

Communal Land Protection in Betung Kuning: Toward a Tripartite Legal Harmonization

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Abstract

The protection of communal land remains a critical issue in Indonesia due to the gap between customary recognition and formal legal certainty. This study examines communal land governance through the Regulation of the Minister of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN) No. 14 of 2024 from the perspective of Islamic family law. Using an empirical qualitative approach, data were collected through interviews, observation, and document analysis in Betung Kuning Village. The findings reveal that communal land is socially recognized under customary law but largely unregistered, leading to boundary disputes, inheritance conflicts, weak legal standing, and limited economic utilization. From the perspective of Islamic family law, land registration is essential to ensure clarity of inheritance assets, protect heirs' rights, and promote distributive justice in line with the principle of *hifz al-māl*. Although the regulation represents a progressive legal framework, its implementation faces challenges, including legal fragmentation, low legal literacy, limited historical documentation, financial constraints, and cultural resistance. This study proposes a tripartite harmonization model integrating customary law, Islamic law, and national law to support inclusive and sustainable communal land governance.

Keywords

Communal Land; Indigenous Rights; Islamic Family Law; Legal Harmonization; ATR/BPN Regulation No. 14/2024

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1. INTRODUCTION

The protection of indigenous peoples' rights to communal land is a critical legal issue at both the national and global levels. International recognition of indigenous rights has been affirmed through instruments such as the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) 2007 and the International Labor Organization Convention No. 169. In Indonesia, however, tensions persist between customary law, which recognizes collective ownership, and the national legal system, which emphasizes individual land rights and certification under the Basic Agrarian Law of 1960. This



dualism often leads to disputes, particularly when communal land intersects with investment, development, and natural resource exploitation.

Legal uncertainty remains a central issue, as normative recognition of customary land has not been followed by effective administrative implementation. Indigenous communities frequently experience marginalization due to state land claims or corporate concessions. Similar challenges are observed globally, including in Brazil, Canada, and Australia, indicating that communal land protection is closely linked to broader issues of social justice, human rights, and environmental sustainability (Ulfstein, 2005). Empirical studies in Indonesia also reveal persistent challenges, such as difficulties in obtaining land certification in Manggarai and legal inconsistencies in inheritance cases, as demonstrated in the Sorong District Court decision. (Siregar et al., 2025)

Constitutionally, the Indonesian state recognizes customary law communities through Article 18B of the 1945 Constitution, as well as Articles 28I(3) and 32(1), which emphasize respect for cultural identity and traditional rights (Dan et al., 2012). However, such recognition often remains declarative and has not been fully translated into effective legal protection. From a socio-cultural perspective, communal land holds not only economic value but also spiritual, social, and cultural significance for indigenous communities (Mardhiya, 2024; Triakyuni & Handayani, 2025). It functions as a source of livelihood, a symbol of collective identity, and a means of preserving ancestral traditions (Alfarizi et al., 2025). Therefore, its governance requires a balance between legal certainty and respect for customary values.

Existing studies on communal land in Indonesia have predominantly focused on agrarian conflicts, land administration, and legal pluralism. Palenewen (2024) identifies disputes arising from weak community involvement and inadequate compensation mechanisms. Meanwhile, Elora (2024) highlights the potential of land certification, including digital systems, to enhance legal certainty despite challenges related to data readiness and public literacy. Research also shows that the sustainability of indigenous communities depends on their ability to maintain cultural identity and collective rights (Pratiwi et al., 2018). Furthermore, studies on legal pluralism indicate that the coexistence of customary law, Islamic law, and civil law often creates uncertainty, particularly in inheritance distribution involving communal land. (Asalim, 2024)

