

THE LEGAL POLITICS OF AGRARIAN REFORM IN JAKARTA AND THE MARGINALIZATION OF LAND CULTIVATORS

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Abstract

Agrarian reform in Indonesia has long been dominated by a rural-centric approach, despite the fact that state land cultivation by communities also occurs extensively in urban areas such as Jakarta. Urban cultivators rely on state land as both a place to live and a source of livelihood, yet they receive little to no legal recognition. This study aims to examine the legal politics behind Jakarta's agrarian reform policies and their implications for the legal status of urban land cultivators. Using a normative legal method combined with a legal-political approach, this research critically analyzes existing regulations, including the Job Creation Law, Presidential Regulation No. 86 of 2018, and Jakarta Governor Regulation No. 153 of 2019. Data were collected through document studies and examined using the theoretical frameworks of agrarian justice and legal exclusion. The findings indicate that agrarian reform policies in Jakarta tend to favor capital interests and property developers, while sidelining the de facto claims of urban land cultivators. Existing legal frameworks do not grant them priority rights and instead open pathways for land privatization through selective legal instruments.

These results reveal a pattern of structural marginalization against urban cultivators. Rather than serving as a means of distributive justice, agrarian reform in this context functions as a tool to restructure urban space according to market logic. This highlights the urgent need for a more equitable, participatory legal framework that recognizes urban cultivators as legitimate subjects of agrarian reform.

Keywords: agrarian reform; cultivators; legal politics; legal exclusion; agrarian justice

1. Introduction

Agrarian reform projects are often imagined as efforts to redistribute land in rural areas, as if agrarian problems are solely about farmers and rice fields. Yet cities like Jakarta contain a far more subtle kind of agrarian complexity, one that involves the living spaces of the urban poor who exist in the shadow of legal uncertainty over the state land they occupy. Amid highways and skyscrapers lie hidden communities who, for years, have depended on state land for survival building semi-permanent shelters, planting crops, and running small-scale businesses. They are not formal owners, but they have built a deeply rooted social and existential relationship with the land. Tension arises when the state, through legal and spatial instruments, appears not as a protector but as a mechanism of exclusion. In this logic, the right to survive is subordinated to the imperative of urban order making the city more “investable,” more “organized,” without seriously considering who must be displaced in the process. This phenomenon resonates with critiques suggesting that urbanization under contemporary capitalism often proceeds through accumulation by dispossession, pushing subaltern classes out of the very spaces they have shaped and inhabited. (Uzonyi & Koren, 2024).

Contemporary literature in agrarian studies reveals a persistent rural bias in both the practice and discourse of agrarian reform across many developing countries. Policy frameworks that emphasize agricultural land redistribution often overlook the fact that land access conflicts also unfold intensely in urban areas, particularly in the context of city expansion and the commodification of space. Comparative research in the Philippines and Cambodia illustrates that the urban poor frequently experience not only the loss of land access, but also the erosion of their legal status, as formal legal systems struggle to recognize and accommodate informal modes of land occupation (Van Gelder, 2010).

On the other hand, the development of agrarian justice theory emphasizes the importance of recognizing rights based on long-term occupation and use, as a key dimension of distributive justice often overlooked by formal-legal regimes. Nevertheless, this body of literature largely remains focused on the broader context of the Global South, and has yet to specifically examine how rural bias becomes institutionalized within national legal frameworks, such as in the case of Jakarta. This gap opens a critical space for exploring how legal exclusion is not merely the result of absent access, but rather the product of regulatory choices that actively negate the existence of urban cultivators as rightful subjects within the national agrarian reform narrative (Peluso & Lund, 2011).

The absence of a legal framework that explicitly recognizes the position of state land cultivators in urban areas reflects not only a regulatory gap, but also a deeper conceptual void within the logic of national agrarian justice distribution. While numerous studies have exposed the rural bias inherent in land redistribution policies and brought attention to patterns of agrarian exclusion in rural settings, urban contexts remain critically underexplored. This lack of attention suggests a structural limitation in both legal and scholarly discourses, where urban land relations—often informal yet deeply embedded in survival economies—are excluded from the dominant narratives of agrarian reform (Eldridge, 2013). Urban cultivators in cities like Jakarta often fall outside the scope of policy imagination, even though they are actively engaged in concrete

forms of spatial production.

