover, the installation of a land bank must be incorporated into the government's policy plans. This is significant because the land bank's primary aim is to promote a just economy, including in the context of community welfare (Candra & Khaidir, 2020).

The researcher is interested in undertaking a study with the title Government Policy Regulating Land Acquisition Through Land Banks following the Job Creation Act. The formulation of the problem in this study is how the concept of a land bank relates to the Job Creation Law, Analysis of Government Policy in managing Land Procurement, and the Effectiveness of the Land Bank as an implementation of Government Policies in regulating land acquisition for the public interest that is just without harming society relates to the Job Creation Law. This study will likely aid the general public in comprehending the notion of a land bank in applying government policies regulating land supply in Indonesia. It will also provide researchers with an additional resource in the field of land law.

2. METHODS

This form of investigation is normative legal investigation. This study employs legislative, conceptual, and historical approaches (Diantha, 2016). This article's data sources include both primary and secondary legal texts. The critical legal documents are a) the Law on Land Acquisition, c) the Job Creation Law, d) the Implementation

Procedures for Land Acquisition, and d) the Land Bank Agency Procedures. Relevant secondary legal materials include publications authored by legal professionals on legal studies, legal articles, scholarly opinions, and the proceedings of legal symposiums (Soekanto, 2007). This article employs descriptive qualitative analysis. The legal analysis employs interpretation (interpretation), argumentus a contrario, and argumentus ad contrario, whereas conclusions are deductive.

3. RESULTS AND DISCUSSION

1. Government Policy in Land Acquisition Arrangements According to the Land Acquisition Law

Land acquisition is acquiring land by compensating those who release or surrender land, structures, plants, and things associated with the revocation of building rights. Land conflicts occur due to several things, which include legal and non-legal factors. Legal factors that cause land conflicts are political-economic complications and politics of land law, overlapping regulations, inadequate regulations, overlapping judiciary, convoluted settlements, and bureaucracy (Nurdin, 2018).

Law Number 2 of 2012 Concerning Land Acquisition for Development for Public Interest (from now on referred to as the Land Acquisition Law), in Article 2 and Elucidation of Article 2, regulates the principles of land acquisition, including:

a) Principles of Humanitarianism land acquisition offers proportional protection and respect for every Indonesian citizen and resident's human rights, dignity, and dignity.
b) Justice Principle. Providing guarantees of fair compensation to parties that are entitled to compensation in the land acquisition process so that they can live a more decent life;
c) Principle of Advantage. The outcomes of the land acquisition have the potential to provide vast advantages to community, nation, and state;
d) The Certainty Principle. Provides legal assurance about the availability of land in the process of land acquisition for development, as well as guarantees to the entitled party that sufficient compensation would be obtained;
e) The transparency. Principle of land acquisition for development is made out by providing the public with access to land acquisition information.
f) The agreement principle. That the land acquisition process is carried out through the parties' contemplation without the use of compulsion to reach a mutual agreement;
g) Principle of Participation. Support for land acquisition implementation through community participation, either directly or indirectly, from planning to development activities;
h) The welfare principle states that acquiring land for development can bring value to the entitled parties and the community's overall quality of life.
i) The Sustainability Principle. Development operations might be carried out indefinitely to attain the desired results.
j) The harmony principle is That land acquisition for development can be balanced and in keeping with the community's and state's interests.

According to Maria SW. Soemardjono, various legislative concepts must be considered throughout the policy implementation of land acquisition regulation:

a) Land ownership and usage for any purpose must be based on a foundation of rights.
b) All land rights derive either directly or indirectly from national rights;
c) Acquiring a property already owned by a person or legal body requires an agreement between the parties involved.
d) According to Law Number 20 of 1961 concerning the Revocation of Land Rights and Objects on It, the president has the authority to revoke rights without the approval of the subject of rights in a coercive circumstance, meaning that all other options have been exhausted.

There are four stages in the implementation of land acquisition according to the Land Acquisition Law in Article 13, namely:

a) Planning. Following the Regional Spatial Plan and the development priorities outlined in the agency's Medium Term Development Plan, Strategic Plan, and Work Plan.
b) Preparation. Collecting preliminary data on the location of the development plan and consulting the public on the development plan.
c) Implementation. Includes inventory and identification, compensation evaluation, compensation determination discussions, and payment of compensation.
d) Submission. Outcomes After passing over the results of the land purchase to the agency in need of land, the land agency may commence development activities.