From the perspective of Islamic law, property management and inheritance distribution are governed by principles that emphasize justice, clarity, and protection of rights. Communal land, when treated as family property, becomes part of inheritance (*tirkah*) and requires legal certainty to ensure fair distribution among heirs (Hermanto, 2024; Sakti & Dasopang, 2026). However, the integration of Islamic family law with land administration systems remains underexplored. Despite the growing body of literature, most studies remain limited to agrarian and administrative perspectives, with insufficient

attention to the integration of Islamic legal frameworks. In particular, the relationship between communal land registration and Islamic family law, especially concerning inheritance, distributive justice, and asset protection, has not been comprehensively examined. Moreover, the implementation of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN) No. 14 of 2024 introduces a new legal framework for communal land registration. However, its interaction with customary law and Islamic law has not been sufficiently analyzed. This gap is significant because the majority of communal land remains uncertified, leading to weak legal certainty, inheritance disputes, and limited economic utilization.

This study aims to analyze the protection of communal land by integrating Islamic family law with national land regulations. It focuses on examining the urgency of communal land registration from the perspective of Islamic family law, analyzing the implementation of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN) No. 14 of 2024, identifying the legal and sociological constraints encountered in the registration process, and developing a tripartite harmonization model integrating customary law, Islamic law, and national law. This research is conducted in Betung Kuning Village, which serves as a relevant empirical case in which communal land registration remains suboptimal due to limited legal awareness and administrative challenges (Peraturan al., 2024). The study is expected to contribute both theoretically, by integrating Islamic legal perspectives into land governance, and practically, by providing a framework for more equitable and sustainable land policy.

2. METHOD

This study employs an empirical legal research method, combining a qualitative approach with library research. This design is selected to examine the implementation of communal land registration in social practice while analyzing its relevance to Islamic family law and national land regulations. The empirical approach identifies gaps between legal norms and field realities, whereas library research strengthens the study's normative and theoretical foundations. Field research was conducted in Betung Kuning Village, a case study area that represents a relevant context where communal land registration remains suboptimal.

The research involved 10 informants: 2 customary leaders, 6 heirs of communal land, 1 village official, and 1 officer from the ATR/BPN Office of Kerinci Regency. Informants were selected purposively based on their direct involvement, knowledge, and relevance to communal land management and registration processes. The sample size is considered sufficient in qualitative research to capture in-depth insights and achieve data saturation, particularly given the case study's focused scope and the homogeneity of the research context.

Primary data were obtained through field observation, in-depth interviews, and documentation. Observations focused on patterns of land possession, use, and management. Interviews explored perceptions, experiences, and constraints related to communal land registration. Documentation included village archives, customary records, land certificates, and related administrative documents. Secondary data were collected through library research, including statutory regulations (the 1945 Constitution, the Basic Agrarian Law of 1960, and the Regulation of the Minister of ATR/BPN No. 14 of 2024), scholarly books, reputable journal articles, and international legal instruments such as UNDRIP and ILO Convention No. 169.

Data analysis was conducted using a qualitative descriptive-analytical approach through three main stages: data reduction, data display, and conclusion drawing. In the analytical process, interview and observational data were systematically coded using open coding to identify key categories, followed by thematic analysis to develop patterns related to legal uncertainty, inheritance issues, regulatory implementation, and socio-cultural constraints. This approach allows integrating empirical findings with relevant legal theories and regulatory frameworks.

To ensure the validity and reliability of the findings, this study applies triangulation techniques, including data source triangulation (comparing information from different informants), method triangulation (cross-checking interviews, observations, and documents), and theoretical triangulation (interpreting findings using perspectives from customary law, Islamic law, and national law). These strategies enhance the credibility and consistency of the analysis.

