

Regulatory Framework for Social Mapping in Structuring Access to Agrarian Reform

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ABSTRACT

This study aims to analyze the legal implications arising from the incomplete regulation of social mapping in the structuring of agrarian reform access and to formulate an ideal regulatory framework to ensure legal certainty. This research employs a normative juridical method using statutory, conceptual, and comparative approaches. The analysis applies grammatical, systematic, and constructive interpretation of primary, secondary, and tertiary legal materials obtained through library research. The novelty of this study lies in its analysis of social mapping as a *lex imperfecta* under Article 58 paragraph (1) of Presidential Regulation Number 62 of 2023. This study also proposes a legal reconstruction that positions social mapping as a normative prerequisite for ensuring legal certainty in agrarian reform access structuring. The findings reveal that the incomplete regulation of social mapping creates multiple interpretations, weak verification mechanisms, and the absence of sanctions. These conditions result in inaccurate access structuring, low effectiveness in empowering agrarian reform subjects, and an increasing potential for agrarian conflicts. Based on the legal certainty theory of Gustav Radbruch, the regulation has not fulfilled the principle of legal certainty because it is not formulated clearly and operationally. This study recommends legal reconstruction by establishing social mapping as a mandatory procedure supported by standardized operational guidelines, participatory verification mechanisms, Key Performance Indicators (KPI), and clear sanction provisions in order to create a more effective, measurable, and equitable agrarian reform access system.

Keywords : Social Mapping; Agrarian Reform; Legal Certainty; Access Structuring; Legal Reconstruction.

1. INTRODUCTION

The principle of social justice as embodied in the fifth principle of Pancasila constitutes the philosophical foundation for the administration of state life in Indonesia. This principle requires the equitable and proportional distribution of resources for all citizens, including in the management of agrarian resources. In the context of agrarian law, this principle gains constitutional legitimacy through Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which stipulates that the land, water, and natural resources contained therein shall be controlled by the state and utilized for the greatest prosperity of the people. However, empirical realities demonstrate that the structure of land ownership and control in Indonesia remains significantly unequal. Agrarian inequality reflects the domination of land control by certain groups and the limited access of small communities to agrarian resources. This condition continues to constitute a structural problem that contributes to increasing agrarian conflicts, rural poverty, and socio-economic inequality within society (Salim, 2020).

Data from the Agrarian Reform Consortium (Konsorsium Pembaruan Agraria/KPA) indicate that agrarian conflicts in Indonesia have continued to increase in recent years, particularly

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in plantation sectors, forest areas, and national strategic projects (KPA, 2025). In addition, the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN) has acknowledged that inequality in land ownership remains one of the primary obstacles to the implementation of the national agrarian reform agenda (Ministry of ATR/BPN, 2024). These conditions illustrate that the law has not yet fully functioned as an instrument of social engineering in realizing distributive justice and legal certainty in agrarian governance. Therefore, the state must intervene through agrarian reform policies that focus not only on asset redistribution but also on strengthening public access to economic and social resources.

Agrarian reform, as a national strategic program, encompasses two principal dimensions, namely asset reform and access reform. Asset reform aims to address structural inequalities in land ownership through land redistribution and asset legalization. Meanwhile, access reform seeks to ensure that agrarian reform beneficiaries possess the capacity to manage land productively through the provision of capital assistance, training, market access, technology, and the strengthening of community economic institutions (Salim, 2020). In practice, the implementation of access reform is often treated merely as a complementary aspect, despite the fact that the success of agrarian reform is highly dependent upon the effectiveness of access reform in improving the welfare of beneficiary communities (Li, 2014).

One of the essential instruments in the implementation of access reform is social mapping. Social mapping functions to identify the social, economic, cultural, and institutional conditions, as well as the potential capacities of communities, as the basis for designing targeted empowerment programs. Within the context of agrarian reform, social mapping serves a strategic role in ensuring that access reform policies are aligned with the actual needs of agrarian reform subjects, particularly small-scale farmers, indigenous peoples, and other vulnerable groups (Setiawan, 2023). Through accurate and participatory social mapping, the government may determine more effective and sustainable empowerment models.