Article 1 point (6) of the Land Acquisition Law defines the public interest as the "interests of the nation, state, and society," which must be realized by the national and local governments and put to use for the greatest good of the people. The development team, usually the government, is responsible for acquiring land for the project. In reality, however, the private sector can participate in development initiatives based on consent and through legal acts of purchasing and selling. According to the terms of Law Number 20 of 1961 and the Law on Land Acquisition, the government acquires land by purchase and sale, revocation of rights, and relinquishment of rights.

2. Land Bank According to the Job Creation Law

In his inaugural address to the People's Consultative Assembly (MPR) and the Indonesian people, President Joko Widodo announced plans to pass two sweeping pieces of legislation, one of which is the Job Creation Law. An omnibus law is a legislation that uses a single legislative vehicle to enact several separate regulations on various topics (Ansari, 2020). Law of the Republic of Indonesia Number 11 of 2020 Concerning Job Creation was officially ratified on November 2, 2020, by President Joko Widodo following the writing and discussion process with the House of Representatives.

Land Banks in Indonesia are governed under the country's newest legislation, the Job Creation Law (No. 11 of 2020), which provides the legal justification for creating a new type of public organization. Before a new institution can begin its work, it needs time to plan and implement the infrastructure and facilities it will need to do

its job effectively. Articles 125–135 of the Job Creation Law outline the parameters under which a Land Bank may operate. The Land Bank is a government organization tasked with managing and distributing land. It does this through its several departments responsible for the planning, acquisition, procurement, management, use, and distribution of land (Rojiun, 2022).

According to the Job Creation Law, land under the Land Bank Agency's management is given the status of Management Rights. On this Management Right, land rights in the form of Cultivation Rights, Building Use Rights, and Usage Rights may be granted in line with the designation of the land (Pasandaran, 2021). Management Rights owned by the Land Bank Agency can be granted to Central Government agencies, Regional Governments, the Land Bank Agency itself, BUMN/BUMD, State Owned Legal Entities like the status of several State Universities like Universities Indonesia, Gajah Mada University, or the Bandung Institute of Technology, or Regional-Owned Legal Entities, as well as Legal Entities appointed by the Central G. following the Land Bank's stated purpose. The Land Bank Agency's granting of the Management Right to the kind of organizations it does suggests that the agency is more concerned with serving the public good, the welfare of its citizens, or the progress of the nation as a whole than with turning a profit.

The status of Land with Management Rights entitles the holder to the following: the ability to prepare a plan for the allotment, use, and utilization of land following the spatial plan; the ability to use and utilize all or part of the Land with Management Rights for use by themselves or in conjunction with third parties; the ability to set tariffs and collect income money, compensation, and mandatory annual money from those third parties following the agreement.

However, the following sections govern how parties with Management Rights can assign beneficial rights to the land to third parties, such as the private sector, individuals, and legal companies with land use agreements. Central government agencies, regional governments, BUMN/BUMD, State/Regional Owned Legal Entities or Legal Entities appointed by the Central Government, and the Land Bank Agency are all eligible to receive Management Rights from the Land Agency. They are encouraged to put the public interest first when exercising those rights. Article 137 of the Law on the Promotion of Employment requires that businesses prioritize social welfare, national development, economic fairness, land consolidation, and agricultural reform ahead of profit maximization (Azharniyah & Suhaimi, 2022).

Utilization transferred to a third party may be granted Cultivation Rights, Building Use Rights, or Usage Rights for a set amount of time with a deadline according to the stipulations of the legislation and pay rates according to the stipulations that have been established. If the period has expired, the land rights revert to the holder of the Management Right. Land under the control of the Land Bank Agency with the status of Management Rights could be granted Property Rights, which, if granted, would be issued on a portion of the land with the Management Rights status. Even if it is true that the granting of land ownership rights is restricted for public housing and transmigration, which is in keeping with the Land Bank Agency's stated goals, the Land Bank Agency should be abolished (Wardhani, 2020).

In addition to providing benefits for land with Management Rights, this is following the scope of the formation of the omnibus law on the Job Creation Law, which aims to create a quality business and investment climate for business people, including MSMEs and foreign investors, as well as the Land Bank provision in Part Four Paragraph 1 of the Job Creation Law. This. To encourage investment, the Land Bank Agency, as the holder of Management Rights, is granted the right to prepare master plans, facilitate Business Permits/Approvals, acquire land, and decide service charges. With the control of the Land Bank, it is envisaged that the business and investment license procedure will be streamlined (Arnowo, 2022).