Despite references to agrarian reform in regulatory instruments such as Presidential Regulation No. 86/2018 and Jakarta Governor Regulation No. 153/2019, their structural design and legal interpretations remain deeply rooted in legal-dogmatic frameworks that privilege formal ownership over actual land use. This article departs from such approaches by not merely reading agrarian reform as a matter of land redistribution policy, but as a site of legal-political struggle over who is recognized as a legitimate subject in the governance of state land.

This perspective enables a deeper inquiry into how law is produced within urban power configurations and how legal exclusion operates through seemingly neutral yet selectively applied norms. The novelty of this article lies in its attempt to reconceptualize urban state-land cultivators not as administrative anomalies awaiting eviction, but as rightful legal-political actors within the terrain of agrarian reform.

Understanding the dynamics of state land cultivation in Jakarta requires more than a legal-dogmatic inquiry; it demands an interpretive lens capable of unveiling the power relations embedded within legal categories such as “illegal occupants” or “unauthorized use.” In an urban spatial configuration increasingly driven by investment interests and land value speculation, the law often operates as a mechanism of exclusion cloaked in procedural legitimacy. This condition exemplifies what has been described as urban legal violence—a situation in which legal mechanisms reproduce structural vulnerability for the urban poor. Simultaneously, a rigid, formalist approach to agrarian reform proves insufficient in capturing the lived and dynamic forms of land control, as critically noted in the literature on legal and agrarian pluralism in Southeast Asia. This article aims to examine the legal politics of agrarian reform in Jakarta and its consequences for the legal standing of urban cultivators on state land. It also offers a conceptual framework to reconstruct land policy in favor of distributive justice, social recognition, and citizen participation in an ever-evolving urban landscape.

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2. Materials and Methods

This study employed a normative legal method combined with a legal-political approach in order to capture both the formal dimensions of agrarian law and the political dynamics that shape its application in Jakarta. The normative method was used to interpret legal texts, identify doctrinal structures, and evaluate their consistency within the national legal framework. The legal-political approach, by contrast, enabled a critical reading of the ways in which political interests and economic imperatives inform the legal recognition, or exclusion, of urban land cultivators.

The primary materials consisted of statutory instruments and government regulations that explicitly address agrarian reform. Among the most significant were the Job Creation Law, Presidential Regulation No. 86 of 2018, and the Governor of

Jakarta Regulation No. 153 of 2019. These sources were examined in relation to their doctrinal content as well as their socio-political implications for urban cultivators who occupy state land. Secondary materials included scholarly literature on agrarian justice, legal exclusion, and urban land tenure, with particular reference to comparative studies from the Global South. These works provided theoretical grounding and facilitated the positioning of the Jakarta case within broader debates about urban agrarianism and distributive justice.

The analysis proceeded through three complementary methodological techniques. First, a doctrinal examination of the relevant legislation and regulations was undertaken to clarify their operative provisions and to highlight internal inconsistencies. Second, a comparative legal analysis was applied to juxtapose Indonesian regulatory frameworks with experiences in countries such as the Philippines and Cambodia, where similar tensions around urban land access have been documented. Third, documentary analysis was conducted on administrative materials, legal cases, and policy reports in order to reveal how formal regulations are implemented in practice.

The interpretive dimension of the research was guided by theoretical frameworks of agrarian justice and legal exclusion. These frameworks were used to interrogate the gap between formal legality and lived tenure relations, particularly in the context of urban land cultivation. The study further applied the concepts of urban legal violence and selective recognition to explain how ostensibly neutral regulations function to marginalise vulnerable groups. In doing so, the methodological design combined textual legal analysis with a critical socio-legal perspective, ensuring that the findings addressed not only the letter of the law but also its distributive consequences in urban space.

3. Results and Discussion

3.1. *Legal politics of agrarian reform in urban contexts: Representation and bias*

The legal construction of agrarian reform subjects within Indonesia's national policy framework is shaped by a predominantly rural-centric perspective, in which smallholder farmers, agricultural laborers, and Indigenous communities are presumed to be the principal beneficiaries of land redistribution. This orientation is evident in Presidential Regulation No. 86 of 2018, which outlines priority subjects of agrarian reform through a juridical framework that relies heavily on specific forms of administrative legality—such as decrees of land release or documented control over non-forest disputed areas. Such legal definitions implicitly exclude urban cultivators, whose modes of land use often fall outside the formalistic parameters required by these instruments.