3. FINDINGS AND DISCUSSION

3.1. The Portrait of Communal Land Ownership in Betung Kuning Village

Betung Kuning Village is one of the regions that continues to preserve a land tenure system based on customary law, in which communal land is understood as a collective asset with economic, social, and cultural functions for the local community (Nugroho et al., 2017). In practice, communal land is used not only for agriculture, plantations, and residential areas. However, it is also seen as a symbol of the collective identity of indigenous communities, inherited from generation to generation. This characteristic is consistent with the view that communal land forms part of the social system of customary law communities and cannot be separated from genealogical structures, customary leadership, and the continuity of local communities. (von Benda-Beckmann & von Benda-Beckmann, 2014)

The persistence of these arrangements demonstrates that property relations in indigenous societies are embedded within broader social and kinship relations rather than merely reflecting economic interests. Furthermore, this condition reflects the operation of legal pluralism, in which customary law

serves as the primary normative system governing land tenure, independent of formal state recognition (von Benda-Beckmann, 1997). In this context, communal land is not merely an economic asset but a socially legitimized institution embedded in genealogical structures and customary authority.

At the sociological level, communal land registration in Betung Kuning Village is constrained by limited public understanding of registration procedures and legal consequences. Cultural resistance also persists, as some customary leaders view registration as a potential threat to communal ownership and customary authority, given that communal land represents not only an economic asset but also ancestral identity and heritage.

Economic burdens, including administrative, transportation, and land measurement costs, further discourage registration. Moreover, disputes over land boundaries, representation of the *kaum*, and inheritance status often complicate the process, particularly when state requirements for legal certainty encounter unresolved communal claims.

Overall, communal land registration faces interconnected sociological, economic, legal, and intra-community challenges. These constraints reflect the interaction of plural legal systems and socio-cultural dynamics, requiring integrated measures through legal reform, institutional strengthening, legal education, procedural simplification, financial support, and the active involvement of customary institutions. (Mujiburohman et al., 2024). Field findings indicate that most communal land in Betung Kuning Village remains unregistered, reflecting a gap between customary legitimacy and administrative legality that weakens the legal protection of indigenous communities. (Manik et al., 2022; Farhani & Ramli, 2025)

Sociologically, there are two patterns of land ownership in Betung Kuning Village. First, purely communal land managed collectively within a kaum or particular kinship group. Second, family-cultivated land that historically originated from communal land but whose use has become individual in nature over generations. From the perspective of Islamic family law, this ambiguity complicates the classification of land as inheritance (*tirkah*), since unclear ownership status prevents the proper application of distributive justice principles. Thus, the dualism between communal and individual control not only creates legal uncertainty but also challenges the implementation of Islamic inheritance law. Such phenomena are common among indigenous communities undergoing economic transformation and changes in land-use patterns. (Puri et al., 2024)

In addition, many field boundaries still rely on natural markers, such as small rivers, old trees, large stones, or former roads. This traditional boundary system is effective within closed communities whose members know one another, but it becomes problematic when environmental changes occur, settlements expand, or external parties enter the area. Numerous disputes arise due to the disappearance of old boundary markers or differences in interpretation among heirs. From a land

governance perspective, the absence of participatory mapping reflects weak integration between customary spatial systems and formal cadastral systems. This gap increases the risk of disputes and demonstrates the need for institutional mechanisms that bridge local knowledge with formal land administration. (Lubis et al., 2025)

The absence of formal legality limits the economic utilization of communal land, while concerns persist that legalization may weaken customary values. From the perspective of **maşlahah**, land registration is justified when it promotes welfare without compromising communal identity, requiring a balance between economic benefits and cultural preservation (Triakyuni & Handayani, 2025). Overall, communal land ownership in Betung Kuning Village reflects the strong legitimacy of customary law, yet the absence of formal recognition weakens legal certainty and economic access. This condition underscores the need to harmonize customary, national agrarian, and Islamic law through a more inclusive and pluralistic governance model.

3.2. Registration of Communal Land as Rights Protection in Islamic Family Law

The registration of communal land does not merely carry administrative significance within the national land system, but also contains a dimension of legal protection closely related to the principles of Islamic family law.