According to Article 125, subsection (4) of the Job Creation Law, the Land Bank is responsible for land planning, acquisition, purchase, management, utilization, and distribution. Article 5 of Presidential Regulation Number 47 of 2020 concerning the Ministry of Agrarian Affairs and Spatial Planning lists land acquisition and development as one of the ATR Ministry's responsibilities. Based on these two statutes, the author believes it is superfluous to have a Land Bank whose duties and tasks overlap with those of the Ministry of Agrarian Affairs/BPN. The Ministry of ATR/BPN can perform the duties and responsibilities of the Land Bank. Hence there is no need to create additional facilities and infrastructure. Therefore, the Land Bank's existence could be more beneficial, efficient and a drain on state money.

According to the Job Creation Law, the concept of a Land Bank as the owner and manager of state land has the potential to recreate the Dutch colonial-era practice of domain verklaring. The domain verklaring served as a legal basis for the Dutch government to give western rights and made it simpler for the Dutch government to seize communal properties based on legal evidential law. The domain verklaring stipulates that any land whose ownership cannot be established by other parties becomes state-owned domain land. The Basic Agrarian Law of the Republic of Indonesia Number 5 from 1960 expressly revokes and deletes the domain verklaring.

Although not identical to the domain verklaring, the Land Bank has the potential to lead to arbitrary land management by the government. According to Article 6 of the UUPA, all land in Indonesia has a social function, and the government can acquire land for social reasons. However, there needs to be more clarity regarding the Job Creation Law outlining the criteria and conditions for Land Banks to acquire and administer the land. In addition, the Job Creation Act needs to specify what types and categories of land the Land Bank may manage. There is concern that this uncertainty will allow the government to abuse its authority. Under the guise of improved management, the Land Bank has the authority to seize communal land on behalf of the government. Undoubtedly, this results in losses for the people of Indonesia.

The Job Creation Law's inclusion of a Land Bank creates worries that the government will pursue investment by any means, even forsaking the interests and justice of society. According to Abra Talattof, a researcher at the Institute for Development of Economics and Finance (INDEF), the Land Bank enables the private sector to acquire land at low prices. If the private sector is granted price relief for land acquisition, it will generate investment interest. If the private sector is carrying out a

national development project, the state will attempt to facilitate the granting of land (Syibly & Ahsani, 2022).

Following Law No. 2 of 2012 on Land Acquisition for Development in the Public Interest, the government's land acquisitions are accompanied by adequate and reasonable compensation to the appropriate parties. In the meantime, the terms of the Job Creation Law do not mention compensation for the entitled party in the Land Bank's working mechanism. It is thought that such a legal void would allow the government to harm society. Communities are damaged by the government's ability to seize their land under the guise of public interest without making clear whether or not they will receive compensation. The presence of a Land Bank within the government can generate this unfairness.

3. The Effectiveness of the Land Bank in Implementing Policies for the Implementation of Land Acquisition in Indonesia

The government's establishment of the Land Bank is intended to safeguard the supply of the government's need for land, especially in big cities. Land must also benefit people of the lower economic class without exception. The Land Bank can be used as a forum to regulate the distribution of land intended for development activities. Through this land bank mechanism, the government can restrain the practice of land speculation and maintain land distribution quotas for developers. This is important to increase land availability so land speculators can stay on track. Speculators who do not comply with the rules will be penalized (Ganindha, 2016).

What institutional scheme for land provision is appropriate for use in Indonesia must meet the following criteria, following the 1945 Constitution of the Republic of Indonesia Article 33, Community service oriented and not intended for profit, have competency in land affairs (regulation making, information systems and HR), effective and efficient financing arrangements in implementing policies.

In the land bank idea, the land is amassed, developed, and redistributed following the land use plan. This is done by collecting land from the community, focusing on abandoned or unused state land. In this sense, a land bank is a tool of land management that can be used to make land more productive by securing land while its value is low before its actual use becomes necessary. So, a land bank is the deliberate accumulation of undeveloped, unabandoned, or abandoned parcels of land with development potential. The land bank stores land the government has acquired for use in the future and in the context of enforcing public land regulations (Winati et al., 2022).