Nevertheless, the regulation concerning social mapping in agrarian access reform still encounters normative issues. Article 58 paragraph (1) of Presidential Regulation Number 62 of 2023 concerning the Acceleration of Agrarian Reform Implementation merely defines social mapping as a process of identifying and understanding community conditions, without comprehensively regulating implementation mechanisms, data collection methods, verification standards, indicators of success, or sanctions. Such normative incompleteness creates multiple interpretations in practical implementation and causes social mapping to frequently become a mere administrative formality without producing contextual and effective empowerment recommendations.

Several empirical cases further demonstrate the weaknesses in the regulation of social mapping within agrarian reform. Agrarian conflicts in Sangiang Island, Rempang Eco City, and South Konawe reveal that social mapping has failed to accurately identify agrarian reform subjects and the rights of local and indigenous communities. Consequently, this has resulted in inaccurate land redistribution, ownership disputes, and the marginalization of communities within development projects (KPA, 2025). These conditions indicate that social mapping cannot merely be viewed as a technical instrument but must instead be positioned as an integral component of the agrarian reform legal system that guarantees legal certainty and social justice.

Previous studies have generally examined agrarian reform from the perspectives of policy, institutional arrangements, community empowerment, or public participation. Research conducted by Syifa Zahrani Khairunia (2024) focused on optimizing agrarian reform to improve public welfare through institutional strengthening and asset legalization. Habib Ferian Fajar (2022) examined agrarian reform policy strategies in realizing social justice based on constitutional principles. Meanwhile, Noval Marom Hidayat (2024) analyzed factors contributing to low levels of public participation in agrarian reform implementation. However, these studies have not specifically addressed the normative incompleteness of social mapping regulations in agrarian access reform, particularly concerning their implications for legal certainty and regulatory reconstruction.

Based on the foregoing discussion, the research gap of this study lies in the absence of normative legal research specifically analyzing the incompleteness of social mapping provisions under Article 58 paragraph (1) of Presidential Regulation Number 62 of 2023 and its implications for legal certainty in access reform implementation. Previous studies have predominantly focused on the general implementation of agrarian reform, whereas this research positions social mapping as a normative instrument that fundamentally determines the effectiveness of access reform.

The novelty of this research lies in its integrative approach combining agrarian law, the theory of legal certainty, and legal reconstruction in analyzing social mapping as a normative instrument of agrarian reform. This study not only identifies the incompleteness of legal norms but also formulates a reconstruction of social mapping regulations through the establishment of operational standards, participatory verification mechanisms, Key Performance Indicators (KPI), and clearer as well as measurable sanction mechanisms. Accordingly, this research offers a more operational, accountable, and socially just model for regulating social mapping.

Based on the aforementioned background, this research aims to analyze the legal implications arising from the incompleteness of social mapping regulations in agrarian access reform and to formulate an ideal regulatory model based on the principles of legal certainty and



social justice. This study is expected to contribute theoretically to the development of agrarian law and practically to government policy-making in developing a more effective, measurable, and equitable agrarian reform framework.

2. RESEARCH METHODS

The research method employed in this thesis is normative juridical research, namely legal research that emphasizes the study of legal norms through library materials or secondary data as the primary source. This study constitutes doctrinal legal research focusing on statutory regulations, legal doctrines, and developing legal theories, with the objective of analyzing legal implications and contributing to the development of agrarian law, particularly in the context of agrarian reform.

The approaches utilized in this research include the statutory approach, conceptual approach, and comparative approach. The statutory approach was conducted by examining various regulations, such as the 1945 Constitution of the Republic of Indonesia, Law Number 5 of 1960 concerning Basic Agrarian Principles, and Presidential Regulation Number 62 of 2023 concerning the Acceleration of Agrarian Reform Implementation. The conceptual approach was applied to examine legal principles, doctrines, and theories related to legal certainty and legal reconstruction within agrarian reform. Meanwhile, the comparative approach was employed to compare the regulation of social mapping and the implementation of agrarian reform in several countries as well as regulations from different periods, in order to obtain a more comprehensive perspective regarding regulatory models that are effective, participatory, and capable of ensuring legal certainty. Through this approach, the research identifies the strengths and weaknesses of the prevailing regulations in Indonesia and formulates a concept of normative reconstruction that is more operational and implementative in the arrangement of agrarian reform access.