This perspective overlooks the dynamics of spatial occupation in urban areas, which, despite lacking formal documentation, are often more complex and span decades of informal tenure. Within such a framework, cultivators of state land in cities like Jakarta are not only absent from policy design but also denied recognition as legitimate legal actors in spatial governance. This phenomenon aligns with the notion that access to land is not solely determined by formal ownership, but also by social recognition and institutional authority, which together shape who is entitled to claim space (Rasmussen & Lund, 2018). When the state restricts recognition exclusively to subjects that conform to an administrative-rural logic, it generates a legal hierarchy of recognition that systematically excludes urban actors from the narrative of agrarian reform—one that ought to be spatially and sociologically inclusive (Gilbert & Afrizal, 2019).

The absence of legal recognition for cultivators of state land in urban areas such as Jakarta creates a legal vacuum marked by ambiguity, where long-standing and tangible forms of land occupation remain excluded from the framework of formal legitimacy. Even though these communities have forged enduring relationships with the land they inhabit—through constructing dwellings, utilizing land for economic activities, and

sustaining social reproduction across generations—the law continues to frame them as unlawful occupants of space.

The absence of legal instruments capable of bridging informal land tenure and formal recognition reflects the operation of a concealed logic of exclusion. In this context, the law is not merely absent—it actively constructs the invisibility of urban subjects within the national agrarian landscape. As illustrated by the theory of selective recognition, the state frequently determines who is deemed worthy of legal status based on a combination of political-economic interests and administrative configurations, ultimately producing systemic mechanisms of exclusion (Borras et al., 2011). This mechanism not only restricts access to land but also marginalizes claims to living spaces that do not conform to the state's formal legal narrative. When legality becomes the sole criterion for determining the validity of land tenure, all forms of lived social relations become invisible, unspeakable, and ultimately erased from the realm of legal protection (Borras et al., 2011).

When legal recognition is granted only to subjects who meet formal legal criteria, it produces a hierarchical structure that differentiates between valid and ignored claims. In Jakarta's context, this hierarchy results in the exclusion of urban land cultivators from processes of agrarian justice distribution, which in principle should encompass all citizens who rely on land as a space for living. Their existence is not merely overlooked in policy but also erased from the legal narrative that defines who is permitted to reside, build, and sustain life in the city. The connection between long-term land occupation and legal rights becomes severed, even though various approaches to agrarian justice emphasize the need to recognize sustained land use as a basis for legitimate access (Franco et al., 2015).

When the state fails to establish a recognition mechanism based on actual land use and social relationships with space, the result is not the absence of law, but rather the presence of law that actively sides with exclusion (Li, 2014). In this configuration, urban land cultivators not only lose the possibility of receiving legal protection, but also forfeit their political status as citizens entitled to space. This situation calls for a critical reinterpretation of the structure of land law politics, particularly in understanding how legal instruments reinforce land domination through narratives of neutrality, rather than through the distribution of justice. Consequently, further elaboration is needed to uncover how legal exclusion is institutionalized through mechanisms that appear objective but operate selectively.

4.2. *Mechanisms of exclusion through legality: Formal narratives vs. realities of control*

Land policy in urban areas such as Jakarta exhibits a strong tendency to regard formal legality as the sole basis for recognizing land tenure rights. Within this framework, a right is considered valid only if it can be proven with state-recognized documents—such as land ownership certificates, building use rights (*Hak Guna Bangunan*), or spatial utilization permits issued through administrative procedures. Regulations such as Presidential Regulation No. 86 of 2018 and Jakarta Governor Regulation No. 153 of 2019 reinforce this logic by establishing formal legal status as an absolute prerequisite for inclusion in agrarian reform schemes or land use legalization programs.