Several types of land that can be used as a source of land for land banks can be found in the national agrarian law system, namely:

1) Abandoned Land

Article 1 number 6 of the Regulation of the Head of the National Land Agency of the Republic of Indonesia Number 4 of 2010 concerning Procedures for Controlling Abandoned Land defines abandoned land as land that the state has granted rights in the form of Property Rights, Cultivation Rights, Building Use Rights., usage Rights, and management Rights, or the basis of control over land that is not being cultivated, not being used for building purposes, or both.

2) Government Asset Land

Land owned by the federal government is not the same as state-owned land. Government land assets are those owned by federal, state, or local governments. Private property also includes government land assets, which are state assets under the physical authority of the relevant agency but under the legal control of the Minister of Finance of the Republic of Indonesia. As one of the objects of land registration and control, government asset land is managed by central and regional government agencies, with usage rights and management rights accordant with Regulation of the Minister of Agrarian Affairs No. 9 of 1999 concerning the Registration and Control of Land.

3) Confiscated Land

Confiscated land that can be a source of land acquisition for land banks is confiscated land due to Court Decisions and bank confiscations due to default. Examples of confiscated land from court decisions are land resulting from corruption. At the land development or management stage, the land bank prepares facilities and infrastructure or supporting facilities, including infrastructure development, construction of sanitation channels, construction of public facilities and public services, and so on, to increase the economic value and usability of land, in order to attract public interest. To buy or rent the land.

4) Land of the Former *Erfpacht*

Land of former *erfpacht verponding* (former plantations) legally became state land in 1980 or 20 years after the issuance of the UUPA in 1960. *Hakerfpacht* is a temporary right with a time limit according to the provisions of the UUPA. Since 1980, all *erfpacht rights* granted by the Dutch government to people in business had to be converted into HGUs with a term of only 20 years. If the conversion is not carried out, then the former erfpachttadi rightful land will fall into state land.

5) *Absentee* Land

In order to prevent extortion, provisions addressing absentee land are based on Article 10 of the UUPA, which specifies that every individual and legal organization with a claim to agricultural land is required to work or actively cultivate it themselves. Therefore, absentee land refers to agricultural land owned by individuals who do not reside in the subdistrict where the land is located. It is difficult to prove violations against absentee ownership of agricultural land because, in practice, the landowner circumvents the prohibition by submitting multiple ID Cards.

The significance of the Land Bank stems from the phenomena of limits in the public interest infrastructure development execution. It has become a daily occurrence to hear that public-interest development projects have been slowed or halted due to challenges in the land acquisition process. The use of the Land Bank idea is consistent with the intent underlying the passing of Law No. 2 of 2012 concerning Land Acquisition for Public Interests, the philosophical foundation of which is to assure the execution of public interest development. Humanitarian, democratic, and equitable considerations are necessary while acquiring land. With the correct implementation of the Land Bank idea, it is anticipated that the issue of abandoned land will be remedied (Ulya, 2016) where the government can use the land as an investment and a solution for supplying land that is effective, efficient, and timely since it provides land that is ready to be used for development.

Whether or not a land bank is effective in managing land in Indonesia is determined by several factors :

1) Regulation

The legal provisions governing land banks must be able to identify and describe the objectives, institutional structures, and management methods for land banks with clarity and specificity. The clarity of legal restrictions will considerably impact the effectiveness of land banks in Indonesia for managing land. Legal regulations governing land banks must regulate at least three factors, including the form of the land bank, the parties involved in the land bank, and the process for administering a land bank.

2) Land bank financing

Funding from a land bank. A primary concern during implementation is how to pay for land banks. A land bank's ability to raise funds is affected by numerous variables, including the organization's structure and goals, the scope of its operations, and the amount of money available. Therefore, the land bank requires.

3) Other Factors

Other factors that are also determining factors for the success of land banks such as *political will* from the government, especially in making regulations, and regional spatial plans, which are guidelines in planning activities related to land allocation so that it can be utilized as much as possible without damaging the environment, human resources, no less critical for the success of the land bank, human resources who play a role in the land bank must have quality and professional expertise so that the implementation of the land bank becomes efficient.