This research was conducted through library research by accessing various legal sources, both directly and through digital media. The objective of this research is to examine and analyze the regulation of social mapping in the arrangement of agrarian reform access and to identify legal issues arising from the incompleteness of norms in Article 58 paragraph (1) of Presidential Regulation Number 62 of 2023. The research subjects consist of primary, secondary, and tertiary legal materials. Primary legal materials include statutory regulations possessing binding legal force and directly relevant to the research object, such as the 1945 Constitution of the Republic of Indonesia, Law Number 5 of 1960 concerning Basic Agrarian Principles, and Presidential Regulation Number 62 of 2023 concerning the Acceleration of Agrarian Reform Implementation. The selection of primary legal materials was based on the criteria of normative relevance, hierarchy



of laws and regulations, and their relation to agrarian reform and social mapping arrangements. Secondary legal materials consist of books, scientific journals, research findings, academic articles, and expert opinions relevant to the theories of legal certainty, legal reconstruction, agrarian reform, and agrarian access arrangement. The selection of secondary legal materials was based on the credibility of the authors, substantive relevance, and the recency of publications, particularly scientific sources published within recent years to strengthen the research analysis. Meanwhile, tertiary legal materials include dictionaries, encyclopedias, and the Kamus Besar Bahasa Indonesia (KBBI), which were utilized to provide conceptual and terminological explanations of the legal terms employed in this research. The research procedure was conducted through several stages, namely the inventory of legal materials, selection of relevant legal materials, classification based on their types and characteristics, and systematic analysis of the legal issues under study. The research instrument employed was document study, namely a data collection technique conducted through the examination of regulations, literature, and legal documents related to the research object. The legal material tracing technique was carried out through library research to collect relevant and accurate information from various sources, including statutory regulations, reference books, scientific journals, and other related documents.

The legal material analysis technique employed in this research is qualitative analysis using a descriptive-analytical approach. The analysis process was conducted through the stages of selection, classification, evaluation, and interpretation of legal materials. Legal interpretation was carried out using grammatical interpretation, namely interpreting norms based on linguistic meaning; systematic interpretation, namely understanding legal provisions in relation to other regulations; and constructive interpretation, namely constructing new legal frameworks through logical reasoning such as analogy and *argumentum a contrario*. Through this method, the research is expected to provide a comprehensive analysis and produce systematic and argumentative formulations in addressing legal issues related to social mapping in the arrangement of agrarian reform access.

3. RESULTS AND DISCUSSION

Legal Implications of Normative Incompleteness in the Regulation of Social Mapping within Agrarian Reform Access Structuring

The results of this study indicate that the regulation of social mapping within access arrangement in agrarian reform remains largely normative and has not yet become fully operational. Juridically, the legal framework of agrarian reform has indeed provided legitimacy for the implementation of access arrangement through Presidential Regulation Number 62 of 2023

concerning the Acceleration of Agrarian Reform. However, the regulation regarding social mapping as stipulated in Article 58 paragraph (1) does not comprehensively regulate the mechanisms, operational standards, data collection methods, implementing actors, or verification systems for social mapping results. This condition creates a normative incompleteness that gives rise to multiple interpretations in practical implementation. From the perspective of legal certainty theory, a legal norm must be formulated clearly, firmly, and predictably in order to provide certainty for legal subjects (Fadli & Hadi, 2023). The ambiguity of Article 58 paragraph (1) of Presidential Regulation Number 62 of 2023 demonstrates that the regulation has not fulfilled the element of legal certainty as proposed by Gustav Radbruch, who emphasized that law must balance certainty, justice, and utility.

This research employs a comparative approach because the issue of social mapping in agrarian reform is not unique to Indonesia but also constitutes a significant concern in agrarian policies across various countries. The comparative approach was selected to examine how other countries regulate mechanisms for identifying agrarian reform subjects, public participation, and systems for verifying social data within their agrarian policies. Through this approach, the research obtains perspectives regarding regulatory models that are more operational, participatory, and legally certain. Countries such as Japan and South Korea demonstrate that the success of agrarian reform is highly dependent upon the existence of administrative standards and social mapping systems integrated with community economic data and clear institutional supervision (Lee, 2021). Accordingly, the comparative approach contributes to identifying normative weaknesses within the Indonesian legal system while simultaneously serving as the basis for reconstructing a more ideal and applicable legal framework for social mapping.