In Islamic family law, one of the principal requirements for the distribution of inheritance is clarity about the estate's object (*tirkah*). Property whose ownership status is unclear has the potential to generate disputes among heirs, because it cannot be ascertained whether the land constitutes the private property of the deceased, jointly owned family property, or remains under the communal rights of an indigenous community. Such conditions are frequently found in unregistered communal land, where land use has continued for generations but lacks a formal evidentiary basis. As a result, the inheritance distribution process is often delayed, disputed, or even gives rise to prolonged family conflicts. (Hermanto, 2024)

Field findings in Betung Kuning Village indicate that inheritance disputes frequently arise when a deceased person leaves no clear land ownership documentation. Heirs often differ in their views as to whether the land constitutes the inheritance of the nuclear family or still forms part of the communal land of the kaum. Therefore, land registration is important to clarify the land's legal status before the inheritance process is carried out. This finding confirms that the absence of formal land registration not only creates administrative gaps but also disrupts the application of Islamic inheritance principles, particularly in determining the legal status of *tirkah*.

Normatively, Islamic law, through the *maqāṣid al-sharī'ah*, places the protection of property (*ḥifẓ al-māl*) as a fundamental principle. Within this framework, the protection of property is not merely preventive but also ensures the continuity and lawful transfer of wealth across generations. In the land context, certification or registration of communal land constitutes a concrete form of protection for family assets, preventing their loss, seizure, or dispute. In this regard, land registration functions as a legal instrument to operationalize *maqāṣid* by transforming informal ownership into recognized legal rights. Accordingly, land registration is not contrary to either customary law or sharia, but rather serves to protect lawful property rights. (Ayunanda et al., 2024)

In addition, the registration of communal land also protects the rights of wives, children, and other vulnerable family members. In social practice, they often lose access to family land due to the absence of written evidence. Islamic family law affirms the civil and inheritance rights of women and children. With formal land legality, their position becomes stronger because their rights can be legally proven (Sakti & Dasopang, 2026). This is consistent with Qur'anic provisions on inheritance (e.g., Q.S. al-Nisā': 7, 11), which explicitly guarantee property rights for women and children.

The registration of communal land can prevent unilateral control by certain family members. In several customary communities, land that a single party has long managed is often regarded as private property, even though it originated in collective ownership. Without clear records, this situation has the potential to lead to monopolization, contrary to the principle of justice in Islam. Therefore, land legalization constitutes a preventive measure to ensure the fair and transparent distribution of rights. Such monopolization contradicts the principle of *'adl* (justice) and may lead to *gharar* (uncertainty) in ownership claims, which is discouraged in Islamic legal transactions. From a socio-economic perspective, land registration enhances economic utility by enabling access to financing, business development, and investment certainty, allowing families to utilize assets productively without being constrained by disputes. In this context, land registration also ensures compliance with sharia principles, thereby aligning with the broader objective of *maṣlaḥah*.

However, the registration of communal land must accommodate the collective nature of customary ownership. Islamic family law does not require full individualization but emphasizes clarity of rights, responsibilities, and distributive justice. Therefore, a collective registration model with internal governance mechanisms is more appropriate than converting communal land into individual rights. In this sense, communal land registration is not merely an administrative necessity but a normative requirement within Islamic legal theory to ensure justice, legal clarity, and the protection of intergenerational wealth.

Overall, the registration of communal land is a strategic instrument for protecting rights. Such registration provides certainty regarding inheritance assets, protects family members, prevents internal conflicts, and safeguards the economic sustainability of customary families. Accordingly, the legalization of communal land is not merely a matter of state administration, but also a means of realizing family justice and social welfare (*maṣlahah*).

3.3. Implementation of the Regulation of the Minister of ATR/BPN No. 14 of 2024 on Communal Land

The issuance of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN) No. 14 of 2024 constitutes an important step by the state in strengthening the recognition and protection of the rights of customary law communities over communal land. However, despite its progressive orientation, the regulation still reflects a regulatory gap between normative recognition and operational mechanisms, particularly in translating customary land claims into administratively verifiable data. This regulation was enacted in response to the large number of customary territories that are sociologically recognized but have not yet obtained administrative legitimacy. Previously, the absence of a clear registration mechanism rendered communal land vulnerable to claim disputes, overlapping permits, and the marginalization of indigenous communities.