As a consequence, all forms of land tenure that occur outside the state documentation system—no matter how long-standing or functionally embedded in residents' daily lives—are not recognized as legitimate legal relations. This paradigm shapes what is referred to as the powers of exclusion—where law not only regulates ownership but also defines the boundaries of who may be recognized and who is rendered invisible. Furthermore, recognition of ownership is not merely administrative; it is inherently political: it determines who qualifies as a legal subject and who remains in the gray zone of tenure without protection. In this configuration, property is not only

about control over land, but also about who is acknowledged as a rights-bearing citizen by a power structure that legitimizes.

The legal language employed in urban spatial planning policies often carries an illusion of neutrality, while in practice, it functions as a systemic instrument of exclusion. Terms such as “area arrangement,” “removal of illegal structures,” or “orderly land use” sound administrative and technocratic, but they frequently obscure the marginalization of residents who have long occupied land *de facto*. In the context of Jakarta, this mechanism operates through relocation actions that fail to acknowledge the historical use of the land, alongside the absence of participatory procedures that would accommodate the voices of affected communities. This produces a legal landscape that appears orderly on the surface, yet is socially unequal. Roy refers to this phenomenon as planned illegality, where the state deliberately allows certain groups to remain in an illegal condition in order to control or remove them at any time as dictated by planning needs (Roy, 2005).

On the other hand, Yiftachel introduces the concept of gray spacing to explain how certain urban spaces are deliberately maintained in a state of managed legal ambiguity, allowing recognition of their existence to be granted or withdrawn arbitrarily. Within this configuration, exclusion operates not only in physical terms but also through the erasure of the social meaning attached to the homes and livelihoods of the urban poor, who are framed not as rights-bearing subjects but as “issues of public order.” (Yiftachel, 2009)

Amid the state’s proclamations of commitment to land legalization and spatial regulation, there lies a profound paradox that is rarely addressed in formal legal discourse: access to legal status is not equally open to all. Land legalization mechanisms—whether under agrarian reform schemes or urban spatial restructuring programs—demand administrative prerequisites such as historical proof of ownership, registration fees, and familiarity with complex legal procedures. These requirements are structurally inaccessible to urban poor communities. This creates an invisible legal trap in which those unable to meet formal prerequisites remain in a liminal condition, as if occupying space without rights. Fernandes characterizes this condition as legal informality—a situation where the state manufactures informality through an exclusive legal framework that fails to respond to the lived realities of marginalized populations (Fernandes, 2011).

In this context, the inability to access legality is not a consequence of disobedience, but rather the result of a legal design that neglects the social realities of land occupation. Benjamin refers to this as occupancy urbanism—the survival practices of the urban poor who inhabit and manage city spaces without legal status, yet nonetheless build vital social and economic infrastructures that sustain urban life as a whole (Benjamin, 2008). This inequality in access to legalization perpetuates a cycle of exclusion and underscores that the distinction between “legal” and “illegal” is not merely a matter of law, but fundamentally about who is granted the possibility of recognition.

In many urban areas, including Jakarta, land occupation practices by the urban poor often form relational patterns that are not only socially stable but also possess strong community legitimacy. Residents build homes, establish social structures, and create informal systems that persist across generations—forms of organization that reflect continuity rather than mere necessity.

However, the state’s legal structure does not recognize these practices as a valid basis for spatial legitimacy. When formal law only accepts administrative documentation as the foundation for rights recognition, the entire social experience of residents regarding land becomes irrelevant in the legalization process. Merry introduces the term vernacularization of law to describe how communities often construct legal meanings that differ from the state’s official version, but are more consistent with their lived experiences (Merry, 1988). When the state’s version and the community’s version conflict, the issue is not merely legal inconsistency—it is a clash of legitimacy between

differing systems of authority.

In this context, the concept of interlegality as developed by Santos becomes crucial for understanding how state law operates amidst the plurality of normative systems (De Sousa Santos, 2020). The state's failure to accommodate the living legal forms embedded within society not only weakens its formal legitimacy but also deepens the gap between law as normative doctrine and law as lived experience. When legitimate social relations are not afforded space to be articulated within policy frameworks, exclusion manifests not merely as an administrative outcome but also as an epistemic one.