Furthermore, the selection of legal materials in this research was conducted selectively based on the relevance, authority, and contemporaneity of legal sources. Primary legal materials were selected due to their binding normative force, particularly those directly related to agrarian reform and access arrangement, such as Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, Law Number 5 of 1960 concerning Basic Agrarian Principles, and Presidential Regulation Number 62 of 2023 concerning the Acceleration of Agrarian Reform. Secondary legal materials were selected based on their relevance to theories of legal certainty, legal reconstruction, agrarian reform, social mapping, and administrative law, particularly scholarly literature and legal journals published between 2020 and 2025 in order to ensure academic novelty and empirical relevance. Meanwhile, tertiary legal materials were utilized to clarify legal concepts and terminology through legal dictionaries, encyclopedias, and other supporting documents.



In practice, social mapping is often implemented partially and without integration into other sectoral policies. This study finds that the implementation of social mapping depends largely on local government initiatives or specific programs rather than functioning as a systematic normative obligation within the national agrarian reform framework. This condition demonstrates that social mapping has not yet been positioned as a strategic instrument in access arrangement for agrarian reform but merely as an administrative complement. Theoretically, however, social mapping plays an essential role in identifying social structures, power relations, conflict potential, and the contextual economic needs of communities (Chambers, 1994). When social mapping is not conducted comprehensively, economic empowerment policies directed toward agrarian reform beneficiaries risk becoming misdirected and ineffective.

Moreover, this study finds that weak data integration constitutes one of the primary factors hindering the effectiveness of social mapping. Data produced by various institutions are frequently unstandardized and disconnected from an integrated information system. Consequently, social mapping results cannot effectively serve as an objective basis for determining agrarian reform beneficiaries or designing economic empowerment programs. In the context of modern law, data validity and reliability form an integral part of the principle of legal certainty because law requires not only clear norms but also objectively verifiable data (Fadli & Hadi, 2023). Such data inaccuracies ultimately create risks of improper land redistribution targeting and increase the potential for agrarian conflicts within society.

From an institutional perspective, this research finds overlapping authority among various institutions involved in implementing agrarian reform, particularly between the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN), local governments, the Agrarian Reform Task Force (GTRA), and other sectoral institutions. The absence of a specific institution functioning as the leading sector for social mapping results in weak horizontal and vertical coordination in policy implementation. From the perspective of institutional theory, this condition reflects weak institutional coordination, which consequently reduces the effectiveness of public policy (North, 1990). The ambiguity in the distribution of authority also broadens the scope for administrative discretion, potentially leading to abuses of authority in determining agrarian reform subjects.

Public participation in the social mapping process also remains relatively low. This study demonstrates that indigenous peoples, smallholder farmers, and other vulnerable groups are frequently positioned merely as objects of data collection rather than active subjects in the identification and verification of social data. In fact, participatory approaches constitute a fundamental principle of social mapping because they enable the collection of more accurate,



contextual, and community-oriented data. The low level of community participation reflects the suboptimal implementation of the principle of Free, Prior, and Informed Consent (FPIC) within agrarian reform. From the perspective of sociology of law, the effectiveness of a policy is strongly influenced by the degree of public acceptance and participation in that policy (Soekanto, 1982). Therefore, the absence of participatory mechanisms in social mapping directly affects the social legitimacy of agrarian reform policies.

This study also finds that local political factors significantly influence the implementation of social mapping. In several cases, social mapping has been used as an instrument for legitimizing particular policies rather than functioning objectively to identify the actual needs of agrarian reform beneficiaries. This phenomenon can be observed in the cases of Sangiang Island, Rempang Eco City, and Landono, where the neglect of socio-historical data concerning indigenous and local communities resulted in prolonged agrarian conflicts. This condition demonstrates a deviation from the fundamental objectives of agrarian reform, which should aim to realize social justice in the distribution of agrarian resources. Within the framework of the Pancasila rule of law state, agrarian policies should prioritize the protection of community rights and the equitable distribution of social welfare substantively.

From the perspective of legal substance, this study finds that the absence of technical regulations concerning operational standards for social mapping constitutes a significant obstacle in implementing access arrangement within agrarian reform. Existing regulations remain general and fail to provide technical guidance regarding data collection indicators, verification mechanisms, standards for public participation, or systems for evaluating program success. Consequently, the implementation of social mapping varies across regions and depends heavily on the interpretation of each implementing institution. This condition contradicts the principle of *lex certa*, which requires legal norms to be formulated clearly and unambiguously (Fadli & Hadi, 2023).