Normatively, the Regulation of the Minister of ATR/BPN No. 14 of 2024 requires the existence of customary law communities that are still living, possess customary institutions, have clearly defined territories, observe customary norms, and receive social recognition from the local community. This provision demonstrates that the state does not merely assess the physical aspect of land, but also recognizes the social and cultural dimensions of communal land. Therefore, the registration of communal land differs from the registration of ordinary individual land rights (Regulation of the Minister of ATR/BPN No. 14 of 2024). Nevertheless, these requirements may also create exclusionary barriers, as many indigenous communities lack formal institutional recognition or clearly documented territorial boundaries, despite their sociological existence.

In its implementation, communal land registration involves identifying indigenous communities, verifying customary institutions, determining territorial boundaries, collecting data, measuring land, and recording rights. These stages require participatory validation among the government, land offices, and indigenous communities. A collaborative approach is considered effective in minimizing boundary disputes and enhancing the legitimacy of registration outcomes (Puri et al., 2024). Field findings in Betung Kuning Village indicate that the regulation has not yet been optimally implemented. A portion of the community still lacks understanding regarding the procedures, required documents, and the institutions authorized to handle the process. This indicates not only a lack of public awareness but also

institutional weaknesses, including limited administrative capacity, insufficient inter-agency coordination, and the absence of systematic legal outreach.

This demonstrates that the regulation will not be effective without proper socialization and administrative assistance (Hamid & Silviana, 2025). The community also demonstrates an ambivalent attitude. Some view certification as important for preventing inheritance disputes and claims by external parties, while certain customary leaders are concerned that legalization may reduce customary autonomy and encourage the individualization of ownership. Therefore, policy implementation needs to adopt a cultural approach.

Another obstacle is the unavailability of historical documents and accurate boundary maps. Many land boundaries still rely on natural markers, while records of possession are largely preserved through collective memory. As a result, verification often requires lengthy mediation processes. This condition highlights a systemic mismatch between the state's formal evidentiary standards and customary modes of knowledge, which rely on oral history and collective memory. This reflects a deeper structural issue: state-driven land administration frameworks are not fully aligned with the socio-cultural logic of customary communities. This condition underscores the importance of participatory mapping and the documentation of local history (Lubis et al., 2025). From a legal protection perspective, this regulation strengthens indigenous communities' position when dealing with external parties by providing a formal evidentiary basis for their collective rights. From the perspective of Islamic family law, land registration also supports certainty regarding property and inheritance assets, while preventing internal family disputes.

Overall, the Regulation of the Minister of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN) No. 14 of 2024 constitutes a progressive policy framework; however, its effectiveness remains contingent upon addressing structural challenges, including regulatory gaps, institutional limitations, and the integration of customary knowledge systems into formal land administration. Without such reforms, the regulation risks remaining normatively strong but operationally limited. Therefore, its successful implementation requires not only public outreach and bureaucratic capacity, but also the strengthening of customary institutions and the adoption of a participatory approach to ensure inclusive and sustainable land governance.

3.4. Normative and Sociological Constraints in the Registration of Communal Land

The registration of communal land continues to face significant normative constraints due to the lack of synchronization among customary law, national law, and sectoral regulations. Although the state formally recognizes customary law communities, its implementation varies across regions depending on local policies and administrative verification mechanisms. As a result, many indigenous

communities experience difficulties in fulfilling formal requirements despite their continued sociological existence. This condition reflects a structural gap between normative recognition and substantive protection, leaving indigenous communities vulnerable in securing their rights over communal land. (Haba, 2010)