Urban legal frameworks often present themselves as neutral and procedural systems—regulating spatial use through technical rules, while failing to acknowledge that every legal decision carries political implications regarding who is permitted to exist within a space and who is excluded. Within this system, the principle of rule of law is treated as though it stands above all interests, while in practice it reproduces unequal ownership structures and forecloses space for social relations that are not documented administratively.

When legal procedures are implemented without addressing the disparities in access to legal mechanisms themselves, law becomes not only an instrument of order but also a tool for legitimizing exclusion. Lefebvre reminds us that urban space is not a neutral entity, but rather the product of social production—shaped by conflict and domination—where law functions as a spatial governance medium that serves dominant interests (Lefebvre, 2010).

In a similar context, Holston describes the form of citizenship that emerges from such legal systems as insurgent: citizens claim rights to space not through formal legal channels, but through collective occupation, repeated acts of dwelling, and resistance to the state's exclusive narrative of legality (Holston, 2021). This reality illustrates that the neutrality of law in urban spatial governance is not merely a myth, but a strategy—produced and reproduced through discourses and policies that appear objective.

ive but operate selectively.

4.3. Urban agrarian reform reorientation: Theoretical implications and conceptual recommendations

The definition of agrarian reform subjects, which has long been rooted in formal legality, creates structural barriers to reaching urban groups that have, in practice, maintained long-standing social relations with state land but lack administrative proof of tenure. Within a rigid policy configuration, the presence of urban poor communities occupying state land is positioned outside the legal framework, despite the fact that they often establish systems of production and social reproduction that are inseparable from the spaces they inhabit. When the state recognizes land rights solely through officially issued documents, the meaning of "rights" becomes reductive—implying that only those who hold legal certificates are deemed worthy of protection.(Enno Sellya Agustina, 2025).

Such an approach not only narrows the scope of agrarian reform but also neglects the historical, social, and economic dimensions of land tenure in urban areas. Bebbington underscores that recognizing agrarian claims must go beyond the logic of state registration and begin to acknowledge the complex relationships between communities and space, particularly amid the expansion of urban capital (Bebbington et al., 2018). Meanwhile, Franco and Monsalve argue that the subject of agrarian reform should not be understood merely as an administrative category, but rather as a political position rooted in the struggle for livelihood and living space (DeLong, 1997). This redefinition is crucial to prevent policy exclusion of those who are, in fact, the most vulnerable to urban land tenure inequalities.

Cities encompass a diversity of land tenure forms that cannot be reduced to a binary of legal and illegal. Between the spectrum of legal formality lies a variety of tenure

practices grounded in survival needs, communal relationships, and collective usage legacies that remain undocumented. However, agrarian legal frameworks that rely on a singular recognition system—namely, state-issued certification—tend to exclude this diversity from gaining legitimacy.

The framework of multilayered tenure recognition emerges as a more adaptive conceptual alternative for urban contexts, acknowledging that tenure status is not always linearly aligned with legal status, but can be layered and contextual. Payne underscores the importance of a flexible recognition system to avoid the structural marginalization of residents whose land occupation is based on livelihood needs rather than formal transactions (Payne et al., 2009).

Meanwhile, Van Lindert argues that the success of agrarian policies in urban areas is largely determined by the extent to which the state is willing to recognize diverse forms of tenure that are socially embedded, even if they are not documented administratively (Van Lindert, 2016). The multilayered framework opens up space for a more human-centered approach, in which legality is no longer merely a status, but a process of recognition shaped through interactions between the state and society. Within this logic, urban agrarian reform no longer hinges on the vertical transfer of rights from the state to citizens, but rather on horizontal negotiations that acknowledge residents as integral actors in the production of urban space.

The strengthening of agrarian policy in urban areas can no longer rely on a top-down approach rooted in singular legality and the administrative logic of the state. The demand for more inclusive and contextual policies requires the development of recognition mechanisms that do not view land merely as an asset, but as a living space shaped by social interaction and historical use. Within this framework, participatory mapping emerges as a key instrument to bridge the gap between residents' claims and policy structures. Through such processes, residents are not merely positioned as objects of legalization, but as subjects who hold spatial and historical knowledge of the places they inhabit.