In relation to the objectives of this research, these findings demonstrate that the incompleteness of social mapping norms has generated legal implications in the form of normative ambiguity, weak data verification, unclear institutional authority, low public participation, and the absence of sanction mechanisms for improper social mapping implementation. As a result, access arrangement within agrarian reform has not yet functioned effectively in realizing sustainable community economic empowerment. Therefore, legal reconstruction is necessary through the establishment of more operational, measurable, and binding technical regulations.

Furthermore, this study emphasizes that social mapping should not merely be understood as an administrative data collection process but rather as an instrument of social transformation

within agrarian reform. Comprehensive, participatory, and legally certain social mapping would enable the government to formulate policies that are more responsive to community needs while simultaneously preventing agrarian conflicts preventively. Such an approach aligns with the concept of community-based development, which positions society as the principal subject of socio-economic development and empowerment.

Accordingly, the findings of this research affirm that the success of agrarian reform is highly dependent upon the quality of social mapping regulation and implementation. Without clear, measurable, and participatory regulations, access arrangement within agrarian reform will merely become a formal administrative policy incapable of addressing the root causes of agrarian inequality in society. Therefore, strengthening regulations, harmonizing institutional frameworks, integrating national data systems, and empowering public participation constitute strategic measures for realizing agrarian reform that is just and legally certain in accordance with constitutional mandates.

Regulation of Social Mapping in the Structuring of Agrarian Reform Access

The research findings indicate that the regulation of social mapping within access arrangement in agrarian reform has not yet established a comprehensive, operational, and legally certain normative basis. Article 58 paragraph (1) of Presidential Regulation Number 62 of 2023 merely states that social mapping constitutes “a series of processes to identify and examine community conditions,” without further regulating the scope, implementation methods, assessment indicators, verification mechanisms, implementing institutions, or legal consequences should social mapping be improperly conducted or not implemented at all. Such normative incompleteness has led to multiple interpretations in implementation across regions and caused social mapping to be perceived merely as an administrative formality rather than as a strategic instrument for access arrangement in agrarian reform.

From the perspective of legal certainty theory, a legal norm must be formulated clearly, consistently, and predictably in order to avoid uncertainty in its implementation (Fadli & Hadi, 2023). The ambiguity of the social mapping norm demonstrates that the regulation under Article 58 paragraph (1) of Presidential Regulation Number 62 of 2023 has not fulfilled the principle of *lex certa*, as it does not provide clear parameters regarding procedures or operational standards for implementing social mapping. This condition reinforces Gustav Radbruch’s view that law lacking normative clarity will lose its function of ensuring legal certainty.

Empirically, the study found that the implementation of social mapping largely depends on regional interpretation and the institutional capacity of implementing agencies. In several regions, social mapping has been conducted through participatory approaches involving indigenous



communities, farmer groups, and village governments. However, in other areas, social mapping has merely been carried out through administrative data collection based on formal documents without social verification in the field. These variations in implementation indicate the absence of binding national standards, resulting in non-uniform agrarian reform practices across regions (Salim, 2020).

This condition directly affects the inaccuracy of targeting within access arrangement in agrarian reform. In the case of Sangiang Island, for example, social mapping failed to identify indigenous communities as agrarian reform subjects due to the absence of participatory verification mechanisms concerning customary land tenure. Consequently, land redistribution and agrarian access arrangements instead generated prolonged conflicts between communities, investors, and local governments. Similar conditions can also be observed in the Rempang Eco City and Konawe Selatan cases, where weak social mapping resulted in the exclusion of local communities' historical rights from agrarian reform policies.

This research further reveals that the root of the problem does not merely lie in weak administrative implementation, but rather in the incompleteness of the legal norm itself. Article 58 paragraph (1) of Presidential Regulation Number 62 of 2023 may be categorized as *lex imperfecta*, namely a legal norm containing a legal command without clear implementation mechanisms and sanctions. As a consequence, social mapping lacks normative coercive force, thereby making it difficult to ensure consistent implementation in practice (Rahardjo, 2006).