Another major normative obstacle concerns the issue of evidentiary proof. The state land administration system prioritizes written documentation, boundary maps, and formal juridical data. In contrast, indigenous communities rely on oral history, genealogical records, recognition by customary leaders, and natural boundary markers. This incompatibility between evidentiary systems creates a systemic disadvantage for indigenous claims, as they are often considered legally weak within formal procedures. Consequently, a tension emerges between the state's pursuit of legal certainty and the community's conception of justice. Therefore, the registration mechanism must be redesigned to be more inclusive and participatory, accommodating the distinctive evidentiary practices of customary systems. (Simanjuntak, 2025)

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3.5. Reconstruction of the Harmonization of Customary, Islamic, and National Law

The harmonization of customary, Islamic, and national law has become an urgent necessity for communal land governance, as these legal systems coexist and interact within society. Customary law provides social legitimacy, Islamic law ensures justice in property and inheritance, while national law offers administrative certainty through land registration. When these systems operate separately, the potential for normative conflict and disputes remains significant. (Permadi & Muttaqin, 2023)

In the context of Betung Kuning Village, harmonization may begin by positioning customary law as the basis for identifying the subjects and objects of communal land. Recognition by customary leaders, land possession history, family genealogies, and traditional territorial boundaries should serve as the primary sources of data for the registration process. In this way, the state does not abolish the customary system, but rather administratively incorporates it into the framework of formal law. This approach is important to ensure that land legalization gains social legitimacy from indigenous communities.

Furthermore, the principles of Islamic law need to be integrated, particularly in the allocation of benefits and the resolution of family disputes. The values of *hifz al-māl* (protection of property), deliberation (*musyawarah*), and justice in inheritance may serve as the basis for determining management rights among family members without eliminating the communal nature of communal land. In this manner, Islamic law functions as a normative ethic that ensures land management does not result in injustice or monopolization by certain parties. (Malaka, 2018)

On the other hand, national law, as set out in the Regulation of the Minister of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN) No. 14 of 2024, must be implemented in a flexible and participatory manner. The state needs to provide space for customary evidence, such as testimony from community leaders, participatory maps, and oral histories, within the verification instruments. If the evidentiary system relies solely on formal documents, many indigenous communities will remain marginalized from access to land legalization. (Syukrisna et al., 2025)

The ideal model of harmonization is the collaboration of three principal actors: the government, customary institutions, and religious leaders. The government facilitates regulation and administration, while customary institutions verify historical records and communal ownership structures. At the same time, religious leaders provide mediation on values related to family justice and dispute resolution (Bowen, 2003). This synergy can accelerate the registration of communal land while simultaneously preserving the social stability of village communities. (Hidayat & Setyowati, 2024)

The findings of this study indicate that communities are more receptive to land legalization when the process does not abolish customary authority and continues to respect local religious values (Aina et al., 2024). This finding is consistent with the perspective of legal pluralism, which emphasizes that the effectiveness of legal policies depends on their ability to accommodate the coexistence of state law, customary law, and religious norms within society (Hariri & Babussalam, 2024). This means that the success of land policy cannot be measured solely by the number of certificates issued, but also by the extent to which regulations preserve cultural identity, uphold family justice, and foster public trust in the state. (Fuad et al., 2023)