The land bank is expected to be able to overcome various obstacles to the land provision related to infrastructure development, namely overcoming the rigid land acquisition process, limited competence, and number of land officials at the central and regional levels, land prices are getting higher, but there are limited government funds, as an instrument for rapid land acquisition and effective in Indonesia. The land bank can be an efficient and effective separate instrument to carry out various land policies, support area development, and control land acquisition reasonably. The Land Bank will answer several complex issues related to the provision of land that often occurs, such as providing government land stocks for various development purposes in the future, saving APBN/APBD funds, reducing disputes in the land acquisition process, and reducing the negative impacts of land liberalization, including limiting space for speculators and land mafia.

4. CONCLUSION

The government needs help in acquiring land for development projects. Due to these limitations, physical advancement has slowed or stopped altogether in all professions, even though the government has established Law Number 2 of 2012 as the foundation for land acquisition policies to evolve in the public interest. However, many believe that the government must rely on something other than the Land Acquisition Law to meet its land acquisition demands for development projects. As the implementer of the Job Creation Law, the Indonesian government established the Indonesian Land Bank following Presidential Decree No. 113 of 2021 and Presidential

Decree No. 64 of 2021. This bank is intended to exercise broad authority over land for the benefit of the people. A land bank is a specialized government organization that deals with all aspects of land administration, including but not limited to: planning; acquiring; procuring; managing; utilizing; and distributing. The government's dual role as regulator and executor is made more accessible by the establishment of this institution. According to the Job Creation Law, land that is in the custody of the Land Bank Agency is given the status of Management Rights; after this Management Right, land rights in the form of Cultivation Rights, Building Use Rights, and Usage Rights may be granted on this Management Right, as appropriate for the land's designation. However, the Job Creation Law's notion of a land bank has its benefits and drawbacks, notably concerning adequate remuneration to ensure that it is deemed in the interest of investment rather than compromising the interests and justice of the community. For land purchases in Indonesia to be successful, the Land Bank must assure residents of both legal security and economic growth. Several elements, including legislation (legal regulations), land bank institutions, land bank finance, and others, impact the extent to which land banks are helpful in Indonesia for land management.

REFERENCES

Al-Zahra, F. (2017). Melacak Landasan Hukum Pengelolaan Aset Tanah Negara melalui Konsep Bank Tanah. *AL-IHKAM: Jurnal Hukum & Pranata Sosial*, *12*(2), 405-428.

Ansari, M. I. (2020). Omnibus Law Untuk Menata Regulasi Penanaman Modal. *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional*, *9*(1), 71.

Arnowo, H. (2021). Pengelolaan Aset Bank Tanah untuk Mewujudkan Ekonomi Berkeadilan. *Jurnal Pertanahan*, *11*(1), 89-102.

Arnowo, H. (2022). Peran Bank Tanah Dalam Pengaturan Penyediaan Tanah. *Jurnal Inovasi Penelitian*, *2*(9), 3077-3088.

Arrizal, N., & Wulandari, S. (2021). Kajian Kritis Terhadap Eksistensi Bank Tanah Dalam Undang-Undang No. 11 Tahun 2020 Tentang Cipta Kerja. *Keadilan*, *18*(2), 99-110.

Azharniyah, A., & Suhaimi, A. (2022). Keberadaan Bank Tanah Ditinjau Dari Asas Kemanfaatan Dan Politik Hukum Di Indonesia. *Wasaka Hukum*, *10*(2), 20-33.

Candra, H., & Khaidir, A. (2020). Peluang dan Tantangan Bank Tanah Menuju Pemukiman Berwawasan Lingkungan di Indonesia. *Jurnal Ekonomi dan Bisnis Islam*, *5*(2), 1-20.

Danendra, M. R., & Mujiburohman, D. A. (2022). Pembentukan Bank Tanah: Merencanakan ketersediaan tanah untuk percepatan pembangunan di Indonesia. *Widya Bhumi*, *2*(1), 1-20.

Diantha, I. M. P. (2016). *Metodologi penelitian hukum normatif dalam justifikasi teori hukum*. Prenada Media.

Ganindha, R. (2016). Urgensi Pembentukan Kelembagaan Bank Tanah sebagai Solusi Pengadaan Tanah Bagi Pembangunan untuk Kepentingan Umum yang Nirkonflik. *Arena Hukum*, *9*(3), 442-462.

Helmi, A., & Satria, A. (2012). Strategi adaptasi nelayan terhadap perubahan ekologis. *Makara Human Behavior Studies in Asia*, *16*(1), 68-78.