In this study, the comparative legal approach was selected because it provides a significant contribution to identifying a more operational and legally certain model for regulating social mapping. The comparative approach was employed to compare Indonesia's agrarian arrangement system with the agrarian system in the Netherlands, particularly regarding the regulation of social databases, community participation, and verification mechanisms in land management. The selection of the Netherlands was based on several considerations. First, Indonesia's agrarian legal system has historically been influenced by the Dutch legal system. Second, the Netherlands possesses an integrated land administration system grounded in legal certainty through the Kadaster system, which prioritizes the accuracy of social and spatial data. Third, the Netherlands applies principles of public participation and data transparency in spatial planning and modern agrarian governance (Van der Veen, 2021).

The comparative findings demonstrate that agrarian regulation in the Netherlands has been equipped with data verification standards, integrated digital databases, participatory mechanisms, and clear administrative supervision. Such a system enables the identification of land management subjects and objects to be conducted more accurately and accountably. In contrast, the regulation



of social mapping within agrarian reform in Indonesia has not yet established standardized national operational guidelines, thereby creating inconsistencies among regions. Therefore, the comparative approach with the Netherlands contributes analytically to formulating a reconstructed legal model of social mapping that is more measurable, participatory, and grounded in legal certainty.

In addition, this study found that the criteria for selecting legal materials were conducted selectively based on their relevance to the issue of normative incompleteness in social mapping within agrarian reform. Primary legal materials were selected based on their hierarchical position and direct relevance to agrarian reform regulation, particularly Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, Law Number 5 of 1960 concerning Basic Agrarian Principles, and Presidential Regulation Number 62 of 2023 concerning the Acceleration of Agrarian Reform Implementation. Meanwhile, secondary legal materials were selected based on three main criteria: substantive relevance to agrarian reform and legal certainty, the recency of the literature, and academic credibility derived from scholarly books, indexed journals, and contemporary agrarian law research. Tertiary legal materials were used as conceptual and terminological support, including legal dictionaries and legal encyclopedias.

From the perspective of distributive justice theory, the incompleteness of social mapping norms has caused the distribution of agrarian reform benefits to not yet be fully based on the actual needs of society. This condition contradicts the principle of social justice, which positions the state as responsible for ensuring that resource distribution is conducted fairly and proportionally (Rawls, 1971). Therefore, social mapping should not merely be positioned as an administrative instrument, but rather as a strategic legal instrument that determines the validity of access arrangement in agrarian reform.

Based on the overall findings of this study, legal reconstruction is required concerning the regulation of social mapping within agrarian reform. Such reconstruction should be carried out through the establishment of regulations explicitly governing:

- national Standard Operating Procedures (SOPs) for social mapping;
- participatory verification mechanisms based on community involvement;
- integration of social, economic, and spatial data through digital systems;
- Key Performance Indicators (KPIs);
- division of authority among institutions;
- monitoring and evaluation mechanisms; and
- administrative sanctions for social mapping implementation that does not comply with established procedures.

Through such reconstruction, social mapping may function as an instrument of legal certainty in access arrangement within agrarian reform and support the realization of agrarian reform that is more effective, measurable, participatory, and socially just.

4. CONCLUSION

Based on the results of this study, it can be concluded that the incomplete normative regulation of social mapping under Article 58 paragraph (1) of Presidential Regulation Number 62 of 2023 concerning the Acceleration of Agrarian Reform Implementation has generated several legal implications, including normative ambiguity, weak mechanisms for the verification of social data, unclear institutional division of authority, limited public participation, and the absence of sanctions for the improper implementation of social mapping procedures. These conditions indicate that access arrangement within agrarian reform has not yet been able to provide optimal legal certainty and effective economic empowerment for agrarian reform beneficiaries. From the perspective of legal certainty theory as proposed by Gustav Radbruch, legal norms should be formulated clearly, consistently, and predictably in order to guarantee the protection of community rights and prevent the abuse of administrative authority. This study further reveals that the current regulation of social mapping in agrarian reform remains general in nature and lacks a national operational standard governing implementation methods, assessment indicators, participatory verification mechanisms, the integration of socio-economic and spatial data, as well as monitoring and evaluation systems. Therefore, legal reconstruction is required through the establishment of more operational, measurable, and binding technical regulations, enabling social mapping to function as a strategic instrument in realizing effective, participatory, and socially just agrarian reform. The novelty of this study lies in its analysis of the incomplete norms governing social mapping as a form of *lex imperfecta* within Presidential Regulation Number 62 of 2023, which directly affects the legal certainty of access arrangement in agrarian reform. This study also offers a concept of legal reconstruction of social mapping based on the theory of legal reconstruction by positioning social mapping not merely as an administrative instrument, but as a normative prerequisite for determining the validity and effectiveness of agrarian reform access arrangement. Accordingly, this study contributes theoretically to the development of legal certainty theory and agrarian law, while also providing practical contributions in the form of a more applicable, participatory, and legally certain model for regulating social mapping.