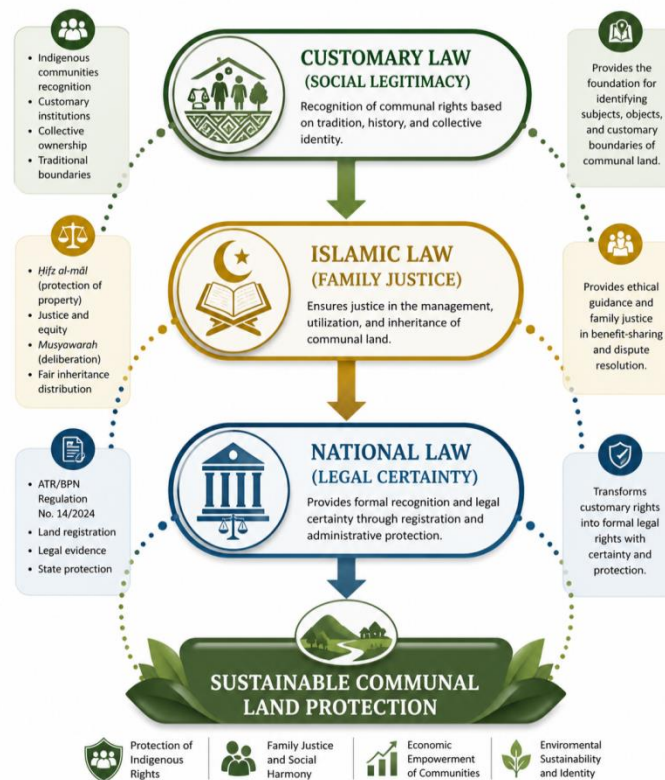
Accordingly, the reconstruction of the harmonization of customary, Islamic, and national law is not merely the unification of norms, but the formation of a model for communal land governance that is just, inclusive, and sustainable. If implemented consistently, this model can serve as a strategic solution to protect the rights of indigenous communities while simultaneously strengthening the integration of Indonesia's pluralistic legal system (Hooker, 2008). To clarify the proposed framework, the tripartite harmonization model is summarized in the table below.

Table 1. Tripartite Harmonization Model

Legal System	Main Function	Contribution	Mechanism	Challenges	Implementation Strategy
Customary Law	Social legitimacy	Recognition of communal rights	Identification of communal land through genealogies, customary leaders (ninik mamak), and oral history	Lack of formal documentation, boundary ambiguity, and internal disputes	Participatory mapping, formal recognition of customary institutions, and documentation of local history
Islamic Law	Family justice	Inheritance fairness (ḥifz al-māl)	Determination of land status as inheritance (tirkah); application of distributive justice principles	Unclear ownership status; overlap between communal and individual rights	Legal clarification of ownership status; integration of maqāṣid principles; mediation based on Islamic law
National Law	Administrative certainty	Registration and legal evidence	Land registration procedures (verification, measurement, certification)	Bureaucratic complexity; document-based system; limited accessibility	Simplification of procedures; legal outreach; integration of customary evidence into a formal system

The interaction among these three legal systems is illustrated in Figure 1

Figure 1. Integrated Harmonization Model for Communal Land Protection



The interaction among these systems is dynamic and interdependent. Customary law supplies legitimacy, Islamic law ensures distributive justice, and national law formalizes rights within the state system. This process is mediated through collaboration among government institutions, customary leaders, and religious authorities. The model emphasizes that effective land governance requires not merely the coexistence of legal systems, but their integration. Without such harmonization, communal land remains vulnerable to legal fragmentation, conflict, and uncertainty. Therefore, this model offers an inclusive and sustainable framework for managing communal land within plural legal contexts.

4. CONCLUSION

This study demonstrates that communal land governance cannot be addressed solely through administrative mechanisms; it requires integrating rights protection, family justice, and recognition of collective identity. Empirical findings from Betung Kuning Village indicate that although communal land is socially recognized, its lack of formal registration leads to disputes, inheritance conflicts, weak legal standing, and limited economic access. From the perspective of Islamic family law, land registration is essential to ensure clarity of inheritance (*tirkah*), protect heirs' rights, and uphold distributive justice in line with *ḥifz al-māl*.

Although the Regulation of the Minister of ATR/BPN No. 14 of 2024 represents a progressive framework, its implementation remains constrained by regulatory fragmentation, limited legal literacy, evidentiary challenges, and socio-cultural resistance. This study contributes theoretically by proposing a tripartite harmonization model integrating customary law, Islamic law, and national law, and practically by emphasizing that policy effectiveness should be measured not only by administrative outputs but also by inclusivity, social legitimacy, and justice. Future research should test this model across different contexts and develop participatory or digital approaches to communal land registration.

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