Mitchell argues that the recognition of spatial claims is inseparable from the political dimension of participation, as such claims essentially express assertions about who has the right to reside in and shape the city (Mitchell, 2011). Building on this perspective, Larsson and Nordqvist emphasize the importance of legal empowerment within the context of urban agrarian reform, where enhancing citizens' capacities to understand, use, and shape the law becomes a foundational element in realizing justice-based agrarian transformation (Sepúlveda Carmona & Donald, 2015). This participatory approach also opens pathways for acknowledging long-term use rights, communal tenure arrangements, and trust-based ownership structures—forms of tenure that have long been excluded from formal legalization frameworks.

The concept of agrarian reform in urban settings should not be confined merely to the redistribution of physical assets, but must evolve toward restitution of space—a form of redress for historical inequalities that have excluded certain groups from access to land. In urban contexts, space is not merely a market-valued location, but a terrain of everyday life that shapes the social and political identities of its inhabitants. When the state regulates landownership through an exclusive legal logic, what is ultimately at stake is the very definition of citizenship—who is recognized and who is rendered invisible. Blomley emphasizes that space is a product of legal power, and that every form of land regulation raises moral questions about who has the right to be present (Porter et al., 2020).

In this approach, justice is no longer measured through procedural equality, but through the recognition of histories of dispossession and restricted access experienced by marginalized communities. Nahar urges us to understand land rights as an inseparable part of human rights, deeply embedded within the context of social justice (Nahar Lata, 2021). Accordingly, the reorientation of urban agrarian reform is not merely about

redesigning regulatory frameworks, but about shifting the ethical foundation from distribution to recognition—from asking who can afford to buy land, to acknowledging those who have long built their lives on and cared for land without ever being granted formal status.

4. Conclusions

The reconstruction of agrarian reform policy in Jakarta reveals that the exclusion of state land cultivators in urban areas is not the result of a legal vacuum, but rather a consequence of a narrowly framed legality rooted in administrative formalism. In this context, law not only regulates the relationship between people and land, but also produces the boundaries of citizenship through legal instruments that appear objective yet operate selectively. When agrarian reform subjects are defined solely as those who possess formal ownership documents, the entire spectrum of land tenure practices—shaped socially, historically, and culturally—becomes invisible within the prevailing legal structure.

These findings underscore the urgent need to deconstruct and rearticulate the category of “legitimate subjects” in urban agrarian policy to more accurately reflect the complexities of land tenure in the city. Agrarian reform must not be reduced to a mere asset redistribution scheme; it should be understood as a political project aimed at recognizing and restoring rights to space. In this regard, the concepts of multilayered tenure recognition, participatory approaches, and livelihood-based justice frameworks are critical elements for reaching urban cultivators who have long been excluded from the national agrarian reform agenda.

Going forward, the transformation of urban land policy design must go beyond the creation of legalization instruments. The state must open space for the recognition of diverse tenure relations that are not accommodated within the conventional legal system. It is not sufficient for the state to act solely as an enforcer of administrative law—it must also serve as a facilitator of social recognition for the living spaces of vulnerable urban populations. Urban agrarian reform will only become truly relevant when it moves beyond the rigid binary of legal versus illegal, toward a more democratic, inclusive, and substantively just spatial governance.

References

- Bebbington, A., Abdulai, A.-G., Humphreys Bebbington, D., Hinfelaar, M., & Sanborn, C. (2018). *Governing Extractive Industries: Politics, Histories, Ideas* (1st ed.). Oxford University Press/Oxford. <https://doi.org/10.1093/oso/9780198820932.001.0001>
- Benjamin, S. (2008). Occupancy urbanism: Radicalizing politics and economy beyond policy and programs. *International Journal of Urban and Regional Research*, 32(3), 719–729. <https://doi.org/10.1111/j.1468-2427.2008.00809.x>
- Borras, S. M., Hall, R., Scoones, I., White, B., & Wolford, W. (2011). Towards a better understanding of global land grabbing: An editorial introduction. *Journal of Peasant Studies*, 38(2), 209–216. <https://doi.org/10.1080/03066150.2011.559005>
- De Sousa Santos, B. (2020). *Toward a new legal common sense: Law, globalization, and emancipation* (3rd ed.). Cambridge University Press. <https://doi.org/10.1017/9781316662427>
- DeLong, J. V. (1997). Property matters: How property rights are under assault—and why you should care. Simon and Schuster.
- Eldridge, P. J. (2013). *Politics of human rights in Southeast Asia* (0 ed.). Routledge. <https://doi.org/10.4324/9780203164976>
- Enno Sellya Agustina. (2025). Legal review of land lease agreement by village head exceeding his term of office. *Peradaban Hukum Nusantara*, 1(2), 50–65. <https://doi.org/10.62193/8hqpps84>
- Fernandes, E. (2011). *Regularization of informal settlements in Latin America*. Lincoln

Institute of Land Policy Cambridge, MA.