Based on the findings of this study, the government should immediately formulate technical regulations governing the implementation of social mapping in agrarian reform, either through a Ministerial Regulation of the Ministry of Agrarian Affairs and Spatial Planning/National



Land Agency (ATR/BPN) or through national technical guidelines explicitly regulating standard operating procedures (SOPs), participatory verification mechanisms, digital-based integration of socio-economic and spatial data, Key Performance Indicators (KPIs), as well as monitoring mechanisms and administrative sanctions. Furthermore, stronger institutional coordination is required among the Ministry of ATR/BPN, regional governments, and the Agrarian Reform Task Force (GTRA) to ensure that the implementation of social mapping is carried out consistently, measurably, and based on public participation. In terms of implementation, the government should also optimize the application of the principle of Free, Prior, and Informed Consent (FPIC), particularly with respect to indigenous peoples and vulnerable groups, in order to prevent social conflicts and inaccuracies in determining beneficiaries of agrarian reform access arrangement. Through such regulatory and institutional strengthening, social mapping is expected to function not only as an instrument of legal certainty, but also as a means of community empowerment in realizing sustainable and socially just agrarian reform in accordance with Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia.

REFERENCES

- Chambers, R. (1994). Participatory rural appraisal (PRA): Analysis of experience. *World Development*, 22(9), 1253–1268.
- Fadli, M., & Hadi, S. (2023). Legal certainty and the principle of *lex certa* in Indonesian administrative law. *Jurnal Hukum dan Pembangunan*, 53(2), 145–162.
- Fajar, H. F. (2022). Agrarian reform policy strategies in realizing social justice based on constitutional principles. *Jurnal Hukum Agraria dan Tata Ruang*, 4(2), 101–118.
- Hidayat, N. M. (2024). Public participation in the implementation of agrarian reform in Indonesia. *Jurnal Reformasi Hukum*, 8(1), 55–72.
- Li, T. M. (2014). *Land's end: Capitalist relations on an indigenous frontier*. Duke University Press.
- Lee, J. H. (2021). Agrarian reform and integrated social mapping in East Asia: Lessons from Japan and South Korea. *Asian Journal of Comparative Law*, 16(1), 77–95.
- North, D. C. (1990). *Institutions, institutional change and economic performance*. Cambridge University Press.
- Rahardjo, S. (2006). *Legal Science*. PT Citra Aditya Bakti.
- Rawls, J. (1971). *A theory of justice*. Harvard University Press.
- Salim, H. S. (2020). *Indonesian Agrarian Law*. Sinar Grafika.
- Setiawan, A. (2023). Social mapping as an instrument for community empowerment in agrarian reform access arrangement. *Jurnal Pembangunan Hukum Indonesia*, 5(3), 311–329.

Soekanto, S. (1982). *Legal Awareness and Legal Compliance*. Rajawali Press.

Khairunia, S. Z. (2024). Optimization of agrarian reform in improving public welfare through institutional strengthening and asset legalization. *Jurnal Ilmu Hukum dan Kebijakan Publik*, 6(1), 88–104.

Konsorsium Pembaruan Agraria (KPA). (2025). *2025 Agrarian Reform Year-End Report*. Konsorsium Pembaruan Agraria.

Van der Veen, M. (2021). Land administration and participatory spatial planning in the Netherlands. *European Property Law Journal*, 10(3), 201–219.

The 1945 Constitution of the Republic of Indonesia.

Law Number 5 of 1960 concerning Basic Agrarian Principles.

Presidential Regulation Number 62 of 2023 concerning the Acceleration of Agrarian Reform Implementation.