Lahilote, H. S., Irwansyah, I., & Bukido, R. (2021). Pengawasan terhadap Bank Tanah: Urgensi, Kewenangan, dan Mekanisme. *Undang: Jurnal Hukum*, *4*(1), 191-211.

Law Number 2 of 2012 concerning Land Acquisition for Development in the Public Interest.

Law Number 20 of 1961 Concerning the Revocation of Land Rights and Objects.

Lestari, P. (2020). Pengadaan Tanah untuk Pembangunan demi Kepentingan Umum di Indonesia Berdasarkan Pancasila. *SIGn Jurnal Hukum*, *1*(2), 71-86.

Lubis, A. S. (2019). Pelaksanaan Pembayaran Ganti Rugi Dalam Kegiatan Pengadaan Tanah Pembangunan Jalur Kereta Api Bandara Soekarno-Hatta Terhadap Bidang Tanah Yang Tidak Memiliki Alas Hak. *Doktrina: Journal Of Law*, *2*(1), 1-12.

Mochtar, H. (2013). Keberadaan bank tanah dalam pengadaan tanah untuk pembangunan. *Jurnal Cakrawala Hukum*, *18*(2).

Nurdin, M. (2018). Akar Konflik Pertanahan di Indonesia. *Jurnal Hukum Positum*, *3*(2), 126-141.

Pasandaran, J. B. (2021). Kajian Hukum Terhadap Hak Pengelolaan dalam Hukum Pertanahan Indonesia. *Lex Administratum*, *9*(5).

Rejekiningsih, T. (2016). Asas fungsi sosial hak atas tanah pada negara hukum (suatu tinjauan dari teori, yuridis dan penerapannya di indonesia). *Yustisia Jurnal Hukum*, *5*(2), 298-325.

Rojiun, M. A. (2022). Eksistensi Bank Tanah Dalam Undang-Undang Nomor 11 Tahun 2020 Tentang Cipta Kerja Demi Pelaksanaan Pembangunan Kepentingan Umum. *Jurnal Education and Development*, *10*(2), 738-748.

Santoso, U. (2016). Penyelesaian Sengketa Dalam Pengadaan Tanah Untuk Kepentingan Umum. *Perspektif*, *21*(3), 188-198.

Soekanto, S. (2007). *Penelitian hukum normatif: Suatu tinjauan singkat*. Jakarta: Raja Grafindo Persada.

Subekti, R. (2016). Kebijakan Pemberian Ganti Kerugian Dalam Pengadaan Tanah Bagi Pembangunan Untuk Kepentingan Umum. *Yustisia Jurnal Hukum*, *5*(2), 376-394.

Sumardjono, M. S. (2008). *Tanah dalam perspektif hak ekonomi, sosial, dan budaya*. Penerbit Buku Kompas.

Sutedi, A. (2020). *Implementasi prinsip kepentingan umum di dalam pengadaan tanah untuk pembangunan*. Sinar Grafika (Bumi Aksara).

Syibly, M. R., & Ahsani, M. F. (2022). Pengadaan Tanah Dalam Peraturan Pemerintah No. 64 Tahun 2021 Menurut Perpektif Fikih Agraria. *Al-Mawarid: JSYH*, *4*(1), 1-14.

Trisna, N., & Sandela, I. (2021). Eksistensi Bank Tanah dalam Hukum Agraria Di Indonesia. *Ius Civile: Refleksi Penegakan Hukum dan Keadilan*, *5*(1).

Ulya, Z. (2016). Espaktasi Pengelolaan Tanah Terlantar Oleh Baitul Mal Dalam Peningkatan Kesejahteraan Masyarakat. *Jurnal Hukum & Pembangunan*, *46*(4), 504-520.

Wardhani, D. K. (2020). Disharmoni Antara Ruu Cipta Kerja Bab Pertanahan Dengan Prinsip-Prinsip UU Nomor 5 Tahun 1960 Tentang Peraturan Dasar Pokok-Pokok Agraria (UUPA). *Jurnal Komunikasi Hukum (JKH)*, *6*(2), 440-455.

Winati, R., Hidayat, Y., & Lutfi, A. (2022). Eksistensi dan Prospek Penyelenggaraan Bank Tanah. *Jurnal Magister Ilmu Hukum*, *7*(1), 25-40.