- Franco, J. C., Monsalve, S., & Borrás, S. M. (2015). Democratic land control and human rights. *Current Opinion in Environmental Sustainability*, 15, 66–71. <https://doi.org/10.1016/j.cosust.2015.08.010>
- Gilbert, D. E. & Afrizal. (2019). The land exclusion dilemma and Sumatra's agrarian reactionaries. *The Journal of Peasant Studies*, 46(4), 681–701. <https://doi.org/10.1080/03066150.2017.1404990>
- Holston, J. (2021). *Insurgent citizenship: Disjunctions of democracy and modernity in Brazil*.
- Lefebvre, H. (2010). From the production of space. In *Theatre and Performance Design*. Routledge.
- Li, T. M. (2014). What is land? Assembling a resource for global investment. *Transactions of the Institute of British Geographers*, 39(4), 589–602. <https://doi.org/10.1111/tran.12065>
- Merry, S. E. (1988). Legal pluralism. *Law & Society Review*, 22(5), 869–896.
- Mitchell, D. (2011). Homelessness, american style. *Urban Geography*, 32(7), 933–956. <https://doi.org/10.2747/0272-3638.32.7.933>
- Nahar Lata, L. (2021). To whom does the city belong? Obstacles to right to the city for the urban poor in Bangladesh. *Journal of Contemporary Asia*, 51(4), 638–659. <https://doi.org/10.1080/00472336.2020.1791934>
- Payne, G., Durand-Lasserve, A., & Rakodi, C. (2009). The limits of land titling and home ownership. *Environment and Urbanization*, 21(2), 443–462. <https://doi.org/10.1177/0956247809344364>
- Peluso, N. L., & Lund, C. (2011). New frontiers of land control: Introduction. *The Journal of Peasant Studies*, 38(4), 667–681. <https://doi.org/10.1080/03066150.2011.607692>
- Porter, L., Hurst, J., & Grandinetti, T. (2020). The politics of greening uncaded lands in the settler city. *Australian Geographer*, 51(2), 221–238. <https://doi.org/10.1080/00049182.2020.1740388>
- Rasmussen, M. B., & Lund, C. (2018). Reconfiguring Frontier Spaces: The territorialization of resource control. *World Development*, 101, 388–399. <https://doi.org/10.1016/j.worlddev.2017.01.018>
- Roy, A. (2005). Urban informality: Toward a2.n epistemology of planning. *Journal of the American Planning Association*, 71(2), 147–158. <https://doi.org/10.1080/01944360508976689>
- Sepúlveda Carmona, M., & Donald, K. (2015). Beyond legal empowerment: Improving access to justice from the human rights perspective. *The International Journal of Human Rights*, 19(3), 242–259. <https://doi.org/10.1080/13642987.2015.1029340>
- Uzonyi, G., & Koren, O. (2024). The urban origins of rebellion. *Journal of Conflict Resolution*, 68(9), 1717–1740. <https://doi.org/10.1177/00220027231202038>
- Van Gelder, J.-L. (2010). What tenure security? The case for a tripartite view. *Land Use Policy*, 27(2), 449–456. <https://doi.org/10.1016/j.landusepol.2009.06.008>
- Van Lindert, P. (2016). Rethinking urban development in Latin America: A review of changing paradigms and policies. *Habitat International*, 54, 253–264. <https://doi.org/10.1016/j.habitatint.2015.11.017>
- Yiftachel, O. (2009). Theoretical notes on `Gray Cities': The coming of urban apartheid? *Planning Theory*, 8(1), 88–100. <https://doi.org/10.1177/1473095208099300>